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NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Third Assembly
Second Session

Parliamentary Record

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NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

Third Assembly
Second Session

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Mr Speaker
Mr Dondas
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PART I

DEBATES

DEBATES

Tuesday 11 October 1983

Mr Speaker MacFarlane took the chair at 10 am.

MOTION
Broadcast of Proceedings

Mr SPEAKER: Honourable members, I have received a letter from Mr John Abell, Station Manager of radio 8 Top FM, requesting permission to broadcast proceedings in the Assembly from the commencement of each day's sittings to the conclusion of questions without notice. I replied to Mr Abell that, whilst I have no opposition to such a broadcast, I felt that the Assembly itself should authorise it under whatever rules it should decide. I lay on the table copies of the correspondence between myself and Mr Abell. The correspondence has been circulated to all honourable members.

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I move that the Legislative Assembly authorise 8 Top FM radio to broadcast direct the proceedings of the Assembly from the commencement of each day's sittings to the conclusion of questions without notice under the following conditions: (1) the broadcast shall start on each sitting day at the commencement of the sitting and shall cease at the conclusion of questions without notice; (2) no sponsorship shall be associated with any such broadcast; (3) no rebroadcast of all or part of the broadcast shall be made by radio station 8 Top FM or any other station unless with the express permission of the Speaker; (4) in making any condition relating to such a rebroadcast, the Speaker may call upon the advice of the House Committee; and (5) the following general principles shall apply to announcemements to be made by radio 8 Top FM announcers: (a) any announcement is to be confined to a straight description of the proceedings before the Assembly; (b) no political views or forecasts are to be included; and (c) the announcement of each member receiving the call shall include the following particulars: (i) name; (ii) parliamentary office or portfolio; and, (iii) political party. No comment on the presence or absence of members, including ministers, is to be made.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the opposition supports this motion unreservedly. The second point in the motion indicates that no sponsorship should be associated with any such broadcast. I was just thinking that any radio station manager who was interviewing an applicant for a position of advertising manager could use as an acid test of that person's ability his success in finding a sponsor for question time. Without any reflection on 8 Top FM - quite the reverse; I applaud its initiative - I must express some personal regret at the failure of the ABC to do this. More than 6 months ago, I wrote to the ABC asking if it would be possible for it to broadcast at least question time in the Legislative Assembly. That correspondence was followed up by a personal meeting with the ABC people in Darwin. There was also further correspondence with you, Sir, both written and over the telephone, where you indicated your support for such a proposition. As a staunch supporter and admirer of the Australian Broadcasting Commission, I regret that, unfortunately that proposal did not get anywhere. Having said that, I would like to applaud the initiative of 8 Top FM in taking up that slack. I would be very interested, after it has been broadcast for a few months, to know from 8 Top FM if it has any indication of what kind of listening audience it has for question time. With those few remarks, the opposition indicates total support for this motion.

Motion agreed to.

PETITION
Newspaper Prices in Nhulunbuy

Mr LEO (Nhulunbuy): Mr Speaker, I present a petition from 424 people in Nhulunbuy relating to newspaper prices in that community. The petition bears the Clerk's certificate that it conforms with the requirements of Standing Orders. Mr Speaker, I move that the petition be received and read.

Motion agreed to; petition received and read:

To the honourable Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned people of Nhulunbuy and citizens of the Northern Territory respectfully showeth that we are petitioning for your Assembly to take action against our unrealistically high priced newspapers caused, we are led to believe, by excessive freight costs. Your petitioners therefore humbly pray that the Legislative Assembly, through the executive member responsible for community development,investigate these prices and take positive action against freight costs, and your petitioners, as in duty bound, will ever pray.

TABLED PAPER
Auditor-General's Report 1982-83

Mr SPEAKER: Honourable members, I lay on the table the Report of the Auditor-General on the Treasurer's Annual Financial Statements for the year ended 30 June 1983 and upon other activities.

MOTION
Publication of Auditor-General's Report 1982-83

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I move that this Assembly, in accordance with the provisions of the Legislative Assembly (Powers and Privileges) Act 1977, authorise the publication of the Report of the Auditor-General for 1982-83.

Motion agreed to.

MOTION
Printing of Auditor-General's Report 1982-83

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the Auditor-General's Report 1982-83 be printed.

Motion agreed to.

MOTION
Auditor-General's Report 1982-83

Mr EVERINGHAM (Chief Minister): Mr Speaker, I move that the Assembly take note of the Auditor-General's Report 1982-83 and seek leave to continue my remarks at a later hour.

Leave granted; debate adjourned.

MINISTERIAL STATEMENT

Government Dealings with Sir Frederick Sutton and His Companies

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, in recent weeks, there has been some controversy generated in one of the local papers about compensation to Sir Frederick Sutton or his companies for the acquisition of part of Tipperary Station, namely, Fish River pastoral lease. This pastoral lease consists of an area of 3435 km^2 part of which is suitable for agriculture and has been so used. Fish River was acquired compulsorily on 24 March 1983 along with Oolloo of 492 km^2 nearby and Mataranka of 2991 km^2 near Katherine.

The Valuer-General was asked to value these properties and came up with a figure of $125 000 for Fish River, excluding plant and stock. An offer of this amount was conveyed to Sir Frederick Sutton and he rejected it. Since then, negotiations have continued in which later, as Minister for Lands, I became involved. These negotiations reached the stage of agreement in principle during September this year on compensation of $312 500. I make it quite clear that the final settlement proposals were put to me and I approved of them, although final settlement has not yet occurred. The breakup of the $312 500 is apportioned as: $200 000 for the land, $112 500 for the cost of stock removal and erection of boundary fences between Fish River and the rest of Tipperary and for disturbance generally and other minor heads which I have not included in the statement. The Valuer-General has agreed to the value of $200 000 placed on the land.

This settlement is sought to be made controversial by linking it with the Admiralty House site in which Sir Frederick Sutton has shown some interest. By telling part of the story only, it can be dressed up to look a little sinister. The imputation seems to be that the government increased the settlement offer on an acquisition whilst negotiating with the same person or company over a hotel development. The logic of this escapes me but then journalism has never really been connected with logic. Of course, the whole story is rather different, as is widely known.

Just for good measure, however, the opposition spokesman on lands, the honourable member for Millner, joined the fray. Curiously, he did not seek a briefing as he usually does. He merely put some questions on notice. At the same time as he put those questions on notice, he was seeking an urgent briefing on another fairly minor matter. It is almost as though he did not want to find out the full story or maybe he wanted to be able to claim ignorance of it for as long as possible.

What no one has seen fit to mention is the third leg of the government's negotiations with Sir Frederick Sutton, which is really of far more relevance than the Admiralty House site which, in my view, is completely irrelevant to the Fish River acquisition. Tipperary, as all members know, adjoins the Douglas-Daly Research Station. Unfortunately, a number of the research buildings and other improvements were erected on Tipperary. I discovered in the last 12 months or so that the Department of Primary Production has been negotiating with Sir Frederick Sutton to acquire this land and buildings since at least 1979, when apparently the error was discovered. The government was in a very weak position because, if we were forced to acquire the land compulsorily, we would have to pay compensation not only for the land, but also for the buildings erected on it. What we were successful in doing during the recent negotiations was to persuade Sir Frederick Sutton to transfer the land and buildings forming part of the Douglas-Daly Research Station to us free of any charge together with some additional land required by the department.

It may be said that we inflated the settlement offer on Fish River to achieve this. I do not think so. Let us just look at the original ADMA acquisition from the Douglas-Daly pastoral lease, an area of 200 km^2, and the only real guide to values in the area. The Valuer-General's original valuation was $85 000. The eventual settlement negotiated was $218 000. Valuation is a subjective science and it may be that the Valuer-General values the land as pastoral land, not making any allowance for its intended agricultural use. It should be pointed out that sales of comparable agricultural land which are essential for reasonably-informed valuation are non-existent. In any event, the Douglas-Daly matter was settled after 2 further valuations of $200 000 or more were received from reputable independent valuers, and to my mind this had to be seen as a benchmark for acquisition values in the area.

A journalistic throw-away line which concerned me, Mr Speaker, and I am sure you also, is the allegation that the Rixons of Oolloo were in some way bullied over their acquisition. Nothing could be further from the truth, as you know, Mr Speaker. While Sir Frederick Sutton and the owners of Mataranka received a notice in the mail telling them that their properties had been acquired, Mr and Mrs Rixon received visits with attempts at negotiation from departmental heads, then the Minister for Primary Production, and lastly from myself and yourself, Sir. You will also recall the tirade that we received. You will recall that my requests to Mr Rixon to name a price or negotiate were spurned and we were shown the door. Mr and Mrs Rixon went to their lawyers and there the matter of their compensation still lies although the government has made an offer to them. I can appreciate their being upset and unhappy about their property being acquired but they were shown extraordinary consideration otherwise. The decision to fight rather than to negotiate has been entirely their own. The allegation that Mr and Mrs Rixon have been bullied has about as much substance behind it as a recent headline stating that writs had been issued by ADMA farmers.

Mr Speaker, regarding the Admiralty House site, which the government is to take over from the Department of Defence at Christmas, the position is that, for the time being, Sir Frederick Sutton has decided against building a hotel in Darwin so he no longer has an interest in the site. His decision was taken in the light of the expected construction of a multi-storey hotel and office tower in Mitchell Street almost opposite his property. The Planning Authority recommended that the Minister for Lands not alter the zoning of the Admiralty House land from special use but I propose to go ahead and rezone the site to enable its use as other than residential. The government proposes to offer Admiralty House and Lyons Cottage, whose tenants we will ask to relocate within the next few months, jointly or separately for expressions of interest for use as small private museums or art galleries. Both buildings commend themselves to this use and little else and, obviously, while rentals will probably be small, the public will have access to both buildings which it does not have at the moment. The lessees will be required to maintain the buildings and gardens substantially as they are at present.

Mr Speaker, in conclusion, I can only say that I believe that the best place for a minister to reply to the various innuendos raised over this matter must be in this Assembly. It seems to me that an attempt has been made to make a story by omitting a key element. To say the least, this is mischievous, and I hope that the matter can now be laid to rest.

ELECTRICAL WORKERS AND CONTRACTORS AMENDMENT BILL
(Serial 331)

Continued from 31 August 1983.

Ms D'ROZARIO (Sanderson): Mr Speaker, I rise to support this bill. It addresses many of the matters which we saw as deficient in the principal act. The matters addressed relate particularly to the inspection of electrical works, the issue of licences in various categories and also the determination of complaints against licence holders in relation to their capacity to carry out the work for which they are licensed.

One of the interesting features about this bill is the revision of the functions of the board. I am interested to see that the board now is to have some positive function which is prescribed in paragraph (b) of proposed section 17C, with respect to providing apprenticeship training. It would be quite obvious to members that the electrical trade offers quite a good opportunity to employ apprentices, and I am pleased to see in paragraph (b) that a specific, rather than an implied, function of this board is to cooperate with other institutions which provide training for apprentices in the electrical trades.

Another interesting function which has been introduced is that the board must cooperate with the Northern Territory Electricity Commission in relation to the inspection of electrical work. We have a system where the responsibility for provision of electrical installations is with the electricity commission but the persons who discharge the work come under the Electrical Workers and Contractors Act. It seems sensible that the legislature provide some mechanism for cooperation between those 2 organisations.

Mr Speaker, paragraph (d), which is another new paragraph, allows the board to investigate and hear complaints regarding electrical work and, when we consider that this is a matter of public safety, then we must give the board some teeth in order that electrical work is carried out at the levels of safety that the public expects.

The bill also provides categories of licences which are spelled out for each of the electrical trades. They are for electrical mechanics, fitters, linesmen and cable jointers, and another clause allows any other prescribed trade classification. We also propose to issue these licences in 3 grades. Of course a person will be able to hold a licence in more than one category. The new definitions also set out what type of work persons holding these licences are entitled to perform.

I mentioned that an interesting feature of this bill was the participation by the board in apprenticeship training. A proposed new division 3A allows the board to register apprentices and also to enable apprentices to do more productive work than has been the case hitherto. But, allowing again for recognition of the public demands for safety, safeguards are mentioned in proposed new section 42B, which spell out the conditions under which apprentices can perform electrical work. Proposed new division 3A proposes that the board keep a register of apprentices who are undergoing training in any of the electrical trades and that is provided for in proposed new section 42A.

Proposed new section 42B spells out the conditions under which apprentices may perform electrical work. Mr Speaker, I am sure that all members are concerned with the supervision of work by apprentices because it has to be recognised that they are not fully trained and the conditions for this are spelt out in proposed new subsection (1) of proposed new section 42B. The

conditions stipulate that an apprentice can only do the work under the direct supervision of a person who is authorised by this act to perform the work himself. Direct supervision is quite closely defined as 'the constant and personal supervision of the person so authorised'. The apprentice can also perform work if he has passed the examination prescribed by the Vocational Training Commission and he has completed not less than 3800 hours of practical electrical work and, at the same time, he must be under the general supervision of a person who is authorised to do the work. I think that 3800 hours affords a considerable amount of practical work and I commend the minister for putting this safeguard in to ensure electrical trade apprentices can do productive work that will be of benefit not only to them for their later careers but also their employers. I have to say that it is becoming increasingly difficult to induce employers to take on apprentices because, for most of the early part of their apprenticeship, they are not very productive and, in fact, employers have to incur costs in providing supervision for people who are not productive.

Mr Speaker, the other condition under which an apprentice may be authorised to do work is if he is engaged in electrical work on articles or installations which are physically isolated. 'Physically isolated' is further defined as an article which is not connected to a power supply source. Thus, we have these conditions under which apprentices, during the time of their apprenticeships, may increase their productivity to benefit both themselves and their masters or employers. As I mentioned, there has been quite a deal of discussion about inducing employers to take apprentices, and I feel that the approach that has been addressed in this particular bill will go a long way to making apprenticeships more attractive from the point of view of the employer.

The next question, which I think is quite an important one for us, is the grounds under which licences can be suspended. This is spelt out in clause 23. This clause has been tightened up considerably but again the suspensions relate to reasons connected with technical competence of the licence holder and I think that this is what the public expects. The public expects that a person holding a licence and holding himself out as being able to do the work can perform that function. I think it is encumbent on the board to cancel licences where persons show that they are either negligent or incompetent.

None of these provisions would be any use at all unless we could also put some controls on persons who are unlicensed. I realise this may cause the honourable member for Alice Springs some heartache as he does not really like such controls on people but, as I mentioned, we are dealing with a trade which is very closely related to public safety and I do not feel that innocent bystanders should be subject to electrocution and other injury because of the work of unlicensed people. In proposed new section 53, we have a provision that unlicensed persons cannot perform certain electrical work. On the other hand, the categories of persons who can perform work, subject to the constraints that I have mentioned, include students who are engaged in electrical work as part of their courses of training. This comes back to the guidelines that have already been provided in section 42 of the act.

Mr Speaker, there is one remaining matter which I should address because it was introduced as proposed legislation some time ago by the opposition: the licensing of repairers of electrical appliances. Having looked at the numerous new definitions which define not only all the electrical trades but also the different classes of work that can be performed under this particular act, I am satisfied that the matter of licensing electrical repairers has been addressed by this bill, particularly when the definitions of 'electrical mechanic' and 'electrical article' are read together. The bill that we produced some time ago was more in the nature of a consumer protection amendment to ensure that

people who were undertaking repair work on expensive electrical appliances were in fact able to do the job that they held themselves out as being able to do and that they were licensed. I am pleased that that particular initiative has been incorporated in this amendment. I support the bill.

Mr D.W. COLLINS (Alice Springs): The honourable member for Sanderson has gone through the basic propositions of the training, the licence conditions, the types of licences and the conditions under which licences can be suspended. I do not intend to go over them again. I agree that training is necessary. Electricity is dangerous; it can kill. We need some degree of control over it. I will confine my remarks to matters which I think are of practical importance, particularly in the light of some definitions. It is one of the things that this review of the Electrical Workers and Contractors Act has come up with. There is some clarification of terms which, I am sure, will be welcomed by all those involved in the electrical industry, particularly as it also covers the Mines Safety Control Act.

The 2 new definitions of 'electrical installation' and 'electrical installation work' are of interest to me. Two particular aspects of these definitions give me some degree of concern. Firstly, is it the intention to cover the private generation of electricity and any private work on private electrical equipment? The other relates to repairs and appliances. In one sense, I intend to take the devil's advocate stance because of certain practical concerns.

On the matter of the private generation of electricity, I have in mind such places as station properties and many outback communities where electricity has to be generated on a private basis. Mainly, the work is done by the station people. The government is involved in many of the Aboriginal communities. I am very mindful of one particular station outside of Alice Springs which was pioneered in 1950. Maybe 1950 does not sound like a pioneering time - it was just 30 years ago - but it was indeed. The owner of that particular station was in the army in the second world war and he had had some experience with electrical work. Certainly, he was not licensed. He could not afford to engage people to travel all the way out to his station to do his electrical work. For over 30 years, he has maintained his own generating equipment, refrigerators and electric pumps. Of course, he is just one person. There must be many others in the Territory who have established their own equipment and maintained it for a very long time indeed.

To obey the law as it is being proposed here would in many cases be very costly. Certainly, it could be very inconvenient and, to some extent, dangerous. For example, if the power generator failed in a heat wave, a person would have to engage a contractor to come out. If it happened over the Christmas holidays, it could be very difficult indeed. If the pumps were not maintaining a water supply, the cattle could be in danger. I do not know what the answer is. Perhaps consideration can be given to providing a special licence or even an exemption for those people who have proven experience.

It is not as though people are dying by the dozen because of electrical accidents. These people have in mind their own health and welfare and that of anybody who visits them. I am quite satisfied of that. At one stage, I spent at least 10 weeks on that station and helped to manage it while the owner was having a break. I was on long service leave. It was an excellent experience. In fact, one job that I had to do was to rewire one generator set to another because one of the requirements was that the standby generator set be given a run every so often. That involved removing the wires from one standby set to another. Of course, they were turned off at the time. I had to fire it up and

change it back afterwards. It is part of normal life on the station. We cannot expect station people to bring in a contractor time and time again. I raise that point because it is more relevant in the Territory than anywhere else.

Generally, I accept the principle behind appliance repairs, but what happens if we take it to its extreme? My jug element blows, I can go down to Coles, pick one up off the shelf, undo 2 nuts, take the old one off, screw a new one on and be back in business. If we interpret this literally, I would no longer be allowed to do that; I would have to take the jug to somebody who has a licence. I hope that the spirit of this matter does not go quite that far. I bet there is many a person in this Assembly who has connected broken wires on occasion. I am sure that many members of the general public, in spite of what we are proposing, will continue to do that. Of course, if it is done properly, no one knows.

I am not saying that there is not a certain amount of danger. I have a science degree and thought I knew a fair bit about electricity but I had a very salutary experience before becoming a teacher. It related to the position of the switch in alternating currents. The active wire feeds into a motor and the neutral wire feeds out of the motor back to the power-station to complete the circuit. If the switch is turned off, there is still an electric current at the motor. If you start dickering around with a screwdriver, you could become the earth and receive a severe electric shock. Something which I had not realised before is that the switch must be on the active side. I am prepared to accept that mistakes can happen. I do not think that, in relation to minor repairs, people will obey the law. Hopefully, it will be the spirit of the act that some of these minor things will be ignored. I know it is very difficult to put fine distinctions in legislation. My point in mentioning this is so that, if someone looks back over the record in Hansard, he will see the spirit of the act. A little bit of common sense should prevail in these minor matters. For example, I note in the definitions that the connection of an electrical appliance has to be done by a licensed person. Surely, that really means the permanent connection such as the installation of an air cooler. I hope nobody takes that literally to mean that when you connect your TV set you have to call in a contractor.

The other point that concerns me is the contractor's licence. The proposal is that a person who holds an A-grade licence must wait 2 years before he is able to obtain a contractor's licence. I appreciate the general concern that a young A-grade licence holder would not feel confident to take on the extra burden of becoming a contractor. However, I wonder whether this legislation is not a little bit overprotective. I have a relation who has been an electrical apprentice. He is an A-grade licence holder but he said that he felt there was no way that he could have gone out and become his own boss. His own words were that he would have starved. He was very happy indeed to be employed. He was a top apprentice in his final year. If a top apprentice has the good sense to recognise that it would be very difficult for him to make a living with his experience at that stage, that is something to be commended. In fact, recently he jumped at the chance to do some wiring at my house. The nature of his employment did not allow him to take any remuneration for it but he was keen to do the job to gain the experience of wiring the extensions to the house. I have every praise for the electrical inspectors who check the job. They were well known to this young fellow. As the owner, I was very happy to have the whole job carefully checked. I have every praise for their thoroughness and for their attitude towards this young fellow. They treated the inspection as a training session for him and I am sure that he appreciated their work. The greatest guarantee for consumer safety comes through the thorough inspection of work by our local inspectors.

Quite often, a mature person may have his qualifications upgraded. He would have had experience of working on his own. If he is not capable of working on his own, the A-grade licence should never have been granted. It is an unnecessary restriction that such a mature person be prevented for 2 years from applying for a contractor's licence.

There is another anomaly that I am sure was not intended. An apprentice who has obtained an A-grade licence may find that, because of economic circumstances, his employer does not need his services any longer. He could keep his licence current by paying the appropriate fee each year. He could possibly be out of work for 2 years and have no extra experience yet he could apply to become a contractor. I cannot see any provision in the bill to prevent that particular situation occurring. That is certainly not the intention of the legislation.

What I would suggest to the honourable minister is that, in the interests of protecting public money, maybe a clause should be inserted in public contracts that the contractor must have been established in business for 2 years. However, contractors who have just started in business generally begin with small jobs. Such a person would often begin on his own and do housewiring or small repairs on call. I believe the consumer is well protected by government inspectors. When a wiring job is done, notice has to be given to NTEC and the inspectors check the work and authorise the final connection if they are satisfied that the work is satisfactory. They do a very good job. They have an important job and deserve recognition.

If such a contractor has to spend long hours and perhaps is slow at his work - people generally pay for the work done and not for the actual time taken - that is a process of gaining experience and that is what business is all about. Personally, I am very grateful that people are still willing to enter business. I do not like to see what I feel to be unnecessary red tape hampering them. As I have said, there is the protection through the work of the inspectors. In fact, I would suggest that the market should really determine the contracting situation. If someone wants to go into business and has his licence, which should only be given if he is competent to do the work, then let him have a go. If he does not have a great deal of business experience, the best way to get it is to jump in at the deep end. I believe every citizen who is prepared to put his own money and time into his business has the right to gain experience, even if that experience may on occasion involve failure. It is not the end of the world. People pick themselves up, dust themselves off and have another go, and that is what I like to think Australia is about.

Mr Speaker, I support the bill before us, but I would like to think that those matters that I raised will be taken into consideration before the third reading.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I wish to speak in support of this bill, and refer particularly to the effect of parts of it which will ensure that persons who undertake to repair electrical appliances are appropriately licensed under the Electrical Workers and Contractors Act. As honourable members are aware, I introduced a bill to effect that change, but it was defeated at that time. But I am very pleased that, under this comprehensive review of the act, persons undertaking repairs will have to be licensed appropriately. Honourable members will also recall that I was stimulated to do this at the time because of the very large and constant number of complaints received by the Commissioner of Consumer Affairs and other consumer authorities about electrical repairs.

Any person who wishes to go through the reports of the commissioner and the Consumer Affairs Council for the past several years will see that this area of commercial activity has been one which has brought constant complaint from members of the public. I am very pleased that now persons who purport to be able to effect repairs to electrical appliances, many of which are quite valuable pieces of equipment, will be appropriately qualified, in the view of the board, to undertake that work satisfactorily for the benefit of the public. I do not share the fears of the honourable member for Alice Springs that, if he or I should repair an electric jug element, we will end up in trouble. I believe that the act has been worded very carefully and I am sure that the licence provisions similarly will be sufficiently precise to ensure that those people who are entering the trade for commercial gain are covered by the legislation and not people like the innocent member for Alice Springs.

I am very pleased to support this bill. I believe that the review of the act was timely and its extension to cover those additional areas is for the benefit of the people of the Northern Territory.

Mr ROBERTSON (Mines and Energy): Mr Speaker, I thank honourable members from both sides of the Assembly for their comments. There is very little I can add to the very constructive comments made by the honourable member for Sanderson. I do not see anything from the notes that I have made here on her contribution which could be usefully added to.

Mr Speaker, the honourable member for Alice Springs raised, I think with the best motives in the world, very genuinely and firmly held concerns that he has in relation to some issues within the legislation. I would not propose that we proceed beyond the second-reading stage today. I would certainly want at least a couple of his points raised. I think the honourable member for Fannie Bay put her finger right on the pulse of the matter of appliance repairs when she related it to people who do it for commercial gain. I will be seeking advice from the legislative draftsman and members of the board to see if the insertion of words to that effect would be an appropriate way of approaching the problem and thereby overcoming the difficulties foreseen by the honourable member for Alice Springs.

His concerns in relation to the activities of pastoralists may well be extended to people who operate small prawning or fishing boats, although they might have an engineer on board. There is no reason to believe that such a person would be qualified to this standard as an electrical tradesman. As such he may also find himself in some difficulty when operating in waters within Territory jurisdiction. Mr Speaker, clearly there are a number of issues to look at. I would not imagine there would be any way of overcoming the problem of the type of station owner mentioned by the member for Alice Springs without quadrupling the size of the legislation before us. It is very difficult to pass any law which becomes in itself a man for all seasons. It may not be possible to accomodate those situations.

Mr Speaker, on many occasions, as a pastoralist, you would have done work which would have been caught up within the meaning of this legislation. Where a law seeks to prevent an activity, the fundamental consideration which must be borne in mind as to whether a prosecution should result from a breach of the law is whether the public interest would be served by making that prosecution. Quite clearly, in the circumstances outlined by the member for Alice Springs, no jurisdiction - not even the Soviet Union - would prosecute. The law must be read not only as the document states but bearing in mind a commonsense approach

to its administration.

Mr Speaker, while the honourable member may be perfectly correct that urgent and immediate action may need to be taken by a pastoralist in order to keep his electrical pumps operating to save valuable cattle and indeed provide water for his family, it must also be remembered that his family are innocent parties to his action. Any visitors to the place are also innocent parties to any action or omission which may or may not occur. Of course, his mistake would not necessarily kill him; it could kill a visitor, a member of his family or one of his workers.

Therefore, I would like to seek further advice on how that section of the legislation will be implemented in practice. I might be able to better inform honourable members of the Assembly during the committee stage. I have no amendments. Nonetheless, I will seek further advice on the matters raised by 2 honourable members. I will look at the possibility of the solution put forward by the honourable member for Fannie Bay - even if she did not intend it as a solution - being incorporated to overcome the difficulties outlined.

Motion agreed to; bill read a second time.

REPORT

Subordinate Legislation and Tabled Papers Committee - 11th Report

Mr HARRIS (Port Darwin): Mr Speaker, I table the eleventh report of the Subordinate Legislation and Tabled Papers Committee.

I apologise to the honourable member for Nightcliff who has just come in. I contacted the members for Fannie Bay and Alice Springs. I believe that it is a non-contentious report. I move that the Assembly take note of the report.

Ms LAWRIE (Nightcliff): Mr Speaker, this is known as gathering one's wits and speaking on one's feet. I had no prior notice that this would come on today. However, I believe that, in that report, and I am speaking from memory, there is a paper relating to the Northern Territory Housing Commission loans. I have some grave reservations about the effect on the general populace of the regulations tabled by the committee. I am well aware of the committee's terms of reference and, of course, these particular regulations had to receive the approval of the committee. Nevertheless, it is wise to draw my reservations to the attention of the Assembly.

One of those regulations states that a person shall be ineligible for a Northern Territory Housing Commission loan if the person, his or her spouse or a dependent child has an interest in other land or property in the Northern Territory. My concern is that a dependant may be left property in the Northern Territory entirely independently of any influence of his parents or any interest. Honourable members will be aware that it is the policy of the present Liberal Country Party government - and this is supported by the ALP and certainly supported by myself - to encourage stability for those persons wishing to make their home in the Territory and that it should not be considered axiomatic that people who retire should have to go to another place to make their home there. It will become apparent to honourable members that wills are often made willing property to grandchildren and not to the immediate children. Parents of such children will be denied the right to take up a Northern Territory Housing Commission loan because of the regulation tabled by the committee. For the benefit of the Minister for Housing, I repeat that these regulations prohibit

a person from gaining access to a Northern Territory Housing Commission loan if a dependant has an interest in property. I am aware that there may have been abuses in the past by people deliberately arranging for transfer....

Mr HARRIS: A point of order, Mr Speaker! Could I just ask the honourable member for Nightcliff to which paper she is referring.

Ms LAWRIE: No, you cannot because you have not given me a copy of it.

Mr SPEAKER: Order!

Ms LAWRIE: May I ask the honourable member whether he is tabling the twelfth report along with this?

Mr HARRIS: Mr Speaker, there is a report on the notice paper which I have not spoken to. The report I am tabling is the one which we passed during the luncheon adjournment.

Ms LAWRIE: Sorry. Had I but known.

Motion agreed to; report noted.

APPROPRIATION BILL 1983-84
(Serial 342)

Continued from 1 September 1983.

Mr ROBERTSON (Attorney-General): Mr Speaker, the member for Sanderson remarked at the last sittings that she has sat through a number of debates on appropriation bills. I too have done that and, indeed, more often than she has. Ever since the advent of the Australian Labor Party in this Assembly, I have also had the dubious honour on each occasion of following the lead speaker of the opposition. On each occasion, I have indicated at the outset that I have great difficulty in coming to anything meaningful by way of rebuttal of what the opposition has said. I find myself in a similar position on this occasion.

Mr B. Collins: Isn't it difficult when we are supporting your budget?

Mr ROBERTSON: Yes, of course it is. I note with some pleasure that the honourable Leader of the Opposition says he is supporting the budget. The construction of his words means the opposition supports the thrust, direction, objectives and methods by which the Northern Territory government will go about pursuing the interests of the Northern Territory. That is extremely useful to hear, Mr Speaker.

If I can encapsulate the speech of the opposition spokeman on financial matters, it can be divided into about 6 parts. She mentioned revenue and what she sees as declining revenue based on estimates given previously. She then alluded to the possibility, as she sees it - the usual scaremongering tactic - of significantly increased charges after the next election. If the Australian Labor Party were to win, those suspicions could be guaranteed to be subsequently proven fact. While there were very few in the federal government budget that one could easily identify, taxation by stealth was very obvious to anyone who wished to gaze even casually at those documents. Mr Speaker, the honourable member quite rightly expressed concern as to capital works which, of course,

are one of the keys to the growth of any economy.

She then proceeded to an analysis, and I think a perfectly reasonable and justifiable one, on the rate of expenditure on the Channel Island project, a matter which has concerned me quite considerably as minister responsible for mines and energy and a matter that obviously came to her attention. I will deal with that shortly. She then devoted a considerable part of her speech to the generosity of the present federal government. In answering questions in this Assembly, I admitted that, in respect of each of those areas that I am responsible for, the present federal government has honoured those commitments which were standing either by way of the Memorandum of Understanding or subsequent agreements between ourselves and that government. However, history subsequently proved that admission to be an illusion as well.

Mr Speaker, the greater part of the speech of the honourable member was devoted to casting doubts on the deferred finance arrangements, a matter which encompasses much of the government's capital works program. I think that further information on that is best left to the Treasurer. Nonetheless, it is not a system which has been untried around the globe. Indeed, it is not unknown for tenderers for government contracts even now to put proposals to government which encompass this very principle. In fact, I became aware of one for the first time about a week ago. It was drafted prior to the budget statement and contained a perfectly reasonable proposal in relation to a significant building in the Northern Territory. It is a very similar idea to that put forward by the Treasurer. It was a method of payment by government - a method of stimulating capital works development in the Northern Territory. If it has already occurred to private industry, quite clearly, with active government participation and encouragement, there is no reason why it will not become a reality in the very near future, and a very successful reality at that.

The honourable member's contribution to the debate seemed to indicate a complete misapprehension of the purpose and role of the extra $1m for small business. I would be the first to concur entirely with the honourable member for Sanderson if, indeed, the sole contribution of the government in support of small business was $1m. Small business is the greatest single employer within the private sector. It probably employs 9 out of every 10 people employed, not just in the Northern Territory but throughout Australia. That seemed to be her major concern. She mentioned it several times during her budget speech and finished by calling it a miserly figure.

Mr Speaker, I must confess that this idea was mine. As is usual in budgetary considerations, we have a process of settling those ongoing programs which government cannot do without. If it did not settle its ongoing programs then, of course, it would have to start to make cuts and alterations which would affect programs and stability. One of the first things to do within the priorities is to settle those matters which the government considers ought to be ongoing. They are indexed to some extent for the purposes of inflation costs, varied, depending on the success or otherwise of various programs and the way the public utilises them and assessed as to their benefits. Basically, a very large slice of any budget is precommitted for the government unless policy is to be changed radically. I would caution the Northern Territory electorate against any rapid or radical change in policy next time there is an election.

This budget is based on a proven formula for growth of the Northern

Territory. I believe that no budgetary system in this country for a long time has been more successful in promoting confidence and continued development than the Northern Territory's. One has only to look around to see its success. The truth about this major concern to the honourable member for Sanderson is that, after all those things are settled, hopefully in the consideration of any budget, there is revenue available for distribution to initiatives. We had funds allocated to the Northern Territory Development Corporation for its ongoing program. This $1m was an additional amount of money allocated over and above the ongoing program to which small business already has access, and will continue to have access. Indeed, small business is the largest user of Northern Territory Development Corporation loan funds. I am not talking about guarantees and other special propositions approved by Cabinet through the NTDC which are of a specific nature - in other words, guarantees and one-off operations. The greatest user of the multiplicity of loans within the NTDC is quite clearly small business. This money is additional to that to which it will still maintain access. It is for the purpose of providing loan funds to existing successful businesses which are already employing Northern Territory people.

Where a business reaches a stage where it is stable and successful but, in the opinion of the owners of that business, it is clearly a requirement to have further capital at reasonable interest rates, the government proposes to accept applications for loans. But it must be demonstrated that the business is successful and satisfactorily operated and that the provision of those moneys will result in increased employment for Northern Territorians. They are the criteria. I do not want my colleague, the Treasurer, to think that I am in any way disloyal but I must admit that, from the actual wording of the Treasurer's speech, that may have been a difficult message to gather. The Treasurer's speech referred to special rather than general payments. The general loans will continue in the same manner as previously. This is a payment of a very special nature and it is for the purpose of aiding small business to employ more Territorians which indeed is the thrust of the whole budget generally.

Mr Speaker, referring to the theme of the honourable member for Sanderson's speech in relation to capital works, she used solely the figures of the Department of Transport and Works to come up with the figure of $103m-odd as being the amount of capital works to be made available through that department. She then compared it to the amount made available to the Department of Transport and Works last year and came up with a figure of about $5.6m as a growth rate. Let me say that I would be the first to want to see a greater increase through the Department of Transport and Works capital works budget if that were possible and could be achieved by making cuts elsewhere. If one is going to spend money on capital works within the limited subventions available to a government, then quite clearly priorities have to be looked at. Certain parts of the budget are very much tied up in recurrent expenditure, the principal one being the thousands of Territorians we employ in our public service. It is pretty well untouchable. The predecessor to the present Leader of the Opposition once made great issue about $20 000 allocated for the Office of Information. He said that, by tampering with that we would alter a capital works program. Mr Speaker, that is not so. Let us not make that mistake. The total of those little bits that one can nit-pick at in any budget would not build 1 km of road.

When one talks about the provision of capital works money, the other things to consider are the capacity of the companies that tender for and obtain these jobs to actually do the work and the actual need for the work within the constitutional capacities of the Northern Territory. I can think of many things that this government would willingly spend money on if it were within its bailiwick, the Alice Springs airport being one glaring example. It can only be

described as a national disgrace in terms of what the Commonwealth's abdication of responsibilities has been in respect of that area. One can go to Cairns or Mt Isa, which is not a tourist-oriented area like Alice Springs, and find facilities vastly better than we have in one of Australia's major tourist destinations. If it had the capacity and the constitutional right to do so, an early commitment would be made by this government for things like the upgrading of Tindal and certainly the upgrading of Darwin airport.

Nonetheless, Mr Speaker, a large range of capital works have been identified, particularly in Darwin, which are clearly necessary. Within my own department, there is a multi-million dollar lower courts complex to go ahead. There are projects like that throughout the Northern Territory. In my electorate, except for areas which are the responsibility of the Commonwealth, one finds it rather difficult to commit projects of a capital nature without simply spending the money for the sake of spending it. I have expended a lot of effort, as no doubt have the honourable members for Stuart and Alice Springs, in identifying needs and project works for that centre. Nonetheless, when we take all of the capital works across the whole of the budget documents, not just confining ourselves to those matters alluded to in the Department of Transport and Works' capital works division, we find a completely different picture from that which was painted by the honourable member for Sanderson. Indeed, the increase over the last 2 years, and maintained this year, of capital works expenditure is enormous.

One can look on the negative side. It would appear that most money being spent in Palmerston is on capital works. But, that is the very function of the Palmerston Development Authority. One merely need look at the act which is its charter for operation and one finds that it is a provider of infrastructure works for the purposes of subdivision of land. If one were then to talk to Henry and Walker, for instance, one of the major contractors in that area, one would find this year and last year a very significant increase in the amount of money being spent on capital works. That particular organisation has, by way of charter, a sunset clause in its operation. It has a task to do and it is doing it very well. This government has poured millions into it. Needless to say, that expenditure by the authority must necessarily decline as the project nears completion. Once the structure is there to allow private enterprise to come in, then of course there will be massive expenditure.

A glance at the documents would reveal a continuing and growing commitment of this government to another side of capital works - housing. The provision of housing remains a high priority of this government, not only in the provision of capital through the Housing Commission but equally, if not more importantly, the provision of funds to the private sector through the Home Loans Scheme. That is one of the most successful projects that the government has embarked upon in recent years. I do not think the opposition would demur from that view at all.

Mr Speaker, I cannot forgo the opportunity to take the Leader of the Opposition to task in the same pious style that he seeks to do with us. Quite often, we hear the Leader of the Opposition say that this side of the Assembly is guilty at times of making misleading statements to the media. This is a delightful little rag called 'Australian Labor Party - Labor Now'. It has some of the most extraordinary comments I have ever seen. It is an allegation that...

Mr B. Collins: Of course, we pay for it.

Mr ROBERTSON: It also pays for the advertisements, Mr Speaker. It is

clear that it expects the public to swallow gullibly whatever rubbish it wants to put up and it justifies that on the sole basis of paying for it. Incredible logic, Mr Speaker. I am going to take the honourable member up on that. The last time he spoke on this subject, it was in relation to an advertisement concerning the area of land put under cropping by this government. That advertisement said that the area of land had been doubled. The Leader of the Opposition said that that was one of the worst examples of misleading advertising that he had ever seen.

Mr. B. Collins: What are you raving about?

Mr ROBERTSON: Let us look at what the opposition has to say about NTEC. He has been accusing this side of the Assembly of scaremongering. We have not been scaremongering; we have simply been ensuring that we get our fair share and nothing more. He said that, rather than there being a reduction in the funds made available to NTEC for electricity subsidies we have a $6.9m increase. Even without the excise, that in itself is a misleading statement. The 'increase' is merely an honouring of the agreement which existed between us and the Commonwealth with, as I have admitted, about $0.5m in addition.

Of course, when we really look at the truth, the Commonwealth, while handing us this so-called increase of $6.9m, rips $3.3m off NTEC and something like $21m off the rest of the Territory by way of fuel excise duties. If the Leader of the Opposition wishes to live in glass houses, I would suggest that he forget how to throw rocks.

Mr Speaker, generally, the contribution of the member for Sanderson was reasonable. I believe that her difficulty with the small business loans resulted from a lack of appreciation of the system rather than a criticism of the provision of those extra funds to small business. This budget is based on a proven formula for success and development. It is a style of budgetary appropriations which has clearly worked in the Northern Territory and woe betide us if there is ever a marked departure from that particular approach - by that Mr Speaker, I refer to what will occur some time next year.

Mr B. COLLINS (Opposition Leader): Mr Speaker, it is rather delightful to have from the lips of the Attorney-General confirmation that the Labor Party will win the next Northern Territory election. That will be quite interesting reading in Hansard tommorrow.

Mr Speaker, I will reverse the normal procedure that I adopt in these budget debates mainly because of the possibility of running out of time. There are a number of specific issues that I wish to raise in relation to education and primary industry. I will do that now and make some general comments later on.

I will raise a number of specific points during the committee stage but I wish to deal with 2 specific areas of concern in relation to education. The Minister for Education announced, to my delight, that the Northern Territory government would be decreasing the 'teacher student ratio' down to 21:1. That was a very misleading statement indeed. We find that it is not the teacher student ratio but the staff student ratio that is to be decreased to 21:1. The inference in the minister's statement clearly was a classroom situation because that is always the context in which that figure is used. It is the number of students who are being taught in a classroom situation by a teacher. Currently, we have an average ratio in the Northern Territory of about 30:1 and I am very glad indeed that that is to be reduced to something in the vicinity

of 25:1 which will be the actual effect of the government's move. We have additional funding for 59 new teachers. I wish to state the support of the Labor Party for the increase in funding in this area.

But, it is a very misleading statement to call that a teacher student ratio because it is nothing of the sort. There is sufficient funding for 59 new teachers. This is welcomed because it will reduce class sizes to about 25:1. However, upon a close reading of the explanations to the budget about staffing in urban primary schools, one finds that both teacher librarians and resource teachers are no longer to be considered as they have been in the past, as a separate allocation to the schools. In other words, these staff, who have always been regarded as extra, non-teaching resource staff, will be included now in the calculation of this ratio. I assume that this means that, if a school already has resource reachers, it will not necessarily get extra teaching staff at all to reduce the actual class sizes, which, of course, is everyone's understanding of teacher student ratios.

From mathematics that I have done, and I am perfectly happy to be put right on it, the ratio that most schools could hope to get is about 25:1. Larger schools will benefit much more than moderately-sized schools because of the scale. While 25:1 is certainly better than the current level of about 30:1, I think it is a great shame that the minister has sold this whole scheme as 1 teacher to every 21 students in a classroom situation. Obviously, this will not happen in most cases. There will be many disappointed students, teachers and parents, who have had their expectations unrealistically and, one might even suggest, somewhat deceptively raised.

I am sure the minister will be hearing more about this from the people directly affected so I will move on to another education matter which I suspect will also raise some considerable concern in the community. It is a matter that I have dwelt on before in the Assembly: computer education and the $1-for-$1 scheme. We have pointed out previously how inequitable that scheme is. The inequity is provable statistically. In fact, the disparity between some schools is nothing short of dramatic. We pointed out what was obvious to everybody and that is why organisations such as COGSO have opposed, and continue to oppose, the principle of the $1-for-$1 scheme. That was reaffirmed recently after an extremely considered and thoughtful debate on the subject at the last COGSO conference. It tends to increase the gap between those schools that draw on an affluent socio-economic area of the community and those schools that do not have that resource available to them.

COGSO researched this some time ago - and that evidence is available to anyone who wants to have a look at it - by detailing the per capita disbursement of $1-for-$1 grants to a wide range of schools in the Northern Territory. The gaps between some schools are very large indeed and along very predictable lines. However, not surprisingly, and I would do the same thing - the parents associated with those schools, because the government did not feel it should allocate that money directly to schools on a needs basis, as we suggested it should, have fitted in as best they can with the system. That system, inequitable as it is, has now been exacerbated even further by this government in a very interesting way indeed. When I heard that the government was offering subsidies of $2 for $1 for computer education, I thought that that was great because it was additional funding. I never thought for a minute that it would be taken out of the money that is currently allocated for subsidies. I thought this would be money over and above that. Of course, that is not the case.

Along with everyone else interested in education in this country, I acknowledge that computer education is an essential element of curriculum in schools. In my view, it is absolutely essential. In countries such as the United States and Japan, they now introduce it in pre-schools. At least a basic skill in the use of a keyboard is absolutely essential these days for anyone to be properly equipped in an educative sense. When we talk about computer education now, we are not talking about frills on top of a basic system; we are talking about an essential element of any child's education. This is an initiative that has been given great priority by the federal Labor government because it is of particular interest to Mr Barry Jones. Certainly, we are pleased to see money being expended in this area. However, in the Northern Territory, it would appear that we have some hidden factors.

I will be dealing with this issue again in more detail during the committee stage but I want to highlight one particular aspect I know is causing concern in the educational community of the Territory. I am aware that the minister has indicated that he might review aspects of this program. I am not quite sure what shape such a review would take but I hope that he does, and I would like to highlight a part of the problem that could be a subject for his review. Apart from a general computer education allocation which is designed to provide basic, free-issue computers to Northern Territory schools - although it is my understanding that the details of what comprises that basic kit are as yet unknown - we find that there is another allocation of $227 000 for additional computer equipment under the $1-for-$1 scheme. That might seem fine at first glance but, on examination, we find that the basic untied $1-for-$1 subsidy for Northern Territory schools this year is only $330 000. Mr Speaker, last year, and indeed the year before, that allocation was $500 000. $227 000 of the total $557 000 allocated in this year's $1-for-$1 budget must be spent on the computer equipment on a $2-for-$1 subsidy. This would appear to have several very unpleasant implications for schools. First, it effectively and substantially reduces the untied money available for schools from the $1-for-$1 scheme. Secondly, it means that the schools that are able to obtain most of their fees and are able to raise money will end up with a much better computer program than up/ schools that cannot. The programs in the poorer schools will certainly be disadvantaged in this vital area of computer education.

One does not have to be a great educational philosopher to know that, in Australia today, where we have a largely egalitarian society - in fact, the only class differences these days are those caused by money - education is the key for people who are not equipped by virtue of their birth or their inheritance to advance themselves in life. It is equally clear that - and I might add that it is developing almost faster than one can keep track of it - one of the most vital areas where kids will need to be very well equipped when they leave school is in the use of computers and particularly the use of keyboards. We find that the Northern Territory government is proposing to give $200 000 for computers in schools. It is taking this money out of the $500 000 that is currently available on an untied basis for schools, and therefore depriving those schools generally of those funds by insisting that they be spent on computers. It is exacerbating the inequities that already exist in that system by providing this on a $2-for-$1 basis for schools rather than a $1-for-$1 basis. This concerns me greatly.

To take it a step further, it is possible that, because of the fact that we do not have a zoning system operating in enrolments in schools in the Northern Territory, some parents, recognising the necessity for their children to have a competent computer education program in the schools, may be inclined to take their children out of these less-advantaged schools and move them to the

more-advantaged schools thus reducing the revenue-raising capacity of the less-advantaged schools even more. That is not off the top of my head or flying kites, I can assure you, Mr Speaker. In the discussions that I have had with parents, and indeed from the recent COGSO conference that I attended, it is clear to me that parents are becoming very conscious indeed of the necessity for their children to be well equipped in this particular area of schooling. It may be that, if they send their children to a school that is close to where they live and then see that that school is being significantly disadvantaged in terms of the quality and range of the computer equipment, both hardware and software, that is available to it, they may well decide that it is in the interests of their children to send them to a school where that is not the case. Putting this essential educational tool in the $1-for-$1 scheme, and making it worse by initiating a $2-for-$1 scheme will make the situation even worse.

Mr Speaker, it could easily end up as being a most inequitable scheme which I am sure none of us here would endorse.

Mr Perron: Shame.

Mr B. COLLINS: To the honourable minister's cry of 'shame', Mr Speaker, I must say that one difficulty we always come across in dealing with this government is that, in putting any kind of reasonable argument in the most reasonable manner possible, if it suspects it to be the slightest criticism of what it is doing, it reacts like a mad dog turning around and chewing its own leg off. It is not a question of shame. I did not suggest that it was anything even approaching that. I am simply saying that it is something that the Minister for Education could do well to have another look at. It would certainly mean that the budget allocation to computer education needs to defined much more clearly by the government at the earliest possible stage.

I would like some questions answered. What constitutes this basic gift that the minister is talking about? What do all schools receive as part of a general allocation in the area of computer education? How many consoles per head of students are considered to be basic? What kind of software and additional programs are to be provided before people start adding on the extras? What are the extras? Are they an essential part of the computer program that some schools will be able to obtain because of their revenue-raising capacity? Those questions need to be answered as soon as possible.

Mr Speaker, I have a number of specific queries about the education budget, including provision for in-service training in relation to computer education, and apparent underspending in the TAFE area of education by the department, the transition-to-work program and various other matters which I will take up in the committee stage of this bill. There are many positive aspects of the education budget. For example, an extra $6000 has been allocated for the operation of COGSO. I must say particularly in relation to other forums I have attended, that COGSO seems to be able to provide consistently at its conferences a very thoughtful and well-considered debate, whether you agree with it or you do not agree with it, on all aspects of education in a fairly non-contentious atmosphere. I think that it would do well for the mininster to give some attention to the concerns that are raised in those areas. I will touch on those matters in more detail in the committee stage.

Mr Speaker, in terms of the pastoral industry, the most important aspect of this budget in my view relates to funding available for the BTB eradication program. There was a plan developed by the BTEC subcommittee of the Australian-

Agricultural Council to allow for an acceleration of the program in northern Australia where both of these diseases are now concentrated. While I am disappointed that the full funding recommended by that committee was not forthcoming from the federal government, a substantial proportion of it was. This is reflected in the level of funding for the BTB eradication campaign in the Territory for 1983-84. The number of staff provided in the Department of Primary Production for this purpose for the 1983-84 financial year has been set at 59, a substantial increase over the 44 employees allowed for last year. There has also been an associated increase in funds available for administrative expenses for 1983-84 - up from $2.2m to $3.8m.

Further growth is evident in 'other services' that relate to the provision of compensation to pastoralists for livestock destroyed after reacting to BTB testing and also for the destocking of properties. However, there is some concern in the industry - and it is also of some concern to me - that part of the funding offered by the Commonwealth government in respect of the BTB eradication program, specifically funding relating to property working expenses, capital improvements, property maintenance and re-stocking and freight rebates, may well have been refused by the Territory government on the basis that the Territory government is required to provide for these areas on a $1-for-$1 basis.

My comment with respect to this apparent attitude, and I think that the matter was discussed yesterday at a Cabinet meeting, is that the original BTEC program for acceleration of this scheme in the Northern Territory involved a total funding for the Territory of $105m. The Territory committed itself to providing 25% of that money. For this financial year, the Northern Territory government had committed itself to the provision of $5.5m under that plan. It is now apparently quibbling about providing $2.4m to the program. This appears to be a clear illustration of the somewhat indifferent approach that the Territory government has taken to the pastoral industry and it suggests the Territory government would much rather play politics with the federal government by refusing funds on a principle of the $1-for-$1 agreement, thereby depriving the industry of important funds. I would like some comment from the minister responsible as to what that situation is.

Mr Speaker, in the time left to me, I want to make some general comments on a matter affecting the budget that I raised recently at a discussion I had with some business people in Darwin. The Treasurer was moved to make some public comment on this. I said that the 1980s would be a make or break decade for the Northern Territory. Since self-government, the Northern Territory has seen the provision of a political and financial framework for the self-determination of the Northern Territory. With self-government in the Northern Territory came a dramatic increase in the level of Commonwealth funding. I was very interested to hear some of the quite extraordinary comments made by the Attorney-General in his speech. He said that if the Northern Territory government had responsibility for things like the Tindal air base, the Alice Springs airport and the Darwin airport - and I am talking now about capital works involving the expenditure of hundreds of millions of dollars - it would have made a much earlier commitment for their funding. That is pretty cute coming from a government that receives 86% of its total funding from Canberra. It is a foolish and stupid statement for any minister to make that the Northern Territory government could dispense with hundreds of millions of dollars spent on capital works if only it had the say. Of course, it would also need the money and it would be coming from Canberra.

I was interested to read something the Treasurer said in an interview with

the Sydney Morning Herald. Perhaps, like his Chief Minister, he would now like to deny he said any such thing; it is very convenient to kick the press if you are embarrassed by something you have said in a weak moment. Mr Speaker, the Treasurer said that it was easy being the Treasurer of the Northern Territory. In fact, the words he used were: 'You do not have to be a financial genius to be the Treasurer of the Northern Territory'. One would say that that was self-evident. He was referrring to the level of funding we receive. He said that all you have to do is to decide where you need to spend money and then you spend it. Mr Speaker, I have to agree with the Treasurer. That was indeed a frank and very honest statement. When you are receiving 86% of your funding as an allocation from the federal government, the major problem that you have is not in raising the money but in deciding how it will be allocated. Commonwealth funding has indeed increased from $440m in 1979-80 to $553m in 1980-81 to $623m in 1981-82 and to $729m last financial year. The federal funding has been the main component in this Territory budget as it has been in previous Territory budgets.

I was also interested in a comment made by the Attorney-General about the fact that we had said that there had been a $6.9m increase in funding for NTEC. Indeed, he confirmed that there had been a $6.9m increase in funding for NTEC but, as a result of some strange mathematics, he demonstrated that we should not have said it was an increase. The government keeps on talking about the Memorandum of Understanding and how it guarantees that all these funds will be provided. The government knows full well that none of that is holy writ. It depends precisely on budgetary decisions that are made from year to year. As the Chief Minister knows full well, the Treasury recommendation to the government was that the subsidy for NTEC, which currently is running at $1000 per head for every man, woman and child in Darwin, be pegged at last year's level - $57m. I am pleased to say that the federal government ignored that recommendation and increased the subsidy by $6.9m. The financial agreement depends entirely on budgetary decisions taken by whichever federal government happens to be in power.

Mr Speaker, there has been a steady acceleration of federal funding over the 5 years of self-government which has been continued by the current government. But, there are some disturbing trends, which have emerged over the last 12 months, to which the Treasurer and any responsible government would do well to pay attention. One is that the level of employment generated in the Northern Territory is flattening out and reaching a plateau. The Treasurer accused me of preaching disaster when in fact I was doing nothing of the sort. I am perfectly happy to provide him with a complete copy of the speech if he would like to read it. That was certainly not the impression gained by anyone who listened to my speech. I say again that it is typical that this government, if it detects a whiff of criticism, however reasonable, behaves like a pack of rabid dogs chewing themselves to pieces. I simply pointed out that this is a trend and an economic indicator that the government would do well to recognise.

Mr Speaker, in August last year, there were 58 000 people employed in the Northern Territory which represented an increase of only 1.9% over the period. The preliminary estimates for August this year suggest an employment level of 58 900 which represents an increase of only 0.5% over the previous 12-month period. It is foolish for the Treasurer to issue statements saying that we are preaching disaster and provide figures which say that there has been a 17% growth in unemployment over the last 5 years and 'only a 5% per annum increase in population' over the same period. That sounds fantastic. But, of course, using the Treasurer's own figures, you will find that if you even that out over the 5 years, there has been an increase in population over the period of 23%

compared with an increase in employment of 17%. That is from the figures provided in the Treasurer's own press release. I am not quite sure what he expects people to make of that but, nevertheless, that is what he said.

Mr Speaker, dwelling commencements have also levelled off. I am sure that everyone hopes that, by adding to what is already the most generous, low-interest home loan scheme in Australia, the federal government's new scheme of $7000 grants, to some extent, will reverse this trend by injecting considerably more funds into the housing sector in the Northern Territory.

The downturn in the level of economic activity in the Territory is also reflected in the Northern Territory's revenue-raising performance over the last financial year. In the financial year 1982-83, the figure was $130m - an increase of 7.8% in money terms but, in fact, a real decline - and the Northern Territory Treasury estimates for this financial year suggest that total Territory revenue will amount to $136.6m which is an actual money increase of only 5% reflecting a further and significant real decline in revenue-raising. In spite of the continued growth in the level of Commonwealth funding to the Northern Territory in this budget, a 17% increase over last year, Northern Territory economic activity appears to be entering a plateau which is an indicator to which the Northern Territory government would do well to pay attention.

Mr Speaker, there is no doubt that the public sector still dominates the economy of the Northern Territory. Mining comes a significant second to the federal budget allocation and it is essential that the public works programs of the Northern Territory continue to be maintained. The scheme for deferred payments is again an area - and I must take up the Attorney-General's comments - which we did not condemn. I hardly see how we would, considering that it is practised elsewhere in Australia - certainly in New South Wales. We asked some legitimate questions because of the lack of detail provided to us in the Treasurer's speech about how it would operate in the Northern Territory. I am told that, in the period between this sittings and the last, the Treasurer has got his act together a bit better and will give some enlightenment on this during this debate. I look forward to that. The fact is that we received no anwers whatever to all the questions we asked at the last sittings. I was told yesterday that it is the intention of the government to construct the new Sanderson High School using this system of deferred payments. I would be interested to know if that is so.

Mr Speaker, as we stated at the last sittings, we wholly support the thrust of this budget. Apparently, the government is not very happy about that. It complains when we oppose it and it complains when we support it so, obviously, it cannot be kept happy no matter what we do. But, Mr Speaker, the small business sector of the Territory is heavily dependent on the public sector for much of its business. The public money that is spent in the Northern Territory is by far and away the most significant catalyst in our economy in generating further income in the private sector. In the first 5 years of self-government, we have seen the small business community of the Northern Territory suffering often at the hands of southern firms. The 1980s must see the government make an even firmer commitment to give solid preference to Territory-based firms. We do not want to see our expenditure creating jobs in southern parts of Australia when those jobs could have been created in the Northern Territory.

It is also the responsibility of a Territory government of the 1980s to ensure that it provides the appropriate level of assistance to the small business sector. For much of the first 5 years of self-government in the

Territory, we have seen only one person in the Northern Territory Development Corporation whose specific job it is to provide assistance to the small business sector. There is clearly a need to expand the Small Business Advisory Unit within which there must be expertise in the areas of finance, which would involve such areas as budgeting, sources of finance, taxation, preparation of applications for finance and, further, a concentration of expertise in the area of marketing, with specific skills to be developed in the areas of market research, selling, distribution, retailing and wholesaling in the Territory small business community. A contribution such as this by the government to the small business sector would be repaid to the Territory community in the form of jobs.

Mr Speaker, a fourth priority of the Territory government in the 1980s should be the development of infrastructure in the Territory's pastoral industry. Extending all-weather road networks means greater access to cattle which, in turn, would lead to longer killing seasons which obviously would have a significant impact on the regional economies of Katherine, Tennant Creek and Alice Springs. Further, an injection of investment capital into the pastoral industry to promote improved herd management and more effective disease control would again result in greater returns for the industry and, therefore, to the Territory community.

Another priority for the 1980s is one that I have spoken on at length in this Assembly over the last 6 years and that is the development of a large-scale commercial horticultural industry in the Northern Territory. The infant horticultural industry is an area of our economy which possesses great potential for large-scale development. Horticultural production in northern Australia has the advantage of being able to provide produce to large southern markets at certain times of the year when southern-based production is not possible because of climatic conditions. The potential for the Territory to develop markets in South-east Asia is also considerable.

Mr Speaker, the role of the Territory government in promoting this primary industry sector again relates to infrastructure development. Such infrastructure is required to ensure the efficient assembly and consignment of Territory produce and distribution to intra-Territory, interstate and export markets. The return from government investment in the Territory's horticultural industry will be closer settlement, more economically efficient land use, increased levels of employment and,hopefully, cheaper produce for the domestic market of a higher quality than that currently available to the Territory community.

Mr EVERINGHAM (Chief Minister): Mr Speaker, it was very interesting to hear the Leader of the Opposition's noble intentions in resepct of preference to Territorians in the awarding of government contracts. I must say that it is a shame that his views are not so pure and noble vis-a-vis Territorians in relation to the matter of who should pre-select ALP candidates for endorsement. Mr Speaker, I accept that it is appropriate...

Mr Bell: People in glass houses should not throw stones, Paul.

Mr EVERINGHAM: Whatever happens in the CLP is decided in the Northern Territory. At least we do not have people down in Canberra telling us who will run for us.

Mr Speaker, I accept that it is appropriate that debate on the Northern Territory budget will be seen as an opportunity for honourable members to comment on the general economic and financial state of the Territory. I welcome

that because, clearly, it is the state of the Territory economy that gives the budget its relevance and which confirms the appropriateness of the various measures proposed and determines the way the government should respond to the various demands placed on it. This year, at least we know what the basic view of the opposition is. In a recent speech to credit managers, the Leader of the Opposition made his views clear. He suggested that the Territory was entering a period of stagnation. He said that there had been a dramatic slowing of activity in the Northern Territory over the past 12 months or so and he contrasted this alleged rapid decline with the national situation. He said the national situation was improving while the Territory economy was deteriorating. His comments have attracted some public attention, Mr Speaker. This is unfortunate because what he said was quite misleading in its overall picture of the Territory's economy and was inaccurate in many of its specifics. It was a further example of the negative attitude which is the hallmark of this opposition. It is regrettable that the Leader of the Opposition has allowed himself to be put into a situation where he is obliged to make such negative remarks - in the face of very substantial evidence to the contrary - simply to back up the precipitant and ill-considered remarks made in this Assembly by the honourable member for Sanderson.

Honourable members will remember her contribution to the budget debate at the last sittings. Perhaps I do the honourable member for Sanderson too much credit. It occurs to me that it is far more likely that honourable members will not remember her contribution since it was generally quite unremarkable. I do recall, however, that she said that there would be increased economic growth for the Northern Territory in the years ahead. In fact, to quote her exact words: 'There is very little doubt that the Territory will show strong economic growth over this period'. She was talking about the years ahead. I am prepared to overlook the divergence in the ranks opposite on the question of the prospects for the Territory economy in the years ahead. I suppose that, if one says that the economy will stagnate and the other says that there will be strong economic growth, then at least one of them will get it right. Certainly, it is true that Territory growth over the last 12 months, in some areas, has been less vigorous than in previous years. There are no prizes for guessing the reasons. The whole nation is in the grip of a very severe recession. While it is important to know whether the Territory is growing in an absolute sense, and to know by how much it is growing, the real test of our economic performance is how the Territory has fared in comparison with the rest of Australia.

In his well-publicised speech, the Leader of the Opposition said that there has been a dramatic slowdown in the rate of employment growth in the Territory. It is certainly true that the rate of increase has slowed, but I suggest that the Territory's ability to continue to generate any increase at all is a very significant achievement. Between mid-1982 and 1983, there was an increase of close to 2% in Territory employment. For Australia as a whole, there was a decline of almost 2%. We are doing about 3.5% a year better than the national average and, in my book, that is quite a commendable achievement. The facts certainly do not substantiate the claims by the Leader of the Opposition that the trend in the labour market in the Territory shows us in a bad light when compared with the national situation.

On that point, I would draw the Assembly's attention to the edition of the Australian Bulletin of Labour for the month of September this year. The Bulletin of Labour notes that the effects of the recession have been felt right throughout Australia but the employment growth figures for the Northern Territory were greater than the figures for the nation as a whole. The bulletin goes on to point out that the labour market is tightest - that is, higher ratios of job vacancies to job seekers - in the ACT and the Northern Territory, irrespective

of whether ABS or CES figures are used. The Bulletin of Labour gives its professional judgment that employment growth figures are a more reliable guide for the relative performances of the states and the territories than are unemployment figures. It provides detailed technical justification for that view and I commend this publication to all honourable members.

Mr Speaker, honourable members opposite sometimes accuse the government of seeking to mislead people in the Territory by using the official unemployment statistics rather than the opposition's preferred Department of Social Security figures. Let us see, Mr Speaker, who is misleading whom. The Leader of the Opposition said in his speech on 5 October: 'We now have a rapid decline in the rate of employment and a rapid increase in the number of people unemployed, a trend that contrasts with the national situation'. The Department of Social Security figures on unemployment benefits - and that is the opposition's preferred measure - show that the percentage increase in the number of people registering for unemployment benefits for Australia as a whole was almost exactly double the figure for the Northern Territory over the mid-1982 to mid-1983 period. The Leader of the Opposition also pointed to a slowing-down in new dwelling commencements as an indicator of the Territory's so-called stagnation. Over the 12-month period from March 1983, there was a decline in commencements of new dwellings in the Territory. But, just to keep the record straight, the decline for Australia as a whole was 2.5 times that in the Territory.

There are other figures which the Leader of the Opposition might have used but did not, presumably because they would have destroyed the illusion that he was trying to create. They show that the Territory's economy is continuing to perform very well at a time when the rest of Australia is going nowhere at all. Trading bank lending over 1982-83 was running about 14% above the year before. Trade through the Port of Darwin grew 6% at a time when there was a substantial slump in shipping around the Australian coast. The value of cattle sold, live and slaughtered, in 1982-83 was up 15% on the year before. Mr Speaker, the list continues. Residential land sales showed steady growth. The proportion of total households who are either owners or purchasers is rising dramatically while the proportion who are renters is falling. Since 1980, the number of stalls exhibiting at Expo has almost doubled. The Confederation of Industry and Commerce and major participants in the retailing industry all confirm that industry is in good shape.

Mr Speaker, if the Leader of the Opposition had said that Territory growth had not been as strong as it might have been over the last 12 months or so or that it looked likely to be less than our real potential over the next few years, then I would be the first to agree. There is no doubt that Territory growth is being constrained and most of us know where the constraints come from. The Leader of the Opposition's political colleagues in CAnberra have certainly been effective in dealing some savage blows to the economic prospects of the Territory. Without the interference and negative attitudes from Canberra to which we are continually subjected, we would see a stronger and more dynamic Territory economy. We would be well down the track with a much more meaningful mining industry, particularly uranium mining, and we would already be enjoying the benefits of a few thousand more jobs here in the Territory and the spin-offs that would come from hundred of millions of dollars of investment capital. But, we do not have those and the federal government seems willing to abandon the Territory's interests in this area for the sake of political expedience.

We would have substantial benefits in the building and construction industry, associated with more rapid capital works expenditure funded by the Commonwealth.

In this area, Mr Speaker, I find quite intolerable the claims made by the opposition spokesmen that the federal Labor government has demonstrated its commitment to the Territory. For a start, they are claiming credit for the Hawke government just because it is continuing a number of important initiatives that were set in place by the Fraser government. As I recall the comments of the honourable member for Sanderson, the Hawke government is credited by her with the Australian Bi-centennial Roads Program. You do not have to be a student of history, Mr Speaker, to know that that is simply not right.

More to the point, the Darwin airport development has been put back and slowed, expenditure on Tindal has not yet commenced and the Alice Springs to Darwin railway line is being set up for a hatchet job at this very moment. All of those things mean fewer dollars being spent in the Territory and that means fewer jobs and reduced income for Territorians. Opportunities for the tourist industry are being frustrated by the federal government's unwillingness to make a clear commitment to this important growth area and see it through. The most obvious example of this is the equivocation over Kakadu, where millions of dollars a year in tourist expenditure are being lost because the federal government has not taken any initiative, nor will it allow the Territory to take any initiative, to develop the tourist potential of that region.

All of these constraints reduce Territory growth and place unnecessary and unwarranted strains on the Territory budget. It seems to me that the important questions to ask in respect of the budget are what it does to ensure that future growth opportunities can be maximised and what it does to improve the quality of life for present and future Territorians. The answer is simple: it does as much as our resources allow within the scope of financial responsibility. It continues the development of the optimum strategy for Territory growth. Firstly, it maintains this government's commitment to the lowest possible levels of taxation. I cannot stress the importance of this too much. I never get tired of making the point that the taxation system in Australia is inequitable and is destroying incentive because it is really a very fundamental point. Taxation levels in Australia have reached the stage where they hinder improved productivity because they destroy the incentive to work. A number of state governments throughout Australia are compounding the situation now by the implementation of savage taxation hikes. In Victoria, the Caine Labor government has cost Victorian families an average of $15.67 a week, a cost that is sure to rise when it has considered its 700 page report on new ways to raise additional revenue. The Burke Labor government in Western Australia has cost the average Western Australian family $15 a week and, in South Australia, the Bannon Labor government has purloined $12.50 a week out of the average family budget. That is not the path that this government proposes to take.

That brings me to the most remarkable part of the honourable member for Sanderson's generally unremarkable contribution to the budget debate. The honourable member suggested that, following the 1984 election, Territory taxes and charges would rise by 25%. There are 2 interpretations of that: it is either a pledge that a Labor government if elected will raise taxes by 25% or an accusation that a CLP government would do the same. If it is the former, I have no comment other than to say that it confirms my view that a Labor government would be a disaster for the Northern Territory. To follow the lead of the Labor states and add the Territory to the high tax club would destroy small businesses. No wonder the ALP says it would make more assistance available to small businesses and slam the door on economic diversification. But, if it is the latter, then clearly the honourable member has not understood the whole approach of this government. We have not held down Territory taxes and charges because we cannot think of ways to spend additional moneys. We have

held them down because we believe that individuals and businesses can make better decisions about expenditure than governments can. By creating an environment which leaves maximum discretion with individuals and businesses, we create an environment which is conducive to further growth.

The honourable member has also overlooked one further and very important point: Territorians already make a fair and reasonable contribution to the cost of government services. That is a fact confirmed by the Grants Commission. The opposition seems confused and disoriented because Territory revenue estimates do not show significant growth. It makes that as a point of criticism about this budget and I would have thought that normal people would have applauded it as a highly commendable feature of the budget. Someone really needs to tell honourable members opposite that people do not aspire to pay more tax. If we are able to maintain an appropriate level of expenditure and an appropriate blend of expenditure priorities without requiring Territorians to make sacrifices, then I would have thought that that would have been acknowledged as a highly desirable and very successful strategy.

Mr Speaker, while I am on this point, may I clear up one small matter? For the benefit of honourable members opposite, growth in Territory government revenue is not a measure of economic growth in the Territory. I am afraid that the opposition has fallen victim of its own ideology by assuming that government is the measure of everything that is happening in the community. That is clearly nonsense.

The second fundamental point about this budget is that it maintains an appropriate emphasis on capital works which respects the limits on our resources and which seeks to maintain stimulation of the economy through the capital works program. It would be quite pointless to stimulate the economy by a larger capital works program if that stimulation is to be financed by heavy taxation which then of course depresses activity. It is easy to say that government is not spending enough on capital works but just to do that is not an acceptable contribution in a budget debate. If we are not spending enough, then it is up to our critics to tell us where the funds will come from if we are to achieve higher levels of expenditure. In other words, we are back to the traditional Labor, big government, high taxation line.

While on the subject of capital works, might I correct some figures quoted by the Leader of the Opposition in his recent speech to credit managers? He suggested that the capital works program had declined from 17.7% of available funds in 1979-80 to 11.2% in 1983-84. The Leader of the Opposition has either not read or does not understand the budget papers. In actual fact, the capital works program has grown substantially and now constitutes close to half the total budget as compared with one third in 1979-80.

Similarly, in the area of capital works, the opposition has struggled to come to grips with the deferred payments arrangements which were introduced to help provide an additional boost to the capital works program this year. The NT News, which could hardly be regarded as a puppet of this government, has pointed out quite succinctly that the Northern Territory opposition is totally out of line in its criticism of this innovation in a Territory budget. Since the comments which have been made about this innovation have been so pathetically inaccurate and have demonstrated the total lack of understanding of the arrangements by the opposition, it would be clearly a waste of my time to provide the necessary information here. It is sufficient to note that the scheme is working, that projects are being arranged and, at a time when it is

appropriate to give some additional stimulus to the economy, this approach constitutes a very worthwhile innovation and has been well received. My colleagues will provide details of progress with the scheme to date. If the opposition is concerned that deferred financing might place future Territory budgets under some stress, I would suggest they might also give their Labor party colleagues in the Commonwealth and in the Labor states the benefit of their wisdom. No political jurisdiction in Australia has had its financial affairs managed with the same degree of discipline and responsibility that has characterised Territory budgets since self-government.

Mr Speaker, despite the yapping from honourable members opposite, this budget confirms that the financial and economic policies the government has followed over the last 5 years are bearing fruit. Opposition speakers have not proposed an alternative budget package. At least I have the right script. In their efforts to drag up something to say, they have made quite juvenile and often totally misleading observations. But, they have failed to offer any concrete proposals for alternative strategies or priorities. Most astonishing of all, we have not heard anything from them about the people of the Territory. This budget is unashamedly a budget which aims to enhance the quality of life of Territorians. As the Territory's economic base expands, so opportunities for the provision of new and better government services emerge. That is what has been happening over the last 5 years. This budget continues the process of addressing community aspirations for housing, education, health, an attractive living environment and general community services and facilities. Most important of all, it does so against a background of steady Territory growth to provide job opportunities for Territorians now and in the future. Mr Speaker, the budget has my support.

Mr LEO (Nhulunbuy): Mr Speaker, that was indeed a very good speech. It is unfortunate the the only people in the press box were the Chief Minister's own employees and not members of the popular press. I am quite sure that it will all be relayed.

Mr Speaker, I will confine my remarks to some areas that I have had some interest in for some time: the Police Force, Fire Services, Correctional Services, Emergency Services and, of course, the part of the world that I know fairly well, Nhulunbuy. The budget papers, particularly Budget Paper No 4, quite clearly show the departmental amalgamation that has taken place between the Police Force, the Fire Service and Emergency Services which has been attached to the police for quite some time. There has been quite some movement in personnel within those departments. It is very difficult to assess what is happening with manning levels within the departments. I think that is fairly clearly indicated, particularly for the Fire Service, in the allocation for salaries and payments in the nature of salaries, such as overtime and award payments. It is unfortunate that the Chief Minister has left. I will certainly be putting the problems that I have with the budget to him when we come to the committee stage. I hope that I can be given some answers.

In the Fire Service vote, more than 40% of the allocation for salaries is for overtime and allowance payments. This certainly does not run all the way through every department's allocation. It is confined really to the Fire Service and the Darwin Prison. That suggests to me quite clearly that there are problems with manning within that particular section of the department. A full 40% of the allocation for salaries is for over-award payments and overtime. The over-award payments component certainly would represent some of that amount, but not to the degree which is indicated within the budget papers. It suggests an inordinate amount of overtime within the Fire Service. At the Darwin Prison,

more than 50% of the allocation for salaries is for overtime and over-award payments. It suggests to me a very serious deficiency in manning that those amounts have to be allocated for overtime payments. That could probably be expected on a short-term basis, for 3 months or 6 months, if there are peculiar problems with people being ill or whatever but, to build those figures into a budget, requires some explanation. It certainly does not happen at the Alice Springs Prison; it is peculiar to the Darwin Prison. I would ask the Minister for Community Development, who is responsible for correctional services, to explain why this level of overtime is expected of officers at Darwin Prison.

To return to the Fire Service, more than 40% of its allocation is for overtime. I am assured that that will become even more necessary because no new personnel have been appointed for the opening of the Palmerston Fire Station. It is expected to be manned from those personnel already employed by the department. It may indeed be cheaper to pay people overtime than to employ more people but it has cost those present employees dearly. They do not receive any training. I have had a number of complaints that the maintenance of equipment and safety generally is not what should be expected. Morale in Darwin is at an all-time low. I can only assume that those problems are a reflection of the manning levels at the fire station. Those manning levels are indicated very clearly in the budget papers. Indeed, it is disturbing that only this low manning level has been budgeted for in this Appropriation Bill.

As I have said, there is a similar problem at the Darwin Prison where 50% of the salaries allocation is for overtime payments. It is quite extraordinary that that can be allowed to happen. As a result of a serious incident involving the transfer of some prisoners, the department has commissioned an inquiry. I am certain that one of the recommendations of the report will be that manning levels at the prison will have to be examined.

Mr Speaker, I would like to devote a little time to the budget in relation to Nhulunbuy. I am pleased to say that, for the first time in the 4 budget speeches that I have listened to the Treasurer deliver, Nhulunbuy got a guernsey this year. I thank him very much. It was mentioned only once but it was indeed gratifying to hear the third largest town in the Northern Territory actually mentioned in the budget speech. Funds are to be made available for various capital works in Nhulunbuy: $900 000 for a boat ramp and funds for various roadworks and alterations to the nurses' quarters. As I found out subsequently from a person who is thinking of contesting the seat of Nhulunbuy, funds have been allocated for the surfacing of the parking area at Gove airport.

What I did not hear in the budget speech was an indication from the government that it would seriously attack the problem of inadequate schooling facilities in Nhulunbuy. The minister has visited the area recently and the answer seems to be that we will upgrade the present high school. I would like the Minister for Education, who also happens to be the Treasurer, to explain why Tennant Creek with a student population of 704 students is to receive a third school whereas Nhulunbuy, with a total student population of 1114 or 410 more students than Tennant, must make do with 2 schools. I do not know how pork-barrelling runs in Tennant Creek but it would seem to be fairly expensive. I cannot find any other explanation. Maybe there is another explanation and I would be pleased to hear it from the minister. It seems to be absolutely ludicrous. It has taken the realms of pork-barrelling a little bit out of my league. Maybe I need to be taught some lessons. Unfortunately, I think I am of the wrong political colour. Mr Speaker, I will be asking the minister to comment in committee on the specific problems I have with certain budget

allocations.

Mr HARRIS (Port Darwin): Mr Speaker, there is no denying that the major percentage of our finance comes from the federal government. I do not think that anyone has denied the fact. I would like to begin by correcting what I believe to be mistaken views on this budget that have been put across by the opposition not only in this Assembly, but also through the media. I refer specifically to the view that it is because of the Hawke government that the Northern Territory has been able to put forward such a favourable budget. I think it needs to be spelt out very clearly - and the Attorney-General touched on it when he spoke in this debate - that it does not matter what government is in power, the Memorandum of Understanding sets out very clearly the guidelines on the financial contribution that the Northern Territory government will receive. Those formulas are linked very closely to population growth and, therefore, the contribution from the federal government will continue to increase provided the population continues to increase irrespective of which government is in power. I admit that the Memorandum of Understanding is not the holy writ, as the honourable the Leader of the Opposition has mentioned. The only way that the federal government can disregard the Memorandum of Understanding is to tear it up. I am sure that the Australian people as well as the Territory population would object strongly to that. I do not think any government would be game enough to try to tamper with the Memorandum of Understanding that this government has fought for over the years.

Do not let us be misled into believing that the Hawke government has given any favours to the Northern Territory. In fact, as the Chief Minister has already mentioned, because of its attitude towards uranium mining and towards some other projects in the Northern Territory, there are many disappointed people and jobs have gone begging. It is amazing that a federal government whose platform stated specifically that it would look towards job-creation and getting the country on the move, in the case of the Northern Territory, has not taken the opportunity to set in train projects which could increase employment. I believe that members opposite should get through to their counterparts in Canberra that the Territory does have the opportunity for employment. Let us get on with the business of job-creation here in the Territory. We have that opportunity and the federal government should be notified of that.

Mr Speaker, the other mistaken view that has been put forward by the member for Sanderson - and the Chief Minister touched on this - is in relation to the Bi-centennial Roads Program. I think it is somewhat misleading for the member for Sanderson to put forward the view that the money that has come across to the Territory from that particular program - some $9.8m this year - has resulted from the generosity of the Hawke government. As the honourable Chief Minister has already mentioned, the Bi-centennial Roads Program was set up in August 1982 and the various formulas that have to be adhered to flowed from that. Any money that we have received from the bi-centennial program has been what we were supposed to have received and is in line with the states of Australia.

Mr Speaker, the only thing that the Hawke government has done as far as the bi-centennial program is concerned is remove one of the major projects - a project of national importance, a project that was supported by all of Australia. The Hawke government has removed the Alice Springs to Darwin railway from that program. We do not need to go through what that means to the Northern Territory. We know that jobs have gone begging because of the withdrawal of this particular project. We know that many industries in Australia have also suffered because

of the lack of a decision to proceed with the railway and I think that that is very important. Rules have been set in relation to the amounts of financial contributions that the Northern Territory government is to receive and it does not matter which government is in power. The other thing to remember in relation to the bi-centennial roads grant is that there is a set formula and it does not result from a decision of the Hawke government.

Mr Speaker, another matter that I would like to speak on is small business. Every speaker, except the honourable member for Nhulunbuy, has touched on small business. I believe the government has always borne in mind the importance of small business and the need to have strength in the small business community. The government has put a great deal of time and effort into promoting small business in the Northern Territory and it continues to do that today. I was very interested in the comments that were made by the honourable member for Sanderson when she said that the most disappointing aspect of this Territory budget was the fact that so little assistance had been given to small business. The Attorney-General covered this particular point but I think it needs emphasising. The $1m that was provided in this budget is in addition to those services which at present are supported in the budget. I refer specifically to the NTDC and, through it, the Small Business Advisory Service.

The Small Business Advisory Service was set up in October 1979 when there were about 400 000 small businesses operating throughout Australia and it was a pretty lean time for those businesses. There was a shocking failure rate and the rate of bankruptcy was rising. In fact, in Western Australia in 1979, there was an increase of something like 55% in bankruptcies and, in New South Wales, every 5 hours, one company went into liquidation. In most cases, this was not caused because money was not available to set up a small business. If it had been, these figures may have been a lot worse. The major problem was associated with small business in relation to poor management. More emphasis was needed on education to inform people what business was all about. Some of the mistakes that were made were very basic mistakes indeed. I think that today most people would agree, and certainly this government does, that management is the key to successful small business.

Mr Speaker, the other point that needs to be spelt out is that financial assistance is available. This has been touched on by the Attorney-General. Most financial assistance provided from the Northern Territory Development Corporation has gone to small businesses - that is, businesses with less than 100 employees in the case of manufacturing industries and less than 20 employees in the areas of trade and commerce. Financial assistance is available and we also have advice. The $1m is additional to those vital services that have supported small business for a number of years.

Comment has also been made about our preference schemes. Those schemes are constantly under review and I can assure you, Mr Speaker, that the government will not spend considerable time and money supporting small businesses and then turn round and sell them down the drain. The government acknowledges the need for us to support our local businesses and this is being done through the preferential schemes that we have at present.

Mr Speaker, before moving away from the business area, there is a major concern of mine and I believe that I am not the only one to have thought about this in great detail: the lack of manufacturing and secondary industries in the Northern Territory. From time to time, one hears the question: what is keeping the Territory going? I know that we are moving into tourism and we are pushing

those industries that we have at present but there is still a lack of secondary and manufacturing industry. That is something that the government definitely has to look at in future.

Mr Speaker, a body that I am very pleased to see receive continued support is the Liquor Commission. There is still a great deal of work in relation to alcohol-related problems in the Northern Territory and I think that the Liquor Commission has a very important role to play in finding out what local attitudes are. The government has placed in the past, and continues to place, a great deal of emphasis on local people having a say in local affairs. It has supported the devolution of powers, albeit on occasions there have been some problems attached to those powers devolving to local governments but, nevertheless, it has continued to support that concept. I think that the money set aside for the Liquor Commission to continue close liaison with local communities in relation to liquor matters is of great benefit and, in the end, will help the government to come to grips with alcohol-related problems.

Mr Speaker, as far as my electorate is concerned, I was very pleased to see in the budget's education building program that a sum of $1.4m has been set aside for the Larrakeyah Primary School to be upgraded. I have obtained a preliminary draft of the proposals for the upgrading of that particular school and I would say that some adverse comments have been made about those particular proposals. I know it is only early days yet but I ask that the minister make sure that, before any final plans are drawn up and tender documents are ready, departmental officers make sure that they liaise very closely not only with teachers of the Larrakeyah Primary School but also with the parents. At present, the school is in the process of setting up a school council and, hopefully, by the time these papers are ready, that council will be in operation. I stress the need for consultation as far as the program is concerned with the upgrading of that particular school.

Mr Speaker, there are many other areas that could be commented on in this budget. The continued support for pensioners emphasises the government's commitment to our senior citizens in the Northern Territory. That is something to be commended. We have an extremely good record as far as assistance to pensioners is concerned. It is something that I support wholeheartedly. I am sure that every member of the Assembly also supports it.

The programs relating to the work that has been carried out by the Conservation Commission should have received praise from all of us here. I am sure the Conservation Commission is thought of in this light by members of this Assembly. The work has been tremendous. I am very pleased too that, in this particular budget, money has been set aside for it to continue its work.

I have always believed that the Northern Territory government has supported women more than any other government. Indeed I can recall a long list of job positions that was read out by the Chief Minister some time ago. It indicated that we had more women at the top levels of our public service than most other areas have. We also have more women in parliament on a per capita basis. As well as that, we have more women involved in local politics. Indeed, 50% of our mayors are women. Perhaps the member for Nightcliff may consider contesting the next mayoral election to lift that percentage. I think that the establishment of an office of women's affairs is a move that is supported generally in the community. I think that the government has done a lot of work in the past in this area.

Mr Speaker, despite the opposition's mouthing off about the doom and gloom

that we are faced with, I would still like to point out that population growth continues in the Northern Territory. We are growing at the fastest rate in Australia - at nearly double the second fastest rate. We have 2 to 3 times the average growth rate in most states. I think that it is important that people are still coming here even though we hear about the doom and gloom. The people of Australia still see the Territory as a place which has a sound future; they still see the Northern Territory as a good place to live. I wish occasionally that the media and the opposition would look at the positive sides of what we are about in the Northern Territory.

Mr Speaker, I think that the budget allows for continued responsible development and it is a budget that puts the Territory people first. I support it.

Mr BELL (MacDonnell): Mr Speaker, I have a number of comments on this budget. I want to make some general comments about housing and funds for housing in the budget. I also want to make some comments on matters of particular concern to my electorate. Finally, I wish to comment on a couple of items arising from the budget speech and the budget papers relating to revenue sources and the details of capital works.

Firstly, in relation to the issue of housing and the funds directed to housing in the Northern Territory, I must say that it struck me as rather strange that both the Chief Minister and the honourable member for Port Darwin made considerable play of what they regarded as the federal government taking credit for funding, which really should have gone to its conservative predecessors. There was mention, for example, of the Bi-centennial Roads Program. Regardless of the merits of their case, there is one clear area where the federal Labor government has made significant contributions in budgetary terms across Australia that will have significant impact on not only housing Territorians but also on economic growth in the Territory. I am sure that the honourable Minister for Housing would be quite prepared to accept that that is the case, as he has accepted it is the case in his public statements elsewhere. It was therefore surprising to hear the honourable Treasurer make what can surely be considered rather exaggerated claims when he said the Northern Territory government is doing more in relation to housing than any other government in Australia. Whereas we give credit where credit is due - and I have done that on a number of occasions in this Assembly - it is a terrible shame that the tunnel-vision characters who currently occupy the government benches here do not give fair credit to their federal counterparts where credit is due.

I think it is worth while spelling out exactly where those initiatives are and how they will be of benefit both in terms of economic growth in the Territory and housing which is one of the key areas for improving the quality of life, as the Chief Minister suggested this budget would do. It struck me as rather a delightful irony to hear the Chief Minister of the Northern Territory, a CLP Chief Minister, use a Whitlamite phrase from 10 years previously. I am not quite sure that he used it with quite the same justification.

The areas of assistance in which the federal government has spent, and spent massively, are as follows. The Commonwealth government has increased funds, through the Commonwealth States Housing Agreement, across Australia from $330m to $500m, a huge increase. It is an increase of almost 50%. The Territory will benefit from that, as I am sure the honourable minister will concede. A second area in which the honourable Minister for Housing gave due

credit to the federal government in a press release in March is the mortgage and rent-relief schemes. I am not sure of the exact value of that program which is spread over 3 years. Certainly, the honourable minister gave credit where credit was due. The least he could do is explain that to some of his colleagues. A further initiative where the federal government has been of great benefit to Territory home owners and would-be home owners is in the first-home buyers scheme which was announced recently. Another federal initiative has been the increase in funds for Aboriginal housing from $4.4m in 1982-83 to $9.6m, an increase of more than 100%. I am sure that that is a delight to the honourable minister.

In that area, I would suggest that there is one point to be made that is of concern to me, having made some investigations after those figures came to my attention. I am a little concerned in relation to Aboriginal housing in the Territory that there is such a plethora of organisations which will be involved in dishing out that money. We are quite used to the Department of Aboriginal Affairs having an interest in that area. We are equally accustomed to the Aboriginal Development Commission having a hand in that area. I understand also that the Northern Territory government is to be involved in that through the Department of Community Development and the Territory Housing Commission. I am a little concerned that the dollars that will be spent and are sorely needed in that area may not be spent as efficiently as they might be because there are so many organisation involved in it. There may be some need for administrative rationalisation in that area.

To turn to the general impact on the housing market of successive Territory budgets, I think we need to pause and take a long view. Before I am accused of preaching doom and gloom, I repeat that I have offered my congratulations and suggested that the minister's housing programs are of benefit. But, we must not lose sight of the fact that there are many areas pertaining to the housing market that we, as the government, and I use it in the small 'g' sense, are not making an impact. According to the honourable minister's statement, for example, the rental housing list administered by the Housing Commission is growing faster than the population in the Territory is growing. I will not bore the Assembly with figures. It is a fact with which I am sure the honourable minister will agree.

Secondly, we are not making an impact on the steeply rising land costs. This applies particularly in the Centre. The supply of land in the Centre is inadequate to service the demand for housing. Currently, land is only for sale in the up-market subdivisions at the Desert Springs Country Club on the old golf course and in the also prestigious subdivision in the Larapinta Valley where land prices are high. No land is available in that middle area in central Australia where ordinary first-home buyers would be looking. The minister knows that Sadadeen stage 1 is sold out and he knows that Sadadeen stages 2 and 3 are not yet available. In spite of the fact that the former Minister for Lands said that, by September, land in Sadadeen stages 2 and 3 would be turned off, it has not been turned off. There is excess demand for housing and the low supply of land is increasing the demand for housing and pushing up prices for housing as a result. There is a housing crisis in central Australia and I am quite sure that the electorate officers of my central Australian colleagues, the member for Alice Springs, the member for Stuart and perhaps even the member for Gillen, bear the brunt of representations from people who are suffering as a result of that housing crisis.

A third area in which the long-term housing strategy has failed to make an impression is the continuing high prices for houses in the Territory. Housing

prices in the Territory are only beaten by housing prices in Sydney. A fourth area in which there are problems is the continuing low rate of home ownership. Admittedly, it is perhaps not an area in which government policy can make as great an impact as in other areas but I think that we should note that, whereas around Australia the generally accepted pattern is a 70% home ownership rate and a 30% rental rate, that is turned right around in the Territory. It has been at that level for some time and 5 years of self-government have not impacted on it. There is still only a 30% home ownership rate and a 70% rental rate in the Territory.

Another area of concern is the high rate of caravan park living. Of course, that is related to all the other problems of the small supply of serviced land, particularly in central Australia. That and the lack of a private rental market forces people into caravan parks. I have people in my electorate who have made representation to me, people who can scarcely afford accommodation and they want to come to participate in the economic growth in the Territory but, when they pay $70 a week for a small caravan, it is not easy.

To sum up, let me say that I believe that the Territory government is carrying out some initiatives that are worth while but I do not believe that, either in the budget speech the Treasurer made or in comments that came from the Minister for Housing, they were being entirely objective. I am not accusing them of being dishonest but I am accusing them of not being objective in spelling out what the problem areas are in relation to housing and deciding how to address them. Certainly, we have the Home Loans Scheme and it is a very good one. It needs to be given Territory prices but it is a good scheme. Let us at least articulate what the problems are and not try to sweep them under the carpet, which I think there is a tendency to do.

To turn to matters in my own electorate, there are a number that I wish to raise. I am not sure that I will be able to mention all of them but I will try. One of the areas of neglect which has not been addressed in this budget is the problem of town management and public utility funding at the Imanpa community. The Imanpa community resides on a special purposes lease which is an excision from the Mt Ebenezer lease. A community of 120 to 150 people live there. In terms of access to land resources, they are not as well off as, for example, the people who live at Kintore where there is a large area where, in good seasons, people are able to obtain a wide range of traditional foods. However, I believe that, in that community, there is a need for a greater level of town management and public utility funding. In the case of Kintore, I am pleased that the Minister for Community Development advised me that some funding for that area has been made available. I will be interested to take that information back to the community involved and see how it squares up with its needs.

However, in relation to the community at Imanpa, I have already done that. While the funding that was announced in this budget will be welcome, I believe that there are town management and public utility areas for which the Community Government Division has responsibility to give greater consideration. The community at Imanpa, which rests on the northern side of the little hills on the road to Ayers Rock, already has a school. Honourable members may recall that the students from that school were present in the public gallery at a previous sittings this year. They had been successful in the Eisteddfod and I think all honourable members were delighted to see that. Certainly, I was delighted to see the children from that community. The facilities at that school have been significantly upgraded. There are better water supply facilities for the kids when they go to school than there are when they go home.

I am glad the minister has returned to the Assembly. I hope he was listening outside to what I was saying. If I could be assured of that, I might rest a little easier. In case the minister considers that this community is taking that lying down, let me just give some details of the self-help that this community has undertaken. I think it deserves mention in the Assembly. I believe that, after hearing about it, the honourable minister may have a change of heart. Far from relying on the largesse of governments, either Territory or federal, the community at Imanpa made the decision to have a chuck-in from social security payments which, as the honourable member will be aware, represent the vast proportion of the economic base of that community. Let us not forget that we can use words like 'economic base' and it sounds as though those communities are well off. Let us not suffer from that illusion. The people in these communities and their children are right behind the 8-ball. If one had to live on social security benefits where the cost of living is the lowest in Australia, one would already be below the poverty line. If one had to live on these benefits in one of the urban centres in the Territory, one would know what the cost disadvantage was. The honourable minister has been running a freight inquiry. He should have the facts before him about how far people living in Alice Springs, Tennant Creek or Katherine would be below the poverty line if they were living on social security benefits. I do not know how, in heaven's name, he expects people to be able to live 140 miles from Alice Springs, where the cost of living is something like 20% higher than in Alice Springs, which, in turn, is already 20% higher than the average capital city. That is grinding poverty; let us make no mistake about that. This is the nub of the argument. The honourable minister has a responsibility to provide for that community the same sorts of job positions relative to the number of people there that are available at communities such as Warrabri, Yuendumu or Papunya. A couple of award wage positions in town management and public utilities would provide such an input of money into that community that it would not be a drop in the ocean. It would be well recognised and it would be a significant contribution. I hope the honourable minister will take that into consideration.

Regarding the chuck-in, I think it is worth while mentioning what this has been spent on at Imanpa. It has been spent on the construction of a roof over the clinic container - there is a container there that is used as a clinic - and over the concrete verandah for the store. It has also been used for water taps and piping. About $150 was used for that. Another area where this chuck-in has been used has been for water reticulation for that community.

I am pleased that there is a provision in the capital works program in the budget for a bore and tank at Kintore. From memory, some $72 000 has been provided. What these people did for $1200 was to spend $300 or $400 hiring a trench digger from Kulka, a community some hundreds of miles away in South Australia where many of their relatives live. That cost $300 or $400. People worked very hard in making sure that PVC pipes were laid in places where they were required. That is a real self-help program. I believe that it is reasonable to give some congratulation to the people who are working there as community advisers because I am sure that they had some input in assisting the community to develop for itself that sort of self-help scheme. The community does not want things laid out on a plate but it does expect - on the basis of what it needs and what it sees other communities receiving - a fair go.

That money was also spent on some equipment for the women's centre. It is also paying a wage for someone to collect the garbage. That is a TMPU function. It also bought some items for community use including a video, television and chairs for the recreation of the community. It is the intention of the community

to put $500 into public lighting. Interestingly enough, the Chief Minister's meeting of community advisers and council presidents in Darwin was attended by 2 people from that community. The community chucked in $400 so they could buy a new set of clothes, have some spending money and attend the meeting with dignity. That is a community that is doing things for itself and it deserves the support of the honourable minister.

I see time is running out, Mr Speaker. I will briefly run through the other matters that I want to mention. Hopefully, I will be able to elaborate at some later stage. I am concerned about the impact that the youth services payment from the Minister for Youth, Sport and Recreation will have on the YMCA program at Papunya in my electorate. It is a troubled community which urgently needs to maintain a program that the Territory government seems hell-bent on destroying.

I am also keen to find out exactly what provisions have been made in the Territory budget for flooding the Emily Hills subdivision. The Minister for Transport and Works will recall that I sought information from him about what is being spent in that area. I am eager to find out what provision, if any, has been made in this budget.

I am keen to discuss with the Minister for Transport and Works the allocation for the Indracowra-Horseshoe Bend Road that has been the subject of correspondence between us for the last few months. I am concerned about that. That is a subject that I will take up at a later stage.

I return to the court of the Minister for Community Development. Sometimes I feel obliged to use the phrase 'community development', in his case, with my tongue in my cheek, particularly since he appears hell-bent on applying some sort of spurious user-pays principle in the town camps in Alice Springs. Again, that is an issue that I will take up later. I notice that there is provision to provide meters for, I presume, some of those town camps. I would appreciate hearing from him if that is the case.

The other issue I would like the Minister for Community Development to mention is his disgraceful refusal to proceed with the prison farm at Alice Springs. Equally, I have some concern about the Stuart Highway realignment and the impact that will have generally on the aesthetics of the town of Alice Springs. I am concerned that the alignment will bring with it the first set of traffic lights. I am sorry that the minister is not giving consideration to the possibility of roundabouts. Also, I have a question about a particular item relating to external services to a rural tourist development. That is how it appears in the budget papers. I am concerned about it and would like some information on it.

Turning quickly to the statement of revenue sources, I note that they include casino taxes and fees which increase from the 1982-83 figure of $1.75m to $2.030m. I am very keen to find out just what percentage of turnover that represents in the casinos in Alice Springs and Darwin. I would also like to hear from the Minister for Housing about the $200 000 to assist in crisis accomodation. How is that to be spent and where?

Mr DONDAS (Housing): Mr Speaker, firstly, I would like to pick up the point made by the member for MacDonnell in relation to what he considered to be a hell-bent course of destruction regarding the YMCA program in his electorate. I must point out to the honourable member that, over the last few months, discussions have been taking place between the Department of Youth

Sport and Recreation and the YMCA both in the northern region and the central region because of a desire by the central region communities to deal directly with the department with regard to funding for recreational facilities. Mr Speaker, the particular community to which the honourable member referred, Papunya, is entwined with other Aboriginal communities in the area with regard to that central region.

Mr Bell: No, it is quite separate.

Mr DONDAS: I am not going to let the honourable member get out of this, Mr Speaker. If he is patient, I will tell him the story. It became apparent that the YMCA had not consulted with these communities with regard to the kind of recreational programs they desire - whether they want finance to buy equipment or to enable them to employ recreational officers. During the course of this year, we decided that we would have a reappraisal of the whole operation in that area because, last year, it cost some $187 000 to provide facilities and paid officers to work within Aboriginal communities. We desired the best value for money. If a community could do it better directly with the Northern Territory government through the Youth, Sport and Recreation Division, that was fine. If some programs had to be maintained by the YMCA in that area because the Aboriginal communities did not have the resources to carry them out, that was fine also. We were doing an evaluation. To say that we were hell-bent on a course of destruction of a particular program in Papunya is not true. The officer employed at Papunya will be there until such time as we complete a proper evaluation. At the moment, I do not intend any funding cuts in that particular area. That area is related to the central region. We have Yuendumu and Warrabri to consider and the honourable member made special representations for the Tangentyere Council to receive some financial assistance this financial year to employ a youth worker to help their children. Consequently, I am quite sure that the honourable member opposite knows now that the Tangentyere Council will receive a level of support. He has not acknowledged whether he knows that or not. Maybe he knows it and is playing dumb again.

Mr Speaker, I thought I would clarify that particular point for the honourable member so that he knows where we are going. The YMCA, in conjunction with the Northern Territory government, is reappraising the schemes for the northern and central regions because, last year, over $180 000 was expended in the central region and over $200 000 in the northern region. We are looking for better value for money. Consequently, those consultations and discussions are now taking place.

Turning to housing, I was happy to hear the honourable member opposite state that we are heading in the right direction although, unfortunately, there are a couple of areas in which we are unable to satisfy him. He is quite right: the total funding available from the Commonwealth for distribution this year was some $500m to all states and territories. Of that, the Northern Territory received $28.679m, which was an additional $8m. We acknowledge that, Mr Speaker. That money will be distributed as follows: untied loans - $7.3m; grants earmarked for Aborigines - $9.584m; funds earmarked for pensioners - $0.5m; and an untied grant of $11.295m, giving a total of $28.679m of specific purpose payments from the Commonwealth in respect of the Commonwealth States Housing Agreement. What the honourable member did not say was that, this year, the Northern Territory government, of its own volition, is providing some $61m towards housing, an increase of $16m. The Commonwealth has given us an extra $8m but the Northern Territory government has put in an additional $16m. He did not talk about that; he only gave half the figures. The total appropriation of

the specific purpose payments and the NT government funding comes to $90.2m - a significant amount.

The other point that the honourable member made was in relation to land availability in Alice Springs. He questioned a former minister's statement regarding land development in that area. Mr Speaker, I must tell you what we hope to be able to get in the 1983-84 financial year. This year, the Housing Commission will spend 20% more on its dwellings than it did last year. Mr Speaker, you would remember the matter of public importance relating to housing that was raised by the honourable member opposite. The debate fell very flat. The honourable member has tried to resurrect that this afternoon. We are aware that there are problems with housing and this government is making every attempt to alleviate that situation. At the same time, we must be aware that the population is increasing throughout the Northern Territory at an average rate of 4.6% which is twice as high as the national average. It is felt generally - and this is not official - that the Darwin population is increasing at about 7% per annum. We are aware of the problem and we are trying to alleviate the accommodation crises that may exist in certain sections of the community. The important thing is that at least 12% of our budget is spent on housing. That is higher than any state government's allocation for housing. That was the point the Treasurer was trying to make but the honourable member for MacDonnell, with his usual good sense, has tried to twist it around.

Let us talk about the lots available in Alice Springs. The information that I have is that, in Alice Springs this year, 150 R1 lots will be available and the available R2 lots will be sufficient for 13 units. The Housing Commission feels that that number will be sufficient to maintain a reasonable housing program in that area and at the same time allow it to build up a small stock for the following year.

The honourable member opposite spoke about a wonderful scheme implemented by the Labor government: the mortgage and rent scheme. I have said in this Assembly and outside that it is a terrific scheme. What he did not say was that it was introduced by the former Liberal government. In 1982-83, some $360 000 was made available to the Northern Territory. At the time that I issued a press release, only some $50 000 had been used. Therefore, we thought it would be appropriate if we notified the people in our community that such a scheme existed, that it was Commonwealth money, that there were certain criteria and that, if they had any problems in paying their rent or repaying their mortgages, they should get in touch with the Housing Commission. We told the community that we would do our best to assist anyone whose circumstances fell within the guidelines. The problem was that the guidelines were very restrictive. We initiated discussions with the former Liberal government to broaden those guidelines. I am happy to say that the new Labor government has broadened them. Consequently, we will be in a position to make announcements after arrangements have been made between officers who will be meeting some time in November. It may have to wait until January for ratification at the Housing Ministers Conference.

As far as housing is concerned, we see our capital works program within that area as being quite significant. Capital works this year will total $55.9m, an increase of $18m. In 1982-83, $37.273m was expended. That in itself will generate enthusiasm within the construction industry and the housing industry. We have recently announced new initiatives for the construction industry to enable small builders to get in on the development side. The particular scheme

is called 'The Safety Net'. It will allow them to enter into an arrangement with the Housing Commission to build houses and, if they cannot sell them within a certain time, the Housing Commission will purchase them at a predetermined price.

Last year, $38.9m was lent for housing. It is a wonder that the honourable member opposite did not pick up that $34m is allocated for housing loans in the 1983-84 financial year. There is a reason for that reduction. Several million dollars were outstanding because loans had not been finalised between the end of the last financial year and the commencement of this financial year. People put in their applications in May or June and, consequently, their applications have not been processed. But we believe that the $34m allocated for new loans is sufficient. I have an understanding with my colleagues that, if we need more than $34m, we may be able to receive more through supplementary estimates. The other thing is that a new deposit scheme came into operation this month. We have to wait and see what impact it will have. I am quite surprised that the honourable member for MacDonnell did not pounce on that and try to hit the government over the head for the shortfall of $4m in that area.

Mr Speaker, as far as the housing side of the budget is concerned, I believe that most people in the Northern Territory appreciate the government's home sales scheme, which is one of the best in Australia. I believe that the people in the Northern Territory appreciate that there are problems relating to the availability of accommodation. The honourable member opposite spoke a few moments ago about a gentleman who was living in a caravan. I am just wondering whether it was the same gentleman who approached me recently when I was in Alice Springs to say that he had 3 children and that he had been living in a caravan for 5 months. He said that one child was not well and, because he could not get accommodation, he would go back to Adelaide. If it is the same gentleman, then the honourable member has not told the whole story. He has not told us that that man had a bigger caravan when he came to Alice Springs. It was worth about $20 000 and he sold it to get a smaller one to put pressure on the Housing Commission. That is the kind of trick that people resort to. The Housing Commission has an out-of-turn-allocation committee. Any person who has a problem can go before that committee. If he can convince that committee, then the Housing Commission's board will allocate emergency housing.

Mr Speaker, I will say something about the health budget. I prefer to speak after the honourable spokesman for health opposite because it gives me an indication of the direction that the debate should take. I believe that the health share of the Territory budget this year has been allocated on a needs basis, which is contrary to what the honourable member has said outside this Assembly. She said that the health budget is down but she used figures for 1979-80. She said that the health allocation was 14% in the 1979-80 budget. What she did not say was that, in 1979-80, the health budget was only $70m. Because the health budget this year is only 10% of the total budget, she feels that it is not enough and that we have missed out on 4%. In her statements regarding our budget, the honourable member has not been quite correct. I believe we have been moving in an orderly fashion towards the staffing of the facilities throughout the Northern Territory to provide adequate health services. Hopefully, on the last sitting day, I will be in a position to table the Department of Health's annual report which will give her all the information that she requires.

Mr Speaker, I come back to the community health service matter that keeps

raising its ugly head. The honourable member for Fannie Bay said in this Assembly that the federal government would give $20m extra to the states and the territories for community health services. What she did not say was that the Northern Territory would get about $17 000 from that $20m. What she did not say was that, until 1 February, we will be able to collect $127 000 in our community health centres but, after February, that particular revenue-raising capacity will cease. But, the Commonwealth will give us $140 000. There was actually a net gain of $13 000.

In addition to other allocations, this year we will provide additional funding for the upgrading of the Bathurst Island Infant and Health clinics and $59 000 for the replacement of the existing Peppimenarti Health Centre, stage 3. $148 000 has been allocated to the Helen Phillips Child Health Assessment Team. For hospitals to operate in Darwin, Gove, Katherine, Tennant Creek and Alice Springs, there is a total allocation for 1983-84 of $56.59m. That is 65% more than in January 1979 when the Territory government became responsible for health care services. In 1978-79, expenditure was $34.1m. The Dental Health Service in the Territory in 1983-84 will include dental therapists visiting isolated communities, a preventative campaign and primary schools dental services. A school dental screening service already exists in secondary schools. The honourable member opposite, in her discussions outside this Assembly, said that is what the government will do. We are already doing it, Mr Speaker.

Over a period of time, the Aerial Medical Service has come under a constant barrage from the opposition. I think we will be able to fine tune the operation a little further to save money but, at the same time, we do not have the philosophy of the member opposite whereby one organisation would provide aerial medical services. What the honourable member did not say was whether the opposition would operate it or ask somebody to operate it. All it said was that it would have one service because that would be more efficient. I can provide honourable members opposite with information that says that the scheme that is operating for aerial medical services at the moment is the best that we can do for another 3 or 4 years.

Aboriginal health has been a very important part of the 1982-83 financial year for the Department of Health with the setting up of the Aboriginal Institute of Health in Katherine. A nursing home for Katherine will be the subject of further discussions between the council, the Department of Social Security, the federal Department of Health and the Northern Territory Department of Health. Those organisations have a part to play in determining whether a nursing home in Katherine will become a reality in the next 6 to 12 months.

I refer now to the Aboriginal Institute of Health. For 1983-84, there is an allocation of $2.49m which covers a full year's operational costs. We believe that the scheme we have in Katherine is one of the best in Australia in providing our rural areas with medical expertise. Whilst in some cases it might not be expertise to a high professional level, it is expertise that will enable people to survive, and that is the most important thing. Our health workers are not only being trained in Katherine; there is also a small training area in Gove. Some people do not like to leave their home region. Therefore, we have taken a decision to train people as close to their home region as we possibly can. But, the bulk of health worker training will take place in Katherine.

We are providing financial assistance also to the private nursing home. Many people do not realise that the government supported the application by the Chan Park Nursing Home to commence its operations. We believe that that is working successfully and is providing a very valuable and needed service for the community.

There is a whole list of organisations receiving assistance from the Department of Health. No doubt they will appear in the annual report and I will not take up the time of the Assembly going through them one by one to indicate the amounts they will receive as grants-in-aid. But, significantly, some $2.2m has been allocated to St John Ambulance for its operations. I am quite sure that figure will make the Leader of the Opposition happy. He was involved with that organisation. The Australian Red Cross will receive $834 000 this financial year. Occupational health and environmental health are also areas receiving attention from the government.

Mr Speaker, in the last 5 or 6 months, I have not agreed with the opposition spokesman for health's various outbursts regarding health services in the Northern Territory. Earlier this year, she spoke about 'mindless cuts' within the Department of Health: mindless staff cuts and mindless funding cuts. On more than one occasion, I have said that such cuts were not mindless but calculated because, at particular times, it was felt that the Department of Health was operating in an area that needed considerable examination. Once that examination was complete, we were able to reassess the financial situation and, of course, took the necessary measures. In fact, more money is to be spent in 1983-84 than in 1982-83. As a Northern Territory government, we can guarantee that there is no person within the Northern Territory who is not receiving a reasonably high level of service. In fact, we are now trying to encourage our Commonwealth colleagues to amend IPTAAS to allow more Territorians to benefit by that particular scheme. At the moment, they are forced to go either to Adelaide or to Brisbane. In particular cases, for many reasons, that is not suitable. People might want to go to Perth because that is where their family extensions are and likewise with Melbourne or Sydney. We have asked the Commonwealth at least to let people pay the difference of the air fare between Adelaide and Melbourne, Perth, Sydney or Brisbane to allow these people to be able to take advantage of IPTAAS.

We are trying constantly to improve the services within the Northern Territory to all sections of the community. In that context, many members would be aware of the problems that we had earlier this year regarding the Papunya health services that were being operated by another organisation. That organisation asked us to take over that particular service. That service is now being operated satisfactorily by the Northern Territory government and, at the same time, we are keeping a watchful eye on Kintore, an outstation related to Papunya. Hopefully, over the next 6 to 12 months, that particular situation will also settle down.

I will just take a few moments to talk about youth, sport and recreation. I am happy to say that this financial year the government will commit more than $5m to youth, sport and recreation in the Northern Territory. In fact, the honourable member for Alice Springs asked me a question this morning in relation to 2 proposals for the Alice Springs region. I advised the Assembly that some $1.3m would be made available to the Alice Springs region. But that $1.3m is not the end of it because members of those associations are still able to obtain further financial assistance through travel subsidies. In the very near future, I will be making an announcement regarding coaching. It would be my intention to provide every association in the Northern Territory with a state director of coaching. The Northern Territory government will provide up to $12 500 on a $1-for-$1 basis for the salary of any state director of coaching. On top of that, it will provide a $3000 travel subsidy to allow any state director of coaching to be able to move around the Northern Territory.

Another initiative of this budget is that we will allow additional junior

sides to participate at national championships. At the moment, each association is allowed to send 2 junior sides. From this financial year, it will be 3 junior sides. The government recognises the importance of providing financial assistance to allow those sporting organisations to participate at the national level. Honourable members would be aware that 1983 has been a fantastic year for Territory sportsmen. Earlier this year, we had the under-21 National Hockey Championships. Recently, we had the Australian Winter Swimming Carnival, and the Australian Squash Championships. On 25 September in Alice Springs we had the under-13 National Soccer Championships. I believe that the government's provision of financial assistance to those organisations in the form of travel subsidies, equipment grants and facilities will give Territory sports people every opportunity to compete on an equal footing with their Australian counterparts.

Ms LAWRIE (Nightcliff): Mr Deputy Speaker, it is nice to know that, with the election of an Australian Labor government, the Territory has not become insolvent. In fact, I think this budget debate is amusing in a way because the vast majority of our funding still comes from the Australian taxpayer. What we are talking about is the decision by various government departments as to the carving up of the cake, not particularly revenue-raising within our own Territory borders.

Some of the policies emanating from the budget have elicited wide community response and, in some cases, concern. I will not apologise for reiterating some of the remarks of the honourable Leader of the Opposition when he drew to the minister's attention the fear in the community regarding some aspects of the education budget. If there is one area in which every person in the Territory considers himself to be an expert, it is the education of his children. Many diverse opinions are given to the minister. However, I must say that this $2-for-$1 subsidy regarding computer education has opened what could be called a hornet's nest. I hope the questions it raises will receive the minister's undivided attention.

As honourable members will be aware, it is now the policy of the Northern Territory government that computer education will be part of core curriculum. The question that is being asked is: if it is core curriculum, why must we be offered a $2-for-$1 subsidy? Precisely what will this provide? It cannot be hardware or the basic software because, if it is core, it has to be provided by the Department of Education. I share the concern of the Leader of the Opposition and members from both sides of the Assembly and members of the community that, in fact, the subsidy scheme is inequitable because it allows the rich to become richer and the poor to suffer by comparison. It certainly is not a principle which should or could be applied to a core curriculum area.

Likewise, I am concerned at what was perceived originally as a lowering of the teacher-pupil ratio and is now known to be a staff-pupil ratio. With the ancillary teaching staff in schools such as teacher librarians and resource teachers being brought in as part of the ratio, it will mean for many schools that there will be no extra teachers at all. In fact, in some cases, they face the prospect of losing teachers, particularly in primary schools. I must advise the honourable minister that this policy has not received one iota of community support to my knowledge. It was raised at the COGSO conference, as I am sure the minister is aware. I wish to state yet again that I am no apologist for COGSO. I regard it as yet another power group - fairly narrowly based, in fact. I am putting forward the concerns of many of the parents and indeed students attending schools in my area. They have gone through the education papers and are extremely concerned, particularly at this vexed field of computer education and having to raise funds for a core curriculum subject.

Mr Deputy Speaker, I have intimated to the honourable Minister for Conservation that most of the remarks I intend making this afternoon in the context of the budget debate refer to the Conservation Commission which, I think, is undervalued. Its efforts are largely unrecognised and perhaps unrewarded.

I note that the honourable member for Barkly must have some reason to spend so much time in Darwin. Probably, it is because his electorate office is in a tent. In the capital works program, we see under 'works in progress' a sum of $59 000 set aside for upgrading the office of the member for Barkly. My mind is boggling. It must be very poor accommodation indeed if it needs $59 000 for upgrading. One could build a 3-bedroom house for that.

In going through the budget papers, and looking at the Conservation Commission in particular, my concern is that, whilst its allocation by and large has not increased dramatically, it has been asked to undertake an increasing variety of functions and responsibilities since its inception, and the level of funding has not kept pace with this. We see in the explanation to the budget papers, under administrative expenses, that provision is made for new and expanded activities through the implementation of new initiatives in 1983-84 such as the Aboriginal ranger training program and the development of new parks including Cobourg Marine Park, Kings Canyon National Park and Wildman River Station. As one of my 4 trips within the Territory to acquaint myself with what is happening outside the borders of the electorate of Nightcliff, I made my 12-monthly trip to Cobourg Peninsula and watched with some concern the proposals regarding the Marine National Park which of course is the first one established in the Territory.

Honourable members will be aware that, at the last sittings, I asked a couple of questions of the minister regarding marine mammals, dugong in particular and also turtles. I asked about the impact of opening up recreational areas which were previously inviolate and of people taking turtle eggs. I asked whether any studies had been done on these problems and, if so, what the minister's department had to say about it. He has kindly written to me giving certain information which has not allayed my fears but at least I appreciate the reply.

Regarding dugong, he indicated that he sought a briefing from the Conservation Commission which has now been received. He is advised that, on a world scale, the International Unit for Conservation of Nature and National Resources regards the dugong as a rare and threatened species. I was well aware of that, Mr Deputy Speaker, which is why I asked the question in the first place. Of course, Australian waters are considered to be one of its few remaining strongholds. He went on to say that concern has been expressed that dugong are declining in our area. He wrote: 'The commission tells me that it cannot be said with certainty that harvesting by Aboriginal people or incidental taking by barramundi fishermen are the only critical factors in this decline, if indeed it is occurring'. He also said that the life cycle of dugong has been the subject of investigation by scientists in Australia. We know all that, Mr Deputy Speaker.

The thrust of my question was whether sufficient money and resources were being channelled into the Northern Territory for an investigation into the impact on dugong of the continued harvesting by Aboriginal people of dugong as a food and protein source, notwithstanding the other protein sources now available to them and, with the intensification over the past 5 years of barramundi fishing, the effect of the approximate 200 drownings of dugong in barramundi nets each year. The honourable minister admits, not cheerfully but

concernedly, that still little is known in this area. Similarly, when I asked about turtles, the minister replied with commendable honesty: 'As I am sure you will appreciate, with relatively limited resources and the vast expanses of the low-populated Territory coastline, it has not been possible for the commission to comprehensively monitor turtle populations on a Territory-wide basis'.

Mr Deputy Speaker, we must cross Cabinet lines for a moment and remember what has been happening with Fisheries Division within the Department of Primary Production. The boats which were originally purchased for Fisheries for the monitoring of fishing resources within the Northern Territory, in the wisdom of the Chief Minister, were transferred to the Police Force and have been largely engaged in the detection and apprehension of poachers. This has withdrawn from Fisheries the very valuable means of obtaining information for which the boats were originally purchased. The surveys into fishing and marine life, which it was originally envisaged would be undertaken, are not now proceeding. The minister has admitted that more needs to be known about the marine field within his province, especially marine mammals and turtles yet Fisheries is suffering the deprivation of resources which I still consider rightfully theirs. If the police want boats for detection purposes, let them have them, but let us not rob Fisheries to give them those craft.

If we look at the amount allocated to Fisheries in the budget, we find a paltry $1000 allocated under administrative expenses and called 'survey costs'. I would ask the Minister for Primary Production if he can suggest seriously to this Assembly that $1000 survey costs in the fishing industry could be anywhere near adequate. I must draw to the attention of the Assembly that, at the same time, in that breakdown of his department's figures, especially for Fisheries, we see $150 000 allocated for consultants' fees. Consultants' fees, of course, can cover a myriad of aspects of the fishing industry and I would ask the minister to give us more details of the proposed use of the $150 000 because I am appalled to see only $1000 allocated for survey costs within a very delicate area of primary production like fisheries.

At the outset, I said that my fear was that funding of the Conservation Commission has not kept pace with the widening of its responsibilities. Indeed members who have read the budget papers will see that botany has been transferred from the Department of Primary Production to the Conservation Commission. The commission is largely responsible for the beautification and preservation not only of national parks but also is doing a wonderful job within the urban areas of the Territory, particularly Darwin, where everyone applauds the beautification program undertaken by it. It has park protection, wildlife protection, surveys of wildlife and the identification and noting of species. Also, it has a most important new role - the administration of a marine park.

Mr Deputy Speaker, there is world-wide concern at the change in the environment dramatically affecting marine mammals. Some years ago, honourable members would have been aware of the successful anti-whaling campaign. I went around with a petition at that time in Darwin and I think the first person to sign it was Goff Letts, the then Majority Leader in this place and now Chairman of the Conservation Commission. Whilst it is recognised that some species of whales are still in danger of extinction, I think Territorians have had hidden from them the very real problem of some marine animals which abound now only in our waters and which need urgent investigation and, I believe, protection. Porpoises, dolphins, whales and dugong should all be the concern of this Assembly. There are some species of whale within northern waters which are not now found anywhere else and it should have been appropriate for the Conservation Commission, I would have thought, to conduct the proper investigations and put

the international concern largely to rest.

Mr Deputy Speaker, I have touched briefly on education and at greater length on what I see to be the problems facing the Conservation Commission and, particularly, Fisheries. Those problems stem simply from a lack of money. I am as concerned as any member here that the taxpayer's dollar should be well spent. I am aware that budget debates in this Assembly are really no more than personal opinions as to how each dollar should be allocated. It is almost impossible for opposition members to make any comments which are germane to the argument because, of course, they are not privy to the original bids of the various departments in the forward estimates. Unless large amounts of material fall off the backs of large numbers of trucks, it is impossible, without being in Cabinet, to know where the greater cuts have been. All honourable members can do is express their concern at what they perceive to be a particular lack of funding in a particular area. In my case, it is a couple of aspects of education and, most certainly, the Conservation Commission and Fisheries.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising this afternoon to take part in this debate, I would like to say that the government, in consideration of the financial needs of the people in the Darwin rural area, did not do a bad job. The main concern of the people in the rural area is the building, upgrading and maintenance and the general care of both gravel and bituminised roads. The Department of Transport and Works has a program for upgrading and maintaining roads in rural areas over the next couple of years to the tune of about $5m. Of course, everyone wants more and more all the time but I do not think this is ungenerous on the part of the government.

People who live in the rural area can look after their own needs to some extent. They can put down a bore, build their house and supply their own electricity with a generator all at their own expense but they cannot put a road in at their own expense because of the very nature of that particular service. Whilst they can look after their own needs - and people do when they go to new areas - with regard to electricity and water, they need roads supplied by the government. The supply and maintenance of roads in the Darwin rural area is of great importance to the people who live out there.

In the budget, great attention has been paid to the supply of essential services to Aboriginal communities. I am particularly concerned with the Aboriginal communities at Bathurst and Melville Islands. I know the communities pay great heed to the supply of services. They are supplied by the government. The government supplies and or maintains water, drainage, generating equipment, reticulation of electricity, roads, airstrips, ablution blocks and bores. That all adds up to a very large sum of money that the government expends every year and plans to expend in future years on the supply of essential services to Aboriginal communities. It is only by taking account of the supply of these essential services that the welfare of the people is considered in the best possible way. Without adequate primary services, we cannot supply the secondary services: health, education, etc. Once the primary services are supplied, the people can look to improving their health standards. Really, if the primary services are adequate in the first place, there is a greater level of health in the communities and they can give greater attention to other needs.

I was pleased to see that the Department of Community Development is paying some regard to the upgrading of security services in prisons. This is the result of several recent outbreaks from both Berrimah Prison and Gunn Point Prison Farm. I do not agree with one honourable member opposite that we need to employ more prison staff. But I really do think that the procedures which

have been laid down by the Department of Community Development for the guarding of prisoners by prison staff need to be looked into. I have quite a bit of interest in the personnel who work in the prisons because quite a few live in my electorate. They are my constituents. Also, the Gunn Point Prison Farm is in my electorate.

Recently, because of the unfortunate incident relating to prisoners from the Gunn Point Prison Farm, a meeting of the prison officers' wives was convened. I attended that meeting and I found it very interesting. From that meeting, other things will develop. I think we may see the regularisation of a group of prison officers' wives not only to support their husbands in their rather onerous and, at times, dangerous duties, but also to be of support to each other in times of family need. It is most important not only that rehabilitation projects are undertaken but also that care be taken that the staff who work in the prisons are fully protected in case of emergencies. The first people to complain when there is a prison escape are the people who live nearby. One cannot blame them. After the unfortunate escapes from Gunn Point Prison Farm, I was contacted by many of my constituents who live on the Gunn Point Prison Farm road. They want to see increased measures for their security and that of their families.

I was interested in the budget allocation of $80 000 for toilet blocks in a part of Humpty Doo and $85 000 for toilet blocks at the Berry Springs Reserve. An interesting point about the allocation of these 2 sums is that the Berry Springs Reserve Trustees may have shown the way to the Lions Park Reserve Trustees on how to manage money better and how to get more for their dollar. The Lions Park Reserve is the reserve between the Humpty Doo Primary School and the Humpty Doo High School and the trustees are actively concerned now with satisfying community recreation needs which could be in the form of a swimming pool for the rural area. They are examining the details of the cost and maintenance of a pool. Before they do that, they must consider the sum of $80 000 which was allocated by the Department of Community Development to build this toilet block. That was the sum that somebody had worked out it would cost for the Department of Transport and Works to erect this toilet block.

The trustees at Berry Springs Reserve either have negotiated or are about to negotiate with the government to be given the $85 000 because they think they can put that $85 000 to better use by building a toilet block of the same standard but with community input by way of labour. That way they would get more for their money than if the Department of Transport and Works built the toilet block. I see this as another initiative of the people in the rural area working with the government to get the best value from the government dollar. Also, it shows a greater concern for each other and for the taxpayers' dollar and a greater concern for community needs by everybody who lives in the area.

I was pleased to see that one of the proposals in the budget was to investigate the subject of rubbish dumps. I am assuming that the subject of rubbish dumps in the rural area could be included in this investigation. While we do not want to be encumbered with high rates because of a city council administered rubbish dump, nevertheless, I think at best 2 rubbish dumps in the rural area need to be monitored with regard to their adequacy and perhaps pollution.

There was a sum of $155 000 allocated to develop the boat ramp and upgrade access to the Buffalo Creek area. I think I am right in saying that this is the area that will be developed for a large caravan park. I have

expressed my concern to the Chief Minister on this matter. I hope that, with this park, and also with the current use of a large caravan park in Darwin, the standard of caravan parks will not drop and also that the small owner-manager caravan parks will not be put at a disadvantage. I would say that most of the caravan parks in my electorate, despite the fact that they supply reasonable services and, in some places, excellent services, are not achieving the same intake of people this year as compared to last year. I do not know whether this trend is because fewer tourists are visiting the Top End or whether it is because people prefer to go to the larger caravan parks in town. I would hate to see these small businesses incommoded excessively by the government's encouragement of large business enterprises. I am not knocking the large business enterprises but, at the same time, I do not want to see any of these small businesses go to the wall.

Mr Speaker, I can only applaud the money that is to be spent on the maintenance and development of the 2 main highways in my electorate, the Stuart and Arnhem Highways, both on work that is currently being done and work that is proposed to be done in the near future. Roughly $2m is being spent currently and about $2.5m has been proposed for further work on these 2 highways. This is the money that the Northern Territory government is spending on the highways and does not take into account the money that comes through different allocations from the Commonwealth government.

I would like to take issue with the honourable member for Nhulunbuy when he spoke of the low morale of the Fire Service. Obviously, he speaks to different people in the Fire Service than those I speak to because all those prognostications of doom and gloom about the new legislation have not eventuated. Several firefighters live with their families in my electorate. Some had a few worries before this legislation was introduced. When we went over it together, they still had a few reservations but, all in all, I do not think it is all doom and gloom in the Fire Service. I do not think any of the problems have arisen that they said would arise from the management of the Fire Service or as a result of the equipment that is being bought and the way things are being arranged.

Mr Speaker, everybody must applaud the support given by the Northern Territory government to small business, both in terms of loans to small business and the Small Business Advisory Service available through the Northern Territory Development Corporation. Whilst it is very good that large business is developing in the Northern Territory, I think that the backbone of any community is the small businessman. I think the honourable member for Port Darwin spoke about small businesses of the order of 100 employees. The small business people in the rural area must be very small. Usually they are owner-managers of small businesses employing 2, 4 or 5 employees and I think that the NTDC, as well as advising small business people with some 100 employees, could perhaps pay a bit more attention to getting its message across, especially in the rural area, to encourage seminar attendance by these very small business people. If any people are workers, these people are.

Mr Speaker, I cannot let pass the remarks made by the Leader of the Opposition about the $1-for-$1 subsidy in relation to schools. I am becoming a little fed up with this knocking all the time. When the government does something, it always seems to be knocked first and there is only grudging acclaim from the other side. I think this scheme is a pretty good idea. I have not made inquiries, but I do not think that any of the states have this incentive for the development of education. It is all very well saying that some schools will be better endowed than others because some groups of parents work and some

groups of parents do not. The Leader of the Opposition also said that some schools had children in attendance who had wealthy parents. The people who live in the Howard Springs area whose children go to Howard Springs school would give the lie to what the Leader of the Opposition said. I do not think that there are very many, if any, wealthy people living in Howard Springs. They are ordinary working people. However, I would say that the Howard Springs school is pretty well endowed with facilities. The reason for that is that all the parents get together at appropriate times for fetes and other fund-raising projects. They get together with the teachers and friends of the school to work to raise money. They are not wealthy people but they have seen the need for school facilities and realise that this incentive scheme put forward by the government is something to work for and with. The Humpty Doo school and the Berry Springs school have been established much more recently than Howard Springs school and do not have the same facilities yet. They have still got some way to go. But knowing how the people in Humpty Doo and Berry Springs work, I can see that, in future, they will have pretty good facilities in those schools also.

I think the $1-for-$1 scheme offers not only a financial incentive but also an indication as to which parents are interested in the education of their children and their welfare at school. It shows the moral support parents give their children and perhaps, less obviously, it can show a child's regard for the parents and it leads to a closer relation between parents and teachers in schools if they work together. It is likely to keep families interested in each other, the parents in the children and the children in the parents, but more importantly, it keeps families in the community interested in each other through working with the school.

Mr SMITH (Millner): Mr Speaker, I cannot let the honourable member for Tiwi's comments, particularly the last ones, go unnoticed. It is strange that, if the $1-for-$1 subsidy is such a good idea for providing funds for government schools, the parent organisation COGSO, at its last conference, unanimously rejected it as it has done at previous conferences. It does not have any support from the official parent body. It does not have any support from the official teacher body, the Northern Territory Teachers Federation, and I would suspect that most teachers in the schools would not support it either. The reason is that it is blatantly unfair. It works against those parents, teachers and students who form the school communities in our poorer schools. Unfortunately, or fortunately maybe, I have 2 of the poorer schools in my electorate. There is no lack of effort from the teachers and the parents of those schools to raise money; there just is not sufficient money in those school communities to raise big amounts because of the composition of the population. As a result, those schools are missing out. They missed out in the first place because they were built when the government provision of facilities was not as good as it is now. They are missing out now, because they cannot raise money to take advantage of the $1-for-$1 subsidy.

I will provide one example. Millner School had to raise all the finance to put in a basketball court. That facility is provided as a matter of course in schools these days. Standards have changed and that is good. Tennis courts and many other facilities are provided nowadays. Millner school had to raise that money itself and it was a big job because there is very little money to spare in that community.

The second point I want to make on this particular issue is that, by the government placing this $1-for-$1 subsidy on school communities, it is diverting school communities away from what their function ought to be: to improve the standard of education offered at that school and to turn the school

into a focal point for the whole of the community. What happens is that school councils become diverted from that function into raising funds, and things that they ought to be working on - making sure that their kids receive a good education and that parents, teachers and kids all have an input into the educational programs - are put aside because they are so busy raising funds. That is most unfortunate. The sooner the $1-for-$1 system disappears, the better.

Mr Speaker, in his reported comments last week, the Treasurer quite aptly placed the Territory's dilemma in a nutshell. Unfortunately, he did not fully understand his own comments, but basically what he said was that, in the 5 years since self-government, the number of people employed had increased by 17.5%. He then said that the number of people living in the Territory each year since self-government had increased by 5%. He was attempting to prove that meant that the number of people employed had increased at a quite significantly greater rate than the number of people living in the Territory. Of course, what he needed to do was to add the results of that 5% increase each year from 1979 to 1983 to obtain the actual increase in the number of people living in the Northern Territory. I am informed by the people in the Bureau of Statistics that there has been a 23% increase in the population of the Northern Territory since self-government. The 2 key figures that we have are a 17.5% increase in employment and a 23% increase in the population of the Territory. In other words, we have a situation where the employment rate has not kept pace with the growth in the population in the Northern Territory. That is our problem. Obviously, as a consequence of that we will have a growing number of unemployed in the Northern Territory. That is a fact.

Unemployment has become a real problem in the Northern Territory. It is a problem that has affected the electorate of Millner particularly. It is most distressing to go out in the electorate and see young and old people, men and women who are unemployed. There seems to be a disproportionate number of unemployed people in the trades area: carpenters, plumbers, brick layers and others. I am pleased to state that the federal government has recognised this and money has been allocated for employment programs, particularly in the housing and road construction areas. That is designed to create work for these people. Obviously, the federal government has recognised that the capital works area, in terms of housing, road construction and other areas, is one of the most effective ways there is of improving employment opportunities in Australia. The Leader of the Opposition in his speech to the Credit Managers Society stressed that the opposition, once in government, would increase capital works spending quite dramatically because it accepts that one of the best ways of decreasing unemployment is by creating more jobs in the capital works area due to the multiplier effects that then take place.

A couple of speakers on the government side said that the government has not increased charges or taxes in any way in this budget. However, on the very day that the budget was brought down, we had the honourable Minister for Transport and Works in the adjournment debate softening up the population of the Northern Territory for an increase in water and sewerage charges. No other construction could be placed on his comments in that adjournment debate but that the government, in the near future - probably just after the next election if re-elected - would increase water charges quite dramatically. Of course, that is quite consistent with its attitude to water and sewerage charges before the last election. As an election gimmick, it both decreased the cost and increased the amount of water that could be used but, after the election it reversed that to the detriment of the population of the Northern Territory last year. Certainly, one of the live issues around the town of Darwin at the moment is the slug that people will be expected to pay when they

receive this year's water bill.

Mr Speaker, the Department of Lands has been allocated an increase of 14% to 15% in funding. The increased allocation was mainly in the area of administrative expenses and property management. The administrative expenses area was basically for the initiatives in the mapping and planning area and particularly Mapnet. I would like to place on record my acceptance of the need for Mapnet. I believe that Mapnet has a very significant role to play in dramatically improving surveying and mapping in the Northern Territory in the next few years. Certainly, it will be of great benefit.

In terms of property management, there has been a complete reversal over a 3-year period in relation to the amount of money put into this area. In 1981-82, the figure was $5.3m. In 1982-83, the figure was $2.1m. This year, we have a figure of $3.2m. The reason given in the budget paper is the acquisition of property by the Northern Territory government including the buy-back of land required for capital works programs. I give notice to the minister, who has just left the chamber, that I would like an explanation of why there has been such a variation in the property management area over that 3-year period.

The last thing that I noticed in the Department of Lands' allocation is that there has been a significant increase in the entertainment float from $5000 to $16 000. Perhaps we may share in that, Mr Speaker.

Mr Speaker, the Palmerston Development Authority, as the Attorney-General recognised this morning, has been allocated less money. Basically, that is because Palmerston is now up and running. One of the most significant figures for the Palmerston Development Authority is that $673 000 was provided this year for municipal services compared with $70 000 last year. Obviously, that is a reflection of the vastly-increased number of people who are living in Palmerston. I was intrigued by the budget statement that all except $198 000 of that $673 000 would be obtained from internally-generated funds. My question in the committee stage to the minister will be: does that mean that the rest of that will come from rates and charges on residents in the area or is there some other way that this money is being internally generated?

I have some concern about the amount of money allocated by this government to local government. There has been only a 2.5% increase in the general allocation to councils. Although that may be explained to a small extent by the fact that there was a one-off allocation this year to Tennant Creek Council for the construction of its Civic Centre, it does appear to me that the government has been less than generous to local government. Certainly, the increase in the amount it has been given is significantly less than the inflation rate. Obviously, as a result of this, it had to look very carefully at expenditure and rates. The 2.5% increase that this government has given to local government will probably force the local councils to charge a rate increase higher than they otherwise would charge. I think that this characterises this government's continuing unsympathetic approach to local government and its failure to understand the problems and the constraints under which local governments operate.

Mr Speaker, in relation to the Department of Transport and Works, as has already been indicated by both the honourable member for Sanderson and the Leader of the Opposition, there has been only a small increase in the amount of capital works provided for this financial year. Last year, $98m was spent. This year, only $103m has been committed, which is only a 5% increase and

certainly well below the rate of inflation. The major concern in the construction industry is not the amount of money that has been committed to it but that, particularly in the roads area, the Department of Transport and Works cannot design work fast enough to spend the money that is available under the roads allocation. If you examine the contracts that have been put out for tender since 1 July, Mr Speaker, as I did yesterday, you will notice that a large proportion are for small jobs, mainly for gravelling work, but very few of the major jobs in the capital works program have been put out to tender. If jobs are to be committed early in the financial year now is a crucial time. If the work is not put out to tender in the next few weeks, it will not be possible to award the tenders so that the work is started before the wet commences.

I am informed by people in the industry that the lack of basic design capacity within the Department of Transport and Works road section means that these major jobs are not ready to go out to tender because they have not yet been designed. The government is in a situation where there is idle capacity in the road construction industry. As a result of that, the tenders would be low and there would be a prospect of these jobs starting before Christmas. But because the department cannot get the design work done, it is missing out on these opportunities. Mr Speaker, that obviously involves a cost to the Northern Territory people and the Northern Territory government. It also highlights the problem that we have had for quite some time: the flow of work put out by the Department of Transport and Works. It always appears that the work is not put out on an even basis all year round, which also poses quite considerable problems for contractors wishing to stay and to guarantee a regular flow of work for their employees in the Territory.

I was pleased to note that $65 000 has been set aside for something called stage 4 of the Rapid Creek Water Gardens. I am pleased to say that toilets have been built. They are not demountables but a permanent structure. There must be an election coming on. My enthusiasm for the Rapid Creek Water Gardens stage 4 is tempered somewhat by my knowledge that, in the budget papers last year, there was an amount of $90 000 allocated for Rapid Creek Water Gardens stage 4. On questioning the relevant minister about that, he said that that money would not be spent. I hope this $65 000 has a better chance. Certainly, I would like to know what it is for.

I am somewhat concerned by the $50 000 reduction for the operational subsidy for the Darwin bus service. Certainly, I would appreciate some explanation for that in the committee stage. It seems to me that there can only be 2 possible explanations. It may be that the government intends to cut back the services in some way or another or that there is a desire by the government to increase fares.

Mr Speaker, my last comments are in the area of youth, sport and recreation. The opposition welcomes the additional money that has been committed in the area of youth, sport and recreation. Early last year, the minister indicated that funding for sport would be doubled with the introduction of Sportslotto. Instead, what we found last year was that only $1.7m was spent in the general area of sport. That compared with $1.9m which was spent the year before that. In fact, the budget papers revealed that less money was spent on sport last year than the year before. I am happy to acknowledge that the government has significantly increased the amount of money available in the youth, sport and recreation area this year. What does concern me somewhat is that a significant part of the additional money provided for youth, sport and recreation is being used for additional administrative expenses and wages. That is something that I wish to pursue in the committee stage. I too welcome the government

announcement today that some incentives will be given to sporting organisations to take on directors of coaching. It seems that, when one launches one's sports policy early, the government pinches one's ideas. I would like to congratulate the government on having the initiative to take up the good idea that I put forward some months ago. Certainly, it will go a long way towards raising the standard of sports.

I would like to say that I still have the concern that the government does not have a formal basis for the allocation of this money, as I have said on a number of occasions and each time received a response from the minister. It is very much a lottery in terms of how the government allocates its money in the sports area. Unfortunately, the government has not picked up from my sports policy the system whereby sports organisations can understand and plan for the allocation of funding for capital works.

I conclude with a brief comment on youth. Unfortunately, when we talk about youth, sport and recreation, most of the comments tend to centre on sport. In the budget papers again, it must be said that the section on youth is very small and seems to concentrate on facilities. I think that we have reached the stage where we do need to look at the provision of funding for youth in terms other than facilities. It seems to me that we have reached a stage where we need to be looking at resources in general and human resources in particular - social workers, youth workers etc. In the committee stage, I would like a response from the minister as to exactly where the government is spending its money in the youth area.

Mr STEELE (Transport and Works): Mr Speaker, I rise to support the budget introduced by the Treasurer at the last sittings. The activities of the Department of Transport and Works continue to provide a major stimulus to the economy. This year, about 25% of the total appropriations are for the Department of Transport and Works. A decline in capital works activities in the Territory is being caused largely by the Commonwealth refusing to make an immediate start on projects such as the Tindal Air Force base at Katherine, the Darwin airport and the Alice Springs to Darwin railway line which would have given major stimulus to the economy of the Northern Territory.

On the question of employment opportunities, I am happy to report the Department of Transport and Works will this year again be taking on a substantial number of apprentices and trainees. Last year, the department took on 72 school leavers and, this year, I expect a further 20 apprentices and 12 trainees to be taken on.

The budget provides $48.223m for continuing development of the Northern Territory roads infrastructure. The Leader of the Opposition said that it was important that the pastoral industry be provided with the basic infrastructure needed to go about its business and, in that respect, the government has always been very conscious of the need for the servicing of stations and settlements in outback areas. Last year's road program was $24.37m, a figure which was subsequently adjusted in December 1982 to a roads program of $33.795m following the introduction of the Australian Bi-centennial Roads Program.

Mr Speaker, members should also be aware that the Commonwealth government has reduced its nominal allocation of funds to the Northern Territory under the ABRD scheme. The Commonwealth has made the assumption that all states will fall behind in their road works and, consequently, will require less money. Although a total of $420m has been programmed for all states in the Commonwealth

budget under this scheme, the Commonwealth has estimated that non-performance by the states could lead to an expenditure of only $385m. Consequently, in the official Commonwealth budget papers, the Territory is shown as receiving $9.8m this financial year as opposed to its programmed entitlement of $10.7m. It appears that the Commonwealth has applied an 8.3% reduction in fund allocations on the assumption that the states will fall behind in work and the full amount will not have to be paid out. I would point out that the Territory is not behind in its road works program; it is on target.

The ABRD program is one of the best introduced by the previous federal administration. I recall very clearly the implementation of the scheme when my colleague, Mr Nick Dondas, was the Minister for Transport and Works and the fact that the federal minister, Mr Hunt, was able to wrest away from federal Treasury an amount of money specifically to upgrade Australian roads to a dust-free standard by 1988, the bi-centennial year. I certainly offer a few words of praise that this amount was able to be put to one side, hypothecated, as they say, for the improvement of roads around Australia. The roads program, together with the program of works provided for in budgets since self-government, will ensure that the government's objectives are realised. These objectives include the early provision of a dust-free, all-weather national highway system, improved access to current tourist attractions and areas of important tourist potential, improved access to Aboriginal communities in the rural and mining industries, the continuing upgrading of roads in the Darwin and Alice Springs rural areas and the provision of traffic management inititatives designed to cope with ongoing traffic and population growth. This government's aim of having a safe, dust-free, flood-free, 2-lane, sealed national highway system will be served by the program of works which was provided in this budget.

The continued improvement of Darwin's arterial road system is seen as a high priority. Included in the program is the upgrading of intersections on Vanderlin Drive and numerous other improvements, including right-hand turning lanes and traffic lights. Also included is provision for sealed pavement to Frances Bay Drive between Woolner Road and Reichardt Street thus completing that section of the link. The value of that work is over $1m.

The government's major commitment to the tourist industry is demonstrated clearly by the works the government has undertaken since self-government to provide access to our many valuable tourist attractions, including the newly-completed Lasseter Highway to the Yulara Tourist Village. The 1983-84 budget will continue this program as demonstrated by our plans to start construction of the Pine Creek to Jabiru Road, stage 1, at a cost of $7m, extend the seal to the Roper Highway at a cost of $2m and extend the road to Edith Falls at a cost of just under $800 000.

Mr Speaker, the 1983-84 budget provides for a major program of works totalling $22.3m in the Darwin region. Major new initiatives include: upgrading of the Stuart Highway between Howard Springs and Batchelor; rehabilitation of the Arnhem Highway; extension of Frances Bay Drive to Reichhardt Street; Darwin traffic management and arterial road rehabilitation; stage 1 of the Pine Creek Arnhem Highway link; Darwin rural area roads; the Oolloo Road; the Gunn Point Road; Bynoe Road, Stage 3; Lee Point Road; access to pastoral leases and Aboriginal communities; and Nhulunbuy area roads.

In the Tennant Creek region, the 1983-84 capital works program provides $9.857m for road works. Whilst emphasis is placed on the Stuart and Barkly Highways, provision is also made for the upgrading of access roads. Major initiatives allowed for include the following works: reconstruction of the section between the 915km and the 945 km on the Stuart Highway;

reconstruction between the 132 km and the 176 km on the Barkly Highway; upgrading of access to Batten Point on the McArthur River; construction of the Ammaroo and Murray Downs Road; and earthworks and formation for Willagreen Road. My department is confident that savings will be achieved on the upgrading of access to Batten Point and such savings will be used to upgrade the road from Roper Bar to Borroloola. The Stuart Highway project will eliminate a very substandard section on the highway and link up the recently constructed bridges over Phillip, Gibson and Hayward Creeks, thus bringing this section to an all-weather national highway standard.

The 1983-84 capital works program provides for works in the Katherine region totalling $9.85m. Major initiatives include: reconstruction of 28 km near and through Larrimah on the Stuart Highway - this contract has recently been let; completion of seal to Kalkarinji on the Buchanan Highway; earthworks for stage 2 of the Edith Falls access road; provision of parking and rest areas at Mataranka; upgrading of access to Aboriginal communities and pastoral properties; and stage 1 sealing between Roper Valley and Roper Bar on the Roper Highway. Major works on the Stuart Highway at Larrimah will eliminate a substandard section of the highway thus improving conditions for the travelling public. The $1m being spent on the Buchanan Highway will complete the sealing to Wave Hill, and will link up the major bridges presently being constructed over Station and Gordy Creeks, thus providing all-weather access.

In the Alice Springs area, the 1983-84 budget provides for a road program of $6.19m. In addition to the major ongoing projects on the Stuart Highway in central Australia, such as the Walhallow Ranch to Kings Canyon Road and the recent completion of the Lasseter Highway, major new initiatives allowed for include the following projects: upgrading of the Stuart Highway to a 2-lane, sealed standard near Prouse Gap; the construction of 14 km of the Plenty Highway; completion of the Ross Highway; and access to the Aboriginal communities and pastoral leases. The Stuart Highway upgrading at Aileron will eliminate yet another substandard section of the road and improve conditions for the travelling public. The continued construction of the Plenty Highway will benefit the pastoral industry and form part of the ultimate sealed road to the Queensland border. The work on the Ross Highway will see the completion of this important tourist link.

Mr Speaker, in respect of water and sewerage funding, this year's Commonwealth budget allocated $1.4m to the Northern Territory government under the National Water Resources Program. This represents a cut of 28% to the Northern Territory in spite of the fact that the national program was increased by 19%. I have telexed the Minister for Energy and Resources twice protesting at the reduction and repeating our claim that the funding should have been increased rather than cut by $700 000. In spite of this reduction the Northern Territory government, which usually contributes to this program on a $1-for-$1 basis, has decided not to cut its share of the funding.

In the Territory budget, the new program of works on water supplies and sewerage in the Darwin area total $5.6m. This includes further work on the new pipeline from Darwin River Dam to McMinn's pumping station which will provide an increased supply capacity to the Darwin area. It also includes upgrading of the systems capacity to Darwin, Stuart Park, Coconut Grove and Nightcliff to cater for rezoning and redevelopment in these areas. Besides extending the trunk sewer to meet the growing needs of the Marrara area, the second stage of the program of replacement, retirement and rehabilitation of sewers in the older suburbs which commenced in Millner on last year's program is also planned to go ahead.

Another major initiative in the budget is the releasing of 30 000m^2 of

prime residential land in Katherine. The government has decided to move the Department of Transport and Works' plant, public works and supply depots to a new site in the Katherine industrial area. The relocation will take place over an 18-month period at an estimated total cost of about $1.5m.

Mr Speaker, the member for Millner said that, in respect of water supplies and in relation to my remarks in an adjournment debate last sittings, we were softening up the electorate for increased water charges. That is his interpretation but I doubt if he would be believed out there in the real world. He also spoke about the small increase in capital works. I understand that my colleague has something further to say on this matter.

He did say that there had been a concentration on small jobs. I say to him that various meetings have been held with contractors throughout the Northern Territory in respect of roadworks contracts to be let in the small centres. The letting of small contracts has been in accord with the wishes of those small contractors, particularly in the Katherine and Tennant Creek areas. That is not to say that other major contracts are not ready to be released very shortly.

In relation to the Darwin bus service and the figure of $50 000, I do not have the relevant information in front of me now but I will obtain it and respond to him at a later hour.

Mr Speaker, the member for MacDonnell raised the question of the Stuart Highway alignment through Alice Springs and said that he feared that the first lights for Alice Springs may be contained in this proposal. As far as I am aware, there is no proposal for lights. It may be that there is pressure from the residents of Alice Springs to have lights installed at some intersection on that project. It may be that he would be facing public pressure for the installation of lights. He referred to the road from Indracowra to Horseshoe Bend. I will certainly provide information on this when it comes to hand. He also raised with me the question of flooding in Emily Hills. I believe that I owe him a response on that matter.

I am satisfied that the budget does what it sets out to do. It provides as much employment as it is able to within the limited amounts allocated to various project areas. Even though Territorians are hit harder than other Australians by the federal impost on fuel and other goods, at least with this budget Territorians will make the best of it. I am sure that it should be commended to everyone here.

Mrs O'NEIL (Fannie Bay): Mr Speaker, it has been said many times in budget debates in this Assembly, and bears repeating now, that such debates are insufficient without the proper examination of public accounts - as enjoyed by other parliaments for the benefit of the citizens they represent - by public accounts committees or public expenditure committees. It has also been said many times in similar debates in this Assembly that the amount of information available to honourable members through the so-called explanatory documents decreases year by year.

I am interested to note in the document covering the Department of Community Development, to which I wish to refer in this debate, that the number of pages this year is 54 compared with 76 last year, which indicates a considerable decrease in the amount of information available to members who are trying to reach an understanding of how the money is to be spent. Similar decreases are evident in the explanatory documents for other departments. I shall refer to at least one of them later.

Today, I wanted to look particularly at allocations to the Community Welfare Division of the Department of Community Development. The honourable member for Millner has referred to the increasing level of unemployment in the Northern Territory. That is regrettable butthe figures are there. They speak for themselves. In September 1981, there were 3771 people on unemployment benefits. One year later, in September last year, that figure had increased to 7923 people on unemployment benefits. We now have in the Northern Territory, as demonstrated by Department of Social Security statistics, 13.1% of our workforce receiving unemployment benefits. That is a very significant number of people in the Northern Territory. Regrettably it is increasing.

What one epxects to find when one has a significant portion of the workforce unable to find employment is an increase in welfare payments and welfare allocations by the government. I was very amazed, certainly disappointed and distressed, to find that that is not the case. I am sure that all those unemployed people who require assistance from the government will be very distressed.

In looking at the Community Welfare Division papers, any observer would note that there has been considerable reorganisation. However, an overall picture emerges. The allocation for 1982-83 was set at $7.9m but only $7.4m was spent. There appears to have been an underspending of $760 000 in that division in the last year. There was an allowance for 181 employees in 1982-83. This has been cut this financial year to 165 employees. Once again, that is a significant proportion of the number of staff employed in that division. Mr Speaker, as honourable members no doubt are aware, the allocation for this financial year is set at $7.8m. This is divided into a number of sub-divisions. In the wages and salaries section, the allocation in 1982-83 was $3.7m of which only $3.3m was spent. The allocation for administration was $1.1m of which only $900 000 was spent. The allocation for 1983-84 has been set at $955 000 which is, in fact, a decrease of 3.5%. There is also the category referred to as 'other services' covering such things as pensioner concessions, child maintenance etc. The allocation in this area for 1982-83 was set at $3m and this was underspent by 0.9%.

Overall, the allocation for this division appears to have increased by 6% this year. In the last year, there was an underspending of nearly $0.5m on wages. That is a pretty dramatic variation. We have an overall increase of 6% which is not only showing no growth despite the increasing unemployment but is, in real terms, a decline of the order of 3%. We also see in the papers before us a decrease in the number of staff in this section. Bearing in mind the undoubted increase in demand that this section of the Department of Community Development will face - and, no doubt, must have faced last year - because of the continuing rise in unemployment in the Northern Territory - up to 13.1% of the workforce is receiving unemployment benefits - Territorians will be concerned that this government - and it could easily be called, in these circumstances, a heartless government - in real terms, has decreased its allocation in this area. I think that is most regrettable.

Mr Speaker, also within the Department of Community Development, consumer affairs is something that I turn my mind to fairly regularly. Consumer affairs now also incorporates weights and measures and that is a logical relationship. However, consumers approaching this division with some complaint might be surprised to find that it is now a matter of cultural affairs. Consumer affairs is now within the Cultural Affairs Division. In this area, last year's allocation was underspent: $590 000 was allocated and $547 000 was expended. The allocation for this current financial year is $588 000. I was interested

to note this because, as I have mentioned in this Assembly in the past, the public service position of Commissioner of Consumer Affairs has been vacant since the end of February. Whilst the statutory appointment has been filled, it is being filled by an officer who also has another task to do in that he is Secretary of the Consumer Affairs Council.

It is most regrettable that, within this department, we have this reflection of the government's apparent unconcern for the people in that this important position relating to consumer affairs has been left unfilled for 7 months. Perhaps that has resulted in some savings but that has been at the cost of a decreased level of service to consumers in the Northern Territory. This is something we certainly do not want to see happening in future.

I note that the position of Commissioner of Consumer Affairs was advertised at the end of September. Certainly, I would hope that the position will be filled promptly. Perhaps because this position has not been filled and there has been a shortage of staff, members will be distressed to learn that no report from the Commissioner of Consumer Affairs, which incorporates also the Consumer Affairs Council report, has been tabled in this Assembly since November 1981. The report for the year 1980-81 is the last report we have received. Once again, I feel that indicates the low priority that this area has in the eyes of the government. It is doing a disservice to the people of the Northern Territory who deserve better provisions from the government in this important area.

Within the Department of Community Development's allocation, I must say that I am pleased to see $1.350m for the construction of a juvenile detention centre in Darwin. This is related to the juvenile justice legislation which this Assembly will be debating shortly and I believe there is considerable public interest in this matter. I would ask the Minister for Community Development to indicate, if possible, where this centre will be constructed.

Mr Speaker, turning briefly to health matters, a few matters were raised by the honourable minister which demand some comment from me. This document is becoming slimmer year by year. It is almost reduced to the dimensions of the documents relating to the more minor statutory authorities. The number of pages has decreased from 49 to a mere 24. This is a decrease of 50% and that is unfair to the members of the Assembly and the people they represent. This department will spend 10.8% of the budget of the Northern Territory this year. It is an area of great concern to most, if not all, members of the Northern Territory community. The provision of inadequate explanations for this important area is something for which the government must be condemned in my view.

The honourable minister raised the question of aerial medical services. I am interested that the minister raised this because it does not rate a mention in this explanatory document even though some millions of taxpayers' dollars are spent on this service. The minister offered to provide information about the service to demonstrate that, in his view, the existing system is the best. I am pleased that the minister has made that offer. I trust that he will table the results of the investigation into aerial medical services in the southern parts of the Northern Territory which the government commissioned some time ago.

There is an item in the capital works program for the Department of Health which I wish to mention because it is one of those things which, as some honourable members said, turns up in budget papers and then disappears and then turns up again. It is the construction of flats for nurses in Nhulunbuy.

An allocation was made for this some years ago but those flats were never constructed, and that is regrettable. The accomodation available for nurses is not adequate by current standards. I believe that the proposal to alter the existing buildings - which was one of the earlier proposals - should have been proceeded with at that time. Now that this allocation has been made, I hope that, in this current financial year, this matter will proceed and not prove to be one of those things which will once again disappear into thin air.

Another matter which the Minister for Health raised related to income from the community health centres. He said that $127 000 a year was being raised by community health centres at the moment and that would not be available in the future. I was reminded of a matter that I raised with the minister some time ago: the situation of the people in community health centres who collect that money. I refer to it again because that task has been mentioned by the minister in the Assembly. For some 15 months, the people who collected that money for the benefit of the government and the people of the Northern Territory were not paid at the level at which they should have been for performing that task. When they received an increase in salary finally to cover that duty, I wrote to the minister about it and I was assured that those positions would be upgraded accordingly within the public service structure. I have been informed recently that that has never happened and, apparently, now the department and the Public Service Commissioner have no intention of doing it. I think that is one of the most disgraceful things I have ever heard of in terms of unresponsible management of staff within the public service. I think it deplorable that this small number of people have not been dealt with justly. The minister can take some pride at having raised $127 000 a year through the community health centres but certainly he should be ashamed that that small number of women who have performed that task have not been treated properly by their employer in this matter.

Mr Speaker, I welcome the minister's statement that the annual report of the Department of Health will be tabled in the Assembly shortly because I always find it absolutely fascinating reading. Perhaps we can hope also that the reports of the Commissioner for Consumer Affairs for the last several years might make their way here before too much longer.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, I am pleased to rise to debate the budget. My own interest, naturally, will be centred round Alice Springs and the central Australian region and initiatives taken by the government in relation to that area. I will mention some of the major initiatives.

I note with some pleasure an increase of 20% in the amount of money allocated to the Housing Commission for housing in Alice Springs. Some 182 units are planned for this coming year. That is a rate of 1 unit every 2 days from the Housing Commission. Of course, that does not take into account the private growth which is occurring. The Housing Commission completed its quota of houses in Sadadeen stage 1 some time ago. Development that is taking place and rapidly filling up that area has been undertaken by private people building there and it is a very welcome sign as far as I am concerned. When we last debated the matter of housing, there were at least half a dozen 'For Sale' signs on blocks in that area. They have all gone. The first of the 105 residential blocks at Sadadeen stage 2 are being turned off. Some 70 will go to the Housing Commission and 35 will go to the private sector. I have spoken to real estate agents handling the sale of those private blocks and I have been told that every one of the 35 is accounted for. Of course, they cannot be sold at this time, but the agents have 35 names plus some in reserve in case some people are unable to obtain finance. Sadadeen stage 3 will have its first

blocks turned off in February. The Housing Commission has been allocated 70 blocks and 55 will be offered on the private market. It has been suggested to me that, with the suddenly increased demand for private blocks, if a list were taken for Sadadeen stage 3, many of those 55 blocks would be accounted for. There may be some slight relief coming from Sadadeen stage 1. I was talking to the principal of that development the other day and he said he was considering changing 27 blocks from high density to ordinary residential blocks. I do not know whether that will occur but that was under consideration and might help to meet this demand which has come more quickly than one would ever expect.

Mr Deputy Speaker, you cannot stop people coming to the Territory. There is a huge reservoir of people in the south of Australia who see the Northern Territory as a place for a better future. The government will find itself taxed to the very limit to provide for these people. I am very pleased to note in the budget that the headworks for the Mt John subdivision have been brought on. I am very interested in the deferred payment scheme regarding that subdivision. Certainly, it would be needed. At this stage, I am informed that blocks should be turned off there in the latter part of 1984. I feel that they will be needed. The Department of Lands is well aware of this and so are the town planning people. They are very keen to do their part in making blocks available. I have a few suggestions in this area which I will turn to later.

Some $0.54m has been allocated to the music department of the Alice Springs High School. I can assure you, Mr Deputy Speaker, I had no personal input on that matter, particularly as my wife is a music instructor in the Alice Springs area. However, Alice Springs High School has an excellent reputation for its music and the work which has been done there. They have battled under pretty rough circumstances. I am sure the community will welcome that initiative. Gillen House has been allocated $1.6m for a food science laboratory and added teaching areas, all of which will support the tourist industry. The impression given by people who service the tourist industry is most important and training in that field is well supported. The question I have in relation to that is whether federal government funding is being made available for it.

There are many initiatives directed to the improvement of tourist facilities, such as toilets, shower blocks and camping areas, in many of those well-known outer areas where tourists go. I am sure that will be welcomed and will encourage more people to visit the Territory. Of course, that brings money into the Territory. Over $6m has been allocated for roads in the central Australian region. This will help tourism and, of course, the people who live in the outback communities because it will reduce vehicle damage and facilitate access to Alice Springs from outback areas.

As far as water is concerned, the government is always alert to the need for a growing town to maintain its water supply. We are totally dependent on bores for our water and I am pleased to note than an allocation for 2 bores and a booster pump has been made. A major item is the Alice Springs dam for which $9.5m has been allocated. This will be a big boost to public works in the central Australian region. I must confess that, until I visited Tennant Creek a few months ago, I was somewhat lukewarm regarding the Alice Springs dam because, frankly, I did not envisage it as much more than a big puddle in one sense. I went with the honourable Treasurer to the Mary Anne Dam at Tennant Creek. I had seen it on television but that did not give a clear view of how big that lake is. I asked the Treasurer just how big the Alice Springs lake would be in comparison and was told that it would be something like 3 times the area. I have since learned that the volume of water contained would be something like 10 times the content of the Mary Anne Dam. That put things into

perspective for me. I am very keen for Alice Springs to have that lake if at all possible. However, as we all know, there is a warning to be had. We should not hold our breath over this matter because there is a federal inquiry about it.

I will divert for a moment to thank the Minister for Transport and Works and his department, particularly the water resources people in Alice Springs, for the excellent model which they put on display for a fortnight in the government centre. The model was on display at the show but it was not dressed up and the information was not all there. I am very pleased that many people in Alice Springs, including people from Aboriginal organisations, were prepared to have a look at it. The video of it was prepared by the Snowy Mountains Hydro-electricity Authority. It explained how a dam would reduce the effects of a 100-year flood to the effects of a 20-year flood and possibly save much of Alice Springs from very severe damage.

I am not unsympathetic to some of the Aboriginal people and their claims to sacred sites. It is not a clear black and white issue if I may put it that way. I am sympathetic to their view. But I know that all the people of Alice Springs are missing out by not having a recreation lake. I hope that this matter of the lake can be sorted out quickly because Alice Springs will be missing out in other ways too. If this money cannot be allocated quickly this year, I would like to think that it could be reallocated to other projects, perhaps for further subdivisional work and related infrastructure work so that Alice Springs has a good supply of private land for people to choose from. Infrastructure could mean such things as schools.

I am pleased to note that the youth, sport and recreation allocation is $1.3m. The minister mentioned the velodrome. Certainly, that would put Alice Springs in the running for national bike racing titles. It has always been a keen sport in Alice Springs. I am pleased to note that the minister is satisfied that we can support 2 stadiums at this stage. They will be welcomed by the construction industry as well as by the people who will use them.

The local council has been supported in relation to such things as the upgrading of Smith Street and Anzac Hill. Most people who come to Alice Springs go up to Anzac Hill and have a look over the town. It is an extremely good vantage point. The turning circle up there will be widened. It is a place where people form lasting impressions of Alice Springs. Wills Terrace will be upgraded and I am also very pleased to be reassured by the Minister for Community Development that the Schwarz Crescent causeway will also be upgraded. That will allow traffic to divert from the centre of Alice Springs. It will be a great help when the council is ready to close down Wills Terrace but I hope not before the Undoolya connector road is constructed. With these 2 access roads, Wills Terrace can be closed for works without any interference to traffic.

I am pleased to report that the Undoolya connector road is well under way now. It has been delayed for something like 4 years because of problems with sacred sites. I am pleased to inform the honourable member for MacDonnell that there will be a roundabout where this road connects with Undoolya Road. In fact, that is one thing that I am very pleased about. It is an initiative which I put forward and which was accepted. Of course, the honourable member for MacDonnell lives in my electorate. As I said before, you cannot stop people from coming. I hope he will appreciate that roundabout. I am also very pleased to note that the Sadadeen connector road, which runs parallel to the Sadadeen Ranges from the bridge will connect with stage 3 of Sadadeen and also provide sealed access into the power-station. Of course, it was promised at the time of the March floods in Alice Springs that there would be a sealed access.

The initial promise was just to go through the subdivision of Sadadeen. Now we have virtually a highway. That will be most welcome to those people who will live in the Mt John subdivision. There will be bitumen road access from that side of town, through the powerhouse grounds and across the bridge to the other side of town.

One thing that the people in Alice Springs are somewhat concerned about is the loss of the archives building. I believe that the archives building should be built here in Darwin or at Palmerston. One would be very parochial to say otherwise. However, I would like some consideration to be given to a possible replacement project, particularly as it is affecting the construction industry in central Australia. If I might be so bold as to put forward a suggestion, one thing which I am sure would be helpful to the town of Alice Springs would be to complete the last stage of the Alice Springs Town Council development: the Town Hall. The construction industry would certainly welcome it. I am sure it would be a very useful addition to the town. I would ask that it be given consideration by the Cabinet.

What pleases me most in this budget is the fact that there are no increases in Northern Territory taxes. I would be even more pleased if the government could reduce taxation, particularly in such areas as payroll tax. I find it very difficult for any government to cry about unemployment but then levy a payroll tax. A 0.5% reduction in payroll tax would not allow every employer to put on another employee but that extra money would allow people to spend a little more. Through the multiplier effect, more jobs would be created. This would be an opposite tack to the socialist governments, as the honourable Chief Minister mentioned. In South Australia, the big promise this time last year was that there would be no increases in taxation; that lasted until Mr Bannon was elected. Victoria and WA and even the federal government gave people something to hope for in the way of reduced taxation. Those promises have not been honoured. They gave people something to hope for and then dashed their hopes to the ground.

The real concern I have with taxation can be best illustrated by understanding what is known as the Laffer curve. I would love to have a blackboard behind me so I could draw up a graph. I will try to describe it. Imagine on the vertical axis a line for percentage taxation and along the horizontal axis a line for government revenue. If no tax is levied then there is no government revenue. On the other hand, if 100% taxation is imposed, nobody in his right mind would work so the curve would have another intercept at 100% on the vertical axis. Somewhere in between, the curve goes around in a parabolic manner joining up those 2 particular points. The role of government ideally should be to try to find the percentage taxation which gives a maximisation of government revenue. I believe that we are well and truly on the top side. Our percentage of taxation is on the top side. Government revenue is reduced simply because it is such a disincentive for people to put their best foot forward when they do not see much hope of reaping a reward. The temptation is for governments to then increase taxation. Instead of actually increasing the total government revenue, it is likely to bring it down, put more people out of work and increase the demands upon government to grab more taxation. According to the Australian, the government is reaping 43% of the gross domestic product. I am sure that we are well and truly over that.

The other thing which concerns me is red tape. I applaud the efforts of the Victorian Opposition Leader, Mr Kennett, who said the other day that he wanted to ban red tape from the states, territory and federal parliaments because it was acting as a brake on development. The 2 things that I believe

strongly are stopping this country from moving away from economic decline are red tape and the level of taxation. I am very pleased to see that we have not increased either.

I would like dearly to think that we could commit ourselves to reducing taxation. Of course, there is extreme pressure upon the Territory from the federal government to raise more and more revenue. Also, the Territory is hit by federal increases in taxation which would mask any good effects of the Territory reducing its own taxation. There was even a murmur from Mr Crane, the Victorian ALP leader, about reducing taxation. Maybe the realities of government have made him realise that his government is on the wrong side of the Laffer curve. Maybe he will do his part. I do not care what political party is in power; it is the end result that counts. A reduction in taxation will give incentives for people to work.

We should support the small businessman. He is the backbone. The Leader of the Opposition said that we must remember that our small businessmen depend upon government money from contracts. That is indeed true. But let us see if the federal government depends upon the small business people for its revenue. The Territory's small business people play their part in that fund raising.

Whatever efforts are made by any governments in this country, of whatever political persuasion, to reduce red tape and to reduce taxation will add to the total stimulus. I think that the difference between the socialists and ourselves is that the socialists give a man a fish and feed him for one day. I would like to think that our side of politics would rather teach a man to fish and thus feed him for a lifetime. I would like to put the initiative back on the Australian people.

Mr TUXWORTH (Primary Production): Mr Deputy Speaker, some members raised specific issues that they would like covered this afternoon. I can cover some but not others. I will endeavour to cover in the committee stage those things that I miss today. I say to honourable members that, if there are specific issues that cannot be covered in this debate, I would be more than happy at any time to try to answer questions on them. Just because it is the budget, it does not mean it has to be done this week or during the budget debate.

Mr Deputy Speaker, so far as the Conservation Commission is concerned, the expenditure this year of $27m is up by about 30% on last year's expenditure. In very simple terms, that explains the government's attitude and the confidence that it has in the Conservation Commission. I believe the role that it is playing is very important. The activities are there for everybody to see. The administration of parks, the creation of park and camping areas and its activities generally throughout the community are there for everyone to see.

The honourable member for Nightcliff expressed her concern about the Conservation Commission's role in supervising habitats for dugong, turtles and other animals. She raised the issue of the $1000 survey. I will endeavour to get information for her on that. The honourable member referred to the $150 000 consultancy for Fisheries. That consultancy will go to a firm whose principal is a Mr Norgaard, a Scandinavian fishing expert. His charter is to establish some base information about the northern fishery on which we can build a small fleet fishing industry. I would say that I share the honourable member's concern about the decline in the state of some species. I guess the honourable member has also heard of the depletion by Taiwanese and foreign fishing fleets of the marlin and sailfish species. That information has been coming forward recently. The numbers involved and how they are being taken is

of great concern to us all. I think I saw figures which indicated that 2500 marlin and 4000 porpoises are being taken by net. That has to be a matter of concern.

In all of this, my great concern is the management of our northern fishery. In the prawn fishery, the arrangements we have with bilateral and joint venture agreements are far too loose. I would like to see a greater Northern Territory involvement in the setting up and surveillance of these fishing arrangements. It is a matter that I raised with John Kerin, the federal Minister for Primary Industry, during a recent visit to the Fisheries Ministers Council. I think we need to set into place some machinery that enables the Commonwealth, overseas countries and this government to have very comprehensive fishing agreements so that the Northern Territory, in particular, can be aware of what is happening in our fishery. Mr Deputy Speaker, the existing arrangements are such that the Commonwealth can license and create bilateral and joint venture arrangements that totally exclude the Northern Territory. I do not say the Commonwealth does it with abandon or that the Commonwealth is negligent but I do advocate that there is a limit to what the Commonwealth can do in this area in terms of maintaining an interest in some surveillance of the fishery. I would say that the activities of the Fisheries Division, given its level of expenditure and its manpower, are very comprehensive. If members would like some details, I would be happy to provide them.

Mr Deputy Speaker, so far as the Department of Primary Production is concerned, expenditure is up some 30% on last year. More than anything, I think that reflects the commitment of the government to the brucellosis and tuberculosis eradication program and the initiatives in horticultural production which we need in the Northern Territory so that we can become more self-sufficient in local produce. I shall deal with the matter of BTB funding later in the week by way of a statement because the way in which the Commonwealth has approached this is a matter of great concern to the Territory. There are some principles of funding that exist between the Commonwealth and the states that the Commonwealth has treated in a very cavalier fashion. I would like to take the time of the Assembly later in the week to address that issue and put before members the whole story, not just a part of it. I can only say that I am very disappointed with the level of funding we have received from the Commonwealth for the BTB program given the promises that were made earlier in the year.

Mr Deputy Speaker, this year, the Department of Community Development has shown a 10% increase in expenditure. Unlike most other departments, it has a whole range of functions to look after and it is not possible to cover every point that has been raised in debate today. However, I would say that the department is trying to provide the best service possible to the community. We do not always succeed but we are always happy to listen to suggestions, to accept criticism constructively and to improve.

The honourable member for MacDonnell raised several issues that were of concern to him. He seemed to raise them on the basis that people on this side of the Assembly were not aware or did not care about the difficulties in funding remote areas and looking after the people in those areas. For the benefit of the honourable member, I will make some points. The funding for Aboriginal communities, outstations and fringe camps on a whole range of these issues by the Northern Territory government is extremely complicated. This stems from the relationship between the Commonwealth and the Territory in relation to funding for these areas. I have sought a meeting with the new Minister for Aboriginal Affairs so that we can streamline the funding arrangements and obtain definitions of what constitutes an outstation, a settlement or a community,

and determine how we can address the problem of fringe camps and surrounding communities in some of the town areas. I have not yet been able to arrange a meeting. I know that the Chief Minister met with Mr Holding on this issue but, to date, there has been no resolution. However, the long-term solution to the problems in funding for Aboriginals in remote areas really comes back to the Territory and the Commonwealth having a very clear and well-defined relationship for funding and looking after people in these areas.

I say to the honourable member for MacDonnell that we accept that there is a responsibility on the government to provide municipal services and to look after people as best we can. We do not shirk that responsibility. Where there are deficiencies in our performance, I am the first to acknowledge that there may be a problem and, if there is one, to have it fixed. I would like the honourable member to demonstrate where the difficulties are as they occur, and not simply when the Assembly sits or at some other time.

Mr Deputy Speaker, I think the other point to make in relation to this is that the Department of Community Development should not be regarded as an employment-creating facility for people in remote areas. It seems that, because we have primary contact with the communities, that is a role that is expected of us: 'You have the money. Give it to us and we will create some work at Alice Springs'. To give you an example, Mr Deputy Speaker, I went to a function last weekend and met some people from a local Aboriginal community of some 300 to 350 people. The people running the community said to me: 'If you give us more money, we can lift our workforce from 46 to 66 because the people are there to do the work'. Without being unreasonable towards the community, if someone tells me that 46 people are employed full time looking after a community of 300, there is something wrong. The whole corporation of Katherine, which looks after 3000 to 4000 people, would not have 46 people on its payroll.

There has to be some equity in the system. I am the first to acknowledge that and to try to establish it. But, I would like to make the point that we are not the employment-creation cow for those people in remote areas who would like a job. Very genuinely, I accept the honourable member's premise that 1, 2 or 3 wages in a small community go a long way to improving the viability of that community. If those wages were justified and necessary compared to other communities in the Territory, I would be only too pleased to try to rectify any problems where people are not employed.

Mr Deputy Speaker, I would find it quite easy to talk for several hours on the responsibilities that I have and the activities that are occurring but that is not the intention of the debate. Could I invite honourable members who have particular points they would like to raise to let me know. I will try to extract the specific information they want and have it ready for the committee stage of the bill.

Mr PERRON (Treasurer): Mr Deputy Speaker, I will endeavour to touch as quickly as I can on a number of points raised by honourable members during this budget debate rather than go into any great philosophical diatribe on the subject.

I will start with the honourable member for Sanderson who spoke on the budget during the last sittings. Her first point was simply that I had said, during the budget speech, that the Territory has maintained a period of strong, real growth over the past few years and that has served us very well. We have additional revenue as a result of real growth and therefore we are able to

proceed with our policies of job-creation and economic stimulus without the introduction of new taxes. The honourable member for Sanderson said that this had to be nonsense because, between 1980-81 and 1981-82, growth in Territory revenue was 7.8% in money terms whilst inflation was running at around 12%. Mr Deputy Speaker, I was not referring simply to Territory revenue. I was talking about growth in the Northern Territory. Population growth is a very big factor in determining the funds we receive from the federal government under the Memorandum of Understanding which assists us to obtain the funds necessary to keep the Territory moving along. More importantly than that, in looking at local revenues, there is a significant factor which has affected the amount of revenue that the Territory itself has raised over the past few years.

Honourable members will be aware that, in past budgets, land sales have been a significant Territory revenue earner. When we came to office, one could almost say that most of the Northern Territory was Crown land. Every new parcel of land was sold by the government. We sought to hand that function over to private enterprise and we did that over a period of years. Instead of having to service and subdivide land and sell it as a government, at least in the major centres of Darwin and Alice Springs, we sell areas of virgin scrub for a great deal of money and the private developers put funds into that land. For that very reason, there are many millions of dollars no longer appearing in the Territory government's revenue statements. Funds are still being expended on land development - more funds than the government used to spend - but it is now private money.

If revenue from land sales is discounted from both the 1981-82 and the 1982-83 Territory budgets, the revenue for 1982-83 shows an increase of 16.7% over that of 1981-82. That demonstrates that there is real growth in the Territory's economy. I admit that we are not isolated from the Australian and international scene. Our extremely rapid growth rates in the immediate post self-government period are certainly slowing down. We will do our best to keep that rate of deceleration as low as possible.

The member for Sanderson suggested that I predicted payroll tax would grow by 14.4% in 1982-83 but the published public accounts identify an actual increase of 9%. The estimate for payroll tax was based on a 10% inflation rate, both in the public sector and the private sector with nil growth in the public sector and 5% growth in the private sector. Payroll taxes relate almost directly to the amount people are being paid. The wage pause program over the past year, which has recently ended, virtually wiped out totally that expected 10% growth in public and private salaries. That would have been reflected in quite a substantial sum in Territory revenues had the wage pause not been in place. No one was quite sure how long the wage pause would last and so an estimate had to be taken.

There are other factors which affect people's considerations when they are looking at Territory-raised revenues and compare them year by year. For the coming year, there will be a large fall in health revenues. This is related to the introduction of Medicare in 1984. We have been raising money in our local hospitals but, from February 1984, we will be receiving subventions from the federal government. Obviously, that will be reflected in a fall in local revenues raised.

The low rate of growth in interest on cash balances is also a factor. At any time of the year, the Territory government has between $20m and $45m on the short-term market. A drop in interest rates can be very significant. The drop in interest rates over the past year or 2 - which is good news generally -

has meant that the Territory receives less revenue. The revenue from bookmakers' taxes and fees will now be applied directly to the Industries Assistance Fund instead of the consolidated revenue account. Funds raised through Sportslotto are allocated to the Department of Youth, Sport and Recreation and do not appear in the consolidated fund. Those are the sorts of things which can throw honourable members' calculations out of gear.

The honourable member for Sanderson made the outrageous suggestion that a possible explanation for the decline in the Territory-raised revenue is that the government is deliberately understating its revenue-raising capacity and will massively increase its charges if it is re-elected. The most astounding thing about that statement is that, if the government were deliberately understating its revenue-raising capacity, that would mean that it would be receiving more revenue than it is claiming in the budget that it will receive. That means we will have surplus at the end of the year because, obviously, we will balance the books. What better way would there be to postpone the increasing of charges in the Northern Territory than to have a surplus? If she is right - and she is not - we certainly could not be accused of setting the scene for big increases in charges after the next election. In fact, we would be able to put them off for years. The Treasury estimates for this year were based on a detailed assessment of all areas of revenue-raising in the Territory, taking into consideration such factors as inflation etc.

The member for Sanderson mentioned that the carryover from the construction program in Transport and Works from 1982-83 into the current financial year is about $10.46m. Budget Paper No 5 identifies the carryover from 1982-83 at $20.46m. She was about $10m out for a figure of $20m. That is not doing too badly.

She also said that the Northern Territory government's roads program has been decided by the generosity of the federal government. While on the subject of receiving federal government grants, the federal government's generosity extends only to fulfilling its responsibilities by providing the Territory with its rightful share of funds provided by the Commonwealth to the states through the Roads Grants Act and the Australian Bi-centennial Roads Development Program. I point out of course that the Bi-centennial Roads Program is funded by a special fuel levy. The Commonwealth is merely distributing that to the states. Somehow the opposition feels that we should all bow and scrape because of this immense generosity. We are receiving our entitlement.

It should also be pointed out that, to remain eligible for the full road grants entitlement, the Northern Territory was required to increase its share of funds provided from its own resources by around $3m in 1983-84. The Commonwealth is very good at saying to the states and the Northern Territory when it wants to inject some funds into a particular area, that it is conditional upon the states or Territory maintaining the level of funds that have been spent in the past. It then tops up those funds. It is no good any of the states saying to the Commonwealth: 'For the last 2 years we have been pouring far more resources into this field than normal just to try to catch up the backlog. It is unfair that you say we must freeze that level of commitment in order to get the additional funds'. Ministers are used to hearing those arguments at most ministerial councils that they attend.

The honourable member for Sanderson said that the new capital works program totals $277m of which the Department of Transport and Works is responsible for a program of $143m. She said $103.74m will be spent against the Department of Transport and Works program and that that is only 5.3% over

last year's figure. She made great play of this as did the Leader of the Opposition in his supposedly mild and pacesetting speech to credit managers recently. The opposition has tried - to some degree successfully - to get coverage for itself by making great play about the capital works program. It hung on persistently to the Department of Transport and Works capital works program and ignored the total government capital works program. Let us look at a couple of facts. The total capital works to be commenced in 1983-84 is 35.6% greater than in 1982-83. The value of works to be undertaken by the Department of Transport and Works in 1983-84 is $143m of that $237m. The $143m programmed by the Department of Transport and Works represents an increase of nearly 46% over the value of works undertaken in 1982-83. The opposition is saying that that is just our program and that it is talking about cash.

Let us talk about cash. The total cash spent by the Northern Territory government and its authorities - Department of Transport and Works, Palmerston Development Authority, Housing Commission, Conservation Commission, Port Authority and NTEC - on things which create jobs - building materials, digging holes in the ground, building houses, electricians, tilers etc - for last financial year was $170.5m. This year it is $215.1m. That is a total increase of $44.6m or 26%. That is the true story of the capital works in this budget. All we have heard from the opposition since the day after the budget was introduced is that capital works allocations have been reduced and the government is not interested in capital works and in creating jobs. The Leader of the Opposition said to the credit society managers that the ALP's answer to it all would be to revamp the budget and put more money into capital works. Maybe it is quite genuine about that because, after 5 years, it still cannot read budget papers.

We also heard that, as a percentage of the total budget, capital works are less now than ever before. It said that the figure was decreasing. In fact, last year, the $170.5m was 22.2% of the total appropriations. This year $215m is 23.3% of total appropriations of $928m. It has risen. I confess that taking figures as a percentage of the total budget is in some cases drawing a fairly long bow. Even taking those figures, we are in front by a long way.

The honourable member for Sanderson said she understood that the preliminary work at this stage on the Channel Island power-station is about 8 months behind schedule and that, of the estimated $15.8m budget allocation for 1982-83, only $7.1m was expended. That is a completely unfounded statement. With all the access government has to information, we could not conceive where anyone would obtain a notion that the Channel Island powerhouse is 8 months behind schedule. The facts are that the Channel Island bridge is currently 2 months behind schedule, not 8 months.

Other projects are either marginally behind or ahead of schedule. The reason for the reduced expenditure in 1982-83, apart from the fact that the bridge was behind schedule, was a major reduction in actual construction costs. We made very substantital savings on estimates on the bridge contract. I think the road and the causeway contract compared well to estimates because of the competitive tender involved. Also, there was some rescheduling of works in the overall construction program. I can assure honourable members that we place a great deal of store on the powerhouse project. We want to press on with it as quickly as possible to maintain work and the flow of funds into the community. We are not interested in letting it slip. By the same token, we have to watch carefully that we do not get too far ahead of ourselves because, if a project of this size is constructed ahead of schedule, electricity consumers will be receiving some very unnecessary and very large interest bills. It is a project

we are keeping right up with to keep the work flowing as fast as we reasonably can. The allegation was that the whole project is 8 months behind schedule. That must have been plucked out of the air.

The member for Sanderson also said that there was a carryover from 1982-83 of $17.5m in housing funds. This figure was not a carry-over of funds. Budget Paper No 5 identifies $17.5m worth of dwellings in the course of construction as at 1 July 1983. It is a shame the honourable member gets these things wrong. After all, she is supposed to be the opposition spokesperson on the budget.

The deferred payments scheme was raised again today. I will be announcing the details of the first one fairly soon. We are not running late. It has only been a few weeks since the budget and we have been negotiating on these items. At present, we have expressions of interest for formal negotiations on projects in the Territory from 3 banks, 8 financial institutions and 9 construction firms. The Leader of the Opposition was right. The first one to get off the ground will probably be a financing package for the Sanderson High School. As I say, I will announce that as soon as I can. Honourable members' apprehension may have disappeared somewhat now that they have noticed that the NSW government is doing virtually the same thing with $133m worth of its capital works program. Of course, the Commonwealth government is now advertising for private interests to fund and construct office blocks which it will pay for over a period of time. Hopefully, that will dispel any fears that the Territory government was marching headlong into some ill-conceived scheme which would not work and which would lead us into a lot of trouble.

Another thing that the honourable member for Sanderson said which was quite wrong was that it was beyond belief that the Territory would only allocate $1m to assist small businesses. The thing that is quite beyond belief is that she really believed that only $1m of this more than $1000m budget would benefit small business. One might argue that the whole of the budget would benefit small business because 98% of the Territory businesses are small businesses. Obviously, the $250m in public service salaries will benefit small businesses as well as the capital works program. Even big projects are built by small companies. Hospitality, fares, travel, transport, entertainment etc all assist small businesses. Virtually the whole of the vote to the NTDC will go to small businesses. The $1m which we earmarked specifically, and which was addressed by one of my colleagues, is for specific purposes. That is how we represented it; it was misrepresented by others.

The honourable member for Sanderson said that the ALP would introduce a tender preference system for locally-based tenders to protect local firms from those interstate companies which are coming up and taking all the work from them. I am not sure if she realises it or not but we have had a local tender preference scheme for some years now. I am sure the honourable member knows about it. She did not say how she would change it; she said simply that the ALP would introduce an effective scheme. We have one already but I warn her to be careful before indicating what the ALP in the Territory will do because her federal masters may not like it. We noticed in the press that Senator Button, who has been trying to get the states to stop these awful, parochial local preference schemes for government work, is not having very much success at badgering most of the states to drop their local schemes because they are costing Australian taxpayers $350m in inefficiency or waste. Mr Button has now gone from a stance of exhortation to an examination of legislative and constitutional means of breaking the border barriers. Before the opposition goes too far, it had better check with the federal heavies in case they come down on its back.

Mr Deputy Speaker, I will touch on a few of the other things as quickly as I can. Student-staff ratios raised a bit of interest. I do not think we have been misleading at all. In fact, we picked up what I understood to be a recommendation from a working party of the Teachers Federation and the department on primary school staffing. We did not try to snow anybody at all. The fixed ratio of 21 to 1 includes teacher librarians and resource staff. Anyone who wants to argue that they are not teachers is off the track altogether. They are part of the total resources of the school. We are asking schools to decide from the available teachers whether they want 6 remedial teachers, 3 physical education teachers or 19 music teachers. We do not mind. They can have all classroom teachers. They can restructure the school teaching resources as they see fit. In the bad old days, the school population was divided by 30. That allowed for x number of classroom teachers. If it was a good school, the department would give it a music teacher, perhaps a remedial teacher and perhaps a physical education teacher. We actually have agreed with the Teachers Federation on something. We brought in a system which it appreciated and understood. I thought it did anyway. But the honourable members opposite seem to think that we have tried to snow the public.

If schools are not going to obtain any benefit from this system - and I think the honourable member for Nightcliff suggested that the whole thing was probably a waste of time and that no one thought it was any good - what on earth are we going to do with 59 more teachers? They have to go somewhere. They will cost the taxpayers over $1m. I would be terribly disappointed if the formula resulted in no extra teachers, no extra class time and no extra educational benefits for the kids.

The $1-for-$1 scheme and the $2-for-$1 scheme have been condemned in the Assembly today as being awful. I was really surprised to learn that a $2-for-$1 scheme is even more outrageous and obnoxious than a $1-for-$1 scheme. I was wondering whether a $10-for-$1 scheme would be even worse. I think that these schemes are very good. They encourage schools to take a responsible attitude towards assessing those needs in schools which the government does not meet.

The honourable member for Millner suggested that his local school was terribly disadvantaged because it had to work so hard to raise funds to get its $1-for-$1 money. As a result of its working very hard to raise the money - and I am sure it derived a great deal of satisfaction out of it - he felt that it was somehow neglecting its responsibilities. He described the educational requirements, needs and demands of schoolchildren. He referred to the school community, the school council and the parents and teachers who are there to do their best for the children. He really ran out of words in trying to explain what the school community should be doing. Whatever it was, he believed it certainly should not be raising money. What a terribly demeaning task. I am afraid the $1-for-$1 scheme to my mind is a good one. I do not think that there are many schools in the Northern Territory that do not participate in it. If it were abolished tommorrow, schools would still try very hard to raise funds. Even if we said to the schools that we will distribute the $600 000 now on a per capita basis, and that they would never get it again, they would still be out there raising funds for Aboriginal programs, to send kids to Sydney or Melbourne or for excursions etc. I think that the honourable member for Millner does a great disservice to his electorate by the view that he put forward.

As far as computers are concerned, I have been concerned at the difficulty of getting official information out of the federal Department of Education on funding for computers. It has been a scandal. Right from the day the federal government won office, it started to tear up its promises. Amongst those promises was its commitment to educational computer funding across Australia. It went

into the bin. We stood around for months like a bunch of mugs. All the states and the Territory educational authorities tried to work out how to put their budgets together and how much to allocate to computer education programs. We were all switched on to the subject, but we did not know what to do until the federal government decided. Eventually, it decided on some global figure, millions of dollars less than it promised in the election campaign. We are getting used to that. Even today, we are still trying to work out the individual components of the amount that we know we received from the federal government. We are waiting for details right down to the hardware, the software, teacher training and so on. Until we know the details, we cannot decide what to do with our program.

There are overall programs. We are trying to build up over a period of time a basic amount of equipment in every school in the Northern Territory. The national objective set by the Schools Commission is that every child should have 30 minutes a week, hands-on experience on a computer within 3 years time.

Mr DEPUTY SPEAKER: Order, the honourable member's time has expired.

Mr ROBERTSON (Attorney-General): Mr Deputy Speaker, I move that the honourable Treasurer's time be extended so as to allow him to finish his speech.

Motion agreed to.

Mr PERRON: Mr Deputy Speaker, that is the objective at the moment of the Schools Commission. The program is designed to teach teachers how to teach other people about computers first. That is a top priority. We are putting considerable funds into these education centres in Darwin and Alice Springs. We will also provide basic equipment to schools. We will be monitoring the equipment in schools. Some schools are prepared to buy several computers with their own funds. That is fine. We will bear in mind that they have bought them. But we must start allocating computers to every school in the Northern Territory and build that up year by year until we can reach a situation where we are satisfied that children have adequate access to computers in schools.

One very disappointing thing about the federal funds - to my knowledge, it has not changed this - is that they cannot be spent in primary schools. All of the federal funds for computer training are to be spent in high schools. Fortunately, the states and certainly the Territory are not so narrow-minded. I was interested to hear from the Leader of the Opposition that even pre-schools in Japan have computers. I am not surprised. In a few years' time, not only the ordinary child but also handicapped children and Aboriginal children will be helped considerably by computers. The children whom we thought could only progress slowly through school over a 12-year period will be able to learn more quickly. In fact, in 10 years or so, teaching in schools as we know it today will be absolutely revolutionised by computers.

Mr Deputy Speaker, the Territory government is not confused as to where it is going in computer education. We are taking it extremely seriously. There will be increasing amounts of information provided to schools and to other persons who are interested. The program is being accelerated right across the country today. It is in the last 6 months that it has really emerged. It is understandable that there is considerable dotting of i's and crossing of t's at present so that we can work out exactly the types of software and hardware that everyone will have.

The Leader of the Opposition and others mentioned the BTB funding. It is a shame that the Leader of the Opposition did not use the resources and contacts that he has to try to counter the disgraceful performance by the federal government in allocating funds for the eradication of this national disease. It is recognised that it will create disaster for this country by about 1990-1992 unless it is totally eradicated. An agreement was reached between the Agricultural Council and the previous federal government for something like $105m to be spent over 9 years. This undertaking was picked up by the ALP prior to the election. After the election, it tore it up and threw it in the bin. The figures have been very dramatically reduced. The Minister for Primary Production is planning to give more details during the week. Whilst the Leader of the Opposition did mumble that it was a shame that the level of funds was cut very substantially from what was expected, he did not say what he would do about it, not even a letter of protest to any of his colleagues in the federal parliament about the poor performance of the federal government on BTB.

He also said that funding under the Memorandum of Understanding depends on the budgetary situation of the federal government each year. Mr Speaker, I have to say that I disagree. I am sure that this is one thing we will disagree on probably forever. The memorandum is as strong as the parties who are prepared to stand by it. It is not a document whereby we can take the federal government to court and say that it has breached the memorandum. It is a clear understanding upon which we moved to self-government. In its first budget, the new ALP government stood by that memorandum. Hopefully, it has now established a precedent that it will not break it. To tamper with it at all would be to break it.

The formulas in the memorandum are quite clear and they do not give the federal goverment discretion as to the general purpose funds that are applicable to the Northern Territory. As far as other funds are concerned - specific purposes roads, housing and health funds, for example - these are decided from time to time by the federal government in the light of its budgetary situation and how much money it is prepared to disburse to the states and the Territory for those things. To imply that the Memorandum of Understanding funding is subject to budget considerations is to misunderstand what the document is all about.

The member for MacDonnell spoke about the federal government's greater contribution to housing. We recognise the federal government's greater contribution to housing. In fact, it gave the Northern Territory an additional $9.3m this year. Its allocation rose from $20.2m to $29.5m. What the Northern Territory did was to match it with an additional $9m over and above the amount of money we committed to housing previously. That increases total funding for housing from $37.3m to $55.9m. In other words, our budget shows an $18.6m increase for housing. Whilst I do not detract from the federal government's greater contribution to housing, it needs to be recognised that the Northern Territory government has raised what has always been a massive contribution to housing to an even more massive contribution.

The member for MacDonnell said that the first-home grant scheme introduced by the federal government was a marvellous thing, that it would really help thousands. What he did not say is that it took half back because of the increase in sales tax and excise. And this is to be indexed, Mr Speaker. I notice that it did not index the grant but only the cost of building a house.

For the information of the honourable member for MacDonnell, the Darwin casino pays to the government 20% of gross profit, which is the amount bet less

payouts in winnings, plus a licence fee of $2500 a month. The Alice Springs casino pays 15% gross profits tax. That information is available in the relevant act and regulations.

Mr Speaker, I appreciate honourable members' comments on the budget. I think it is disappointing that the opposition cannot be a little more accurate or fair in its comments on our budgets. Taking extracts such as Transport and Works capital votes and trying to convince the population of the Northern Territory that that is our total contribution to job-creation is absolute nonsense and the opposition knows it. Obviously, the true figures were so attractive that they did not want to admit them. I commend the bill to honourable members.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

ADJOURNMENT

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

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE
Racing Industry Policy

Mr SPEAKER: Honourable members, I have received the following letter from the honourable member for Nhulunbuy:

Dear Mr Speaker, pursuant to Standing Order 81, on Wednesday 13 October 1983, I intend to raise the following definite matter of public importance for discussion; namely, the government's failure to develop a policy for the racing industry that secures that industry's long-term viability, guarantees the best possible return for the racing public and contributes adequately to the public welfare.

Is the honourable member supported? The honourable member is supported.

Mr LEO (Nhulunbuy): Mr Speaker, on 4 October, less than 2 weeks ago, the Treasurer announced what he described as a gift from the Territory government of over $15 000 to the Territory's 2 major horse racing clubs. The Treasurer wiped out the amount due to be paid in principal and interest payments for loans of $80 000 each granted to the Darwin Turf Club and the Central Australian Racing Club in 1979. In his announcement, the Treasurer claimed that his government's action could not be taken as a precedent and that the clubs would be required to honour loan commitments from July next year onwards.

Mr Speaker, this is patently absurd. The gift - a bit of electioneering perhaps - to help the CLP president, Graeme Lewis, to secure a berth at the Darwin Turf Club does not remove the inherent structural weakness in this government's administration of the racing and betting industry. Indeed, this electioneering gift exemplifies 2 elements of inadequacy in this government's approach to public administration. Firstly, we see the politics of 'grantsmanship' - money being doled out as a short-term palliative for a deeper underlying problem. Secondly, this so-called gift exemplifies the current government's inability to make hard decisions required of government because of its fear of annoying small groups of powerful supporters - in this case, the bookmaking fraternity.

This is a government in a crisis of indecision. The government has lost its sense of direction; it continues in office but it does not govern. It cannot make the most elementary commonsense decisions. The course to achieve proper management of the racing industry is clear; even a child could see the solution: the creation of a totalisator agency board for the Northern Territory. This government, however, cannot adopt that course because it is afraid of alienating certain vested interests. It hides behind inquiries and gifts to clubs, which achieve nothing.

Mr Speaker, the contrast with the Australian Labor Party is obvious and to the detriment of this government. The ALP's position is clear. When we form the next Northern Territory government, we will introduce legislation to establish TAB in the Northern Territory. ALP policy has already been released publicly. We have sought and received public comment and we continue to stand by our policy. We believe that it is both sensible and enjoys widespread community support.

The current situation advantages only off-course bookmakers and those persons who are laundering illegal southern money. In the 1977 Neilson Report, the most complete investigation of the racing and betting industry in the Northern Territory, both of these points were made. The Territory Labor Party is

not beholden to any special interest group. We see a Territory TAB revitalising the racing industry and enhancing the industry's facilities by providing both a better return to the punter and to the government than the present system of off-course bookmakers does.

The arguments against our TAB proposal are silly and puerile. For example, the Chief Minister has argued that the introduction of off-course TAB facilities would lead to both an increase in illegal SP bookmaking and police corruption. The NT News on 19 May reported that the Secretary of the Police Association disputed those claims. The Northern Territory Police Force deservedly enjoys more respect from the community in which it operates than any other force in Australia. It will not be corrupted and it is an indictment of this government's own administration that it even entertains this mistaken notion. This fanciful danger of illegality is insignificant in comparison with the continuing illegal evasion of turnover tax by the Territory's current off-course bookmakers.

Another argument used against the establishment of TAB is that this will somehow lessen interest in wagering in the Northern Territory. The weight of evidence from other states belies this argument. A useful comparison can be made with Western Australia where a system of licensed off-course bookmakers was converted to a TAB system in 1961. In 1960-61, betting turnover in WA was $16.474m for off-course bookmakers. For on-course bookmakers, the turnover was $25.785m and, for on-course tote, the turnover was $4.363m. The TAB in that first year of operation only had $1.02m turnover. During that year, the new TAB had only operated for a few months through a handful of offices. By 1964-65, Western Australia TAB had provided a reasonable full statewide service. Betting turnovers for that year were: on-course bookmakers - $18.251m; off-course bookmakers - $2.272m; on-course tote - over $4.592m; and TAB - $27.923m. The off-course bookmakers' revenues had decreased by $23.513m but the TAB's revenues had increased in that period by $26.903m. In other words, not even allowing for the almost $2m increase in on-course bookmakers' turnovers, the TAB had increased betting revenue over the off-course bookmakers displaced revenue by $3.390m. The TAB made a major contribution to increasing betting turnover and a Territory TAB would do the same.

The third argument against TAB is that it would not be economic. This claim is contradicted by the evidence from other states of Australia. A Territory TAB would operate at about the same level of cost as private off-course bookmakers. The Tasmanian TAB has shown that. More importantly, a TAB would increase betting revenues. Punters in the Northern Territory have decreased their wagering by almost one-third in the 5 years that this government has administered the industry. Off-course turnover in the Northern Territory has decreased by 32.8% but, in every other state in Australia, punters have increased their cash outlays by at least one-third in the same period. Only the ACT has performed below that figure. It increased its turnover only by 20% but that is still a 55% better performance than the Northern Territory. The Tasmanian TAB, surely a model for the Territory, has increased betting turnover by 103.6% since 1976-77.

Mr Speaker, Australia's punters are voting with the contents of their wallets and they are voting for TABs. In part, the Territory's problem results from the declining ratio of single young men in our population. The young men who flocked to Darwin after Cyclone Tracy have been replaced by families. Thus, the pro rata rate of betting has declined. It is precisely the smaller bettors - family men and women who now predominate in our population - who are attracted to a TAB style of betting. Social change in the Territory favours a TAB form of betting administration.

Mr Speaker, the advantages of TAB over off-course bookmakers will accrue to 3 separate interests: the punters, the industry and the government. The disadvantages of the creation of a Territory TAB will be borne by one interest: the off-course bookmaker. For the average punter, the benefit of TAB is that it provides a secure, impersonal and impartial betting system with a higher rate of overall returns to the punter than from off-course bookmakers. Punters understand this and that is why TABs everywhere in Australia each year record increased betting. The Territory alone in Australia has seen a decline in betting on horse racing. In the last 5 years, the turnover in inflation-adjusted terms of the Territory's bookmakers has been halved. Territory punters have decisively demonstrated their lack of confidence in the CLP's administration of betting in the racing industry.

Mr Speaker, it is safe to assume that at least 15%, or $4.9m on the 1982 turnover figures, of bookmakers' turnover is undeclared. It is equally safe to assume that, had the CLP government accepted the recommendations of the Neilson inquiry in 1977 and established TAB, betting turnover in the Territory would have followed approximately along the lines of the rest of Australia. A Territory TAB would now have a turnover at least 25% higher than the current off-course bookmakers' turnover. Both punters and the NT government have been deprived of potential earnings. A Territory TAB would attract more people to betting than the off-course bookmakers. The security and integrity of the system, plus feature betting, attracts members of the community who would not bet with off-course bookmakers. Women, in particular, as has been the experience in Australia, are attracted to the TAB form of betting.

Mr Speaker, another important beneficiary of the TAB would be the racing industry itself. The government's desperate gift to our premier turf clubs shows how serious is the racing clubs' situation. Growing deficits and poorly-attended meetings are all characteristics of an industry that is in the doldrums. It needs a stable source of funds for the industry's long-term development, not bandaid gifts that are designed only to obscure but not solve the industry's problems. The creation of TAB would benefit racing clubs by providing them with access to a secure, foreseeable and growing grant base. This could be spent on improving public facilities at race courses or through state subsidies both to stimulate public interest and to provide an incentive to Territory owners to invest in improved bloodstock. The development of the Tasmanian TAB provides a relevant model for a Territory TAB - a model that reveals that the industry can expect at least a twofold increase in betting-turnover-related grants within the very near future.

Almost everyone connected with the racing industry acknowledges that some off-course bookmakers do not make a true declaration of their turnover. The turnover tax system encourages such dishonesty that it has produced a serious state of affairs. The taxpayer is cheated twice. Firstly, the Territory taxpayer loses by the decrease of total receipts on the 2% turnover tax. Secondly, all Australian taxpayers are cheated by the consequent non-declaration of income. The Northern Territory, with its very narrow and fragile taxation base, is uniquely dependent upon the distribution of Commonwealth grants. It is irresponsible and provocative to administer an industry in such a way as to encourage tax evasion. It is not the Territory government alone that suffers a consequent detriment but the whole community.

Mr Speaker, a TAB would have 4 major advantages over the present system of off-course bookmakers. Firstly, it would provide the public with an adequate service that would attract more people, especially small bettors. Secondly, it would return more money to the punters than is returned under the present system. Thirdly, it would ensure increased grants to the racing industry. Fourthly, it

would increase the Territory Treasury's revenues. The Territory government seems unable to come to grips with the problems of policy-making in the racing industry. We would not need working parties or $15 000 gifts to racing clubs if TAB had been introduced when the Neilson Report recommended it in 1977. The government's working parties and gifts are a political holding action designed to disguise its own paralysis and indecision. The government is bereft of ideas and policy and nowhere is this more obvious than in the administration of the racing industry.

Mr PERRON (Treasurer): Mr Speaker, it was rather disappointing to hear that a matter of public importance would be raised this morning and then have to listen to a reading of 12 or 15 pages of the ALP's policy on TAB which was released a little while ago. The time of the Assembly has been taken up by reiteration of material that has been available for ages. There was not a single new point raised. The ALP position can be summed up by reference to a press release from the member for Nhulunbuy on 16 September this year: 'The member for Nhulunbuy, Dan Leo, said today that the distribution of $37m to racing clubs in New South Wales showed how successful the TAB could be for the Territory'. That is a marvellous piece of deduction. NSW has a population of 3 or 4 million people.

He went on to say that the provision of TAB would ensure that the racing industry would be self-funding. I can assure the honourable member that I would not see racing in the Northern Territory being self-funding for probably 20 or 30 years at the very earliest. What has to be borne in mind in this whole question is that, even if we did not have any race clubs in the Northern Territory, we would still receive almost the same funds as we do today from the off-course bookmaker system - or TAB system if one were introduced - because some 90% of the betting is on southern racing. How we will have racing in the Northern Territory being self-funded is beyond belief.

The only reason that governments are interested in the racing industry is because people gamble on horse racing. Governments like to take their share of the action wherever people are gambling. If it were not for the fact that people gamble on horse races, the government would be no more interested in a horse racing club than it would be in a car racing club or any other club.

The honourable member alleges that the Northern Territory government has not paid enough attention to the Northern Territory industry and is disinterested. It is a shame to have to go over all this ground again because I said all this only 2 months ago in this Assembly. Over the last 5 years, about $2.9m has been granted to the racing industry in the Northern Territory by the Northern Territory government. The measures began as a 45%-55% distribution of turnover tax and licence fees between the race clubs and the Territory government respectively. As the years went by and the turf clubs argued that life was really tough and there were not enough people coming through the turnstiles to contribute significantly to the costs of running a race club and paying prize money etc, the government agreed to swap the formula around. We received 45% and gave the clubs 55%. The problem did not change a great deal and, in 1980-81, we made a special allocation outside the legislative provision for distribution of racing taxation revenues. We provided a $200 000 grant to the clubs. In 1981-82, we added $380 000 to the normal formula distribution. In 1982-83, we gave $370 000 in additional assistance to the clubs to ensure their viability.

The reason for their problems is that, on an average race day, the Darwin Turf Club attracts between 350 and 400 persons. About 200 of those people pay to go through the turnstiles and the other 150 or 200 are members of the turf club. In Alice Springs, I am informed that between 200 and 250 people turn up at an

ordinary race meeting during the year. That is not an enormous number of people but it is an industry which we recognise does have fairly significant economic benefits for the community and the various people involved in it.

I am not saying that the Territory government does not appreciate that it is a part of the social life of Australians anywhere to be able to go to the race track. The arguments that we have before us are to do with what sort of contribution the taxpayer should make towards propping up that industry in small places. One could ask why Katherine and Tennant Creek do not have racecourses complete with grandstands and bars and run 5 or 6 races a day of 9 or 10 horses because many local people would be very interested in going out there. Quite clearly, the economics of such an exercise would be absurd. Race clubs must grow with the size of support in the communities.

Racing as a betting medium is coming under some pressure despite growth figures in TABs around the country. Some of them are not growing at high rates compared to incomes and the population. There was an article about TAB in Victoria in the Financial Review of Thursday 6 October. The article is about the concern that TAB faces in Victoria. It says that TAB has cause for concern. Its share of the total Victorian gambling market plummeted from more than 50% in 1972-73 to only about 39% in 1981-82. Therefore, as a percentage share of the gambling market, it had fallen dramatically. The introduction of Tattslotto in 1972, Bingo in 1977 and Instant Tatts in 1977 have combined to give racing-based gambling a terrible beating in the marketplace. Further, as part of TAB's push to hold on to its market share, it recently persuaded the Cain government to pay for its own exclusive broadcasting station, 3DB.

I would like to talk just for a moment about the relationship between TAB and broadcasting. Most people who are familiar with them agree that TAB systems really will not operate unless there is a broadcast of the races that the systems are prepared to take bets on. In the Northern Territory at the present we have a bookmaking system through which you can lay a bet on almost any race in Australia. TAB systems of necessity seem to limit themselves to covering races in their own states plus 2 other states. A very important part of that network is having a radio station nearby which will broadcast all the races that are covered by TAB. Unless the punter can follow the races during the course of the day, the system breaks down. The September 1983 issue of a magazine called Bloodstock talks about the problems being faced by the Tasmanian TAB at the present time. We are all aware that the Tasmanian government recently had to inject $5m worth of consolidated revenue into the racecourse industry down there because the TAB is not paying out the money that was expected. I quote from this article on broadcasting:

> *To add to worries of the racing industry and the TAB, the Hobart radio station 7HO dropped a minor bombshell when they announced they would cease race broadcasting from Saturday 6 August. The station, which provided racing coverage to the most densely-populated areas of Tasmania, had phased down its coverage over the past 2 years. It gave only results services on most New South Wales provincial meetings and TAB holdings on these events suffered. Despite negotiations with the station management, the TAB was unable to sway them against following the trends set elsewhere in Australia by stations who consider racing as a non-rater. This was despite a $170 000 subsidy paid out of TAB funds for race broadcasts. Although prepared to offer more than $250 000 for an alternative broadcaster, the TAB in mid-July were still negotiating. Without local and interstate broadcasts, Tasmanian racing would go bankrupt.*

Mr Speaker, there is another example of a state which is obviously relying primarily on interstate racing for its punters to bet on. The local racing industry could be seen as consuming a fair bit of funds which would come to the government whether the industry existed there or not. But this question does not appear to have been addressed at all today or in the ALP's supposedly very thorough policy document on all the issues concerning the TAB - the document that would tell everything you wanted to know and provide the perfect answer. How is the Northern Territory to arrange for broadcasts of races from most Australian states and in Darwin and Alice Springs? These broadcasts are very expensive. In Tasmania, where there are 500 000 people, despite the TAB being prepared to offer a $250 000 annual subsidy to a radio station to broadcast races from across the country, it cannot get any takers. The Northern Territory, with its 100 000 people spread over 1 250 000 km^2, is supposed to get a radio station. Let us face the fact that we are having trouble getting broadcasts across the Territory even with our famous, or infamous, ABC. Therefore, it would be of enormous expense. It is clearly one of the keys to the success of a TAB system anywhere. The ALP has not mentioned it at all.

One thing the honourable member for Nhulunbuy did not mention in this morning's debate, and which has been carefully left out of the ALP's policy document on TAB, is what he said in July this year: TAB in the Territory would create 1000 jobs. I guess it was left out because it is a fairly preposterous proposition to expect people to swallow. I think it decided to leave it out of the documents so it would not detract further from the ALP's credibility.

In addition to the nearly $3m which has been handed over by the Territory government to the clubs, there have been other funds spent by the Racing and Gaming Commission on such things as apprenticeship awards, a promotion film made by the commission, industry conferences and travel grants. We have assisted race club officials to travel to and participate in their industry debates. A racing industry calendar was produced. Photo-finish equipment was installed. Freight subsidies have been provided to bring horses to carnivals and so on. There have been veterinary subsidies provided. This is assistance provided by the Racing and Gaming Commission in addition to the cheques that were written out to the race clubs.

The Racing and Gaming Commission is currently providing IBM mini-computers to each major club to upgrade accounting procedures. We have been to the clubs many times after they came to us saying that life is really tough, they could not possibly make ends meet and they would fold unless the government provided further assistance. We looked at their books. On a number of occasions, though not in recent years, we found them to be somewhat lacking in regard to accounting procedures. Of course, when you are dealing with a lot of money these days, it is very important to have high level procedures and managerial personnel. Indeed, it is a business. Whether it receives a very substantial portion of funds from government or not, it must run as efficiently as it possibly can.

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

Mr B. COLLINS (Opposition Leader): Mr Speaker, the honourable Treasurer once again has demonstrated his ignorance of how the Assembly is supposed to operate. Matters of public importance are a matter of non-contention in every other parliament in Australia. In fact, they are a daily occurrence in the federal parliament. They are in fact one of the few vehicles available to an opposition to initiate debate and indeed ...

Mr Perron: They are an opportunity.

Mr B. COLLINS: Absolutely. To confirm what the Treasurer has just said, they are an opportunity for any party in parliament to advise the electorate of its policies on any subject, particularly when such significant differences exist between opposition and government policies as they do on this particular matter.

Mr Speaker, the opposition has produced a comprehensive policy on racing and gaming. The Labor Party in the Northern Territory would introduce not only TAB. I think that it has never been said that TAB would solve all the problems. We think it will improve the situation in the racing industry in the Northern Territory. However, not only does our racing and gaming policy provide for TAB, it also provides that the Labor Party will introduce poker machines into licensed clubs in the Northern Territory and not simply allow that particular piece of the action to be hived off to a vested interest. The Northern Territory Labor Party will do that. It will introduce poker machines under the same controls and legislation that exist in the ACT.

Mr Perron: What about bingo?

Mr B. COLLINS: If you want to talk about it yourself, carry on. I will not bother to.

Mr Speaker, so far as the racing industy is concerned, after we raised the issue of TAB, the government began looking about for a sustainable policy. Its thoughts turned to linking the Fannie Bay on-course totalisator into a southern TAB. I think the government thought that was the only way it could get the attraction of the TAB link without antagonising its off-course bookmaker supporters. The government approached the South Australian TAB whose chairman actually visited Darwin about 10 days before we released our policy. Progress was interrupted when the South Australian TAB chairman died about a month ago.

But a number of questions remain. Has the government had a positive response from the South Australian TAB? Who paid for the TAB chairman's trip to Darwin? Has the Northern Territory government approached the TAB of any other state?

Mr Perron: We did not pay for it.

Mr B. COLLINS: I have my answer.

Is the linking of the on-course totalisator into a TAB economic? Will the level of transactions pay for the landline linkage? Mr Speaker, I doubt that the proposal is economic. In 1981-82, wagering on the on-course tote declined by 7.1% over 1980-81.

One of the strongest arguments against the current set-up in the racing industry in the Territory is that the 2% turnover levy on bookmakers encourages tax evasion. I do not think that anyone would question that seriously. Thus, it reduces governmental returns from the industry and hence governmental input into racecourses, turf clubs and the Northern Territory economy generally. The Treasurer made what I thought was an extremely shortsighted statement when he opened this debate by saying that the only interest that he had in racing clubs was that people gamble there and the government wanted a share of the action. That is strange coming from a member of a government the Chief Minister of which has said categorically that the big boom industry for the Territory, and indeed Australia, will be tourism. If they are attractive and well run, racecourses attract tourists. People do not wish to go only to casinos to gamble. As the Treasurer himself said a few moments later, they like to go to the race track as

well but they will only go there if it is attractive, well run and the facilities are good.

Mr Speaker, an indexation of the racing wagering turnover for all states and territories shows that the Territory - alone in the whole of Australia - saw a decline in betting turnover between 1976-77 and 1981-82. That is demonstrated very clearly in a table of official statistics on the subject which shows that, in every state of Australia, that return to the industry and the government increased from a low of 20% in the ACT to 103% in Tasmania, with the Northern Territory rather dramatically having a loss of 32% over the period. Mr Speaker, I seek leave to have that single page incorporated into Hansard.

Leave granted.

TABLE 1

INDEX OF TAB (OFF-COURSE BOOKMAKERS) TURNOVER FIGURES BASE YEAR 1976/77
INDEX = 100

(Calculated on Annual Report figures rounded to the nearest $1000)

STATE	1976/77	1977/78	1978/79	1979/80	1980/81	1981/82	Overall % Increase
NT*	N/A	100	67.2	62.1	81.5	77.2	- 32.8
Victoria	100	104.3	107	114.9	125.8	133.6	33.6
WA	100	112	120.7	127.6	147.7	165.6	65.6
Queensland	100	107.3	118.2	121.4	139.8	167.3	67.3
NSW	100	113.7	124.7	140.5	153.2	170.5	70.5
SA	100	99.7	99.5	114.8	124	136.4	36.4
Tasmania	100	118.3	126.5	143.5	180.5	203.6	103.6
ACT	100	109.34	106.6	104.4	114.9	120	20

* Based on declared off-course turnover

Mr B. COLLINS: Mr Speaker, Territory off-course bookmakers' turnover is only about 50% of what it should be if turnover had been kept to the rate of inflation. Off-course bookmakers evade tax in a number of ways. It can be done through the telephone by not declaring those bets and not keeping records of them. With post-finish bets, the bookmaker lodges a bet for himself after the race is run. He bets on the winner at long odds and makes a big loss for income tax purposes for the day. If the bets are not recorded, the levy can be evaded.

Press publicity over the last year leaves no doubt that the racing industry is in the doldrums. I have no argument with any of the press that was quoted from by the honourable Treasurer. The turf and racing clubs face a financial crisis. In 1981-82, the Darwin Turf Club lost $70 742 as against a 1980-81 profit of $15 681. The Central Australian Turf Club's operating deficit went up threefold in the same period to over $45 000. Total prize money over that period increased by 22.6% but still totalled only $677 000. Low stakes and poor facilities probably account for the usually unprofitable attendances at race meetings with the exception of major carnivals, such as the recent successful Darwin Cup carnival, which attract people. At present, the low stakes reduce the economic attractiveness of racehorse ownership. Consequently, opportunities for

jockeys and trainers are reduced by limited owner interest and the industry as a whole suffers.

Mr Speaker, in our view, only a TAB can improve this situation. Northern Territory racing and gaming revenues for 1981-82 indicated that betting tax revenues declined by 2.2% over 1980-81, interstate lottery tax revenues increased by 124% over 1980-81, and casino tax revenues increased by 40.4% over the same period. It is obvious that the Territory is not securing an adequate return from racing bets turnover tax when compared with the growth of other forms of gambling tax revenue. In every Australian state, race betting turnover is increasing despite the competition of lotteries and, in some cases, casinos.

It is interesting to note from the 4th Report on Special Assistance for the Northern Territory of the Commonwealth Grants Commission, which was tabled only last Thursday in the federal parliament, that the Territory government does acknowledge that its revenue-raising failure is quite evident in the racing industry. It also argues that, if it introduced TAB, it would decrease the turnover. I find that very interesting. Paragraph 3.11 says:

> *In its December 1982 submission, the Territory stated that its racing industry remained in a depressed state and was heavily dependent on government subsidy. It proposed that a zero revenue-raising capacity be attributed to the Territory for racing taxation in 1981-82... It claimed that, if it adopted the standard states' policy of operating off-course totalisators, turnover would decrease.*

I challenge that assertion and ask why we are so dramatically different. I would ask the Treasurer to refer to the table that I have just had incorporated into Hansard.

Mr Speaker, the Northern Territory Labor Party intends to move for the introduction of TAB in the Northern Territory. I would conclude by quoting from our policy:

> *The Territory Labor Party does not like to advocate governmental intervention into an industry. This should not be done for its own sake. Governmental intervention in an industry is justified only if there is what economists describe as a distortion of the market.*
>
> *It is the Territory Labor Party's contention that the betting industry is distorted in 3 ways. Firstly, it is non-competitive. Although bookmakers in some areas operate in close proximity to each other, competition between them is minimal and there is little variation in the prices and ranges of bets offered. Secondly, it is inefficient. The system of off-course bookmakers persisted with only in the Northern Territory has led to an economic decline in the Territory's betting turnover. In the rest of Australia, TABs have increased betting turnover. Hence, they must be a more economically efficient means of encouraging the industry. Thirdly, it is inequitable. The usage of a 2% turnover tax on off-course bookmakers has led to tax evasion. All taxpayers suffer a detriment as a result. The present government's organisation of the industry allows some bookmakers to keep money which justly belongs to the whole community.*
>
> *A Territory Labor government will introduce legislation to create a TAB as soon as possible after assuming office. We believe the logic of our case is overwhelming. We can only speculate that the CLP government persists with a system that is non-competitive, inefficient*

and inequitable as a political party favour to a small number of persons in the Northern Territory community.

Mr Speaker, I conclude by saying that a Northern Territory Labor government will introduce TAB into the Northern Territory and will also give community clubs which invest their money in better facilities for Territorians the opportunity to have a limited number of licensed poker machines. We will not allow this current and totally unacceptable situation to continue whereby one organisation has the monopoly of what is considered to be a normal revenue-raising operation in community clubs. Some clubs have spectacular facilities for the use of their members and the general community. We will certainly not allow this situation to continue. Poker machines would be introduced by a Labor government under legislation similar to that which is working very well in the ACT.

Mr ROBERTSON (Attorney-General): Mr Speaker, I rise to speak to the matter of public importance currently before the Assembly. I noted once again the Leader of the Opposition speaking in rather pious tones. I am probably becoming boring myself by using the words 'pious tones' in connection with him. Nonetheless, I can find no better word in Roget's Thesaurus to describe the way he goes about some of his utterances.

We have heard that there is some resentment on his part that this side of the Assembly questions the motives and methods for which the opposition uses matters of public importance. May I say at the outset that my colleague, the honourable Treasurer, was not commenting on the perfectly legitimate right of the opposition to raise matters of public importance. He was merely commenting in a casual way on the fact that all the lead speaker did was to repeat the already public policy of the Australian Labor Party in respect of the issue now before us by way of a matter of public importance.

Let me say that I for one am very happy to see opposition members on any occasion they like trot forward matters of public importance before the Assembly for I believe that, on each and every occasion that they do so, they make unmitigated fools of themselves. Today has been no different from the norm.

We are debating a matter of some seriousness: the future of the racing industry and the methods by which it will be governed. That is before this Assembly because of a letter which you, Sir, read out this morning which attracted some mirth from both sides of the Assembly. I must note that the greatest mirth in respect of what happened this morning came from the opposition benches, the same side of the Assembly, Sir, which put forward the proposition to you. The sorry and sad saga of incompetence from the opposition does not stop with the mere misdating of this letter. We had distributed to us yesterday afternoon ...

Mr Leo: You complain if you don't get enough notice and you complain if you get too much.

Mr ROBERTSON: Mr Speaker, I do appreciate the advance and additional notice given by the opposition in respect of this matter. I think it was commendable. Nonetheless, we quite often have from the opposition a careless and slack approach to matters presented to this Assembly.

Yesterday afternoon, prior to this letter, we had an extraordinary document circulated by the Leader of the Opposition. It was signed by him, unless he has a very competent forger within his staff. That letter proposed to you, Sir, that he move that this Assembly debate a matter of definite public importance. Notwithstanding the way he lectures us on procedure, the Leader of the Opposition

does not have the slightest idea of Standing Orders. Following that, we had this spectacle of another member of the opposition, the actual spokesman, who was unable to read a calendar.

The wording of the matter of public importance is: 'The government's failure to develop a policy for the racing industry that secures that industry's long-term viability' - no one argues with that - 'guarantees the best possible return to the racing public' - that is laudable in itself - 'and contributes adequately to the public welfare'. What did we hear this morning from the opposition spokesman but words to this effect: 'How dare the government even contemplate or suggest that corruption in the Northern Territory Police Force could occur'. If we are talking about what is in the interests of the public welfare, clearly the status and the integrity of our Northern Territory Police Force must be of paramount relevance.

The member for Nhulunbuy suggests that it is a fanciful danger. This side of the Assembly has never confined its concerns in relation to the side effects of TABs to the Police Force. Like every honourable member here, I am proud, as a member of the Northern Territory public and of this Assembly, of the impeccable record of our Northern Territory Police Force. To my knowledge, there has never been corruption within the Police Force. It is a fine and enviable record and one that must be jealously guarded. It is that to which this government, among the many considerations in an issue such as this, must address itself. It must not take the attitude of the ostrich from the Gove Peninsula but must weigh the issue and its important effect on the welfare of the community along with all the other issues.

We have heard from the opposition and from some elements of the media that an accusation which can be levelled at this government is that it is concerned with development at all costs. Mr Speaker, we have seen an uglier concept raised here this morning: the raising of revenue at all costs. It gives no consideration to the spin-off effects on a whole range of government agencies, semi-government agencies, our Police Force, our law enforcement agencies and so on. I do not know what the honourable members opposite have been doing for the last year but certainly they have not been reading newspapers, watching television or checking debates from other parliaments. Indeed, I suggest that they probably have not listened to what has been going on here either.

Mr Speaker, there are a number of undeniable facts in this matter. Let us look at the record of this government in relation to the racing, gaming and betting industry generally. This government was the first mainland government in this country to legalise casinos and that was done after very careful and detailed analysis not only of the revenue effect of casino operations in the Northern Territory - which is clearly the sole consideration of members of the Australian Labor Party opposite - but of the social impact as well. This government went to the trouble of extensive and prolonged research and consultation with people from every welfare agency in Tasmania from the Salvation Army to the refuges. It was a detailed, thorough and careful study of possible adverse effects. Having been satisfied on that, this government then introduced casinos in a carefully controlled situation.

Some time later, we examined the possibility of the introduction of poker machines under strict controls and within a gambling environment. We went through the same exercise of careful analysis not only - as the opposition would have us do - solely directed to the revenue aspects of the matter but, more importantly, to the public welfare. Having decided that there was minimum risk to the community concern, this government then brought in poker machines in casinos - in a controlled environment.

Why would a government that has done those 2 things show such reluctance and trepidation about stepping into the minefield called TAB? The information currently before this nation and before the western world clearly indicates that the concern of this government as to the effect of that course of action is eminently warranted. We have all heard of the Costigan Commission. We have all heard of the commissions of inquiry into racing and gaming conducted by such eminent people as the Hon Francis Xavier Connor in Victoria. It seems to me that, while this government takes cognisance of all the advice and words issued by those pre-eminent gentlemen, that passes completely the notice of the opposition in its mad quest for revenue. Nothing seems to matter as long as it can tax to the limit and as long as it can rake off to the limit and extract every shekel possible. To hell with the welfare of the public.

Let us look at what has been written recently in relation to this matter. Let us look at some facts before we do that. The irrefutable facts in relation to TAB are as follows. To deny a connection between TAB and SP bookmaking is to be blind to reality. To deny that there is a direct connection between SP bookmaking and organised crime, I would suggest, is not just to be blind to reality but to be a blind fool. There is no evidence to refute that proposition. There is every evidence to support it. There is ample history, internationally and within this country, to indicate that the growth and revenue base of organised crime is connected with corruption in government and semi-government agencies. That is for everything from taxation, departments of law, the police, to the justice system itself. It has been established without question in this country that TAB leads to a growth in organised crime which in turn leads to further revenue for organised crime which in turn, if it does not corrupt the Police Force and government agencies, without doubt puts pressure on them.

We are not saying on this side of the Assembly, as a result of the inquiry that has come forward, that these conclusions are necessarily totally and irrefutably valid for the Northern Territory. That is one of the purposes of setting up the inquiry. It is not only to examine the revenue aspects of the advent of TAB into the Northern Territory but its social welfare aspects as well. To substantiate what I say, we commonly rely in this place upon reputable journals, including the Northern Territory News which I am told is a very good guide to public opinion. But let me quote from the Australian Business Review of 27 July 1983:

> *Most businesses at one time or another have enjoyed the frustration of delays in having telephones connected or transferred. Not so the illicit world of organised crime. Telecom, Australia's largest government instrumentality, apparently reserves its most favoured treatment for the shadowy network of illegal bookmaking.*

I do not agree with this article when it accuses Telecom. There are minority elements within it which are probably to blame.

> *As quick as police raid illegal bookmaking syndicates, they mushroom again in another location, and often with banks of telephones installed within 24 hours. Despite public exposure and official scrutiny, the Telecom connection facilities to illegal bookmaking continue.*

Mr Speaker, I quote from Mr Len Hopkinson, the New South Wales President of Telecom Line Staff Council: 'A full presentation of material to the public would make the Costigan Royal Commission inquiring into the Painters and Dockers Union look like an afternoon tea party'. So we are not just concerned about the remote possibility of influencing our Northern Territory Police Force, a police force

of which we are all very proud. Nonetheless, it is creeping down into all the other agencies. We have all heard during the course of the Costigan inquiry that it has infiltrated the ranks of legal officers and taxation officers and that funding for it has been partially through TAB.

The article goes on to say: 'Far from the public image of a friendly neighbourhood SP operator in pubs, the turnover from illegal bookmaking' - - this is in states which exclusively operate TAB systems and not a mix of that and private betting shops - 'amounts to $4000m a year'. In Victoria it is estimated at $1000m and in New South Wales at $1800m. The rest is split between the remaining states.

Of course, the police have this area under investigation. They are the principal people who are concerned in it. The retired New South Wales Police Superintendent, Merv Beck, is quoted as saying: 'Control telephones and you just about control SP betting'. I am just using this to illustrate that it is not only the police whom we are talking about; it is the effect right through the fabric of society.

Mr Speaker, at the Crimes Commission meeting I met not only Mr Costigan QC but a very eminent judge, the Hon F.X. Connor. He had this to say: 'Telecom vis-a-vis illegal bookmaking is profoundly disturbing. A likely explanation of how this happens is the substantial bribes being paid to Telecom employees up to a high rank to ensure that the activities of technicians in the exchanges who do the jobs are overlooked'.

We then turn to the other area of communication, Australia Post. The article goes on: 'Two Australian Post supervisors, a mail sorter and 4 other employees have also been nominated as being involved in a racket'. I will not go on with the next bit because it discloses the name in a certain context of the party opposite and I do not think that that is necessarily helpful here.

Mr Speaker, what this government is doing in referring the whole of this issue to an inquiry, to a panel which is as balanced as we could possibly make it, is to examine what is apparently the rabid urge of the opposition - the need for revenue - and the very meaning and spirit of the words of the matter of public importance before us; that is, the welfare of the public. If it can be demonstrated by this inquiry - notwithstanding all the international experience, and indeed Australian experience, of the mechanisms and catalysts associated with SP bookmaking which trigger off organised crime - that a mechanism can be developed in the Northern Territory to return the maximum monetary benefits to the people of the Northern Territory and still achieve the maximum security for their general welfare, then this government would go along with such a proposition.

We have not blundered into it, as the Labor Party clearly would have us do, without any consideration of other welfare and social issues. This government is going about a careful and quiet analysis of the real issues involved in this area, not just the dollars and cents but those issues which will vitally affect generations of all Northern Territorians and not just people who want to go to the races, vets, horse owners, feed suppliers and drug suppliers. We will consider the effect on the welfare of the community generally.

LAW REFORM (MISCELLANEOUS PROVISIONS) AMENDMENT BILL
(Serial 310)

Bill presented and read a first time.

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

This bill seeks to amend the Law Reform (Miscellaneous Provisions) Act. This act incorporates sundry amendments to the law of torts. The need for this present amendment arises because there are some doubts as to an employee's position when he commits a wrongful or tortious act in the course of his employment and the employer is sued by a person injured by the employee's wrongful act. The common law seems to provide that, if the employer required it, the employee would have to reimburse him or, more likely, the employer's insurer, for any damages paid to the victim. Clearly, this is an iniquitous situation and it has been criticised by judges and legal authorities alike. Very few employees could afford to pay back a large sum in damages and, in fact, most employers would have taken out insurance in the reasonable belief that it would cover their employees' tortious acts. In South Australia and New South Wales, this has already been done. I think the Territory should follow suit, though I believe that insurance companies may not have made a practice of requiring a tortious worker to indemnify them. However, as the law stands, they could do so at any time. This legislation would forestall this by stating that, in such a situation, the employee would not have to remiburse the employer.

Mr Speaker, clause 2 establishes the general principle previously outlined and seeks to obviate a situation where 2 insurance companies could enter into an argument over which was to pay the victim by providing that, if an employee is otherwise indemnified, the bill does not apply. If the employee's insurance covers the matter, the employer's insurer will not be required to pay. Clause 2 also provides an exception to this rule where the employee committed an act of serious or wilful or gross misconduct. In such circumstances, the employee who commits such a serious act is not protected and, I submit, does not deserve protection.

Clause 3 provides that this bill positively relates to all torts, whether committed before or after the act commences but, if an employee had previously indemnified the employer, he would not be entitled to back pay. Such a matter would be administratively impracticable and almost certainly would be impossible to enforce.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

SUPREME COURT AMENDMENT BILL
(Serial 354)

Bill presented and read a first time.

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

This bill seeks to amend section 87 of the Supreme Court Act to allow the Administrator to make regulations setting a fee the Master may charge for taxing a bill of costs. The Master taxes a bill of costs by reviewing the bill presented, particularly checking the value of each item, and whether it is reasonable in the light of fee scales. It can be a time-consuming task. This amendment will enable a fee to be imposed at an appropriate time in the future. This will bring the Territory into line with other jurisdictions which impose a fee and enable the Territory to be compensated for the value of time spent by the Master or Deputy Master in the performance of the service.

Debate adjourned.

FISH AND FISHERIES AMENDMENT BILL
(Serial 355)

Bill presented and read a first time.

Mr TUXWORTH (Primary Production): Mr Speaker, I move that the bill be now read a second time.

Mr Speaker, currently the Fish and Fisheries Act of 1979 makes no provision for the declaration of restrictions on the type or amount of gear which may be used for the taking of fish. This bill will provide legislation for the Northern Territory which complements the Commonwealth Fisheries Act of 1952. In light of the heavy exploitation of some of the Northern Territory's fish resources, it is necessary to be able to restrict the effort in the fishery in line with current management plans and practice operating both in the Northern Territory and Commonwealth waters adjacent to our shores.

Mr Speaker, the amendment to the Fish and Fisheries Act will enable the Fisheries Division of the Department of Primary Production to manage the fish resource more effectively. At present, under the Fish and Fisheries Act, no provision exists requiring the Director of Fisheries to maintain a register of licences and fishing vessel registrations. Clause 4 makes provision for such a register to be maintained and for judicial notice to be taken of the register by any court. Similar legislation applies in the Motor Vehicles Act relating to drivers' licences and vehicle registration.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

ADOPTION OF CHILDREN AMENDMENT BILL
(Serial 327)

Bill presented and read a first time.

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

This bill amends the Adoption of Children Act to give recognition to Aboriginal tribal marriages for adoption purposes. It has been the practice in the Northern Territory to place Aboriginal children with Aboriginal

adoptive parents. This practice has been carried out within the framework of the Aboriginal kinship system. The amendment will provide for a proper legal framework for this practice and allow several adoption rules, which have been pending for some time, to be finalised. Under the amended legislation, an Aboriginal couple whose relationship is recognised as a traditional marriage by the community or group to which either Aboriginal belongs will be entitled to the same adoption rights as a man and woman whose marriage has been celebrated within the civil legislation.

Mr Speaker, it is worth noting that the Northern Territory already leads the rest of Australia in the recognition of Aboriginal tribal marriages for the purposes of Territory law. This will be another important advancement in this direction. I commend the bill to honourable members.

Debate adjourned.

SUPERANNUATION BILL
(Serial 246)

Continued from 1 September 1982.

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, I seek leave to withdraw this bill.

Mr Speaker, I seem to recall making a statement in a previous sittings that, at this stage, the government would not be proceeding with this legislation. The uncertainty in the area of superannuation has contributed to this as well as difficulties encountered in concluding negotiations with representatives of the employee organisations. The federal government has mooted abroad the prospect of a national superannuation scheme. Whilst the government certainly wants to accommodate the different - I will not say peculiar - requirements of NTEC employees and police who are in a different situation to the broad spectrum of public service employees, at this stage, we propose to withdraw this bill. The vast bulk of the Northern Territory Public Service will continue to be covered by the Commonwealth Public Service superannuation scheme to which their contributions will go. We hope that the 16% of the present coverage of the scheme that is composed of NTEC and the police will be able to have their own particular areas catered for as a result of submissions that the employee organisations and myself and Treasury and public service officials made to the Finance Minister, Mr John Dawkins, in Canberra last week. I will undertake to keep the Assembly informed on further developments in relation to the provident fund for NTEC and special arrangements for the Police Force. I seek leave to withdraw the bill.

Leave granted; bill withdrawn.

STOCK DISEASES AMENDMENT BILL
(Serial 309)

Continued from 25 August 1983.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the bill introduces a system of 8 gradings for the classification of a holding in respect of any prescribed diseases. In introducing this bill, the minister indicated that this is the most efficient means of establishing disease status. The opposition supports any effort to achieve this and hopes that the new system will be successful. On the face of it, it will at least provide greater flexibility than the existing system. In addition, it appears that classification will be more thorough. Responsibility for establishing status will now be with the Chief Inspector of Stock.

Mr Speaker, on the minister's own admission, the current system was too casual. The opposition welcomes any moves aimed at improving what is for many pastoralists a very vexing situation. We will watch with interest to see how quickly the new system is implemented.

Mrs PADGHAM-PURICH (Tiwi); Mr Speaker, I support this bill wholeheartedly. I think that it tightens up disease controls not only in relation to BTB eradication but also other diseases that may occur in the Territory in the future.

The present situation is outlined in clause 27(1). Properties that have undertaken to be part of the BTB eradication program have received a certain classification depending on whether they have had their cattle tested, they are free from disease, they have to undergo more tests etc. This legislation seeks to add greater strength to that situation. I wholeheartedly support it.

It is worth mentioning that the definition of 'holding' or 'part of holding' has been extended. With the BTB eradication program, large holdings may try to free areas from the diseases from the start. That is done by fencing off parts of the property. Thus, some parts of a large property could be free of the diseases or have a disease classification that is different from other parts of the same property.

When I was considering proposed new part V, disease status of holdings, what sprang to my mind immediately was the incident that occurred in my electorate at Humpty Doo. There was a disease outbreak in pigs on a certain property. This could have been a major concern to primary industry in the Northern Territory. It was subsequently discovered that the disease was not of great concern. However, this legislation will go some way towards controlling any future outbreak of exotic diseases.

Clause 7 allows a bit more discretion for the chief inspector. The principal legislation says that any milk or cream obtained from a cow that is infected cannot be sold. This amendment allows the chief inspector some discretion and room to manoeuvre. He will consider all aspects of the situation. I heartily applaud this. If the rules are very black and white, hardship often results for farmers or pastoralists and for other people in the community. The chief inspector can consider all aspects of the particular case and make a decision which best fits in with disease control and public health considerations. I support the legislation.

Motion agreed; bill read a second time.

Mr TUXWORTH (Primary Production)(by leave): Mr Speaker, I move that

the bill be now read a third time.

Motion agreed to; bill read a third time.

ARCHITECTS AMENDMENT BILL
(Serial 349)

Continued from 24 August 1983.

Mr SMITH (Millner): Mr Speaker, this bill provides for the registration of individuals as architects and the registration of architectural partnerships and companies. It states that, for a partnership to be registered, not less than two-thirds of the partners must be architects and, for a company to be registered, not less than two-thirds of the directors must be architects and hold between them not less than two-thirds of the total voting rights for all directors. As well, there is a requirement that one of the directors, who must be an architect, must exercise personal supervision of the management of that particular company. There are also new provisions concerning dissolution and deregistration of the partnership or company. With enactment of this legislation, only architects will be able to use the name 'architect'.

The opposition supports the bill. Three reservations have been expressed by the industry. There is some concern that the bill will allow registration as an architect to anybody either inside Australia or outside Australia. It has been suggested that perhaps it should be a requirement that an architect seeking registration in the Territory should be an Australian resident or should at least be required to attend personally at an interview for registration. I would appreciate the comments of the minister on that particular point.

The second reservation has more substance. There is some concern that 2-person partnerships would no longer be possible, The disadvantage is that there are a number of 2-person partnerships in the Northern Territory at present. The scale of the Territory and the size of its towns, particularly the smaller towns, would tend to encourage small partnerships, like 2-person partnerships, to be set up. I think it would be sensible if an amendment were proposed. I understand an amendment is proposed along those lines to allow 2-person partnerships. When it comes to the appropriate time, I will certainly indicate our support for that.

The third comment that was passed on to me from architects is their concern that, on the dissolution of a company on the death of one of the partners, the provisions are not tight enough at this stage to prevent the live partner making off with all the goodies that are left in the partnership. I do not agree with that on my reading of the bill but perhaps the minister may wish to comment on that as well, With those comments, I indicate once again the opposition's support for the bill.

Mr EVERINGHAM (Chief Minister): Mr Speaker, as the honourable member for Millner so rightly observed, there is an amendment proposed in relation to 2-director or 2-shareholder companies. I just cannot recall the exact details.

As to the other point about the surviving director or directors making off with all the bickies, it would be possible. However, a consequence of that obviously would be criminal charges. This must be read in conjunction with the provisions of the Companies Act and also the memorandum and articles of association of the company. Just speaking in a general sense, the assets of the company and the funds of the company would belong to the shareholders as stipulated in the memorandum or articles. I do not really think that we should legislate to attempt to cover the situation suggested by the honourable member because it is the case in every private company. If, for example, in a 4-director company, one of the directors dies, and presuming all the directors are shareholders and their families are shareholders, and the deceased's family is the beneficiary of the deceased director, then the surviving directors, having the immediate control of the assets and funds of the company, could make off with them. But normal behaviour is that they do not and that the shares are transmitted upon death to the beneficiaries of the deceased shareholder. I think that this situation is more likely to prevail amongst architectural practices than elsewhere because architects have more to lose than most by committing a criminal offence because, as well as the normal penalties, they would face loss of their livelihood through loss of their architect's certificate.

In any event, this bill will do for architects only what is already done for lawyers and I think also for medical practitioners. There have not been any examples that I know of in either of those areas so I do not really think that we need worry too much about the architects.

Mr Speaker, aside from that, I have a number of amendments. I commend the bill to honourable members.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 5 agreed to.

Clause 6:

Mr EVERINGHAM: I move amendment 176.1.

Mr Chairman, by retaining the words 'such examination as is prescribed', it would necessitate the examination format and so on being part of the legislation and would thus be difficult to amend when occasion demanded. After considering comments on the bill, it has been agreed that the alternative of an approved examination would provide flexibility which would enable the board at any time to approve a change in the form of the examination.

Mr SMITH: Mr Chairman, I indicate our support for this particular clause. I think it is clear that the government has learned something from the Plumbers and Drainers Act. I am pleased that this amendment is made because it will give the board more flexibility.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 176.2

It is consequential upon 176.1.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 176.3.

Comment received on the bill indicates that a 2-director company may be disadvantaged by the conditions laid down in the proposed section 14B(1)(c). This means that both directors would have to be architects and would exclude the husband and wife company where, say, only the husband is the architect. Nevertheless, it is felt that the control of the company should be in the hands of the architect director. I would imagine this would be required for professional reasons.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clause 7 agreed to.

Clause 8:

Mr EVERINGHAM: I move amendment 176.4.

The word 'on' was overlooked when proof-reading the bill. It should be omitted.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9 agreed to.

Clause 10:

Mr EVERINGHAM: I move amendment 176.5.

Comments received indicate that there may be problems experienced as a result of the death of a partner which may not be resolvable within 60 days. It is felt that the board should be able to extend this period if requested to do so. Proposed new subsection (2A) will allow such application to be made but only within the 60-day period.

Amendment agreed to.

Clause 10, as amended, agreed to.

Clause 11 agreed to.

Clause 12:

Mr EVERINGHAM: I move amendment 176.7.

Mr Chairman, comment received on the bill suggests that the legislation should not force anyone to become a member of another institution. It is sufficient that he holds the necessary qualifications to be eligible for membership.

Amendment agreed to.

Clause 12, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

COMMUNITY WELFARE BILL
(Serial 351)

Continued from 1 September 1983.

Mrs O'NEIL (Fannie Bay): Mr Speaker, this Community Welfare Bill has been long awaited by members of the Assembly and the general public, particularly those interested in community welfare and, more particularly, child welfare. It follows upon the Welfare Needs Inquiry of the Northern Territory which was established by the Assembly a number of years ago. A considerable amount of work has gone into the legislation since that time. Undoubtedly, the repeal of the existing Social Welfare Ordinance is long overdue. The following are words of the Assembly's own inquiry:

> *We do not think it is necessary to review the legislation and suggest amendments to it. It is, in our view, based upon outmoded concepts. It does not express any overall policy. It is wholly remedial in its approach. It is quite inadequate to achieve the objects we pursue. It may have been a useful vehicle, when liberally interpreted, to enable limited concepts of welfare to be implemented but its emphasis being on persons who are socially or economically in need of assistance and providing relief from poverty and hunger or both misses the point. We recommend that it be repealed.*

It will be repealed, Mr Speaker, with the passage of this bill and the Juvenile Justice Bill.

There have been problems in the past in confusing the policy for and management of children in need of care, such as neglected children, with the policy relating to children who have committed offences against the criminal law. Honourable members would be aware that not very long ago in parts of Australia children who had committed no offence themselves but were the victims of neglect or offences against themselves were being charged in court with being neglected children or being in moral danger. Consequently, we in the opposition welcome the recognition that the Community Welfare Bill and the Juvenile Justice Bill emphasise - that, in some ways, these matters need to be considered separately. Of course, in considering the needs of children, there will always be matters in common.

The Community Welfare Bill, as has been observed by many people who have looked at it, is in fact a child welfare bill. I am happy to say it incorporates many changes from the draft bill circulated earlier this year, particularly many useful suggestions made to the government and opposition by the Australian Law Reform Commission. The bill provides for children up to the age of 18 years who are in need of care; that is, children who are abandoned or maltreated or very young children under the age of 10 who have been demonstrating criminal behaviour. I refer honourable members to subclauses 4(2) and (3) which contain lengthy definitions of children in need of care. They also cover the definition of 'maltreatment'. We believe that these comprehensive definitions cover the situations that the bill is intended to satisfy.

Within the bill is a provision for the establishemnt of child protection teams. These teams will consider issues relating to children who have been considered to have been in need of protection. The teams will consist of the

minister or his nominee, the head of the Department of Health, the Commissioner of Police and such other persons as the minister shall appoint.

Provisions are also incorporated requiring compulsory reporting of suspected cases of child abuse. Generally, these follow the provisions passed earlier in this Assembly which, of course, at that time received the support of all honourable members. There have been some discussions within the community as to whether these provisions which require all people to report suspected cases of child abuse are too onerous. We do not believe that they are too onerous. We support their incorporation in this bill.

It should be said that the bill does give considerable power to the minister and through him to his nominees in the community welfare area. If honourable members look at the bill, they will see that the minister is chairman of the child protection team. He decides if a child is in need of care and determines the action to be taken. The minister can refer such a matter to the Family Matters Court. Ultimately, he may end up with the guardianship of the child in question.

This concentration of power in the hands of one person is not necessarily desirable. The Australian Law Reform Commission prepared a most excellent report on child welfare legislation a couple of years ago. I commend it to honourable members interested in this area. The report commented on the question of the concentration of power in the hands of one person. I wish at this point to quote briefly from that report:

> *As a matter of principle, it is desirable that the decision to initiate care proceedings should be made by someone independent of those responsible for the delivery of welfare services. Checks and balances are necessary in any system which permits the exercise of coercive state powers. Desirable checks and balances would not exist in a system which permitted, for example, the Director of Welfare, to control the provision of informal welfare services, make the decision as to the initiation of court proceedings, furnish background reports and implement the court's orders. From the point of view of the welfare workers, there are also certain clear advantages in a system which requires the decision to initiate formal proceedings to be made by an independent official.*

The Law Reform Commission went on to refer to the possible establishment of an independent person, the youth advocate, which interestingly enough is based on a Scottish system. Therefore, I am sure, Mr Speaker, it will have your support. The Scottish Reporter is the name of the office in that part of the world. The youth advocate, in the recommendations of the Australian Law Reform Commission, would in fact undertake some of the functions which this bill gives the minister and also some of the functions which the child protection teams have under this legislation. I imagine that the minister's advisers have considered this as an option. I would be interested to hear his view on providing young people with an appropriately-qualified, independent person, who is separate from the minister, the department and the court, to protect the interests of children and to advise both the welfare authorities and the court as necessary.

The Family Matters Court is established under part VI of the bill. In most cases, it consists of a magistrate who is required to decide whether a child is in need of care. Under clause 32, there will be a restriction on persons attending the court. Under clause 33, there will be a restriction on publication of proceedings of matters heard in the court.

Another point which I believe should be noted is that the attendance of parents of children being dealt with in that court will be required unless the court is satisfied that it would be unreasonable to do so. There has been some discussion among various interested persons as to whether this provision should be in the bill. It is the view of the opposition that, on balance, it should be included. Nevertheless, certain people who have considerable experience in child welfare matters feel that, on some occasions, such compulsory requirements on the parents may only exacerbate problems that exist in relationships between the children and the parents. Nevertheless, the opposition believes that the provision should be retained, bearing in mind that the court can allow parents or guardians to be excused from attendance in certain circumstances.

The bill also allows for an appeal to the Supreme Court from decisions of the Family Matters Court. There are also provisions relating to children from another state who might require the care of the authorities. We believe that those provisions are most necessary. They also receive our support.

Part VIII of the bill relates to foster care and, in particular, the registration of foster parents. There is one matter here that I would like to ask the minister about. It has been strongly suggested to me that, in other parts of the world and indeed other parts of Australia, it is seen increasingly as necessary to provide some level of training for foster parents who take on the sometimes quite onerous responsibilities in this area. Not only do they need support once they have taken on those responsibilities but they also need some training so that their expectations in their role as foster parents are appropriate and their management of the child in their care is appropriate. Indeed, in some parts of the United States, such courses are compulsory. Certainly, I would hope to see in the Northern Territory some provisions to ensure that those persons taking on the responsibility of foster parents have been appropriately prepared for this most important function.

Part IX of the bill deals with Aboriginal child welfare. I think it must be said that recognition of the position of Aboriginal children and the need to recognise Aboriginal customary law and traditions with respect to children whose care needs to be considered by the community welfare system is a most welcome step. It is well known that, in the past, the application of European values to care of Aboriginal children has caused a great deal of hardship and unhappiness to those children, to the Aboriginal families and to Aboriginal people generally. The fact that this bill makes special reference to the manner in which Aboriginal children should be dealt with under the act is very much welcomed. There is reference to agreements with community government councils and other Aboriginal organisations regarding the care of children.

Aboriginal child-care agencies have been discussed throughout Australia and, in fact, some have been established. However, this trend is in its infancy in the Northern Territory. I would like to think that the wording of legislation takes into account the fact that it is early days in the formation of Aboriginal child-care agencies. Nevertheless, this matter is occupying the minds of a number of people at the moment. Indeed, it will be discussed at a seminar to be held in Darwin this Friday on community-based services for children and families.

The seminar will be conducted by the Institute of Family Studies, a highly respected, government-established organisation. I think this is the first seminar it has held in the Northern Territory. Bearing in mind that some of the items that will be discussed at that seminar impinge directly on what is clearly the desire of the government as expressed in this bill - to involve Aboriginal communities in the care of children - it would be appropriate that the passage of this bill not be proceeded with until honourable members have a chance to hear of the results of the deliberations of that seminar.

Part X deals with the licensing of children's homes. There are also provisions relating to the operations of child-care centres and their registration. I believe there will be considerable interest in the regulations which will specify the ratio of child-care givers to children in care. There is much debate among people in the child-care industry as to what is an appropriate ratio, depending on the age of the children who are in care. There are also some limited provisions relating to restricting the employment of children.

Mr Speaker, the opposition supports the general principles of this bill. We will be proposing a number of amendments to it but these are not of such a significant nature as to suggest that the bill should not be supported.

Clause 13(3)(a) refers to a child in need of care being taken into custody. There is concern in certain sections of the community that, particularly in isolated places, a place of safety might turn out to be a police cell. Clearly, that is not a desirable situation to say the least. In order to address that concern - and one must admit that these things have happened in the past - we believe that the fact that the place of safety should not be a police cell needs to be specified in the legislation.

In relation to clause 22, we believe that it would be desirable for the child protection teams which will be established under the bill to be given express powers to report to the Family Matters Court. That is not specifically provided at the moment. It has been a recommendation of various people who have commented on the bill, including the Australian Law Reform Commission. We also suggest that, in relation to foster care, a provision should be inserted to allow for periodic review of foster-care cases as occurs in the existing clause 57 when children are under guardianship of the minister. We believe that a regular review provision would be desirable in foster-care cases.

There can be no doubt in anyone's mind that this bill is an infinite improvement on the provisions in the existing legislation. It is also a considerable improvement on the draft legislation relating to community welfare which was circulated earlier. The opposition supports it.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in supporting this legislation, I hope that common sense and ordinary community standards will prevail in its implementation. I can see great dangers in the legislation if it is applied only in consideration of the welfare of the children and not the welfare of the families also.

I am well aware that there are many children in the community who are not dealt with as children should be dealt with. Many children are not loved and cared for as children should be by loving parents who have their welfare at heart. It is very unfortunate that these children are with us, but they are. I know this legislation sets out to try to remedy the situation of those children. At the same time, if it is interpreted in certain ways, one could find reason to interfere unnecessarily in the private lives of families to the detriment of the parents and the children also. I hope that, in implementing this legislation, ordinary parental discipline will not come into dispute. Whether we like it or not, children have to be disciplined to take their place in the family and in the wider community. In this we are only following the usual ways of higher primates.

In considering the welfare of children, we must consider also the welfare of parents. When there is trouble in a family, if one is able to talk to the children and the parents, one usually obtains a fairer and more honest view of the situation by talking to the children. But, no matter how bad the parents

are, in most cases the children want to stay with the parents under certain conditions. It is usually the parents who want to get rid of the children, not the children who want to get rid of the parents. I think that, in any legislation, thought has to be given not only to conditioning a child to living a normal life in the community after an unfortunate experience but to somehow or other re-educating the family and the parents if there have been problems with parent control. Hand-in-hand with the welfare of the child, counselling of the parents must be considered so that the family unit can get together again if at all possible,

It is important to think of more than the one child and its welfare and future life as an adult in the community. That same family may have more children. If the parents are not counselled on certain good ways to follow, if they have been following bad ways in bringing up their children, they will only commit the same mistakes with future children. I see it as very important that parents in a family should be counselled. I do not think that much discretion should be left to this side of it. It should be a little bit more than voluntary; some coercion should be exercised on the parents to receive this counselling so that families can get together again for the benefit of the children.

Mr Speaker, the expectations of children and parents are different. Parents tend to see their children as reincarnations of themselves. If the parents have not achieved certain goals in their lives, they hope to achieve those goals through their children. If a parent has come from a family which was not blessed with material goods, often that parent will work very hard to make sure that his children have them. Equally, where a parent was unable to receive what he considers an adequate or good education, he will try to ensure that things are better for his children. The expectations of most parents are high.

The expectations of children are different. Children like their parents and are more prepared to accept their parents with the faults they have. It has been my experience that kids will often say they like their mother or their father with the faults they have and would rather stay with them than have no parents at all or be put somewhere else without their parents. I would hate this legislation to bring us to a Big Brother situation where government takes control of the family to the detriment of the family. Those of you who read the Bulletin must have read of parents in Sweden who, it could be said, kidnapped their children from the state and went to the United States to live with them. I do not know whether it was a child or children. They wanted some say in the way their child would be brought up. In their particular situation in Sweden at the time, they could see the state taking over the welfare and the upbringing of their child and they resented that. They went to a place where they could have some say in the raising of their child. Some people who bring children into the world - and I would like to think it is most people - do it with the conscientious view that it is a duty placed on them to bring up those children with all the love and care they can. Often, parents make mistakes but none of us is perfect. If we assume that the only way to raise a child is the perfect way, in an aseptic, government-controlled way, involving removal of the child from its parents and the child is given only what the state thinks is best for it, I think we will not end up with a very good member of the community because it will have been without the companionship of parents, brothers and sisters.

I appreciate the need to apply certain rules of confidence with regard especially to the reporting of maltreatment of children. This involves people who know the children are being maltreated - professional people, neighbours and people who work in the social welfare field. Nevertheless, I feel that, unless

the parents are notified and brought to task somehow, they will not be able to mend their ways if they have been maltreating a child. I do not want the legislation to give public servants guardianship in every case. The legislation states in several places that the minister takes responsibilities for different actions and different decisions that are made but we all know that the minister takes advice from senior public servants. Again, I must say that I want to see the parents brought into it and not public servants acting in loco parentis in isolation, with a narrow view of the child's welfare. The child comes into the world with 2 parents. Sometimes he has only one parent. If there are siblings, they must also be considered. Unless we consider the welfare of the parents, we cannot properly consider the welfare of the child.

In finishing my remarks, I would like to comment on the fact that, in one particular group in the community, there is always room for another child. Unfortunately, lots of people who bring people into the world do not look after them as they should. These children end up as wards of the state. This is a very unfortunate situation. But it has been my experience with part-Aboriginal friends that there is always room for another child in the family. If one child has been disadvantaged in any way, and something happens to the mother or the father, somebody always takes the child in and the child is always loved and cared for. I am speaking very generally. Unfortunately, this attitude does not prevail in the community. It is a pity. There are many people who would like children. I know these people offer themselves as foster parents. I agree that there should be some screening of foster parents but, generally, people who offer themselves to be foster parents have a genuine love for children. I only hope that this legislation will encourage those people to continue their work in fostering children. I hope this legislation works for the benefit of the whole community but especially for the benefit of the parents, the children and the families.

Mr DOOLAN (Victoria River): Mr Speaker, before commencing my speech, I would like to preface it with a very astute remark that the honourable member for Tiwi made: 'Kids do not really want to get rid of their parents; the parents want to get rid of their kids'. I believe that is a very pertinent remark.

It is very pleasing to note that this bill repeals the Child Welfare Act and the Social Worker Act of 1958 and 1964 respectively. As the minister remarked in his second-reading speech, both acts have been widely criticised as being totally outdated in their concept and operation. Those are sentiments with which I heartily concur. Again, I must agree with the minister's remarks in his second-reading speech:

> *The complex social and legal issues which come within the scope of this legislation have made it imperative that the government proceeds slowly so that the final product will be attuned to the present and future needs of a young and developing Territory.*

It is refreshing to note also that the fundamental intention of this bill is to support the institution of the family. I think that is particularly important. It will support the institution of the family, particularly in relation to its responsibility for the care of children and its severe restriction of the circumstances in which the state may interfere in the case of children and their families.

Reduction of the time children can be held in custody without further authority to 48 hours rather than the previous and barbaric period of 14 days is a most welcome change. The provision of greater security for a child who has been fostered when all hope of restoring him to his family has been lost is also

commendable. It gives children under the guardianship of welfare authorities and fostered to families the opportunity to belong to families who have been caring for them, sometimes right through their growing and their formative years. The proposed provisions will allow such permanent care situations to be given full legal status.

The honourable member for Nightcliff no doubt remembers clearly a most traumatic day which she herself, several other people and I spent some years ago. She was already a member of the Legislative Assembly and I was a welfare officer. We put in almost a whole day with a Mrs Athol Brown of Rapid Creek whose little foster daughter, Noela Bambiaga, had been spirited away; in fact, 'abducted' or even 'kidnapped' would not be too strong a word. No prior notice was given to the foster mother, Mrs Brown. As you might imagine, having reared this child from the time she was a little baby, she was terribly distraught. Under the act current at the time, this particular foster mother, Mrs Brown, had no redress because, despite the fact that fostering was a permanent-care situation, it had no legal status at all and certainly not full legal status as this bill proposes. I can only applaud that.

With regard to the minister's remarks on the history of welfare departments and the care of Aboriginal children, I have further comments to make later. Suffice it to say for now that it is most pleasing and welcome to note that at last something is to be done about the removing of Aboriginal children from their families and bringing them up in a European environment with little or no contact with their own people. It has been the situation existing for too many years under the old welfare act.

Clause 10 states: 'The Minister, an authorised person or a member of the Police Force may ... take the child into custody'. I cannot understand why we make specific mention of a member of the Police Force. Normally, he would have few or no qualifications to assess who are children in need of care, unless it is only common sense. He would not have any specific training. It would be different in a serious case where a child is obviously very badly maltreated and in need of protection. Mention is made of 'authorised person'. If specific mention must be made, why not specify a welfare officer? He would usually be better equipped than a policeman to assess the need of a child for care and protection. I feel that this clause is unfair to both the child and the police. If a young child is picked up by a policeman and taken into custody, it could lead to him looking at police as bogeymen for the rest of his life. As a result of their training, the welfare officers would be more suitable persons, perhaps assisted by the police if that were necessary. The same could be said of clause 13 relating to investigation of maltreatment.

I turn now to clause 14 which deals with the reporting of maltreatment. I believe that this clause could be open to a great deal of abuse, for instance, by neighbours who are unfriendly towards each other. I agree that it is the responsibility of any decent citizen to report a blatant case of an unfortunate child being maltreated. On the other hand, to impose a penalty of $500 for failure to report an apparent maltreatment of a child is going too far, depending of course on the degree of maltreatment suffered by the child. To grant almost total immunity from civil or criminal liability to the person reporting the offence and to treat such reporting as neither a breach of confidence nor of professional ethics leaves it even more open to abuse by unscrupulous and vindictive people. For instance, the specification that the person reporting must be acting in good faith hardly provides much protection to the person reported nor much opportunity even to explain his actions. A person giving some of his kids a thoroughly well-deserved smack on the backside for playing up could be reported by a neighbour who was not favourably disposed to him or perhaps by

a neighbour who was totally against corporal punishment of any kind. I am not speaking of a belting; I am speaking of a child getting a smack on the behind. It is possible for some person who was totally against any kind of corporal punishment to report this as maltreatment of a child when in fact it is not. If the kid knows that he has misbehaved, he might accept the fact that he is going to get a smack on the bum and the parent would not necessarily be maltreating him by doing so.

Clause 16, which details the procedure to be adopted by the minister on receiving a report under clauses 13 and 14, does not really mean much except that, as soon as practicable, the circumstances must be further investigated and the minister may take such action under this legislation as he thinks fit. I feel that 'as soon as practicable' should be replaced by 'immediately'. If 'as soon as practicable' is a fairly long time, an unfortunate child who really is being maltreated might be dead before any action is taken. Immediate action will also give the accused guardian of the child an immediate chance to defend himself should the charges be unsubstantiated.

I welcome this legislation because it is a refreshing change. Having worked under the old welfare act for many years, I feel that it is more than time for such legislation.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, the honourable member for Fannie Bay suggested that people who adopt or foster children should have some training. I might suggest that anybody who is going to have children should have some training. It is a fact that the world's most important job, that of bringing up children, is entrusted to rank amateurs.

I would like to pay tribute to the way in which this bill has been produced. A considerable amount of time has been taken over it. Everybody realises that it is a difficult area. A tremendous amount of consultation has gone into it. The community has been involved as much as possible and it is very pleasing to know that its input has been noted and acted upon. I am certainly much happier with the bill than with the draft that was circulated. It has been improved in many ways.

The key intention of the bill is to give every support possible to the family. That is an attitude which I applaud and I hope this message is taken very seriously indeed by all workers in the field. The aim is to mend family relationships where they are broken and not to drive a wedge between them. No doubt, some well-intentioned welfare workers who have intended to do great good have actually done a great deal of harm. I will give an example but state, at the outset, that the story was told to me by only one party in this matter.

A mother came to see me. She was absolutely shattered by a situation which she and her family found themselves in. She described to me how her husband and her oldest daughter - it was a reasonably large family - had an excellent relationship. This was demonstrated by the fact that, when the father took the daughter to one of the local schools, it seemed quite natural for the daughter to kiss him goodbye. Not everybody does that sort of thing; some families do and some do not. The mother told me that one day the teacher of this child saw this happen and very cruelly ridiculed the child before the class. That tended to cause a breakdown in the relationship.

The child got into bad company at one stage. She said to the parents that she wanted to stay with a friend overnight. By accident, the parents had cause to ring and found out that the daughter was not at that particular house. After a frantic hunt, they discovered the child at another house. She was in a drunken

state in the company of other juveniles. The parents took the child home. The father gave the child a hiding for lying and being drunk. I think that any parent who had a reasonable concern for the child would think that discipline was necessary at that stage.

That could have been the end of the matter. In time, those wounds would have healed and the child would have settled down. However, at that stage, a welfare worker became involved and virtually drove a wedge between the child and the father. The welfare worker took the child aside and did not attempt to go to the parents to try to effect a reconciliation. The child was even encouraged to run away from home. The child eventually got into very serious moral trouble which left a scar for the rest of her life. The family was broken almost beyond repair.

This is a one-sided story. I tried to check out certain details with the department but did not get very far. I cannot make a judgment on it without being subjective. This was the view of a parent who was very concerned for the child and so was the father. I hope that people involved in welfare will take to heart the spirit of this bill. The support of the family is the key issue in this whole matter. One would desire that welfare workers should themselves be parents to bring a touch of reality to the work they do.

I would strongly support the member for Tiwi when she mentioned that a bad family is possibly better than no family. Strange as it may seem, a family life which many of us would deplore, is still preferred by some kids to no family at all. They would rather be with their parents than taken away. I believe that family conditioning is very strong. We must be careful about taking children away from the family. That is why this bill has my full support. The bill will support the family in many ways. If there are problems at home - financial problems or bad-tempered parents - various pressures can be applied. It is all in the interests of trying to keep children with their parents. The removal of a child from its parents is the very last resort.

The honourable member for Tiwi mentioned a certain case in Sweden which was reported in the Bulletin of 18 February. It was a rather interesting case. I would have liked to have heard the authority's point of view. A Swedish couple fled with their 18-month-old child to the United States, leaving behind their property in Sweden. They had been in the habit of leaving the child in a care situation while they were at work. On the pretext of the father not having enough eye contact, the Swedish authorities were going to take the child from the parents. It does not make a great deal of sense to me. The report also stated that large numbers of children are taken away from parents. In Sweden, once a child has been taken away from its parents, there is no way the parents can find where the child has gone. It is highly out of proportion to other countries. It reported another case where one set of foster parents were looking after 4 children for the state and were reaping something like $54 000 a year for that difficult task. It is a one-sided story. That is the very worst that could happen to those children and it is no way for any civilised state to operate.

I note that the requirement to report child abuse in good faith is still in the bill. That is fair enough. I think the emphasis there must be on 'good faith'. I believe it is better to check things out. I agree with the honourable member for Victoria River. Different parents have different views on the way they should discipline their children. These things will have to be taken into account, as should the wishes of the child.

I agree also that 48 hours should be the maximum period of custody of a child. It is better than the 14 days which existed previously.

I welcome the idea of a child protection team. Several heads can make a better judgment than one. The idea is to coordinate welfare, police and health officers to effectively respond to the maltreatment of children.

The Family Matters Court, according to the minister, is to protect children but with the least disruption to family relationships. The Family Matters Court could direct parents to enter joint guardianship with the minister. The court could decide who should have custody. This is an intermediate step for when a parent-child relationship has broken down and it is considered that there is a chance that it can be repaired again. The last course of action, which we hope is used rarely, is the complete removal from the parents. It would be used when there is no hope of reconciliation and it is in the interests of a child to institute care arrangements such as guardianship.

In respect to guardianship, the existing situation is that a child who is a ward of the state cannot belong to a guardian. This will be changed. There are degrees of guardianship. Children are not goods and chattels, that is for sure. I know of one couple in Alice Springs who have fostered a number of children. I know them very well. In fact, the other day I had to write out a reference for them so that they could have full control of the children. The children have been saying: 'Don't you love us enough to want to be our guardians?' The parents had to explain that the legal process is very long and involved and that they were doing the best they could. These guardians will have the full legal status of parents and I welcome that in this bill.

I am also pleased that there was special mention of Aboriginal children and welfare policy. In South Australia, European people with the best of intentions would suddenly appear with an Aboriginal child whom they had fostered. In many cases, it did not work out too well. There were some very notable exceptions. But there were many problems. One very good friend of mine, an Aboriginal about 50 years of age, told me of a shock that he had. His first girlfriend turned out to be his sister. That left a scar upon him. It was very unfortunate.

Support by the family applies to all Territorians. As my friend, the member for Tiwi, has said, we could learn a lot from the Aboriginal extended family system where children have more than parents to call on for assistance.

There are checks and balances in this bill. The system must be accountable. The state is limited in its power. I welcome that. I am also pleased that decisive action can be taken in the best interests of children. I am very keen to see how this legislation works in practice.

Debate adjourned.

JUVENILE JUSTICE BILL
(Serial 352)

Continued from 1 September 1983.

Mrs O'NEIL (Fannie Bay): Mr Speaker, this is the companion bill to the Community Welfare Bill which we have just been discussing. It deals with the investigation of alleged offences by juveniles, the establishment of the Juvenile Court and court procedures therein and the punishment or disposition of juvenile offenders. It is a much more contentious piece of legislation than the Community Welfare Bill. Certainly, it has aroused much more comment from interested parties. In my view, it needs considerably more thought before it is ready for passage. The opposition will be opposing it in its present form.

The bill defines 'juvenile' as being a person under the age of 17 years. This is inconsistent with the Community Welfare Bill which we have just discussed, a companion bill in many ways, which defines a 'juvenile' as being 18 years. Also, it is inconsistent with other legislation in our community which regards the age of majority as 18 years. Of course, it is a subjective decision that an offender should be considered adult and take the consequences of his or her actions as an adult. Since it is subjective, I believe it is more important that we should try to write the law with some consistency so that it is not seen to be simply idiosyncratic. Bearing this in mind, the opposition feels very strongly that the Juvenile Justice Bill should cover children up to the age of 18, as the other legislation does. Certainly, we oppose the definition of 'juvenile' as being under the age of 17 years.

Part III of the bill establishes the Juvenile Court and a Juvenile Justice Review Committee. The Juvenile Justice Review Committee will have the task of studying issues related to juvenile offenders. The composition of this committee is interesting in that it consists of the Chief Magistrate, the Attorney-General, the minister, the Commissioner of Police, the Minister for Education, plus some other members. Once again, as with the earlier bill, it is a committee very heavily dominated by 'heavies' in the governmental system. I believe some people will have reservations about the composition of that committee because of that.

The Juvenile Court established under the bill will be, in most circumstances, a magistrates court. Of course, that is the situation which exists currently with the Children's Court in the Northern Territory. I have been asked, and now ask the minister, why the government has chosen to move away from the term 'children' and refer to 'juvenile justice' and 'juvenile court'. Obviously, there is some reason for this and perhaps the minister would care to address it in his reply. One obvious thing which must be said when we discuss the establishment of this court is that, in other places in Australia, there are non-judicial systems for dealing with juvenile offenders. I refer, of course, to the children's aid panels in South Australia and Western Australia. I believe it to be necessary for this Assembly to note that the Welfare Needs Inquiry, which was established by the Assembly some years ago, recommended that a similar system be established in the Northern Territory.

I referred earlier to the Australian Law Reform Commission's report and, having considered a similar matter, the Australian Law Reform Commission came down against children's or juvenile aid panels, believing that essentially the disposition of offenders was a judicial matter which could best be undertaken by magistrates or judges and that, from the social welfare point of view, they should be advised as to the welfare needs of the children concerned but that the decision should ultimately lie with the court. Nevertheless, bearing in mind that the Assembly's inquiry recommended a juvenile aid penal, I believe that there are members of the Assembly who would be interested to know of the government's reasons for rejecting the recommendation and persisting with the concept of juvenile or children's courts. It could be that the government has felt that the operation of panels in the Northern Territory would be a cumbersome matter involving several people rather than a single magistrate travelling to isolated places around the Territory. It could be that the government simply felt that the magistrates who do the job at the moment have the confidence of the community in the way in which they handle children's courts matters and are perhaps closer to the views of the community in these matters than are magistrates in larger and more populous communities. Nevertheless, this is an issue which some honourable members and others in the community feel should be considered.

I would like to refer again to this concept of a youth advocate. If we are to have juvenile courts - which on balance I support - where decisions are made by magistrates who are not trained in the welfare area, then it would be particularly useful to have an independent person to consider the interests of the child concerned and to advise the court accordingly. That would be another function of a youth advocate as envisaged by the Australian Law Reform Commission.

One aspect of the operations of these proposed courts which has aroused much discussion is whether the courts should be open or closed and whether there should be a restriction on the publication of proceedings or otherwise. There are strongly-held and genuine views on both sides of this issue. There are those who say that courts need to be open as a civil right available to all members of the community so that children's courts or other courts do not develop into Star Chamber-type procedures and that rights of the defendants are protected. There are others who hold equally if not more strongly the view that courts dealing with children need to be closed because it can be quite devastating for a child to have the situation exposed to public gaze. In certain cases, it can be demonstrated that such publicity mars the child's chances for recovery in a social sense. Generally speaking, the provision in this bill is the reverse of the position in the children's court at the moment. These proceedings in the juvenile court will be open unless the magistrate determines otherwise.

Similarly, under the next clause, there is a provision for the magistrate to restrict the publication of proceedings. Bearing these conflicting advices in mind and thinking of the interest of the children who end up in the children's court, the opposition has decided that some compromise needs to be reached in this issue. We would propose an amendment so that the first appearance of a child before a juvenile court should not be in open court and the child at the time should have the benefit of the proceedings being comparatively private. Should the child then reoffend, such protection would be lost and proceedings would be in open court unless the magistrate determined otherwise. The opposition intends to introduce amendments to that effect. Of course, one must also bear in mind that, in some parts of the Northern Territory, the concept of a closed court is fairly artificial because, in some communities, most people tend to know what is going on anyway.

There are provisions in the bill covering interference with juveniles by members of the Police Force when it is suspected that an offence has been committed. The conditions laid down are designed to ensure that the juvenile will have the benefit of the presence of an independent, adult person, preferably a parent or relative. It is curious to note that these protections for children being interviewed by members of the Police Force only apply when more serious offences are being considered - that is, an offence which, if committed by an adult, is punishable by imprisonment for 12 months or longer. The opposition can see no reason for restricting these otherwise excellent provisions relating to interview procedures to these circumstances, and believes that they should apply to all circumstances in which police interview a juvenile in relation to an offence. We will be moving an amendment accordingly.

Clause 32 relates to the detention of juveniles who have been charged with an offence and not admitted to jail. This addresses a point which is covered also by clause 54 and it is appropriate to discuss it now. It is the possibility of allowing full imprisonment of certain juveniles. Clause 32 will allow for detention of juveniles in a detention centre or other place approved by the minister. Clearly, under clause 22, it is possible that juveniles could be detained in jail. The opposition strongly opposes this idea and will be seeking to amend that clause to ensure that juveniles cannot be held in a jail. I

believe there is a curious anomaly in clause 32 in that, in subclause (5), a provision appears to ensure that detained juveniles, travelling from place to place, are to be kept apart from non-juveniles. However, similar protection does not apply to juveniles who have been detained in that 'other place' which could be a jail. Clearly, it is absolutely imperative that, if juveniles are being detained in a jail - and we do not support that at all - they should be held separately from adult prisoners.

Mr Speaker, there is ample evidence to suggest that young persons who are exposed to prison life, rather than being rehabilitated or starting a new life as a result of that experience, are in fact corrupted by it. It is for this reason that the opposition feels so strongly that impressionable young people should not in any circumstances end up in jail. The provisions of subclause 54(9) allow for imprisonment of children of 15 years and over for periods of up to 6 months and we will be opposing this with the utmost vigour. However, I say to the government that, if it persistswith its view that some provision needs to be allowed for children to be held in jail, it should look at the provisions of the South Australian legislation on this point. I understand that that legislation allows for the Attorney-General of the state to apply to the Supreme Court in circumstances in which he believes there is no option but to hold a juvenile in a prison. We believe that compromise might be acceptable to the government. There could be a situation where a very violent and intractable prisoner is under the age of 17 or 18 and the authorities might feel they have absolutely no option but to transfer that person to a jail. This is something that should only happen in the most extreme circumstances. As I said, these provisions apply in South Australia and give that responsibility to the Supreme Court at the request of the Attorney-General.

The Northern Territory's record on the question of imprisonment of juveniles is not good. When one is dealing with small numbers, statistics can be misleading but, nevertheless, the trend in the Northern Territory is clear. Perhaps it could be said that, because of the lack of juvenile detention centres and alternative facilities, apparently a much greater percentage of our younger population has ended up in jail in the past than happens in other places today. Certainly, the trend should change as soon as possible so that we have not only fewer people in jail but no juveniles in jail at all.

Clause 33 relates to juveniles being brought promptly before a court and there is a curious change from the draft legislation on this matter. The draft legislation ensured that a juvenile who is not released from custody should be brought before a court within 4 days. This has been expanded in the bill to 7 days and the opposition believes that 4 days was an adequate period and that 7 days could be seen to be excessive. Generally, in the course of this debate, I am trying not to refer to the draft legislation because it confuses the debate. Nevertheless, in this circumstance, I must say that I believe that the provision in the draft bill regarding a court appearance within 4 days of arrest was reasonable and we see no reason for the extension to 7 days in the bill before us. Of course, there is the provision in clause 20 which allows the granting of bail by justices. One would hope that only in very rare circumstances would children not be released from custody.

There is a provision relating to legal representation of juveniles. It allows for the court to decide that that might be desirable and to ensure that it happens. In the Northern Territory, legal aid services are available comparatively readily, not only in the larger centres of Darwin and Alice Springs but also at court hearings in remote communities. It is customary for Aboriginal legal aid personnel to travel with the court to ensure that persons are represented. In these circumstances, the opposition believes that it would be

desirable to ensure that juveniles appearing in court, and before the court, have legal representation. We will be introducing an amendment to that effect.

I had proposed to discuss clause 45 but I note from the minister's amendment circulated this morning that he proposes to defeat that so I shall not discuss it just at the moment. I may do so in the committee stages.

I referred earlier to clause 54 which is the important provision dealing with the disposition of offenders by the court; that is, what happens to them if the charge is proven. There is a range of options available to the court following a conviction: indefinite adjournment, discharge without penalty, fine, good behaviour bond, community service order, probation and imprisonment. The opposition is of the view, particularly in relation to adjournments and good behaviour bonds, that it would be desirable to give the court the option of making these conditional. We recommend this proposal to the government. This will be another option available to the court in relation to convicted juveniles. I refer of course to paragraphs 54(1)(a) and (b). I wish also to refer to paragraph (c) which refers to the possibility of a fine up to $500. Provisions would be desirable to ensure that, in cases of default of fine, imprisonment is not the only other option, which is something that happens in other courts. We believe that alternative methods in the case of default of a fine by juveniles should be inserted to ensure that they do not end up unnecessarily in detention.

Part VII of the bill provides for the establishment of juvenile detention centres. These provisions of the bill have been very carefully drawn up and are quite adequate for the purpose. Honourable members will be aware that there is already an establishment in Alice Springs which does an excellent job. I imagine that this is the sort of place which would be declared by the minister as a juvenile detention centre. I visited it earlier this year. There were children from Groote Eylandt, Arnhem Land, Darwin, Katherine and other places in the Territory. They were a long way from home indeed and feeling pretty cold in Alice Springs in the middle of winter. So it is very welcome news that there is provision for the long overdue construction of a juvenile detention centre in Darwin. We believe that, when it is considered by the court necessary to detain children and remove them from circulation in the community for a certain period, these establishments are the appropriate way to do it. Since we can now look forward to having 2 of them in the Northern Territory, there should be no necessity for Northern Territory children to end up in jail.

By and large, the provisions relating to juvenile detention centres are good ones and we have no objection to them. There are provisions relating to discipline, the powers of the superintendent and the appointment of an official visitor. There are quite substantial provisions relating to the transfer of juveniles. In clause 90, there is a provision relating to the destruction of records of conviction of juveniles. Once again, this is a curious situation in that the provisions apply to some offences but not others. Generally speaking, we support them.

Clause 98 is headed 'Restriction of liability of the minister'. It says that an action shall not be taken against the minister or an employee on account of something done under the provisions of this act more than 6 months after the time when the alleged course of action arose. We certainly believe that 6 months is far too short a period in this restriction of liability clause. We believe that the appropriate period would be 2 years and we will be moving an amendment accordingly.

Although the opposition believes the bill is a considerable improvement on the draft bill, and also on the existing outdated legislation, we believe it

requires considerable refinement. In those circumstances, we will be opposing the legislation. Should it receive the support of the majority of members of the Assembly, we will be seeking to move certain amendments to it. We object to the principal elements of the bill, which are very much part of the policy background of the bill. Firstly, we object to the definition of 'juveniles' for the purpose of the Juvenile Justice Act as persons under 17, as opposed to 18 in the companion legislation. We are very much opposed to the jailing provisions for juveniles of 15 years or more. We also feel very strongly that the question of open or closed courts needs further serious consideration.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, I do not intend to speak in specific terms but rather in general terms.

This bill was introduced in conjunction with the Community Welfare Bill. As the minister remarked in his second-reading speech, it heralds a significant change in philosophy from past approaches to laws relating to juvenile offenders. I feel that the bill has the potential to be a step forward in many areas dealing with kids who find themselves in trouble with the law. However, I have reservations because it has other areas which I find disquieting. In some ways, the authors of the bill are presupposing that all change is necessarily good change. That is a fallacy.

The minister referred to the fact that, in the past, the issue of dealing with young people who break the law has been lumped together with the laws relating to the general welfare and protection of children. The theory is that these young offenders are really only victims of their circumstances and require care and treatment rather than punishment. This was referred to by the minister in a rather off-hand fashion because he implied that do-gooders made these laws. I do not agree. He said that this approach to juvenile justice has proved to be to the detriment of offenders and the community alike.

Mr Deputy Speaker, I would be interested to know on what authority the minister makes such a claim and what sort of documents he is able to produce to prove the validity of his statement. In many cases, young offenders certainly are victims of their circumstances and do require care and treatment rather than punishment. Most thinking people who have a knowledge of this subject will agree that jails and detention centres are generally regarded as universities for crime. They provide the best possible avenue for kids of impressionable age to learn the finer points of being a successful criminal. If they are clever enough, they will be able to rip off society and keep out of jail. If they are not clever enough to learn from their instructor, they will be in and out of jail for most of their lives and, consequently, be a considerable drain on public funds. I read recently that it costs in excess of $700 per week to keep a prisoner in Darwin Prison.

As if placing the emphasis on punishment rather than care and treatment is not enough, we learn that the juvenile court will be a court of summary jurisdiction, will be concerned with the dispensation of justice to young offenders and, unlike the existing children's court, will not be closed automatically to the public and will be subject to certain discretionary powers delegated through the magistrate.

In his second-reading speech, the minister went on to advise that, at the lower end of the dispositionary scale, dispositions are designed to allow the court to deal with first offenders in such a way that they are left with no blemish on their character. I can only say that it is very noble of the minister to say that.. I think it is scandalous that juvenile courts will not be closed automatically as the existing children's court is. We are talking about kids who

have managed to get themselves into some sort of trouble or other with the law and not about Al Capone or Darcy Dugan. Apart from not being closed automatically to the public, the proceedings of the juvenile court may also be published unless the presiding magistrate otherwise directs. Fortunately, he has that discretion and one can only hope that, in most cases, he will exercise that discretion.

The minister went on to say that the bill provides that, in extremely serious cases where the penalties available to the juvenile court are inadequate, juveniles may be referred to the Supreme Court which has at its disposal the full range of penalties available to adults. 'Hopefully', said the minister, 'use of this provision will not be frequent'. I can only say 'Amen' to that.

In the concluding stages of his speech, the minister said: 'This bill will provide the Northern Territory with effective machinery for holding juvenile offenders accountable before the law in a way which balances the rights of the juvenile against the need to protect the community. However, it should be recognised that legislation such as this forms only part of an overall strategy to reduce juvenile crime. This includes preventative measures such as support services to families and general programs for youth'. I feel that the emphasis must be on such preventative measures rather than on punishment such as incarceration if we are to diminish the crime rate not only for juveniles but for adults as well. I do not believe that a juvenile who has committed a fairly serious crime should go unpunished any more than I believe an adult offender should go unpunished. However, it is a very true adage that prevention is better than cure.

Mr Speaker, I would like to conclude with a short story which I hope might illustrate my point. There were 3 students who attended school in 3 different countries in Europe. One was publicly expelled in disgrace because somebody had found pornographic pictures in his locker. The second fellow was kicked out of school and publicly disgraced because he had subversive literature in his locker. The third boy was expelled and publicly disgraced because he was a bully. These boys were subjected to severe punishment through their public expulsion and consequent disgrace. Perhaps they would not have been criminals if some degree of care and treatment had been given to them to rectify what was considered to be obscene or anti-social behaviour at that time. However, they were given no such treatment so the world will never know what would have happened had they been given care and treatment. It is a fact that these 3 boys turned out to be 3 of the greatest criminals this world has ever known. It is indisputable that their crimes changed the whole course of history. Their names respectively were Adolph Hitler, Stalin and Mussolini.

Ms LAWRIE (Nightcliff): Mr Deputy Speaker, I have attended various children's courts and juvenile courts, both in the Northern Territory and other parts of Australia, particularly in South Australia as a guest of a judge, because I have had a long and abiding interest in the procedures attaching to the apprehension, interrogation, charging and judicial procedures relating to young people or juveniles. Honourable members may not be aware that the age varies from state to state.

One of the horrors of my life resulted from the closed court system where courts can and sometimes do act quite capriciously, ignoring the rights of the person charged and not yet convicted of an offence. In fact, I appeared as a visitor in the children's court in Darwin before the days of Australian Legal Aid or Aboriginal Legal Aid and was horrified to see the welfare officer, who was supposedly representing the young person charged with a minor offence, conferring with the presiding magistrate as though the young defendant was not

even present, and deciding, without hearing any evidence, what was best for the young person.

I saw a similar event in a court in Adelaide where the young person was not legally represented. In this case, the girl was just under 17. The police officer who had conducted the investigation - and there was not an arrest in this case; it was a charge of larceny - conducted a little conversation with the learned judge above the head of this girl who cried miserably. It was discovered that the charge could not be proven and in fact should never have been brought. The father was present and they spoke to him, again completely ignoring the young woman. The father said: 'She is a bad girl anyway. She is living with her 17-year-old boyfriend'. The learned judge and the policewoman nodded their heads sagely and they decided that this poor girl, even though they had found the larceny charge could not stick, was worthy of condemnation and proceeded to try to attach some penalty. I was just about exploding with rage at that stage. It was finally pointed out by another officer of the court that they could not attach a penalty. Notwithstanding this, that young girl lost her status as a trainee nurse. There was no stain upon her character and she had not committed larceny. However, she was living with her boyfriend and all these adults concluded in their wisdom that they would 'teach her a lesson'.

This is one of the problems of closed courts. On balance, I agree that juvenile courts, like all other courts, should be open unless it is definitely against the interests of the person charged. I agree with the honourable member for Fannie Bay that a reasonable compromise would be that, for a first offence, the court should be closed.

Mr Deputy Speaker, I have been present both as an interested observer and as a character witness for certain young people in the Northern Territory children's court. There is a refreshing change in the attitude of everybody once proper advice from legal counsel is made available to a charged person. In considering this very important point, let us look at what has happened federally. We are talking about decisions which will, in one way or another, dramatically affect a young person's life. In this case, it is a minor offence or a criminal offence, whether it is summary or indictable. Another way in which a young person's life can be dramatically affected is when the parents are divorced, separated or, for one reason or another, end up in the Family Court of Australia, a federal jurisdiction. In its wisdom, which I heartily applaud, the court has given itself the right to appoint an independent legal representative for the children of the marriage. According to the various officers and Family Law Court's reports, that has been a tremendous boon. Young people are not stupid. They have a very clearly-defined sense of justice. I mean a sense of justice even when they know they may have committed an offence. They still know that the court procedures should apply to them as fairly as they do to an adult.

Honourable members on both sides of the Assembly, particularly the honourable members for Arnhem, Victoria River and MacDonnell, have at times alluded to the injustices facing Aboriginal people and migrants who are not well versed in the English language, inarticulate or overpowered by the whole court system. It is sometimes referred to as the majesty of the court. Similarly, many young people are disadvantaged. They need more than an articulate, English-speaking adult for protection, which the legal proceedings offer. It is for that reason that I disagree with my colleagues in opposition that juvenile aid panels may be considered. I have seen them in operation in South Australia and I did not like them one iota because of the lack of the protection of the judicial system. I am in favour of a juvenile court system and I would not waste my time with juvenile aid panels. Other resources are available to the court. Other reports can be called for. Many young people are not summarily

hauled off to court. There are counselling systems set up within the Northern Territory Public Service which are being expanded, modified, streamlined and given more expertise week by week. By and large, these can replace a juvenile aid panel. If a child ends up in court after all these counselling procedures available both to the child and the family, then let the judicial system take over because it is one of the greatest protections to people in western society. Most particularly, let them have legal representation in all cases and not, as specified in the bill, only under certain circumstances. Let them have access to it.

This becomes particularly important, for example, if the offence is punishable by imprisonment for less than 12 months and the child is old enough to appreciate the need for legal representation but cannot ask for it by himself. If an officer from the Australian Legal Aid Service or the Aboriginal Legal Aid Service, as the case may be, is attendant at court to provide the legal counsel for any juvenile charged with an offence, many of the reservations I have will completely disappear.

There are a couple of other aspects of the bill which have excited my interest. I think that the honourable member for Fannie Bay raised the point of the detention of juveniles. When a juvenile is taken from the place where he is detained to court or from a court to that place, he shall, as far as practicable, be kept apart from other persons under detention who are not juveniles. Clearly, that can only relate to a juvenile who has been held in a prison. I would think it reasonable that separate transport should be arranged for juveniles, and not simply by wire mesh.

I agree too that the time lapse between being taken into custody, being taken before the court and being released from custody should be as short as possible. I agree with the original period of 4 days and not 7 days.

I looked at the functions of the detention centres, powers contained therein and the discipline. I note what could be a simple lapse on the part of the draftsman. It says that the superintendent shall maintain discipline other than by striking, shaking or other form of physical violence; enforced dosing with a medicine, drugs or other substances; compulsion to remain in a constrained or fatiguing position; handcuffing etc; and not in isolation other than for 12 hours. I agree with that. But there is no mention of a starvation diet. Honourable members may say that we would never do that. It is often done around Australia for the purposes of punishment - a person is put on a restricted diet. I would like the honourable minister to pay particular regard to my remarks. If a restriction of diet is to be allowed as a punishment, I would like to see a time limit. I do not approve at all of a diet being used as a punishment. But if in its wisdom Cabinet thinks that it should be a punishment, I would like to see a restriction similar to the isolation provision. From the expression on the honourable minister's face, that might have been an oversight and not deliberate.

I approve of the provision that records of convictions shall be expunged after a certain period. That is operating in all parts of Australia. I was interested to see the variety of penalties that the courts can impose on a young person when he is found guilty of an offence. I am well aware that there are some young people in our community who take great delight in committing offences against society quite deliberately. They are absolute monsters, and some are only 16 and 17 years of age. They set out to wreak havoc on other people's property. The person whose property or person has received this assault feels extremely aggrieved. The aggravation may be mitigated if the offender is made to redress the situation, not simply by a monetary penalty which the parents will

probably have to pay anyway but by service to the person whose property or person has been damaged. This becomes particularly relevant when we look at the high incidence of car theft in the Northern Territory. I think it is 6 times the national average. It is simply not good enough to say that the benevolent insurance companies will take care of the damage. In many cases, the car may not be comprehensively insured. The time lost will definitely cause ill feeling on the part of the person whose property has been wrecked. The application to the court for service to the aggrieved person may be a great salutary lesson to young people who quite deliberately embark on unlawful acts.

Mr Speaker, I am well aware that many children, through a sense of injustice or frustration within their environment, act in a way which is contrary to the best ideals of society. Fortunately, reports are furnished to the courts these days which show that the young person may well have been acting under a sense of very real frustration, in many cases with the school system. They come home intensely aggravated with what has happened to them at school, not by their peers but by the disciplinary system, and proceed to take out their aggravation by doing something to their neighbour's fence, dog, car, house or whatever.

With those few remarks, I will wait with some eager anticipation for the committee stage where we will be able to voice specific concerns. I must say that I disagree with my colleagues. I infinitely prefer a judicial set-up to any legal aid panel or any other system. The courts are inherently protective of people. My main concern is that all people charged should have recourse to legal counsel.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, it is not often that I agree with the honourable member for Nightcliff but she made some points in her speech which I found refreshing, particularly her accounts of some of her experiences in the juvenile courts. I have had only second-hand experience of those courts.

This bill before us involves a change in philosophy from a welfare approach where children were considered to be the victims of circumstances and in need of care and treatment. A few years ago, I was shocked to read an education bulletin that said that the courts hold children to be amoral. That certainly was a new idea to me. I did not find it consistent with my experience. My experience with young people is that they do have a keen sense of right and wrong. They may not always readily admit that they have done something wrong but, eventually, they will admit it. I have had a keen conscience from a very early age. I wonder whether one is born with it or whether it is parental training; perhaps it is a combination of both. However, I have found that the approach that assumes children are amoral - which is the result of this welfare approach - rather restrains one. I would agree wholeheartedly that the welfare approach, which intends to do the right thing by the offenders, often leaves them worse off.

Might I point out that the institution which I have often praised in this Assembly, Giles House Remand and Rehabilitation Centre, uses punishment as part of its methods. It also uses rewards. It also uses a method whereby it encourages kids to face up to the realisation that they are there basically because of their behaviour and that there is a better way. When the kids face this and stop blaming their parents or the school or anybody else, it is amazing the improvement that one sees in them. These children are from all over the Territory. I would recommend that honourable members have a look at Giles House. There are no closed doors. You do not have to make an appointment although it may be a courtesy to do so. I have found that I can go there at any time of the day. I am welcome. They have nothing to hide in their program.

In my experience with juveniles, I have found that they expect consistency.

They would rather have predictable consequences for their wrongdoings. There is a certain stability and a reassurance for them when they know what the rules are and that the rules will be enforced. The new philosophy basically is that juveniles will be held accountable for their actions. Over the years, I have had several dealings with the police and I have learned of their concern and frustration when they see 'justice' being dealt out to children. A common offence is breaking and entering houses. The original intention may have been only to steal 20¢ but the damage, in many cases, is horrific and totally pointless. Such juveniles have been convicted after considerable police effort. However, these juveniles would receive good behaviour bonds under the welfare approach. They would be back out on the streets, thumbing their noses at the police. That is certainly marvellous for police morale.

I do not think it was good for the kids to get away with it, particularly when one good behaviour bond is followed by another offence and another good behaviour bond. The police were very frustrated. I think they were very envious of the school staff who had greater powers for disciplining juveniles than they had. There was no redress for the people who had their houses vandalised. The public has had a fairly poor view of the legal system in terms of its dealings with juveniles. People did not feel as though the rule of law on which our society depends was being applied at all.

An employer told me of an example of the attitudes of certain apprentices who went on a binge in one of the Territory centres. They smashed up some vehicles and they were extremely scared of the consequences or supposed consequences. The end result was good behaviour bonds. I am not having a shot at magistrates; I suspect they are frustrated by certain limitations that are imposed on them. Certainly, the attitude of these apprentices, as recounted by the employer, was that the law was a joke at public expense. There was considerable community disquiet and the employer was certainly not very happy about the situation.

In August, I visited the South Australian parliament and one of the topics that was raised was the matter of the burning and vandalisation of schools to the tune of $3m a year. It was certainly a matter of considerable concern that the public purse was being drained by people determined to get revenge for some perceived injustice in the school system.

The bill allows for a juvenile court. It will be a special court because we all realise that these people are of a tender age and should not be treated in the same manner as adult offenders are. For this reason, a special court is to be set aside in the Court of Summary Jurisdiction. I shall be very interested to follow the debate on the provision giving discretion to the magistrates. One likes to think that magistrates will do the right thing in this particular matter.

I was interested to hear the comments of the member for Nightcliff in relation to her experience of juvenile courts in action, when proceedings were conducted almost as if the offender were not present. That certainly would not impress me but I have had no experience of it and have to take her word for it.

When a juvenile is supposedly under the control of parents, a press report on certain behaviour could be of considerable embarrassment to the parents. Sometimes that might be justified but at other times it might be totally unjustified. The parents might be doing all that one could reasonably expect to discipline and control the child and still not win. I think that it is a good move to give discretion to the magistrate as to whether proceedings are to be held in a closed court or whether they can be reported publicly.

I am particularly interested in the penalties mentioned here. One would expect immediate discharge to occur if a charge against a juvenile was found not to be established in fact. If there is certain evidence that indicates that the charges are basically correct, a 6-month adjournment could be a good idea. It would give that particular juvenile time to sweat a bit on what the court will do. I think such an adjournment would be effective and give the juvenile time to consider things. It may be all that is necessary to bring some people back on the straight and narrow, particularly the first offenders.

I have never been madly rapt in the idea of fines in juvenile cases, particularly if the fines are paid by the parents. That is an imposition on the parents, not on the offender. If a reasonable fine can be imposed on the actual offender, then that makes some sense. I do not think good behaviour bonds would be effective. I have seen enough of juveniles involved with good behaviour bonds to note that they are generally considered to be somewhat of a joke. If one good behaviour bond is allowed and followed by some sterner action in the event of a subsequent offence, the system might be effective but, where good behaviour bonds are granted again and again, it becomes a joke. In relation to minor offences, I am very keen on the community service orders. Giles House has been involved with this program for people who have offended. They do not live-in at Giles House. They may still be attending school but, on the weekends, they will report to Giles House and join the work parties doing community work. It seems to work very well indeed. I do not know of any case where a person has been directed to attend at Giles House to serve out certain hours for community service orders and has failed to do so. Certainly, I agree with the member for Nightcliff that, if somebody has offended against another person's property, that service could be done, and it would be a very consolatory experience for the aggrieved person. I like the idea. Penalties for serious or persistent offenders would involve detention and the under 15-year-olds would have to go to a juvenile detention centre such as Giles House.

Over 15-year-olds could possibly go to jail. My gut feeling on that is that I do not like it. It is not a good idea to put 15 and 16-year-olds in with hardened criminals. However, I know of situations down south described to me by people involved in the training of young persons. Some are not only drug addicts but actual drug pushers. Where do you draw the line? As a general principle, I would prefer that they remain at remand centres until 18. Perhaps there is a need to allow for that odd case where other juveniles would be better off without the expertise of an unfortunate but really hardened juvenile criminal. I have not seen the opposition's amendment.

The establishment of juvenile detention centres is allowed for in the bill. Their powers and the discipline which is allowed to be imposed are very important. There is a limitation to the discipline and the rights of detainees are looked after. As I said before, Giles House is an excellent institution. It is virtually open to the public. I do not know of anybody who has been there and asked to have a look who has not been shown over it. I know that magistrates have visited. I was there once when a magistrate called in from Darwin and he was very impressed. I would like to urge all members of this Assembly to visit it. I know many members have been to see it. I find it a shot in the arm that the rehabilitation rate of the detainees there is very high. There is a positive attitude and loving care but discipline is also involved. As far as I am concerned, if the proposed detention centres are based on the model of Giles House, I think this initiative will be welcomed by people in the community who will benefit from the results and also by the juvenile offenders in our community.

One point that has not been mentioned is that there does not seem to be anything to prevent the imposition of the mandatory life sentence for murder. I

have a gut feeling that this is possibly too tough but the possibility that it could be imposed could act as a real deterrent and save somebody going the whole hog. Certainly, it is worth having but it is something on which I do not have a firm view one way or the other. Apart from those 2 points on which I am undecided - jail for 15-year-olds and the mandatory life sentence for murder - I welcome this bill very sincerely.

PERSONAL EXPLANATION

Mrs O'NEIL (Fannie Bay)(by leave): Mr Speaker, I wish to make a personal explanation. I believe that I may have been misunderstood by the member for Nightcliff when I discussed juvenile aid panels. While I discussed these as an option which many people supported and which had been recommended by the Welfare Needs Inquiry of this Assembly, I did not say that the opposition believed that these were preferable to a juvenile court system.

Mr BELL (MacDonnell): Mr Speaker, I have a number of comments to make in the second-reading debate on this particular bill. The first thing is that I think it is a shame that there has not been a little more time for consideration of this bill and the Community Welfare Bill. The bills were introduced only 6 weeks ago. I certainly feel that I have not had as much time to consider them as I would have wished.

My general feeling about the Juvenile Justice Bill is that I have serious misgivings about it. I support the position outlined by the honourable member for Fannie Bay. Quite clearly, there are 2 models to look at in relation to the treatment of people when they come into contact with the law between the tender age of 10 and the age of 18. I am not quite sure how to describe the age of 18. It is not the age of majority. In the last 10 or 15 years in our society, rite of passage is visited upon people attaining that particular age. I suppose that, at some stage, some phrase will be coined to describe it. If I stand here for long enough, I might even find it.

Clearly, there is a strong feeling in society that nobody under the age of 10 should come before the courts. There is a feeling generally that, somewhere between the age of 10 and the age of 18, people should be considered as offending against the justice system that applies across the whole society. Within that age limit of 10 to 18, there are 2 arguments. There is the argument that the honourable minister is clearly espousing: the state should not intervene in intimate family relationships just because somebody between the age of 10 and 18 has committed a crime or a misdemeanour. He said clearly in his second-reading speech that, in the past, the issue of dealing with young people who break the law has been lumped together with those laws relating to general welfare and protection of children. He went on to say that the theory behind this was that young offenders were really only victims of their circumstances and required care and treatment rather than punishment.

My very strong feeling is that one cannot cast aside the idea that the majority - I am not saying it is true of everybody in that age group - are victims of their circumstances. There are such important social considerations that I think it should be with great reluctance that one turns away from the welfare approach - a legal system that provides for some sort of subjudicial care and counselling and regards as paramount the rehabilitation process for people of that age.

So we have those 2 models. We have on the one hand the welfare approach which regards the child as a victim of circumstances, to use a shorthand phrase for a whole lot of social forces that might be operating. On the other hand, we

have that strict rule of law approach that says that the rights of the child and the rights of the family are more important than those deeper social considerations and that the offence purely and simply should be taken into consideration. I have serious misgivings about that particular approach. That is why I support the honourable member for Fannie Bay. I have not had personal experience in this area but, from talking to people who are involved in that particular area, I understand that the process of screening panels for children who come to the attention of the police in that area is an appropriate one.

I do not agree with the honourable member for Nightcliff who is pumping purely for a judicial process. I am not pumping purely for a non-judicial process, I hasten to add. I think I am much more close to the midground in that regard. I do not believe that the choice is between a judicial and a non-judicial process. The framework has to be established in law. However, for the people in that age group, it is not unreasonable to have some sort of screening panel that would make a decision as to whether the child involved should go before a children's court. Perhaps there should be some sort of juvenile aid panel that would be involved in rehabilitating the child with his family. Clearly, what happened in the example raised by the member for Nightcliff could happen under either system.

Certainly, there are dangers that people involved in the helping professions may not be adequate to the task involved. Likewise, the judicial system may not serve the interests of the child in society at large. Here I think is the nub of the question. It comes down to the quality of the people involved and their understanding both of the legal process and the social processes.

I think that the honourable member for Alice Springs made a contribution to both the debate on this bill and the debate on the Community Welfare Bill. I think that, if one can glean a grain of truth from the platitudes that the honourable member frequently visits upon this Assembly, it is worth pointing out in the context of this debate, as well as in the context of the Community Welfare Bill, that the intervention of the state should only happen under circumstances where the family cannot cope. Perhaps I should reserve my comments on that area for the debate on the Community Welfare Bill. However, I do not want to give the impression to honourable members that I am a gung ho supporter of welfare intervention come hell or high water. That is certainly not the case. It depends very much on the quality of the people involved. To some extent, it is beyond the powers of legislation to ensure that quality in the people involved.

I could not rise to speak to this particular bill without mentioning particular circumstances that occurred in my electorate. I refer to the incidence and the results of the problems of petrol sniffing in a number of communities in my electorate and throughout northern Australia. Mr Speaker, I am sure you are not unfamiliar with the circumstances of communities, families and the children themselves who suffer from the problems involved with petrol sniffing. The children themselves are clearly suffering as a result. That is witnessed clearly by the frequency of children dying because of addiction to petrol sniffing. The families also suffer because of the grief that such deaths cause. The communities suffer because addicted children cease to function, in many senses, as part of that society. I think the expression that children 'are lost' as a result of petrol sniffing is something that I have heard people use in my electorate.

I believe that this needs to be taken into consideration in the context of this bill because, frequently, the social effect is that those kids are involved

in break-ins. A couple of years ago, a house in one of the communities in my electorate was burnt down by the children who had been petrol sniffing. It is a considerable problem there. A great deal of consideration has been given to that problem. I wonder whether it is reasonable to deal with a 14-year-old petrol sniffer from Papunya by means of the courts. I do not think that is a reasonable principle to adopt. Quite clearly, the incidence of petrol sniffing is intimately related to a much wider pattern of social, economic and cultural forces and they must be taken into consideration.

Since I am on the issue of petrol sniffing at Papunya, I can relate this bill to previous comments in this Assembly about youth services in general in relation to the YMCA program at Papunya. I would like to draw to the attention of the Minister for Youth, Sport and Recreation that this particular bill and its ramifications will be important for that particular community and other communities in my electorate. I hope that he is aware of the clear nexus between what the government is seeking to treat as an offence purely and simply and those deeper social forces, and also the importance of maintaining the existing program at Papunya because it is having some sort of impact in that area.

To sum up, Mr Speaker, I am not particularly happy with the thrust of this bill. I am not particularly happy that we have a Juvenile Justice Bill before the Assembly. I believe that the legislative model that has been adopted is not an appropriate one.

Mr SMITH (Millner): Mr Speaker, I wish to speak very briefly. I think the opposition's general position has been very well covered by the member for Fannie Bay but I do want to raise a couple of matters that have been brought to my attention so that the minister can consider them

The first concerns the Juvenile Justice Review Committee and particularly the clause which gives an organisation nominated by the minister the continuing power to nominate people to the Juvenile Justice Review Committee. The concern is that that may lead to a situation whereby that organisation may nominate the same person for each 3-year period. That is of real concern to me because, in the community welfare area, there are quite extensive changes in attitudes and development. Quite often, the individual people who work in the area are left behind. I think it is very important that the minister ensure - whether by legislation or just by his overall control - that, every time he makes an appointment to the committee, he has a broad range of people reflecting the current spread of views amongst those organisations.

My second point is concerned with clause 25. Some teachers are concerned about subparagraph 25(1)(d)(iii) where it basically says that, if they cannot find anyone else, the police can go to another person who is a person of good repute who has not been concerned in the investigation of the offence and who has no interest in the outcome of the investigation and use that person as the independent person to be present while the police are questioning the juvenile. What is the position of teachers, particularly principals of schools, where damage has been done to the school? Under this clause, does the principal have an interest in the outcome of the investigation or not? I would appreciate a comment from the minister on that.

The third matter relates to clause 43, dealing with attendance. I think I can do no better than read out a comment on this that I received from Sommerville Homes:

> *On the face of it, it is a commendable objective for parents to attend and remain in attendance in relation to a case affecting their child.*

However, to make such attendance compulsory, including penalties such as issuing of warrants, may in certain circumstances prove counter-productive. If one assumes that, in many cases, adolescents in trouble with the law have some family background difficulties, then a circumstance that causes the compulsory attendance of parents, with consequential embarrassment, shame and anger, may be such that parents prefer to sever their sense of responsibility and support of the juvenile. This section causes great concern and, whilst it may provide great value, it may also provide great stress and severance between the juvenile and his family unit and greatly increase the incidence of child abuse.

Of course, clause 42 does provide some discretion to the magistrate. The words are: 'parents shall attend unless it is unreasonable to require their attendance'. I put it to the minister that the interpretation that he should adopt there should be broad enough so that, where there is a recommendation from the social worker or relevant person representing the interests of the child that it would be counterproductive to have the parents there, the magistrate should be able to use that escape provision in clause 42.

Debate adjourned.

ADJOURNMENT

Mr ROBERTSON (Attorney-General): I move that the Assembly do now adjourn.

Mr B. COLLINS (Opposition Leader): Mr Speaker, a member of the Darwin media asked me yesterday why such a fuss was being made about the houses on Myilly Terrace. I thought I would place briefly on the public record exactly why. I know that I already have one interested listener in the honourable Treasurer.

Mr Perron: Your new found interest?

Mr B. COLLINS: To respond to that interjection, let me say that I have always had an interest in the heritage of the Northern Territory. I am quite happy to say in response to the honourable Treasurer that I do not belong to that group of people who want to preserve everything at any price at all. I have never belonged to that particular group of people. In fact, in terms of the preservation of the historical heritage of this country, the same principle applies that applies to most things in life: moderation in all things. It certainly applies to this. It would be ridiculous to demand the wholesale preservation of large parts of Darwin which would restrict development, but a strong case can be made for retaining some of it.

The houses on Myilly Terrace were designed without doubt by the best known Northern Territory architect, B.C.G. Burnett, and indeed a case can be made that, in fact, Burnett's contribution to architecture is unique in Australia. The government has recognised this by providing a history grant to Carol Hardwick of Darwin, $2500 indeed, toward the cost of a study of the architect B.C.G. Burnett who was the Works Department architect during the 1930s.

Mr Speaker, Beni Burnett's life is not well documented and so it will be very interesting indeed to see a Territory-produced work documenting his life. We do know that Burnett's parents were Scottish missionaries in Mongolia and China late last century and Burnett, by all accounts, was probably born in Pato, Mongolia, in 1889, so he had a fairly interesting start to his life. He was educated at the China Inland School at Chefoo and studied architecture in Shanghai. After qualifying, Burnett worked in the Tientsin branch of an Anglo-Chinese architects' firm. This is important because his formal training

and early architectural experience were all in Asia and all in tropical conditions.

Some time after this, he went to work in Hong Kong so, to repeat what I said, much of his work was in tropical climates. In 1937, he came to Darwin. Burnett designed many houses for the Commonwealth Department of Works between 1937 and 1941. When Darwin was bombed by the Japanese in February 1942, Burnett moved to Alice Springs where he continued to work.

Mr Speaker, although he was plagued throughout his life by arthritis, he insisted on doing all his own drawings and drafting. He was also rather well-known as a cartoonist. I have not discovered yet but I intend to discover whether any of these cartoons or drawings are still in existence in the Northern Territory. B.C.G. Burnett died in Alice Springs in 1955. His obituary appeared in the Journal of the Royal Institute of British Architects of which he was a member. Those are a few sketchy facts on the architect.

The particular group of houses that we are talking about is the last remaining precinct of pre-Second World War government housing still intact in Darwin. Each house is architecturally significant for the nature of the materials used and the display of innovative tropical design principles. The houses were built during a time when the military presence was increasing in Darwin. That was between 1937 and 1940. They were designed by B.C.G. Burnett who worked at that time for the Department of Works. I am told reliably by the National Trust that Burnett probably made the most significant contribution of any architect in this country to the development of regional architecture. It is quite an interesting claim. I am sure that it would be disputed but, nevertheless, I am told authoritatively that a case can be made that the Northern Territory did make the most significant contribution to regional architecture in this country. So it is vitally important that some of his work be preserved and not just a historical paper prepared for someone's interest.

Just as Queensland and the Kimberleys developed their own style of tropical house, so did Darwin. But it was only in Darwin that the style of these houses approached the tropical splendour of the 'pink gin and pith helmets' tropical mansions of the type found in other colonial outposts such as Singapore. Burnett was able to combine intelligent, functional and tropical design with such characteristics and design as would be acceptable to the white Australians who would need to live in those houses. The houses display such features as: steeply-pitched, ridge-vented roofs allowing the expulsion of warm air from the house; open plan with many wall openings promoting natural cross-ventilation; elevation on concrete piers to catch prevailing breezes - the concrete piers were made from the sand on the beach below the houses; and the use of light-weight materials preventing the storage of heat and sensitive patterning of external features such as louvres, windows and roof to provide visual harmony within each building and as a group viewed collectively. I am sure anyone who has had a good look at Audit House would agree that that has certainly been accomplished by this architect.

Mr Speaker, the distinct South-east Asian influence on the design does seem appropriate to a city situated so close to that region. It does reflect the ancestry of some Darwinians and it does emphasise also the proximity of this city to Asia. I did say in response to the continual interjections of the Treasurer, who does seem to be very agitated about this particular matter, for some reason that escapes me, that I do not belong to that group of people who simply want mindlessly to preserve everything. I belong to that school of people who do not like seeing national parks created all over the place for no good reason. If you create a national park, you need to establish that you are

creating that park for the purpose of protecting some unique feature of the landscape that cannot be preserved or is not preserved somewhere else. There has to be a good reason for it and there has to be a good reason for preserving architecture also.

I think that anyone with a vision for the city at all, by simply going to Myilly Point and looking at the unique situation of those houses, can see easily the potential they have as a future show piece for this city. The retention and restoration of these houses would in no way prevent the development of the old Darwin Hospital site. The site is 9.5 ha in size; 20-odd acres of land. The entire precinct containing the whole of the street is only half a hectare. The houses are situated in a natural precinct of their own - discrete, separate and cohesive. It is for this reason that they would make a very appealing tourist attraction if they were properly restored.

Architects supporting the restoration of these buildings have stressed the importance of occupancy in maintaining the houses, and so do I. For this reason, and because this form of architecture should be seen by as many people as possible, suggestions have been made that the buildings could be used, for example, to house a restaurant, offices, museum annexes - any number of uses. Indeed, I was interested in the comments made in the Assembly yesterday by the Chief Minister in respect of Admiralty House and Lyons Cottage. He said that the tenants would have to move out shortly. I discovered that the tenants have not been advised of this. It would have been a courtesy if the Chief Minister had personally advised them of the fact before he announced it in the Legislative Assembly. He is not renowned for his courtesy. I think a very strong case can be made for all of these buildings to have tenants at least for the time being because of the advantages that gives in terms of maintenance. The land on which the 4 houses in Myilly Terrace stand could be landscaped to display the wide variety of trees and flowering shrubs that were native to Darwin and indeed were a feature of the house gardens of that period. Of course, Admiralty House remains as an absolutely superb example of gardening in early Darwin.

I had a visit just the other day from a journalist with a large southern publication. It is a publication which, because of its business connections, one would not expect to have any particular sympathy for old Darwin but, after a visit to the house and grounds of Admiralty House, he told me that he was amazed that anybody seriously could be shortsighted enough to suggest that that house could in any way retain its current attraction and charm if it were simply lifted off its piers and stuck on a block of land in the northern suburbs without the garden. The grounds are such an integral part of the residence.

Mr Speaker, as I have said, it is the last precinct of old Darwin houses left in this country. As someone who loves and is very proud of this city, and as someone who loves showing this city off, I say it would be a tragedy if the government of the day were shortsighted enough to remove or damage those houses in any way. Just have a look at where they are. We get many visitors to Darwin, visitors to whom, I believe, it is politically important to show this city off. Indeed, since March, the frequency with which I have had to - and gladly, I might add - be a tourist guide, and I am becoming a very good one, has increased. Generally, I start off by showing people the old Naval Headquarters, now the offices of the Administrator, and Government House. I take them up the Esplanade and head straight for Myilly Terrace to show them Audit House and that magnificent view over Mindil Beach. It is a feature of that precinct of houses. The view from Audit House down towards the roundabout is quite unique - there are only 4 houses but they constitute a complete street of old Darwin. It must be preserved. In that area, from the tourist point of view, for those who enjoy walking, particularly in the dry season, there is the Fannie Bay Gaol Annexe, the

museum itself, which is something that all Territorians should be proud of because it is a magnificent attraction and collection, and the Mindil Beach Casino. Above that, and within 10 minutes walk of the casino, there are the houses on Myilly Terrace.

Mr Speaker, someone said to me that it would be incongruous to retain those old houses in such close juxtaposition to a big development, particularly high-rise which it is likely to be, but to me the reverse is true. Have a look at Christchurch Cathedral. There is nothing incongruous about that. It is very complementary and plenty of people have said publicly that the architect did a brilliant job on the design of that building, retaining what was left of the old cathedral after the cyclone. The juxtaposition of that magnificent street of old Darwin close to a huge modern development would create an attraction for tourists. In fact, it seemed incongruous to me that the government was seriously planning to build what it termed a tourist development and, at the same time, proposing to remove completely what would be a major drawcard and attraction for tourists on the site.

I conclude by saying that I am grateful indeed that the government has made the decision - despite the continual and visible agitation of the Treasurer - at least to hold its hand for the time being on those houses. I do not know if it is true or not but my office received a phone call today saying that someone had rung from the offices of the people who are supposed to get the contract for the development claiming that it had already signed the contract for the development with the government. It would be an interesting exercise to pursue that and find out if any papers have been signed with the government for that site. Nevertheless, it is a fact that Audit House is owned under freehold title by the National Trust. Two of the houses are still Commonwealth property and covered by the Heritage Act. It would have been a foolish move legally for the government to have proceeded in any case. All I can say is that I look forward to a report on the houses being received from that body and I would commend to the Chief Minister the original proposal that I made to use Commonwealth money, which is available and I am sure would be given under the Commonwealth Community Employment Program, to accept the offer of the firm of architects to supervise the restoration and to apply for a Commonwealth grant to have those houses restored.

Mr SPEAKER: Honourable members, I advise that a model of the proposed seating for the enlarged Legislative Assembly has been constructed for the House Committee. This model can be seen in the Assembly committee room together with a model of the proposed new desks.

Mr STEELE (Transport and Works): Mr Speaker, there are a few matters that I wish to report on. Over the various sittings during 1983, matters relating to my portfolio have been raised consistently and there are some statements which need to be made.

This week I propose to deal with the roll-on roll-off facility and the container crane. Next week, I propose to deal with the wharf and the current status of the east coast shipping service. In respect of the crane, no doubt members will have noticed that it is already a landmark. Once the boom is erected, the crane will be among the tallest structures in Darwin. The contractors are confident the crane will be completed on schedule early in January 1984. Construction has been up to 2 weeks behind schedule, but the contractors are confident that the target date will be achieved. Once the boom is in position, the crane will change very little externally. The remaining work will be largely internal with the work concentrating on the complex electronic controls which will form the crane's working heart. When completed,

the crane will enable Darwin to compete with other major ports in Australia to attract shipping services.

The crane itself is a modern, conventional, gantry, rail-mounted container crane built by Sumitomo Australia to an IHI design. IHI of Japan are the second largest builders of gantry container cranes in the world. In addition to being a major shipbuilder, IHI is a builder of power-stations and heavy industrial facilities. The crane has the capability to handle 30 containers per hour. It can handle both 6 m and 12 m boxes, plus a wide range of other lifts including heavy lifts up to 70 t. Unlike most container cranes, it will also have the ability to handle bulk cargoes, using a 10 m^3 bucket grab. This will enable the discharge of bulk cargoes such as clinker and sulphur to be speeded up, with consequent savings to shippers. Right now, Northern Cement is investigating the design and cost of a suitable hopper to operate in conjunction with a container crane to increase its throughput of clinker still further. This will help to reduce labour costs and minimise dust produced when handling bulk cargoes. The hopper will be of a portable design, will not require rails and can be removed from the wharf when not in use, leaving the wharf clear to handle other cargoes.

The provision of such facilities as this new container crane has enabled the Northern Territory Port Authority to enter into detailed discussions with ship owners and others. At present, talks are being held to secure a north-bound container service to East Asia and have Darwin designated as a meat exporting port. Even at this early stage, prior to the introduction of the crane, we have gained 2 liner companies, the Columbus and Bank lines, giving us service to Singapore and Europe and there are others which, given the facilities and cargoes, can be attracted to use the Port of Darwin.

Mr Speaker, a number of points were raised yesterday by honourable members in the Assembly and I think I may have stated inadvertently that no lights were programmed as far as I was aware in respect of the by-pass through Alice Springs. I understand that that was not correct and that lights are programmed for the Larapinta Drive crossing.

The member for MacDonnell raised the issue of flooding in the Emily Hills subdivision and asked what provision has been made by the Department of Transport and Works to rectify the problem. The issue was raised by both the member for MacDonnell and the member for Stuart during the last sittings and, at that time, I advised that a report was being prepared and that I would give details of the investigation when it was completed. Mr Deputy Speaker, the consultant has completed his report and it is being considered by the department. The report includes several options and the Department of Transport and Works is confident of being able to make a recommendation to government on one of those options. I will advise the timing of any subsequent action to be taken.

Mr Speaker, the member for MacDonnell also raised a query regarding the provision of meters in the Alice Springs area. His query was referred to the Minister for Community Development but, with my colleague's consent, perhaps it would be of assistance if I briefly stated the current position. Meters are being installed on individual facilities of government departments in order to ascertain in the first instance how much water and power is being utilised. At this stage, this is being done purely for monitoring purposes and no firm decision has been taken with regard to the possibility of charging these departments in the future. The Water Division of the Department of Transport and Works advises me that, at this stage, there is no proposal to bill Aboriginals for water usage.

Mr Speaker, during the last sittings of the Assembly, the honourable member for Nightcliff asked me a question about a bicycle track plan for Darwin. A basic bicycle track plan for Darwin has been developed by the Department of Lands. Both the Department of Transport and Works and the Darwin City Council are using this plan as a basis for the development of bicycle paths in conjunction with road and landscaping improvement budgets. For the 1983-84 financial year, the Department of Transport and Works has proposed development of a pedestrian bicycle share-use path along Bagot Road and construction of a bicycle path along McMillans Road in the sections where existing service roads cannot be utilised. I understand that, this financial year, the Darwin City Council hopes to complete construction of the bicycle path along Casuarina Drive. The Department of Transport and Works, in response to requests from members, the Darwin City Council and the general public, commissioned consultants, Sleeman and Partners, to report on possible crossings of Rapid Creek for the Darwin-Rapid Creek cycleway. The report, which has now been completed, canvasses 4 options and estimates of costs, including additional connections to complete lengths of cycleways and walkways, range from $335 000 to $600 000. The government's commitment to the project ultimately will depend on cost-sharing arrangements to be agreed with the city council. A copy of the feasibility study is being provided to council for its consideration.

Mr Speaker, at a recent meeting, the Department of Lands advised it will be updating the Darwin bicycle track plan to include Palmerston and other new areas. I understand it is the intention to seek input from the public and cyclists' associations prior to finalisation of the new plan.

Mr BELL (MacDonnell): Mr Deputy Speaker, English, the language in which this Assembly conducts its business, is a beautiful language. Members would be well aware that English is related closely to the Teutonic languages and most closely to German. People would not be aware perhaps that it is not of itself related to a language such as French. Of course, it was only when William the Conquerer reached England that we got all those words; 50% of the English vocabulary came into the language after 1066. It gave us the majority of the words that we use in the Assembly itself: 'government', 'cabinet', 'party' etc have been borrowed into English from French. I think that is something of importance. It is a beautiful language and it is little wonder that English is the cornerstone of our school curriculum. It is little wonder that people talk about the teaching of good English when they talk about getting back to the basics. They are talking about reading, writing and speaking English as well as possible.

However, it is a mistake that foreign languages are receiving relatively scant attention in our schools. I believe that this is one key area of what I am quite happy to describe as a crisis in secondary education in the Northern Territory. I believe that our high schools are in a state of crisis in so far as offering quality education to our students. I believe that this is nowhere more clearly indicated than in the policies adopted as far as language teaching is concerned. You would be well aware, Mr Deputy Speaker, just as the majority of members of this Assembly would be well aware, that the crisis in secondary education to which I refer is so grave that many of the people who have children of secondary school age feel obliged to force those children to decamp - force those children not to complete their secondary education in the Territory but to attend schools in southern cities. I would be very surprised if those children going to those expensive schools elsewhere were not compulsorily studying a foreign language, at least through Years 9 or 10. That is not the case in some schools in the Northern Territory. It is a matter of concern to me.

It is a matter of concern to me that children front up in their first year of high school and are told they have certain essential things to study: English, maths and so on. They are given an option to study either a foreign language or, in the case of Alice Springs High School which my son attends, music. I regard that as impossible to accept. I believe that it is very important that much greater consideration be given to foreign language teaching in our schools. You would be aware of the Directions for the Eighties document, for example, and other documents that relate to core curriculum that have come before this Assembly. In each of those documents, there is reference to a core area: 'English/Language'. English, our mother tongue, is tied in with non-English language study. I believe that there are real problems with that. Our kids are suffering and the Territory is suffering. Economic development in the Territory is suffering and human development is suffering. I hope that I can establish that that is the case and that certain things need to be done.

During his budget speech, the honourable Minister for Education referred to a pool of specialist secondary teachers. I pause here to point out that that in fact is something of a tautology. All secondary teachers are specialists in one way or another. There is no such thing as a general secondary teacher who teaches the whole span of secondary subjects. So I hope that the minister and his department will be able to take out of their vocabulary that quite inappropriate phrase 'specialist secondary teachers'.

However, if I am unhappy with the phrase 'specialist secondary teachers', I am delighted with the idea that the honourable minister brought up in the budget that there be a pool of secondary teachers in order to combat the very rapid rate of turnover. Kids in our high schools are frequently left in the lurch. I notice the honourable member for Stuart asked a question about it this morning. I followed it up. I would be very interested to find out what sort of proposals are being made for the recruitment of secondary teachers for next year, particularly in these areas of scarcity like foreign language teaching. I hasten to add that I am seeking to put across a point of view; I am not seeking to say that the government has been totally lax in that area. I have seen advertisements for scholarships for people who offer their services as foreign language teachers. That is to be commended.

Frequently, I am accused of being an elitist when it comes to educational achievement. People say to me: 'Listen, how can you claim to be a socialist if you are interested in such a minority achievement as foreign language teaching?' That is a fairly easy charge to answer. If we use as a yardstick only what every kid is able to learn, the ranks of what will be able to be taught will be pretty slim; for example, all the practical subjects that are taught in our schools cannot be learnt by handicapped people. Am I an elitist by suggesting that those practical subjects are taught? That is one reason why it is not elitist to encourage achievement in foreign language teaching or any other particular area.

The second and most important reason why it is not elitist to aim for excellence in those areas is because, in an equal society, we need to produce goods and services. In order to produce goods and services, we need people with new ideas. Those new ideas are not just ideas to produce material things. They are ideas that assist people to communicate ideas to one another. We frequently hear from the Chief Minister of the importance, for example, of encouraging trade links with Indonesia and South-east Asia generally. That is highly commendable. The key to that is communication. If there is going to be a disregard for foreign language teaching, that sort of initiative is going to run away like a river into the sand.

Let me just dwell on the issue of which languages I think should be studied. From the Northern Territory perspective, there are 3 sorts of non-English

languages that we should be interested in. There are the local languages, the Aboriginal languages in central Australia. Pitjantjatjara, Aranda and Walpiri are the chief 3 languages that are spoken in that area. There are other dialects of those central languages. I am not sure off the top of my head what the situation is in Darwin but the local languages need to be given consideration.

The second group of languages are the regional languages: Indonesian, Chinese and Japanese. Those languages will be vitally important if Australia is to continue to develop its relationship in the Asian region. The third group of languages are the languages we study for cultural reasons. By culture, I do not mean any sort of snooty idea of what is culture and what is not culture. In our hearts, we are deeply involved with Europe. In this case, I mean European languages. At this point I can be accused of some self-interest because, as a secondary teacher, I spent most of my time as a maths teacher but I also qualified as a Latin teacher. That may give some wry amusement to members. It is not a subject that is in great demand these days but I staunchly defend its study. I do not believe its study is necessarily more important than other European languages but I believe it has a very important place in the study of languages for cultural reasons. So many of the institutions that surround this very Assembly derive from the models of Greece and Rome.

Therefore, there are those 3 reasons for studying non-English languages. It is not reasonable to talk of Aboriginal languages as foreign languages. They are non-English languages and have a place in language curriculum in the Territory.

Mr Deputy Speaker, the United States Senate has recently completed an inquiry into foreign language study and it was deeply concerned that there had been something of a demise in foreign language teaching in the United States and that much greater consideration must be given to that particular area. If it is of sufficient importance for the United States Senate, it is probably of sufficient importance for the Northern Territory Legislative Assembly to give consideration to what I regard as the parlous state of foreign language teaching, certainly in the neck of the woods with which I am familiar.

Let me conclude, Mr Deputy Speaker, by making 2 recommendations. The first is that foreign languages should be regarded as a separate part of the core. Intuitively, every member of this Assembly will accept that, as part of a secondary education, every kid ought to be exposed to some sort of foreign language teaching for at least a year or two in his junior secondary years. I believe that that is a widely-accepted proposition and, for that reason, foreign languages ought to be considered as a separate core curriculum area.

Secondly, I am aware that, because there are problems in recruiting foreign language teachers, there needs to be some particular consideration given to recruiting teachers in that area. That is where the problem lies with teacher supply: with specific problems in specific areas. I do not believe that there is such a problem of teacher supply in our town primary schools. In some of the secondary areas and in Aboriginal schools, there are big problems. Foreign languages should form a separate part of the core curriculum and there should be a vigorous recruiting program for non-English language teachers.

Mr EVERINGHAM (Chief Minister): Mr Speaker, the Leader of the Opposition rose earlier this afternoon and told us a little bit of the history of Burnett, the architect associated with the construction of the houses on Myilly Terrace. The government has made a decision in relation to the retention of those houses so I certainly do not want to canvass that. But I want to correct something that the Leader of the Opposition apparently threw in as some sort of point to

strengthen his case. As I recall, he said that Burnett was born in Mongolia and undertook his architectural studies in Tientsin, a city in China, and thus he had Asian and tropical experience. Any student of history would of course recall that Tientsin was a city that was designed during the Boxer Rebellion. That is what made me immediately realise that Tientsin is very far from the tropics. In fact, it sees a great deal of snow. It is on the same latitude as the capital of North Korea. It is almost on the same latitude as Peking and it is far from being tropical. At best you could describe it as sub-temperate, Mr Deputy Speaker. Of course, Mongolia is one of the coldest places on God's earth. Mongolia is no place for anyone seeking tropical experience.

I praise the architect for the nature of his designs. For the times, they were extremely good. For that matter, the concepts used are well worth following today and indeed improving on if that is possible. Certainly, he would not have learnt that in Tientsin or Mongolia because both those places would have a majority of brick and stone buildings. The Mongolians would have permanent buildings only in their towns because they move nomadically around the steppes. The buildings in those parts would certainly not be the type of construction one would find on Myilly Point.

Mr Deputy Speaker, the reason I rose to my feet this afternoon was to place on record the government's appreciation of the services of 2 long-serving Northern Territory public servants. I am sure the Assembly would want to place on record its appreciation of their services as well.

The first person to whom I refer is of course Jim Gallacher who is well known to everyone in this Assembly. He retired last month after a long and distinguished public service career in this Territory. He came to the Territory as a teacher in 1951 and his first post was at Areyonga. This was the beginning of a close association with Aboriginal people, particularly in the field of education, which extended until his retirement. Jim spent some years as a teacher in Aboriginal communities, then became a district education officer, an inspector of schools, the Director of Aboriginal Education and finally, in 1975, acted for a while as Director of Department of Education overall. There is scarcely an aspect of education in the Northern Territory which Jim did not have considerable personal experience with and, with Professor Betty Watts, he co-authored a pioneering study of Aboriginal education here in the Northern Territory, a report which served as a guide for the development of Aboriginal education services for many years. Indeed, it is still of considerable influence.

During his career he was made a Fellow of the Australian College of Education, became a Member of the British Empire and was awarded a Winston Churchill fellowship. He had a hand in a number of articles on Aboriginal education and teacher training. In 1979, Jim was appointed, at his request, to the Office of Aboriginal Liaison in the Chief Minister's Department and, in 1981, became its director in which post he remained until early 1983. As I said, he formally retired on 13 September.

He has many friends throughout the Northern Territory and it goes without saying that many of these are Aboriginal people, some of whom he taught while they were youngsters. His work is held in high regard and, in retirement, his experience will be put to good use as a part-time consultant on Aboriginal affairs and as chairman of the Batchelor College Council. Mr Deputy Speaker, I am sure that I say this on behalf of all honourable members when I express my appreciation to him for his dedicated career in the Northern Territory with both Commonwealth and Northern Territory Public Services and wish both he and his wife, June, a long and happy retirement.

The second person whom I would like to mention this afternoon is Jack Larcombe, again a man whom everyone would know. I wish to take this opportunity to place on record the impending retirement of Jack Robert Larcombe after a long and distinguished public service career in the Northern Territory. Jack is currently on extended sick leave pending his official retirement in June 1984. After 3 years service as a RAAF pilot in the Second World War, Jack Larcombe commenced employment with the Commonwealth Public Service in 1948 in the Department of Labour and National Service in Western Australia. In 1957, he transferred with that department to Darwin. In 1961, he took up duty with the Welfare Branch of the old Northern Territory Administration. Over the next 10 years with that branch, Jack made a significant contribution to all facets of the branch's operations, including Aboriginal, child, family and social welfare together with pre-school and Aboriginal education. In 1972, he was promoted from the Welfare Branch to become executive officer with Forestry, Fisheries, Wildlife and Environment and National Parks Branch of the Department of the Northern Territory. Jack's management and general administrative skills were by then widely recognised in the public service and he was called upon at various times over the following 5 years to fill assistant secretary positions in a number of branches of the Department of the Northern Territory.

In 1976, he was appointed to the statutory position of Director of Correctional Services in the fledgling Northern Territory Public Service. In January 1979, Jack Larcombe was promoted to the position of Deputy Secretary of the Department of Community Development and he held that position until February 1983 when he commenced his sick leave. During his time as Deputy Secretary, Jack earned the respect and admiration of all those who worked with him for his integrity, honesty and dedication to his duties.

In his youth, Jack Larcombe had an illustrious sporting career and represented Western Australia in Australian Rules football. He maintained his interest in footie after his transfer to the Territory and in 1957 coached the Wanderers Football Club to an A-grade premiership in the NTFL. He subsequently served for a number of years as Vice-President of the NTFL.

Jack Larcombe has many friends from all walks of life throughout the Northern Territory. On behalf of all honourable members, I would like to express the government's appreciation for Jack Larcombe's contributions throughout his career with both Commonwealth and Northern Territory Public Services. On behalf of all of us, Mr Deputy Speaker, I wish him and his wife, Roma, a long and happy retirement.

Mr SMITH (Millner): Mr Deputy Speaker, it is not often that I have to rise to defend the Leader of the Opposition but I feel duty bound to after the comments of the Chief Minister. The Leader of the Opposition never suggested that Mr Burnett practised in Mongolia. He said he was born in Mongolia. In fact, he made it very clear that he studied architecture in Shanghai which is considerably south of Tientsin. He said that he went to Tientsin but then concluded that his overseas experience was in Hong Kong and Singapore. Of course, the honourable Chief Minister was so intent in rushing out of the chamber to find an atlas that he did not hear that. Obviously, that is where he gained his relevant tropical architectural experience.

I would admit that the sin, if it is a sin, of not knowing exactly where Tientsin is, is not nearly so great as the sin of not being able to pronounce properly the name of a long-standing public servant who is being praised in this Assembly. His name is Jim Gallacher and not Jim Gallagher. If the honourable Chief Minister does not know that after 10 years, there is no hope. Tientsin pales into insignificance.

Mr Deputy Speaker, I am pleased that the government is taking up amendments to the Plumbers and Drainers Act. I congratulate it for that and look forward to seeing the actual details of the amendments that are coming up tomorrow. I was particularly concerned about 2 cases that were brought to my attention. I would like to read out relevant parts of those cases so that it is very clear what I was concerned about in the present legislation. One of the persons was employed by a national plumbing firm in 1973 and has been employed by it since. He was first of all employed in Perth where he immediately assumed the role of leading hand plumber on a multi-office-theatre complex in which 33 storeys were completed within a 24-month period. He was then made project manager-coordinator on the Swan Brewery project in Cannington, followed by the TVW cinema complex in Perth. He was then moved to Karratha in the north-west of Western Australia where he was made the north-west manager of this national firm. In that job, he was responsible for all aspects of the plumbing trade including quoting, accounting and administration. He was subsequently transferred to Darwin where he is now working on a major project.

The second person is again employed by the same firm. He was employed in November 1971. He started off as a leading hand plumber in the construction of the mining town of Wickham in the north-west of Western Australia. He was then transferred in the same capacity to the construction of the Royal Perth Hospital Ward Building and Karrinyup shopping complex. He was then made project manager-coordinator on the TVW entertainment complex, followed by the huge diagnostic complex at the Queen Elizabeth Medical Centre in Perth. He then came to the Territory where he supervised the plumbing construction of the hospital and the nurses' quarters and then he followed on in a similar capacity at the museum, the Government Printing Office and the Mindil Beach Casino, and he is presently the supervising plumber at the Karama primary school stage 2. Again, he has been involved in all aspects of the plumbing trade including quoting, accounting and administration.

Mr Deputy Speaker, under the legislation as it stands at present, both these people were refused registration as journeymen in the Northern Territory. That is because the legislation is quite specific that, to become a journeyman, you must have qualifications that are recognised by the Australian and New Zealand Reciprocal Association. Unfortunately, these 2 people do not have such qualifications. They both came from England many years ago. They both have completed apprenticeships but those apprenticeships have not been recognised yet by ANZRA.

It is quite obvious that they have had extensive experience both inside and outside the Northern Territory. Each of them has been acting as a journeyman for at least 10 years. It is most important that the amendments to the Plumbers and Drainers Act that come down tomorrow are flexible enough that that experience can be recognised and those persons can be registered as journeymen in the Northern Territory. I repeat that they are acting in that role at present. They have a wealth of experience in the plumbing and draining areas. They have a lot to offer the Northern Territory. We cannot afford to lose them. So I would urge the minister and his Cabinet to incorporate sufficient flexibility in the legislation to encompass these people.

Mr VALE (Stuart): There are a couple of things I would like to raise this afternoon in the adjournment debate. The first one concerns the Northern Territory daily newspaper and its reporting on a number of events, particularly football. In that respect, I refer to Australian Rules football. According to my information, and the last time I checked, Alice Springs was well and truly inside the Northern Territory. I have in front of me a clipping from this Northern Territory newspaper several days after the Australian Rules grand final

in central Australia. Its headline is 'Interstate Scoreboard'. It gives a rundown of scores on various football matches Australia-wide, through Victoria, South Australia, Perth and so on. In very fine print down the bottom it says, 'Alice Springs', then: 'Central Australian Football League Grand Final - Pioneers 17 14 116 beat Rovers 9 9 63'. The honourable member for Gillen may say that that is only because Wests were not in the grand final this year. That may be.

The point I would make in all seriousness is that there are many people who live in Darwin or Katherine who do not receive the results of the Central Australian Football League matches during the season and who would like to see them printed with a bit more detail than the NT News prints them at present. As the only Territory daily paper, it is the responsibility of this newspaper to do a little more reporting in a little more detail of matches such as those played under the Central Australian Football League. In that respect, I draw comparison to the Melbourne Sun, the daily newspaper in Melbourne, which reports on the Victorian Football League with a great amount of detail. The second most important league in Victoria is the Victorian Football Association. The Melbourne Sun reports on this association football but with less detail. We would regard ourselves as the second most important rules league after Darwin.

Many residents of the Top End phoned Alice Springs on the Monday morning after our football matches to check results. They would appreciate the Northern Territory News and its editor, who I believe is a rugby fan, taking a more responsible attitude to our football in central Australia, which is of an extremely high standard.

Another point I would make is that residents in towns outside of Darwin are denied access to the NT News on publication day. In fact, they do not receive it until the day after. A number of people have approached me in recent weeks concerning that point. I would again raise that for consideration by the Northern Territory News. I have no criticism of its general style of reporting but I still believe that those residents outside Darwin deserve a little more consideration.

About 12 or 18 months ago, I issued a statement in central Australia concerning my stance on high-rise development. Amongst other things, I said that I did not believe that residents of Alice Springs wanted high-rise buildings. In fact, I pointed out that, from a national and international viewpoint, we were regarded by many as the last frontier or the great outback. It was one of our tourist attractions that, whilst tourists to central Australia wanted to stay in first-class hotels, they certainly did not want to be confronted in the inland by high-rise buildings of any description. I believe that that comment has the general support of many residents of central Australia. I would point out that politics is not involved in that. Most people take that stance regardless of their political viewpoints.

Recently, however, the Chairman of the Aboriginal Development Commission has attempted to turn this into a black versus white argument. He has attacked the Chief Minister and accused him, amongst other things, of making Aboriginals in central Australia suffer whilst the high-rise proposal put forward by the Aboriginal Development Commission is left to drag on and on. I do not believe anyone in central Australia believed that Mr Perkins was either honest or reliable in levelling those accusations at the Chief Minister. I would point out that it is certainly not a black versus white argument. It is purely and simply a stance taken by most residents of central Australia that they definitely do not want high-rise buildings in central Australia under any circumstances. Whilst Mr Perkins is quite able to demonstrate and camp-in at the proposed dam site north of Alice Springs, the same democratic right must be allowed to other

residents of central Australia to voice their objections to the proposed high-rise proposals put forward by the Aboriginal Development Commission.

Mrs PADGHAM-PURICH (Tiwi): Mr Deputy Speaker, this week is Senior Citizens' Week, as you well know, Sir, because you declared it open at the beginning of the week. I am very pleased to see the elderly people in our community receiving recognition of their work and of their age because the Northern Territory generally has a young population. There are not as many old people here as there are in the states. It is very encouraging that our government has tried to keep the elderly people in the Territory and has tried to reunite families by giving financial enticements to grandparents to come up here. It is very pleasing to see that many of these people are taking advantage of the generous encouragement of the Northern Territory government.

We have had international years dedicated to various things. It would be appropriate if we had an international year of the senior citizen. Australia has an ageing population. There is nothing more certain than the fact that we are all getting older. We will all end up as senior citizens if we live that long. To show a little regard for the senior citizens in the community will probably be a bit of an uphill battle because, for years, all aspects of the media have concentrated on youth. The young persons' views have been presented as the most important things to be considered by the community and little regard is paid to the views and experience of senior citizens. This is in contrast to the Chinese people who give great respect to their elderly citizens. Growing older is a lot harder on women than on men because that is when the double standards really become apparent.

The Chief Minister, the Minister for Health and I went down to the Bees Creek Road at lunchtime where the honourable Chief Minister handed over title to a block of land to the Rural Old Timers' Association so that it could start building its village. It was attended by many people, men and women, and they were very pleased that their dream was finally taking place. They were also pleased when the Chief Minister said that the road to the proposed development on their block of land would be upgraded at a suitable time.

Mr Deputy Speaker, as this is Senior Citizens' Week and senior citizens are having parties and get-togethers and everything is friendly, I would like to draw to the attention of this Assembly that one old lady of 70 is not sharing this happiness, and all because of bureaucratic disregard for her welfare. This lady does not live in my electorate; she lives in town. She has been a model citizen in that she has received a citation from the city council on the state of her property and the state in which she keeps her garden. For somebody of 70 to receive a citation like that, must be something. I know the area where she lives but I cannot say exactly that I have seen her house because I only received this information at the weekend. I have not even had time to bring it to the attention of the minister.

This old lady has lived in Darwin for 33 years. Her problem is that she has a pet. Her pet does not bark, bite or fight like dogs do. This lady's pet does not deposit unpleasant-smelling bodily wastes in public areas like dogs do. It does not offend the aesthetic values of the community by mating in public as dogs do. It does not keep the neighbours awake at night with raucous mating noises like cats make. This pet does not have internal parasites such as tapeworm that infect humans and which dogs carry. It does not have hookworm because it is not that sort of animal. It does not have round worm. It cannot cause toxoplasmosis like cats can. The old lady's pet cannot infect humans with cheyletiella like dogs can and it cannot infect humans with sarcoptic mange mite like dogs can.

This lady's pet is a beautiful companion to her in her old age. It is advantageous to her health and it combats her loneliness. Everybody but these buearucrats knows the definite psychological value of having pets, especially to old people. Despite all that, this old lady has received an order to get rid of this pet or have it destroyed. The big sin of this old lady is that she has a 2-months-old doe kid. With my knowledge of dogs and cats, and backed up by veterinary expertise, I challenge anybody in this department to show me why it is more unhealthy to keep this animal than it is to keep a dog, cat or any other animal that the community says that we can keep quite happily.

As I said, everywhere else this week there are happy meetings, there are dances, there are parties and the Rural Old Timers Association is happy that it has its block of land. But this one, lonely, old migrant lady is not happy. She cannot keep her clean, healthy, pretty and friendly companion, her little doe Gina.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, I would like to join the Chief Minister in his farewell to Jim Gallacher and Jack Larcombe. I worked with both of these gentlemen for very many years. I would like to give my personal best wishes for their retirement. Jim Gallacher has expertise in the fields of education and Aboriginal affairs and Jack Larcombe was an expert in industrial relations matters and labour and Aboriginal affairs. As a former workmate, I would like to wish them all the best in their retirement.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

DISTINGUISHED VISITOR
Hon T.M. McRae

Mr SPEAKER: Honourable members, I draw your attention to the presence in the gallery of the Hon Terry McRae, Speaker of the South Australian House of Assembly. On behalf of all honourable members, I extend a very warm welcome to Mr McRae and I hope that his stay in Darwin will be very pleasant one.

Members: Hear, hear!

STATEMENT
Broadcast of Question Time

Mr SPEAKER: Honourable members may be aware that the broadcast of question time yesterday was interrupted. I have received the following letter from Mr John Abell, Station Manager, 8 Top FM:

Dear Mr Speaker, I have to report to you that our direct broadcast from the Legislative Assembly of the Northern Territory on Wednesday 12 October was interrupted due to circumstances beyond the control of 8 Top FM. We are dependent on the services of a Telecom line to broadcast from the Assembly to our studio in Casuarina. At approximately 1 minute before the broadcast time of 10 am yesterday, the line was interrupted by Telecom and was not restored until 10.22 am. Telecom has accepted full responsibility for this error and will forward to you a letter of explanation and an apology at earliest. Our broadcasts from the Legislative Assembly have been generating wide listener interest and I regret the interruption to our services.

Yours sincerely, John Abell.

FINANCIAL ADMINISTRATION AND AUDIT AMENDMENT BILL
(Serial 353)

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 bill will amend certain parts of the Financial Administration and Audit Act relating to the duties of the Auditor-General. The Auditor-General is presently required by the act to audit the public and other accounts of departments and authorities and to report thereon. These provisions are broadly drawn so as to afford the Auditor-General the widest possible discretion and degree of independence as to his responsibilities. Timing, scope and methodology of the audits are matters for the Auditor-General entirely. However, in the final analysis, the government is answerable to this Assembly for everything done by any arm of the administration. Thus, the government must be able to respond promptly and effectively to any information or complaint which is brought to notice, either publicly or privately, concerning its financial administration.

For these reasons, the amendment proposes to empower the minister responsible for the Auditor-General in this Assembly to direct the Auditor-

General to conduct a special investigation into specific aspects of the financial affairs of a department or authority as a matter of priority where the minister considers such action to be warranted. The Auditor-General will be required then to report back to the minister within a specified time or within such time as is reasonably required to complete the investigation. After receipt of the Auditor-General's report, the minister will be required to table it in the Assembly within 6 sitting days. It should be noted that the powers of the Auditor-General will not be increased by the provisions of the amending bill. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

BAIL (CRIMINAL CODE) AMENDMENT BILL
(Serial 334)
ELECTORAL (CRIMINAL CODE) AMENDMENT BILL
(Serial 336)
EVIDENCE (CRIMINAL CODE) AMENDMENT BILL
(Serial 337)
INTERPRETATION (CRIMINAL CODE) AMENDMENT BILL
(Serial 338)
JURIES (CRIMINAL CODE) AMENDMENT BILL
(Serial 339)
PRISONS (CORRECTIONAL SERVICES) (CRIMINAL CODE) AMENDMENT BILL
(Serial 340)
SUMMARY OFFENCES (CRIMINAL CODE) AMENDMENT BILL
(Serial 341)
SEXUAL OFFENCES (EVIDENCE AND PROCEDURE) BILL
(Serial 343)
JUSTICES (CRIMINAL CODE) AMENDMENT BILL
(Serial 344)
POISONS AND DANGEROUS DRUGS (CRIMINAL CODE) AMENDMENT BILL
(Serial 346)

Continued from 25 August 1983.

Mr B. COLLINS (Opposition Leader): These bills, of course, are consequent on the passage of the Criminal Code. The first bill introduces amendments in respect of the Bail Act to cover reference to the Criminal Code Act. Basically, the bail provisions initially inserted in the draft code were left in the Bail Act. The opposition is in full agreement with this approach. The Bail Act was introduced to cover bail provisions and it is appropriate that all such provisions should remain in that act. As a matter of policy, we believe that, where a piece of legislation purports to cover a specified field, it should continue to do so wherever possible.

Mr Speaker, amendments have been made to the Electoral Act since provisions in the Criminal Code now deal with corrupt practices at elections and defamation of candidates. We believe that these provisions also would have been dealt with more appropriately in the relevant legislation - that is, the Electoral Act - and we said so at that time. Even though they involve offences of a more serious nature, there is no reason why they could not have been dealt with in the act which was introduced to deal specifically with electoral matters.

Mr Speaker, under the amendments in respect of the Evidence Act, married persons can now be required to give evidence in cases involving their spouses. This will remove the distinction between married and unmarried people, and the opposition supports this. In addition, provisions in the Evidence Act in

respect of the right of reply and admissions by an accused have been repealed. They are now covered by the code. I must reiterate our opposition to those provisions in the code. In respect of the order of speeches, we believe that an accused person should always have the right of reply. It is recognised among legal practitioners that having the last word is a tactical advantage. Having sat myself through a number of criminal law cases of a very serious nature, I must say that I concur with that view. I might also add that, having sat through entire days of tendentious debate about the order of final addresses between counsel for all parties concerned in respect of land rights matters, it appears that practitioners place considerable weight on this matter. In keeping with the principle that an accused should be given every opportunity to defend himself, we believe that he or she should always have the right of final reply.

We believe that the new provision in the code in respect of admissions is a further illustration of a harsher line against accused persons. Admissions by an accused are now proof of the facts admitted. There is no requirement that the accused be warned of his rights or that he should consult his legal representatives. The opposition believes that the code takes a harsher line towards accused persons generally and these sorts of provisions support that view.

Mr Speaker, I have no comment in respect of the consequential amendments to the Interpretation Act. They are straightforward.

However, in respect of the Juries Act amendments, I must restate my comments in respect of the Bail Act. Whilst there are no major objections to the provisions themselves, we believe that, where legislation exists in respect of a particular area, it is appropriate to keep all the provisions with respect to that matter within that legislation so far as is possible. There is no reason why the provisions for juries in criminal proceedings could not have been retained in the Juries Act.

Mr Speaker, the amendments to the Prisons (Correctional Services) Act repeal escape provisions which are now covered by the code. It is interesting to make a comparison of the old and new provisions. Under the old provisions, the penalty for aiding an escapee was 2 years and, for a prisoner escaping, it was 5 years. The new penalty for aiding an escapee is 7 years while the escapee only gets 1 to 3 years on top of the original sentence, depending on the nature of the original offence. The gap between the 2 is, to say the least, anomalous.

Mr Speaker, the bill in respect of the Summary Offences Act introduces provisions which are of a less serious nature and inappropriate for inclusion in the Criminal Code. The opposition supports this approach. However, we are concerned by the inclusion of a new provision prohibiting the offer of reward for return of stolen or lost property. While we do not see it in any way as being a momentous provision - and it is only a matter we are seeking to amend - it raises a difficult question. The community's interest in pursuing those who offend against the law can be at odds with a person's prime personal interest in the recovery of his goods rather than in the prosecution of the person who stole those goods. I have been in the very painful position of being such a person, to the tune of some $14 000.

The opposition must argue that the interests of the community and the prosecution of offenders is paramount to the individual's interests. However, the proposed provision in clause 8 of the Summary Offences (Crminal Code)

Amendment Bill, referring to property which is stolen or lost, is unacceptable. Whilst asserting that the community interest is paramount, we think that that is an unacceptable extension of this provision. Persons should be allowed to advertise for the return of goods which they believe to have been genuinely lost and, accordingly, it is suggested that the reference to lost property should be removed. I hope that the government will see that this should be done. If property is stolen, the individual concerned should report the matter to the police, as the majority of people do. In circumstances where it is clear that property has been stolen, I think it is improper to advertise a reward for the return of that property with no questions asked. But, it is a perfectly normal and natural procedure, as is demonstrated daily in the classified columns of any newspaper, for people who have genuinely lost something to advertise that a reward is offered. Lost dogs are a prime example. I am aware that profitable criminal activities in the area of dog and cat-napping have definitely taken place. People have stolen dogs and waited for reward notices to appear. In order to stamp out that kind of activity, this particular extension of the law goes too far. In the majority of cases, people will have genuinely lost property and, if they wish to offer a reward, I think they should be allowed to do so. Our only amendment is to delete that reference to 'lost' while retaining the reference to 'stolen'.

We support the provisions of the Sexual Offences (Evidence and Procedure) Bill. We acknowledge this attempt to protect victims of sexual assault from the horrendous experience often involved in bringing the assailants to justice. These provisions will certainly assist in that by prohibiting the introduction of evidence of the complainant's sexual activities or reputation unless it has substantial relevance to the facts at issue. In addition, the provision for the complainant to give evidence in private will help to reduce the embarrassment involved in what can be an extremely difficult ordeal. We welcome the government's efforts in this direction. However, we would urge that the operation of these provisions be closely monitored by the government to ascertain the need for any future revision. I am sure the government will be monitoring the operations of the entire code. This is a difficult area on which to legislate satisfactorily and it should be kept under review.

Mr Speaker, the amendments to the Justices Act are of a technical nature and we do not oppose them.

The final bill makes some minor amendments to the Poisons and Dangerous Drugs Act. However, no amendments have been made to create consistency between that act and the Criminal Code. The provisions overlap and the government has indicated that both pieces of legislation are to run together. The Attorney-General has suggested that they will have different applications and and that the code will be used basically for major drug traffickers. To my mind, this creates an unacceptable uncertainty in the law. There is no reason why adequate attention could not have been given to these provisions to ensure consistency and certainty. We covered this at some length during the debate of the Criminal Code itself. I asked some questions as to who would be making the initial decisions about which act would be applied because there are anomalies between the penalties provided in the 2 acts. I think I am accurate in saying that the answer I received was that it would be the police. Although we are not moving to amend it, I reiterate that it would have been more satisfactory to have legislated with a greater certainty in this particular area.

With those comments, we support all the provisions in these bills with the single suggestion to the government that it consider deleting 'lost property' in terms of rewards being offered.

Mr DOOLAN (Victoria River): Mr Speaker, there is one thing in the Evidence (Criminal Code) Amendment Bill that I am unhappy about. Whilst I agree that evidence given by a spouse, either in a legal or de facto relationship, should be considered competent, I cannot believe that it should be compellable. I believe that, in such a close relationship between 2 people, evidence should be taken on a voluntary basis only and not on a compellable basis. I would like to see the world 'compellability' deleted from this bill.

I object to the Interpretation (Criminal Code) Amendment Bill on the same grounds as I object to the Criminal Law (Regulatory Offences) Bill. I consider that the court is a more competent body to classify and define such offences than is this legislature. When presenting the Summary Offences (Criminal Code) Amendment Bill, the minister referred to less serious offences which are not considered to warrant inclusion in the code. However, included in this code is a presumably 'serious offence' which is archaic and something that I do not regard as an offence at all. I refer to attempted suicide which is a matter for the medical rather than the legal profession to be concerned with. Frequent reference has been made during these debates to the fact that the Queensland Criminal Code was used substantially as a model for our Criminal Code yet the section in the Queensland Criminal Code dealing with attempted suicide was amended several years ago.

There are parts of section 46 of the Summary Offences (Criminal Code) Amendment Bill with which I agree and others with which I disagree. Proposed section 46 states: 'A person who creates or joins in a disturbance in (a) the House of the Legislative Assembly or within its precincts, while the Assembly is not sitting; or (b) in or at or within the precincts of the office or residence of (i) the Administrator; or (ii) a member of the Legislative Assembly - is guilty of an offence. Penalty: $500'. The Administrator and the members of the Legislative Assembly have a right to privacy at all times in their offices or residences and the Legislative Assembly should be able to sit without outside interruptions. I cannot see why a protest meeting in the precincts of the Assembly when it is not sitting should attract a penalty of $500 to any or all people attending such a protest if it is conducted in a reasonably orderly manner and no damage is done to property. With all the laws enacted to protect members of the Legislative Assembly, I am starting to feel that we will soon be regarded by the general public as some sort of protected animal such as a koala bear.

We have already the right to say things in this Assembly, often scathingly - and unfortunately this is referred to by the general public as a coward's castle - and voice opinions without fear of any consequences that would normally result in litigation for libel or defamation of character. Stringent laws for our physical protection are enacted in the Criminal Code. We have laws to protect us from disturbances whilst we are in the Assembly. Why on earth the precincts of the Legislative Assembly are to be held sacrosanct while it is not sitting is beyond me. The lawn outside may be the best and most effective place for people with a legitimate gripe to hold a protest. To include the precincts of the Assembly when it is not sitting is totally unnecessary.

My other objection to this bill relates to proposed section 68B(a), advertising a reward for the return of stolen property. If some person has an article or object stolen which he is desperately anxious to have returned and he is prepared to forgo the assistance of the law and the courts in having this particular object returned, I believe that it should be his prerogative to take whatever steps he feels will have the most likely effect or make the greatest impact or impression on the guilty person. I cannot see why he should

be liable to a fine of $500 for making what might be a last ditch effort to regain some treasured article which could have enormous intrinsic but little monetary value.

With regard to the Sexual Offences (Evidence and Procedure) Bill, I have nothing but praise to offer. The stated intention of the government to afford evidentiary protection to victims of sexual assaults is most commendable. In clause 4, which sets out the rules of evidence in relation to sexual offences, it is stated that evidence relating to the complainant's general reputation as to chastity or sexual activity with a person other than the defendant shall not be led or elicited without leave of the court. That leave shall not be granted unless the court is satisfied that the evidence sought ought to be elicited or led because it has substantial relevance to the facts at issue. Rules of this nature are not only timely but, in fact, many years overdue. How often has it happened in the past that the unfortunate victim of sexual assault has been maligned and browbeaten in court over a past event which has often no relevance whatsoever to the case which is being heard. In many cases, the victim of the sexual assault may emerge from such a traumatic experience in a worse mental condition than existed before the offence was brought to the notice of the court. If this legislation does nothing more than encourage people who have been subjected to sexual assault to come forward and assist to bring to justice the perpetrators of the assault, it will be, as its honourable proposer said, one of the most important consequences of the Criminal Code.

Mr ROBERTSON (Attorney-General): Mr Speaker, I thank honourable members opposite for the trouble and care that they have obviously taken going through the various pieces of legislation. I will certainly look with some sympathy at the various points raised by the Leader of the Opposition, in particular the one relating to advertisements in respect of lost property. His argument seems to be quite persuasive. I would wish to talk with my advisers to see if there are any legal difficulties in accepting the proposal as put forward by the opposition. A couple are immediately apparent. One that comes to mind is the possibility of goods having been lost by a previous owner and then stolen. How can that be covered without a provision such as this? But then, of course, the person who lost the goods was not deprived of them by someone taking them directly. I dare say a prosecution would not lie in that case in any event if we were to accept the opposition's proposal. Certainly, I will ask that the committee stage be later taken to look at that point in particular.

In addressing the Electoral, Evidence and Juries Acts, the Leader of the Opposition gave me the impression that, because of the way these bills are cited - Electoral (Criminal Code) Amendment Bill, for example - he perhaps understands it to mean that a separate statute is created thereby to deal with matters under the head of the Criminal Code. Mr Speaker, if we read the bill, what it does in reality is alter the principal act. In other words, we do not set up separate legislation under the proposal before us at all. We are amending the principal acts. In the case of the Juries (Criminal Code) Amendment Bill, the Leader of the Opposition said that the provisions ought to be dealt with more properly in the Juries Act. That is precisely what we are doing. In the case of the Bail (Criminal Code) Amendment Bill, it says that this act shall come into effect on the same date as the Criminal Code and then goes on to say that the Bail Act, in thisbill, is referred to as the principal act. We are not setting up separate laws at all but amending exisiting laws.

The question of suicide was raised again by the honourable member for Victoria River. As he repeated himself, I will say again that I am certainly

less than happy to see a matter of this type dealt with in criminal law. I would much prefer it to be dealt with in, say, the Mental Health Act. But I believe, for reasons which I gave in the Assembly previously, that there must be some enabling law somewhere to allow intervention by the police. Naturally, no Attorney-General whom I know of would authorise a prosecution under any criminal law of a person who is mentally disturbed and, as a result, wishes to commit suicide. That is not what it is all about. It is to enable rapid intervention by the police in such circumstances. It may be necessary to break down doors and damage property in order to seize the distressed person quickly. The Police Force needs indemnity against civil action as a result of its actions in apprehending and saving the life of a person. If we were to take it out of the code altogether and simply place it in the Mental Health Act, without giving those sorts of powers to the police, we would still frame it in such a manner as to indicate that it is not an offence but, at the same time, give indemnity to police officers who carry out that function.

In New South Wales, suicide is not mentioned in the criminal law. Because there is no such offence in the criminal or any other law, a person was able to sit in a park and, like Bobby Sands, gradually starve himself to death by way of a protest suicide. The police were entirely powerless to do anything. The moment they touched that person, the offence of assault would have been created. It left the entire mechanism of the state of New South Wales utterly and completely unable to help this person who was hellbent on committing suicide by starvation. I ask honourable members to think about such situations and to realise that they are the reason for having laws like this before this Assembly. It is not that we want to express this serious social problem in the criminal law; it is just that there are no other known avenues available to us to overcome the difficulties that I have just outlined.

Mr Speaker, the honourable member for Victoria River queried why this place should be sacrosanct from demonstrations or certain behavioural patterns other than when the Assembly is sitting. That is food for thought. Why indeed should it? I will certainly examine that one and discuss it further with officers of the Assembly to see if they can come up with any reason why their work place should be any more hallowed than the Wells Building. I have no doubt that they will argue strenuously for the retention of the proposed provisions. Mr Speaker, if honourable members believe that it is appropriate at least to have some control on behaviour while the Assembly is sitting - I see a very enthusiastic nod from the Leader of the Opposition - they should reflect on the effect of removing the provision when the Assembly is not sitting. In other words, we sit from 10 am to 5 pm. Should we have a position where utterly riotous behaviour can occur at 9.45 am and, the moment those bells stop chiming, such behaviour automatically becomes an offence?

While I agree with the sentiments expressed by the honourable member for Victoria River, I ask honourable members to contemplate the practical effect of that sort of alteration to the law. Of course, it has been pointed out by the Clerk of this Assembly that 'precincts' would need to be defined and, from memory, I think it is in the Legislative Assembly (Powers and Privileges) Act. I would want to recheck that because 'precincts' will be relevant.

Mr B. Collins: The Nelson Building is part of the precincts of the Assembly.

Mr ROBERTSON: Clearly, from the recollection of the Leader of the Opposition, the Legislative Assembly (Powers and Privileges) Act provides that

it is the whole of the precincts including the Nelson Building. Now we know why the Leader of the Opposition is not anxious to have this particular proposal before us amended: his offices are in that building. I have been informed that, in the ACT, there is an Unlawful Assemblies Act which extends control something like 100 m beyond the precincts. I do not think we need to propose a similar provision here. Nonetheless, Mr Speaker, for reasons I have given, between now and the committe stage, I would ask honourable members to give consideration to the practical effect of some of the proposals that have been put forward. In the meantime, I will give very active consideration to the suggested amendment of the Leader of the Opposition.

Motion agreed to; bills read a second time.

Committee stage to be taken later.

PLUMBERS AND DRAINERS LICENSING AMENDMENT BILL
(Serial 364)

Bill presented and read a first time.

Mr STEELE (Transport and Works): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to amend the Plumbers and Drainers Licensing Act so that people who have worked satisfactorily in these trades for long periods may continue to do so. The current provisions of the Plumbers and Drainers Licensing Act were intended to protect the public by ensuring that people in the industry were competent. It is one of this government's many attributes that it listens to representations put forward by the various industry groups.

In its present form, the act does not allow for experienced persons who have worked satisfactorily in these trades for long periods to be registered unless they have formal qualifications or have concluded apprenticeships. In recognition of the value of extensive experience, this amendment will ensure that persons with 10 years' experience or more will be registered as journeymen. Persons with 5 to 10 years' experience will be permitted to work as journeymen until the end of 1986, by which time they should have completed courses with the Darwin Community College to qualify for registration.

Mr Speaker, I mentioned this morning that some final matters were being attended to in relation to these amendments. It was originally proposed to limit registration of journeymen of between 5 and 10 years' experience to those journeymen who had been working in the Northern Territory. It was subsequently learnt that there were some journeymen who had many years experience but who had not been practising for the minimum of 5 years in the Northern Territory. These people were practising journeymen who had been engaged in the industry for 5 years or more but for the majority of that period had been in other places. It was to ensure that we accommodated those people that a decision was taken to delete reference to the Territory from the requirements and allow experienced persons who have worked satisfactorily in these trades to be registered.

Finally, I should point out there is a sunset clause in respect of provisional registration. An application for the issue of a journeyman's provisional registration card will need to be made before 31 December 1983.

Mr Speaker, I advise that I will be seeking the passage of this bill through all stages at this sittings. I commend the bill to all honourable members.

Debate adjourned.

CRIMINAL LAW (REGULATORY OFFENCES) BILL
(Serial 335)

Continued from 25 August 1983.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I will be brief. This is another bill that is consequential on the Criminal Code. It lays down regulatory offences. We will be supporting the provisions of this particular piece of legislation. However, in confident anticipation that the government will be deferring the committee stage of this bill, and as I have not had time to go through the raft of amendments in detail, I will be reserving any further comment for the committee stage.

Mr DOOLAN (Victoria River): Mr Speaker, I will be even briefer than the honourable Leader of the Opposition. The only objection I have to this bill is the same as that I had to the Evidence (Criminal Code) Amendment Bill. I am still not convinced that the court, with its extensive knowledge and practice, is not a more competent body to classify and define offences than is this legislature.

Mr ROBERTSON (Attorney-General): Mr Speaker, I totally disagree with the honourable member for Victoria River in what he just said. That is a matter of philosophy. I respect his view and that is fine. To repeat what I said during the course of the Criminal Code debate itself, I believe that it is the responsibility and the duty of the Assembly to determine what it sees as being the community's expectation and values. It is unfair to ask courts to do the work of politicians. I do not think that we should resile from our duty. They certainly do not resile from theirs.

Mr Speaker, if the Leader of the Opposition lets me know on Tuesday how he is getting on with his assessment, we will time it from there.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

POLICE ADMINISTRATION AMENDMENT BILL
(Serial 345)

Continued from 31 August 1983.

Mr LEO (Nhulunbuy): Mr Speaker, the opposition will not oppose the passage of this bill. However, we must view with increasing alarm the amount of discretionary power that has been given to the Commissioner of Police in the Northern Territory. He is becoming an extremely powerful public servant, especially in the administration of his own men. This has occurred through a number of amendments that have been passed over the past 18 months. There have been a number of amendments which have tended to reduce the powers of certain boards within the Police Force. Boards such as the Promotions Board gave police confidence in that they could make representations or dispute the commissioner's decision. Unfortunately, there has been a growing tendency with

the amendments that have been made to the Police Administration Act to reduce the powers of policemen to make representations on decisions that the commissioner has made. I know that the Police Association views this with considerable alarm as does the opposition.

The opposition has put forward an amendment. There is one provision in this bill which is quite out of step with proper legislation: proposed new section 17A. The opposition suggests that it be omitted. There is a Police Arbitral Tribunal which sets wage rates and various allowances for the Police Force. To give the commissioner the discretionary power of setting wage rates and various other payments would completely erode the responsibility and the purpose of the Police Arbitral Tribunal. It is there to settle wage disputes. The commissioner should not have the discretionary power to set arbitrary wage levels. The opposition views that with extreme concern. I do not know of any public servant who can set wage rates. They must be determined through an arbitral tribunal or via some industrial procedure. This would negate completely any industrial procedure. I must say that I find proposed new section 17A quite alarming. I do not know whether the honourable Chief Minister is just accepting his commissioner's advice without question. Certainly, the opposition will be moving for its deletion.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, in rising to support this bill, my remarks will be brief. I think the main thrust of the bill is to seek greater efficiency in the Police Force. I feel that, in the framing of this bill, the views of representatives of the Police Association would have been considered. The government has shown in the past that it is flexible with its legislation. If legislation is found not to be working as efficiently as was first thought, then changes are made. I feel certain that, if the amendments that this bill introduces into the current act prove not to work for the greater efficiency and effectiveness of the Police Force, there will be further changes.

Mr Speaker, I agree with the honourable member for Nhulunbuy that it gives the Commissioner of Police a greater say in certain aspects of police administration. I hope that this will not lead to a flow-on of more authoritarian measures in respect of the Fire Service. Despite the fact that the Fire Service is administered to a certain degree by the Commissioner of Police, I feel that it should continue to operate as a separate entity.

Clause 6, remuneration of commissioner, takes into account section 10 of the principal act. It says that, taking into account section 10, the Administrator will provide compensation in certain situations of illness and incapacity. It would be highly unlikely that this would happen because other steps would have been taken in other places. However, legislation must take account, if only slightly, of all situations that could occur. It is possible, but not probable, that the Commissioner of Police may no longer be suitable to hold that position because of maladroit administration. It does not mention anything about that in section 10 but it may be taken into account elsewhere.

Mr Speaker, I know that there are members of the Northern Territory Police Force who have come from other countries and other states. It is my understanding that they join the Northern Territory Police Force at the bottom rank and have to work their way up again. I hope that this legislation takes some account of suitably-qualified men and women from other parts of the world and other states of Australia joining the Police Force and that they will receive recognition for their previous experience in other forces.

Mr Speaker, the bill makes a good point in that an appeal can be made before a position is declared filled if the position is filled from outside the Police Force. If a person is appointed from outside the Police Force and then there is a successful appeal, it would cause some inconvenience to the person so appointed. Obviously, he would have made other arrangements concerning his previous position. I am quite in agreement that an appeal can be made before the person from outside is appointed.

Another part of the bill deals with particular members who have certain skills being appointed to the Northern Territory Police Force. This situation now holds with brevet rank officers holding positions with special qualifications. I think one of the pilots employed by the Northern Territory Police Force has the rank of inspector. It seems only fair that, if his qualifications increase so that he can be promoted to a higher rank, his financial recompense should rise in proportion to the rank that he holds.

Clause 23 says that the commissioner may deal with members. There is a slight difference from the current act. In the new bill, the commissioner may deal with members who are unfit, which includes medically unfit, and he may make certain decisions regarding their future in the force. 'Medically unfit' was not included in the principal act. There is more detail in the new bill which will make for easier working when these officers have to be considered regarding their fitness or otherwise for their jobs. The commissioner can transfer members, reduce their salaries or suspend them if they are medically unfit for a certain time. He can also retire them. The principal act says that the commissioner can dismiss them. It mentions suspension but it does not talk about medical unfitness being a condition of suspension. I think that the bill deals in more detail with that aspect of the workings of the Police Force.

I look forward to seeing how this legislation will work in practice. No doubt, if parts of it do not work to the satisfaction of the Police Force, we will hear about it in the form of new amendments.

Mr EVERINGHAM (Chief Minister): Mr Speaker, unfortunately, I was discussing an amendment with the draftsman at the time the member for Nhulunbuy spoke. However, I understand that the gist of his complaint, if any, about this bill is proposed section 17A, allowance for a member having special qualifications. All I can say, Mr Speaker, is that it is an allowance and not a salary. It is an allowance that shall not be above that prescribed. Obviously, the commissioner must have some flexibility in his ability to offer an inducement to people with special qualifications to join the Police Force. I cannot conceive of any other way to determine such an allowance reasonably. I think everyone agrees that the Police Force needs specialists to combat organised crime. The Police Force must be able to recruit lawyers, economists, people with degrees in business administration, experts in biology and forensic science etc. It is extremely difficult to recruit these people into the normal ranks of the Police Force or within the normal salary structure of the Police Force.

If you want to hobble the Police Force in its fight against organised crime, then I suggest you restrict its flexibility. Sure, if I were a sergeant first class in traffic, I would be cranky that a sergeant third class, who had legal qualifications and was in charge of the company investigations squad, was getting an allowance which made his total emolument somewhat higher than mine. Mr Speaker, the honourable member for Nhulunbuy has said this should be handled through the Police Arbitral Tribunal. I would agree with that

if it were possible, in this situation, to act in retrospect. But the person must be recruited. It is only after recruitment that the matter can be referred to the Police Arbitral Tribunal. I make this offer to the honourable member for Nhulunbuy who has not corresponded with me on this matter. I admit that the Police Association has and it is somewhat concerned. I feel that its concerns are of the type that I have just registered: it sees some sort of elite group growing up which will be on allowances the others do not receive. If the Police Force is to be effective in these times, it needs these specialists. I do not want to see the Northern Territory Police Force go down the drain - I put it as strongly as that - as police forces have in the rest of Australia. In New South Wales, the Police Force at present could not fight its way out of a wet paper bag. It is corruption-ridden. Its morale has fallen below floor level. That is the state of police forces in a number of other states. One of the reasons is that they do not have the flexibility to recruit the men and women that they need to fight against organised crime.

I hope that all honourable members will see that this move is made in the Northern Territory with good intentions. Here we have a relatively young community. Let us stay flexible. Let us give our Police Force teeth to do its job. I make the offer to the honourable member for Nhulunbuy that he come to me as soon as he likes with a feasible proposal or that he put to this Assembly an amendment to give the Commissioner of Police the sort of flexibility that he needs in order to get these specialists. It would not be possible if he had to go to the arbitral tribunal to determine allowances. He cannot say to a possible recruit: 'I will give you an allowance after we have recruited you to the Territory. We will get the arbitral tribunal to determine the allowance'. Nor can he say: 'Hold on. Do not come to the Territory but wait where you are while we get the arbitral tribunal to determine the allowance'. That sounds highly impracticable to me. I ask the honourable member for Nhulunbuy, instead of saying this is no good, to tell me what is better.

I have said in this Assembly that we are setting up specialist areas so that we will not be caught with our pants down if organised crime makes a push into the Northern Territory. We do not want to give organised crime any special ramps by which it might come into the Northern Territory. That is why I have such grave reservations about such an innocuous subject as the Totalisator Administration Board. I could not care less if we had the TAB. What I am worried about is that, if we have to outlaw off-course bookmakers in order to introduce TAB, and make it viable so as to provide benefits to the racing industry, organised crime will get into illegal SP operations to fund its other illegal operations in drugs and other areas. That is what has happened elsewhere in Australia. The honourable Attorney-General yesterday gave some indication of the amount of money involved in illegal SP operations around this country. It might even use funds from illegal SP operations to get itself into respectable industries. One of the greatest lurks of organised crime here, in north America and in the UK is for it to take over respectable businesses. Soon we will not know whom we can trust and whom we cannot trust within the commercial fabric of our country.

If this Assembly would like it, I am more than happy to have the Commissioner of Police personally provide an in-depth briefing to every member on the machinations of organised crime. It is frightening. I have been to police headquarters in places under the control of a Labor government like Adelaide. I do not think too many people will knock the integrity of the South Australian Police Force, although inroads are being made there. It has

charts that show the interlocking things. It cannot publish them. It cannot put them in the media because it is highly defamatory material and it makes your hair fall out to see some of the inequitous connections that are developing within the fabric of our Australian society. I hope that we can work out a system. In almost every other area of Australia, you could have TAB and off-course bookmaking together, which would just about flatten the illegal SP operations. I question the bona fides of state politicians who are not legalising off-course betting so as to do away with any need for it in its illegal form. It is a question that I cannot answer for myself. I ask questions about why some states do not legalise casinos and prosecute illegal operators to put them out of operation. I believe in legalising most things where there is a desire on the part of the community for them but we have legalised gambling as far as we possibly can.

I invite the honourable member for Nhulunbuy to come up with a better proposal. In order to give him some time to do so, I foreshadow that I will move that the committee stage be made an order of the day for a later day. However, I would wish to deal with this bill by next Thursday. I commend the bill to honourable members.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

PLACE NAMES AMENDMENT BILL
(Serial 325)

Continued from 24 August 1983.

Mr SMITH (Millner): Mr Speaker, this bill proposes some changes to the Place Names Act. At present, the Place Names Committee does not have the power to name suburbs within towns. That is a power that the Place Names Committee should have and we support this proposal. In his speech, the minister said that the committee was expanding its sphere of influence by being given the power to recommend names for localities in areas other than counties, hundreds, towns or suburbs and, as well, features which may or may not be covered by water. Certainly, that is a wide-ranging power but, again, it is something that we support.

There is a significant change to the composition of the committee. Instead of there being a local appointment to the committee and that local appointee looking at the naming of places, streets etc for that local area, there will be one member from the Northern Territory Local Government Association who will be a permanent member. I do not see any problems with that and we support it. There are a number of other minor administrative changes as well which we support.

I have been pleasantly surprised by the amount of interest from the families of people who have been in the Northern Territory for a fair length of time to have something named after their family if that has not already been done. Already in my short time in the Assembly, I have had to make 2 or 3 representations to the Place Names Committee. The minister mentioned that there is not much knowledge in the general community about the activities of the Place Names Committee. I feel sure that, if some families knew about the activities of the committee, they would want to receive recognition. I would urge the minister to consider ways in which the activities of the committee can

be advertised more widely in the community. I am not thinking of an expensive major campaign but there must be some inexpensive ways by which the general public can be made aware of its activities so that, if there is a desire amongst members of the public to put forward suggestions to the Place Names Committee, they would have that opportunity.

Mr Speaker, as I indicated, the opposition supports the bill.

Mr HARRIS (Port Darwin): Mr Speaker, I rise to speak briefly in this debate. I have one major concern: the protection of the interests and views of those people who do not come under a local government area. In the past, it has been a basic requirement that, when places are being named in a particular area, that people from that area have a say in what is going on. That principle is followed in this particular bill. In the proposed new subsection (1A), we see that the committee shall seek the views of the appropriate councils within the meaning of the Local Government Act. Of course, that covers local government communities as well as the major towns of the Northern Territory. I believe that, with the appointment of a local member to the committee, there was that local input. That has now been removed and we see a provision where that member is to be nominated by the Local Government Association. I noted in the Chief Minister's second-reading speech that that recommendation was put forward by the Local Government Association.

I wonder if the interests and views of the smaller communities have been taken into consideration. There are a number of communities - the Darwin rural area, in particular, and the smaller towns such as Pine Creek and Adelaide River - which should have some input when a place is being named in those particular areas. I hope that the committee will take into consideration the interests of the local people in those areas.

Mr PADGHAM-PURICH (Tiwi): Mr Speaker, I have always had an interest in the naming of places, especially in the rural area. I have no quarrel with the people who constitute the Place Names Committee, previously known as the Nomeclature Committee but, like the honourable member for Millner, I feel that a bit of publicity should be given to its work.

I can give 3 examples in the Darwin rural area where the local people used certain names and the Place Names Committee changed them. The member for Port Darwin spoke about the local people having an input into the naming of places outside of a town area. One of the roads that he travels along to reach his place in the rural area had its name changed. It used to be called McMinn's Bore Road because some of the McMinn's bores were on the road. The Place Names Committee changed it to Girraween Road. Everybody accepts it as Girraween Road now but the fact is that the locals named it themselves and their choice was not adhered to. In the same area, there is a road called Mahaffey Road. No doubt, Mr Mahaffey was quite an important person but I do not know who he was ...

Ms Lawrie: A lady!

Mrs PADGHAM-PURICH: Well, I do not know who she was.

Before that, it was called the Salad Bowl Road because there was a block that did quite a good business growing vegetables and selling them. It was called the Salad Bowl. This was very descriptive of the area and what people could buy there. Another road in the rural area was once called Koberstein Road because it went into Koberstein's dairy in the rural area. This was

changed to Whitewood Road.

We all live with these names but the fact is that, when these names were chosen, no account was taken of what the local people were already calling them or what the local people would like them to be called. When we went to live in the rural area, we were living on an unnamed road. My husband suggested that it be called after an old pioneer who owned a block of land opposite us. He was called Wallaby Holtze. My husband made an application to the then Nomenclature Committee to have the road named after Wallaby Holtze and it was so named. We were very pleased and are more so now because I keep a few wallabies.

I am pleased that the Place Names Committee has jurisdiction over the naming of suburbs. I think that the committee will work better under the new legislation because, in the past, there were 8 members on the committee. Very few of those 8 people attended every meeting. There was one particular person from the Darwin City Council who always turned up; I do not think other people from the other councils in the Territory turned up very regularly at all. The new committee will include the Surveyor-General, a local government representative and one other. It will be a more realistic and effective committee. If a member cannot attend, he can appoint someone as a deputy. I think that is quite a good idea and an innovative approach. The deputy would, no doubt, vote as the actual member would have voted.

I am concerned that the Place Names Committee should not be seen to override the wishes of the people in the rural area who do not have an organised group such as a municipal council to speak for them, not that we want a council out in the rural area. Some regard should be paid to names that are already used for localities or names that the local people would like to use. In the past, the Place Names Committee has paid a lot of heed to what Aboriginal communities wish in the naming of their areas. I hope that rural people's suggestions will be listened to. Once the Place Names Committee has named a place or road, I do not know any example of its being changed. I hope this legislation works well and I would like to see the public notified when the Place Names Committee is considering naming roads or particular places in an area.

Mr BELL (MacDonnell): Mr Speaker, in the context of this bill, I would be derelict if I did not mention a couple of occasions when I have had to make representations on behalf of members of my electorate. One of them is quite a famous Territory figure - no less a person than Lycurgus John Richard Underdown IV, the founder of the Alice Springs Hotel and a raconteur of considerable proportion. Ly lives in the Old Timer's Home in my electorate. I have had the sincere pleasure of spending considerable time with him. On a number of occasions, he has earnestly implored me to do whatever I am able to do to ensure that there is enshrined in Alice Springs the name of a man who assisted him considerably and without whom Ly believes his establishment in Alice Springs would not have been built. He is particularly keen to see a Mooney Terrace. Mooney was an Aboriginal man who had been connected with Ly Underdown's family from the days when they ran a station in South Australia. I heard the Chief Minister talking about new subdivisions in Alice Springs and I hope that one of the streets in one of those subdivisions will be so dignified. I am equally grateful to the Place Names Committee for being able to advise me that it would be able to take that into consideration.

Since the issue of place names has been mentioned, there is one further point that I think is apposite in this particular debate. It relates to the recent announcement by the government that it intends to establish a Kings

Canyon national park. In the context of this debate I do not intend to go through the whole sorry history of the negotiations that have led to the creation of that national park, important as it is in the development of the tourist industry in the Centre. I believe that after Ayers Rock it is one of the most spectacular corners of the Centre.

When the minister announced this particular national park, I was disappointed to hear that no regard was given to the Luritja Pitjantjatjara names in that particular area. Of course, that has been an important element and a central aspect of people coming to visit Ayers Rock; it is known as Uluru. The Olgas are known as Katajuta - the 'many heads place'. The honourable minister may be interested to know that the big new complex that is to be built at what is usually referred to as Yulara tourist village, which should be pronounced slightly differently, means 'having been howling'. It is generally given the name of the 'place of the howling dingo'. It is on a dog dreaming track that goes right past Kings Canyon. In fact, the hills to the west of Kings Canyon, just to the end of the range there, are part of that particular story. Briefly, I would like to impress on the minister that Kings Canyon itself is rarely referred to by that name by the people who have had connections with that area for generations and generations. They usually refer to it as Watarukanya. Just around the corner is an equally lovely place that is usually referred to as Reedy Rockhole. It is never referred to that way by the people of the area who call it Lilanya. I was speaking to a very important man last Friday, Nyitinya, Mr Leo Williams, who is the Chairman of the Central Australian Aboriginal Congress. He was born at Lilanya. I will not take up the Assembly's time giving the names of a number of other places that are along the range there. It would take too long and may not be of interest to everybody. However, I would like to impress on the minister that there are those attachments in terms of place names in that place.

Mr EVERINGHAM (Chief Minister): Mr Speaker, it has been very interesting to hear the comments of various honourable members of this Assembly in relation to names. What's in a name, as the Bard said. Obviously, quite a bit is in a name as far as the honourable members for Tiwi, MacDonnell and Port Darwin are concerned. I take note of their concerns. I have always understood that the Place Names Committee has acted with a great deal of discretion and canvassed the views of the people in the areas concerned regarding the naming of streets, roads and points of significance. Indeed, I can say that I cannot remember receiving one complaint about the activities of the Place Names Committee during my time as Minister for Lands. Mr Speaker, I hope that it will continue to canvass the views of those people who live outside municipal areas. After all, the point of putting local government representatives onto the committee, which is in the nature of a sharing of powers, is to enable representatives of those communities to have input on their behalf. If they do not know what the community thinks, who does?

Mr Speaker, whilst I have noted the views and opinions of honourable members, I do not think there is anything in the bill that requires amendment and I will be proposing that it proceed to its third reading forthwith. I commend it to honourable members.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

COMMUNITY WELFARE BILL
(Serial 351)

Continued from 12 October 1983.

Ms LAWRIE (Nightcliff): Mr Speaker, I rise with a great deal of pleasure to indicate my support for this proposed legislation as my interest in the safety and protection of children and the wider community interest in the welfare of children date back many years, in fact prior to my first election to a parliamentary body in 1971.

The 2 most horrific case histories I have ever read about have come from the United Kingdom where 2 matters of gross abuse of children by their families prompted royal commissions. The first one was the report of the committee of inquiry into the care and supervision provided in relation to Maria Colwell and the second was the Report of the Social Work Services of DHSS into certain aspects of the management of the case of Stephen Menheniott. Honourable members may recall that I have spoken of these 2 cases several times before. I am pleased to say that some of the traps which bedevilled the United Kingdom in its administration of the welfare of children hopefully will be taken care of by this legislation.

Despite the comments of the honourable minister in his second-reading speech, I am delighted to see that the emphasis throughout this legislation is on the care and welfare of the child, the primary source of society. I do not accept that the family is omnipotent and must be protected at all costs. For too long, the costs to the child have outweighed the benefit to the so-called family. Surely no reasonable member will continue to say that the biological parents are necessarily the people best endowed to bring up children in the way society expects. Of course, I am talking of western society as we know it. I make no apologies for that. In fact, the long title of the bill should be read into Hansard: 'To provide for the protection and care of children and the promotion of family welfare and for other purposes'. The first part mentions the protection and care of the children.

If there is to be a conflict between the best care and protection afforded the children and the support of the family, then I come down firmly on the side of the child, a vulnerable member of society deserving society's wider protection. One of the problems bedevilling western society at the moment has been the encapsulation of the family into what is known as the nuclear family without the extended family's support, which normally means protection for a child. There are almost unbearable pressures placed upon parents when they have family support today. They can become tired and disgruntled, particularly after coming home from what could have been a clash of personalities at work. Often it is the sack. In many cases, as honourable members will be aware, the most innocent victim, the child, suffers as a result. An extended family by and large alleviates that problem. I noticed the remarks alluding to some families in Darwin who still have provision for extended family services, particularly coloured people, for want of better words, who will accept children born to any member of the family and give them love and support. Unfortunately, in other sections of our society, that support is not readily forthcoming, and the child becomes the innocent victim.

Mr Speaker, the bill excites my support when it mentions in division 1 the duty of the minister: 'In exercising his powers under this part, the minister shall, at all times, have as his main consideration the welfare of the child in relation to whom these powers are exercised'. It particularises them:

'(a) securing for the child such care and guidance as will promote that welfare; and (b) the maintenance and development of those family relationships that are, in his opinion, in the best interests of the child'. I mention that deliberately because I think it is of the utmost importance that all members of this Assembly understand exactly what philosophy is being espoused at the moment. Clearly, unequivocally and primarily, it is the welfare of the child. When that welfare encompasses support of the family, support shall be given. At long last, it says that the support of the family is not necessarily in the best interests of the child.

I refer back to the 2 reports which I mentioned earlier. In both cases - that of Maria Colwell, who was tortured to death, and that of Stephen Menheniott who suffered a like fate - those children were taken from supportive surrogate families, placed back in the care of their own families who had a pretence to owning their children, and Maria subsequently died a slow, horrible, lingering death.

There have been cases recently in Australia - unfortunately, one in the Northern Territory - where it can be shown that the biological parent and consort were not necessarily the best people to have had charge, care, custody and control of a child. From the framing of this legislation, I am sure that these lessons have been learnt well. Whilst honourable members may not have read the reports to which I have referred, I am quite sure officers of the department have and now realise that the wider society has a vested interest in children's welfare, superseding the interest of the immediate family. This legislature is putting that philosophy into action. That has my total support. Society at large has a deeper interest than any immediate family consideration.

The honourable member for Victoria River expressed some reservation regarding a member of the Police Force taking a child into care. Quite reasonably, he stated his background and said that he would prefer that to be done by a welfare officer. Clause 11, taking a child in need of care and custody, quite clearly is meant to be applied in emergencies. It seems that a police officer, without warrant, may enter premises and take a child into care who, on reasonable grounds, is deemed to be in danger. If necessary, that care can mean a hospital. It can mean another place authorised by the minister. If necessary, it may indeed mean a police cell. At first glance, this may appear horrific, but we are not talking about legislation specifically for the urban centres of the Territory. In an isolated community, a policeman, on reasonable grounds, may feel that a child needs to be taken immediately into care, and the only secure place where he and the child could be considered safe from retribution could be a police cell. No one likes to think that that could happen but those of us who move outside urban areas are well aware of the tremendous pressures placed on a person who interferes with a family in a small community and attempts to remove a child for the child's good. If it is necessary that a very secure place be the reception point for the child for a matter of 48 hours, so be it. At all times, the overwhelming interest is that of the security and well-being of the child.

I am pleased to see that the emphasis for protection of children has shifted so that every citizen of the Northern Territory is under a compulsion - attracting a penalty of $500 if he does not perform his duty - to ensure that, when he suspects on reasonable grounds maltreatment of a child, that maltreatment is reported to the relevant authority. I appreciate the concern of some members that this could be used mischievously or maliciously but, on balance, society's view will outweigh any mischief or malice. If a person is shown to be mischievous or malicious, then, of course, any further communication

between him and the relevant authority will be viewed with the scorn it deserves, much, in fact, as the boy who cried 'Wolf'. The emphasis is shifting to protection through detection and I approve.

We see that, in determining a course of action under proposed section 23, including the taking of proceedings in the court, relating to the child who has suffered maltreatment, the minister shall consult with the relevant Child Protection Team and seek its recommendation in connection with the matter. However, we see also that the minister can proceed without such consultation. I see in this an attempt by the minister to involve the wider community in a course of action which may be considered by the parents as a removal of their property. Unhappily, many parents still regard their progeny as property. I would ask the minister to ensure that any consultation is not unduly protracted. One of the problems in the case of Maria Colwell was the eternal consultation and the complete lack of action which led to the child's death in the most dreadful circumstances. In this case, Mr Speaker, one welfare officer spoke to another of concern for the care of this child. The education authorities, in particular the child's teacher and the school principal, reported to a welfare officer, who reported to another welfare officer, who reported back to the education authorities. Nothing was ever done and the child died. There can be too much consultation resulting in lack of action or an action which was taken too late to prevent irreparable harm being done to a child, not only physical harm but also mental harm. I would be on the side of the minister if, when he feels there is a problem and it is not practical to seek the advice of his committee, he acts for the immediate relief of the child's distress, which is reasonably suspected, and worries about the committee's feelings later.

I have a small query regarding children brought before the new court system. Will the minister allow for the child to be given independent legal representation, as is done in the Family Courts as I mentioned yesterday in the debate on another bill? We see that, where applications are made to the court, the minister shall advise the parents and shall do other things. If the child is over the age of 10 years, a copy shall be given to the child. But that is useless unless that child has recourse, as a matter of law, to independent legal counsel. I would ask him to consider that before the bill goes through committee. The bill does not say it cannot happen but, importantly, it does not say it can or shall.

I am delighted to see that, in proceedings concerning a child in relation to whom an application has been made, the court shall consider:

(a) the need to safeguard the welfare and development of the child;

(b) having regard to the age and comprehension of the child, the reactions of the child to the proceedings and the child's wishes in relation to the outcome of the proceedings;

(c) the importance of maintaining and promoting the relationship between the parents, guardians or persons having the custody of the child (and, where appropriate, the extended family of the child) and that child.

Again, we see this commendable emphasis on the child's wishes and desires. Honourable members surely cannot fall into the trap of thinking that, at a tender age, a child does not know what it wants. I have heard expressions from honourable members that a child does know and prefers to be with the parents. Quite often, that statement is made where a viable option is not

given to the child and it cannot make the decision free from fear of retribution.

I see that the court must also take cognisance of 'the desirability of maintaining the continuity of living in the child's usual ethnic and social environment'. There is a specific reference to Aboriginal children: 'The person or persons to whom, in its opinion, custody of the child should be given should the child be found in need of care', having regard to the criteria mentioned in proposed section 70, specifically relating to Aboriginal people.

Before I turn to the matter of Aboriginal people, may I ask that the minister and his departmental officers, who will probably take the trouble of reading this debate, accept my concern with the clause which says the 'desirability of maintaining the continuity of living in the child's usual ethnic and social environment'. These things are usually skirted around because people are frightened of giving offence to any particular ethnic group. But it is becoming known in Australia - a diverse society, with a diverse cultural and ethnic background - that some practices are being continued - I do not know about Darwin, but certainly in Sydney and Melbourne - which have the full approval of a particular ethnic community but which, in any other society, would be considered quite barbaric. Surgical procedures on young girls of a certain ethnic background have been accepted and practised for hundreds, perhaps thousands, of years. By any other standards, these would be considered cruel and unreasonable.

The desirability of maintaining the child's usual ethnic and social environment cannot be considered in isolation; it has to be considered in the wider context of the Australian community as a whole. If we look at proposed section 70, dealing with Aboriginal children in need of care, I accept that, basically, it is wise for an Aboriginal child to be placed within an Aboriginal community if it is in need of care and protection that cannot be provided otherwise and if the child is of a skin group which is fully acceptable to that society. But I point out that this can include a young person up to the age of 18. Honourable members will be well aware of my concern for young Aboriginal women who may wish to buck the traditional system and not enter into tribal marriages with persons to whom they have been promised without their consent, and so may attract the odium of their group and wish to escape. In those circumstances, it would be quite unreasonable for the minister to decide - if a young girl is seeking protection - that she shall be placed back in that community where she could come to harm. Honourable members must know that, in some Aboriginal communities in the Northern Territory, there are still fairly severe penalties for bucking the system. Not all Aboriginal communities, but certainly some, wish to exact what many of us regard as an unreasonable punishment. Spearing in both legs and ritual rape cannot be condoned. I am making these remarks quite deliberately so that the minister may be aware of the concern expressed by many people in the Territory of varying shades of colour. It is not unique to a white, middle-class lady, I can assure you.

The honourable member for Fannie Bay mentioned that, logically, the review of a person placed in a fostering situation should also be undertaken where a child is either taken from its family or its family receives counselling. In other words, wherever a child is deemed to be at any risk whatsoever, a system of review must be set up. Again, at the risk of boring honourable members, may I say that this was the finding of the United Kingdom inquiry years ago. The continuing review is essential, once there has been an identifiable problem within a family.

I am pleased to see the support given to those who foster children or into

whose care, for however short a period, a child is given because, as I said earlier, so often the biological parents are not necessarily those best entrusted with the rearing and nurturing of a very vulnerable member of our community. I know foster parents who have given years of love and attention to children but who, in the eyes of the law, have been considered to be no more than child-minding centres.

Under clause 58, relating to the care of children from another state, the minister may do certain things on request by or on behalf of an authority having guardianship in any state or other territory. That is fine as it stands. Perhaps the Attorney-General and the minister, when they attend their respective conferences of Attorneys-General and of Community Welfare Ministers, will consider the plight of children who are living with their natural parents and are the subject of court orders in other states giving legal custody to one or other of their parents. All too often, the aggrieved parent, as he or she perceives it, literally snatches the child and travels interstate. Honourable members may or may not be aware that a court order issued in another state has no validity once that state's boundary is crossed unless it is a custody order from the Family Law Court. That has caused continuing distress. In fact, it occupies 20% of my time as an elected member. Children are literally snatched and brought to the Territory because of the lack of reciprocity. I mention that quite deliberately so that these meetings of ministers may work to overcome it.

The registration of foster parents and their support has my total approval. There is one interesting thing further on dealing with the employment of children which, had you been on the floor, Mr Speaker, you may have wished to address: 'No person shall, except with and in accordance with the consent in writing of the minister, employ or cause or permit to be employed between the hours of 10 o'clock at night and 6 o'clock in the following morning a child who has not attained the age of 15 years'. Honourable members will be aware that, in other legislation, there is normally a clause referring specifically to children whose parents are working in the rural industry. I just mention it because I can imagine that parents who have a dairy farm or other like industry in the Northern Territory will now have to apply to the minister for permission for their children to milk the cows prior to 6 am. I am not saying that that is necessarily bad. I am just noting that this is the first time to my knowledge that blanket legislation has been introduced which does not mention the rural industry specifically.

Mr Tuxworth: I wish we had a dairy industry.

Ms LAWRIE: We have dairy farms being established for goat's milk instead of cow's milk, which is a lot better for us.

Mr Speaker, in essence I do not share the concern of some honourable members that the very clear indicator that it is a citizen's duty to report suspected maltreatment will necessarily lead to malicious or mischievous reporting. It may in some cases but, on balance, the child must be protected against the often capricious and quite cruel whims of some biological parents who still seem to think they own their children.

Mr Speaker, I am not sure whether the full import of this legislation has sunk through to all honourable members. I am probably glad that it has not because it recognises the right of children to the protection of the wider society notwithstanding the caprice of the family into which they were born without any choice of their own.

Mr BELL (MacDonnell): Mr Speaker, I rise in this debate to mention a few general concerns of mine in the area of child welfare as they have impressed themselves on me in my duties as member for MacDonnell. I have received representations that I think are worth bringing to the Assembly's attention.

Before I do that, I think it is probably worth while mentioning that the general impact of welfare agencies of varying types on both traditional culture and many town Aboriginal people has been to regard Aboriginal culture generally as socially malfunctioning. For that reason, in the past it has given such agencies justification for many activities that, in the light of our wisdom of 1983, we might not regard as necessarily desirable. However, it is worth pointing out that, although it is popular these days to suggest that every child who has been the object of such care and attention has been deeply warped by evil social forces, there needs to be some correction of the balance there. It needs to be emphasised that, in some cases, the human outcomes were not all bad. However, I do not think that the general idea that Aboriginal society is somehow socially malfunctioning is entirely lost and it is worth drawing that to the attention of the Assembly today. There is probably a slight difference of opinion between myself and the honourable member for Nightcliff in this regard, not a great difference but some difference. Of course, we appreciate the replacing of old legislative conditions in this regard and, broadly speaking, the current bill is welcomed.

However, I do not feel that I would be doing my job, Mr Speaker, if I did not point out the strength of the Aboriginal communities of which I am aware, in terms of nurturing of children, that has been ignored to some extent, and generally not regarded in its true sense. I can say quite honestly that I have been enriched personally by exactly that strength of the social fabric of those communities. I am aware that, within the communities, there is a highly distrustful response to some aspects of the caring processes that have been set up under whitefeller law.

Many honourable members will be aware of the quite rich tradition of country and western music that thrives in central Australia. Gus Williams, for example, is one of the chief proponents in central Australia of that particular style of music and I am sure most of the honourable members from central Australia will be aware of the name Isaac Yama also. Isaac Yama lives variously at Jay Creek, Areyonga, Docker River and Alice Springs. Some time ago, I heard a new song he had written and it illustrates very clearly the misgivings and heartbreak that many people have suffered. I will not put the Assembly through the pain of my singing the chorus.

Mr SPEAKER: Singing is forbidden in the Assembly!

Mr BELL: But I would seek the indulgence of the Assembly to have the words of this chorus incorporated in Hansard. I think I have already given the staff of Hansard a fair pasting with a few names this afternoon and they will be relieved to know that I have written this down. Basically, the words of the song mean: 'Far away, far away from me, they have taken my half-caste child'. I will read the Pitjantjatjara words: 'Wara waratju tjitji apakatja ugayukuya katingu'.

At the end of that chorus, all the people who are standing around singing the song, as well as the people playing the electric guitars, break out into some ritual wailing. I am sure honourable members would be aware that that ritual wailing signifies the people's sense of loss over somebody who has departed. Honourable members may also be interested to know that exactly that

same ritual wailing is part of people's behaviour when somebody who has been away for a long time comes back to them. In this particular case, that is a fairly remarkable example of the depth of feeling that those communities have experienced and, I hasten to add, continue to suffer though certainly not on the same scale as they may have under what we would regard now as less-enlightened government policy. It is worth while mentioning that in the context of this bill. I believe that very much depends on the quality of our care for children, whether in government institutions or within the natural context of the family. I mentioned yesterday, Mr Deputy Speaker, that that was at least one point that the honourable member for Alice Springs got right.

By and large, excluding the horrific examples the honourable member for Nightcliff described, the family is the natural context for caring for children. That is the place where children are happiest and generally best raised. Certainly, I have misgivings about the idea that public sector or private sector organisations can somehow fill entirely the gap that is left in that particular case. Steps can be taken to compensate children who are in need of care but I do not think that, at any stage, we should suggest that the family context is in any way replaceable. When I refer to the family context in the Territory, it is very important for us to see that, whereas the nuclear family is the context with which we are familiar, there is a much wider and more diffuse aspect to it amongst and between the communities in my electorate. I think that I can demonstrate that with a couple of examples.

I do not want to mention names or places. It is neither appropriate nor in the interests of the people involved to do so. The first instance I want to mention was of a baby who was born to a young Aboriginal woman who herself had been fostered out as a child. The father of that child belongs to a community some 400 or 500 miles distant and both the father and his family are very keen that the child should experience that family in its bush community context. On the other hand, the grandmother of the child, who fostered the child's mother, is a little concerned about that. The physical distance between the mother's family and the father's family has caused difficulty and concern for both families but particularly for the family in the bush community which has been able to achieve only a relatively small degree of access to the child. Here I refer to the child's aunts and uncles and quite an extended family.

The second case that I wanted to bring to the attention of the Assembly relates to a young woman who has made representations to me because she has not been able to see 2 young children whom she bore some 8 or 10 years ago to a man who subsequently left the community where they had both been living and where the children had been raised initially. When that woman's erstwhile de facto husband departed, he took the children with him and the woman is totally unaware of the means whereby she might gain access to them. This reflects one of the examples given by the honourable member for Nightcliff. Those children are not even living in Alice Springs now which already put a distance of some hundreds of miles between mother and offspring. The children have been taken out of the Territory and it will be a rather difficult process to achieve access. Certainly, it will be a time-consuming process administratively, and there may be legal complications.

Mr Speaker, in the context of the Community Welfare Bill, I have tried to raise some of the concerns that come to me from my own electorate. For that reason, I am particularly pleased that part IX of the bill takes into consideration Aboriginal child welfare and I certainly hope that the provisions contained therein will work for the best interests of the people concerned.

Debate adjourned.

EDUCATION AMENDMENT BILL
(Serial 330)

Continued from 24 August 1983.

Mrs O'NEIL (Fannie Bay): Mr Speaker, the purpose of this bill is to remove any impediment to the continuous reappointment of members of education councils. Members may recall that, when the Education Bill was originally introduced in 1979, there was much debate about the composition of the councils and who should be represented on them. However, there was no debate that I can remember on the provision stating that members of the council could only serve a limited term and not an open-ended one. Obviously, the thinking behind this was to ensure that the councils did not become stagnant and that they were periodically subject to new members with new ideas. The enforced rotation system also ensured that a wider cross-section of the community had an input to such councils. Indeed, the then minister for Education, Mr Robertson, made several references to the need to tap the expertise of many people.

The opposition has some sympathy for the situation that we are confronted with now in that 5 of the members of one council are due to retire. We can only suggest, however, that that is really the fault of the government for letting that situation occur. We feel that it is in the best interests of the public that this proposal for open-ended membership of the councils be opposed. Perhaps there is a compromise which would ensure that a proportion of members be rotated every 4 years or that a time limit of, say, 6 years be imposed to overcome the immediate problem. I would ask the government to consider those options. After all, the government has advice from the very many officers of the department. It is our view that the whole intention for the councils was to allow for a broader range of ideas and attitudes to be entered into the education system. While we are not prepared to go to the wall on this one, we are not very happy with it. It is something which a Labor government will look at with a view to ensuring that the rotation of people on councils can be continued.

Mr PERRON (Education): Mr Speaker, this is a fairly small amendment to the Education Act and I note the views of the member for Fannie Bay on this matter. It is true that the situation is in the control of the government to the degree that it could appoint people to a board for varying periods. However, that would require amendments to many acts because I am not sure that we have discretion to appoint them for shorter periods than the terms laid down in the acts.

The boards mentioned in this act are the Post-school Advisory Council and the Education Advisory Council. One selects 7 members and there seem to be the right balance of people. It would be difficult to decide which of those 7 should be appointed for 1 year and which for 2 years etc. Obviously, there could be some awkward feeling amongst those who are appointed under such circumstances. It could create a rather undesirable atmosphere within a board and I suspect that some of my ministerial colleagues have let these types of arguments influence them when they have had the option either to appoint people to a board for a first time or reappoint people to boards on the expiry of their terms. It is a matter that is in the control of government and will continue to be handled as ministers and Cabinet see fit.

However, I notice that the opposition does not actually oppose the legislation. In a matter of weeks, we will have to reappoint or replace some

or all of the Post-school Advisory Council. I am not quite sure when the Education Advisory Council appointments expire. Sometimes during the course of a term of office on these boards, there are changes which provide the rotational input the honourable member was talking about. A board like the Education Advisory Council, which has at least a dozen people on it, has resignations from time to time during a term of office. I take on board what the honourable member said but willseek to proceed with the bill as it is.

Motion agreed to; bill read a second time.

Mr PERRON (Education)(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 (Attorney-General): Mr Speaker, I move that the Assembly do now adjourn.

Mrs O'NEIL (Fannie Bay): Mr Speaker, honourable members of this Assembly, in company with other politicians in Australia and undoubtedly throughout the world, are accustomed to receiving some strange pieces of correspondence through the mail. Sometimes there are offensive pieces of correspondence and sometimes just curious ones. Mostly we tend to file them in the wastepaper basket. However, this is not a situation which ordinary members of the community expect to face. When they are faced with offensive or obscene pieces of correspondence, received unsolicited through the mail, they become fairly upset.

Today, I have been approached by one of my constituents whose son is a young adult who is on the electoral roll although he is still a student. Clearly, some person has taken the name of this gentleman from the electoral roll and sent him unsolicited literature. It is addressed to Mr So-and-So (student) at his residential address. In my view, the personal details have come from the electoral roll. The post mark is Townsville although there is no address for the sender. It is most offensive, Nazi propaganda and nobody would wish to receive it in his or her mail. I would not show it to the public but other honourable members who may wish to see this material are more than welcome to have a look at it.

Mr Speaker, I do not know what can be done about this sort of thing. Probably, there is nothing much that can be done. Obviously, one does not wish to propose that somehow the mail of the country should be censored but, nevertheless, it is very disturbing to see that material of this sort can be sent. I suppose we can take some satisfaction that this material has not come from a person resident in the Northern Territory. We do not want literature promoting racist ideas and other offensive propaganda within the Territory. I hope that all students on the electoral rolls of the Territory have not received this stuff but I guess they might have. I hope the person who has sent it gets the message fairly soon that his ideas are not welcome here.

Mr STEELE (Transport and Works): Mr Speaker, there are a number of matters which I would like to touch on this afternoon. This morning, the member for Victoria River asked me a number of questions concerning the establishment of a campsite at Batchelor. His first question concerned the cost of establishing the campaccommodation at Batchelor for the Rum Jungle project. The Rum Jungle rehabilitation project obtained a tenancy of the unused Aboriginal Teacher

Education Centre from the Department of Education for use as camp accommodation for contractors and staff. Six accommodation units were upgraded at an approximate cost of $111 000. Final payment is to be processed shortly. The honourable member then asked whether the camp would be demobilised at the end of the project. The complex is under a tenancy arrangement with the Department of Education for the duration of the project. At the close of the project, the Department of Education will consider the future of the camp facilities. This is expected to occur in mid-1986.

The honourable member for Millner asked me a question relating to the carriage of passengers by the Australian National Line on its Darwin east coast service. As I indicated this morning, I proposed to report progress on the east coast shipping service by way of a statement next week. When this was first raised, my office sought a reaction from the company itself and the suggestion was dismissed by senior company management who described accommodation on the vessel as very Spartan. He said that it was very doubtful that the cabins could be successfully marketed. He pointed out that the 12 cabins on board had been designed for use by truckies accompanying their trucks on the Bass Strait crossing. He went on to say that, if there were any attempted conversion, there would have to be an increase in crewing which would be unacceptable.

Mr Speaker, another matter was raised by the member for Millner recently: what he saw as a $50 000 reduction in the operational subsidy of the Darwin Bus Service. The variation is a result of a change in Treasury policy which replaces depreciation allowances with the need to make payment of interest on capital funding. The interest to be paid in 1983-84 is $284 000. The allowance for depreciation was $332 000 and, as this is not payable now, no budget cover is required. On the other hand, the $284 000 must be budgeted to be repaid in June 1984. Mr Speaker, the difference between those 2 sums is $48 000 which, within $2000, is the final figure.

Mr Speaker, I indicated yesterday that I would bring members up to date on various aspects of my portfolio including the wharf. This afternoon, I would like to talk about the roll-on roll-off facility. This facility is operating smoothly now, as I am sure the honourable member for Millner would be able to report. I would extend an invitation to those members who have not yet seen this great machine operating. It is quite fascinating to see. The pontoon is designed to be extended beyond the line of the wharf, and to be raised or lowered to the height of the vessel it is to serve. Its integral ramp is then extended onto those vessels which have no ramp of their own after which it is ready for vehicles to drive onto and off the vessel to unload or to load. Vessels with their own ramps merely lower the ramps onto the pontoon so movement of cargo can take place. Once the discharge is complete, the integral ramp is retracted into the deck of the pontoon and the pontoon is deballasted, raised to its highest level and retracted inside the line of the wharf with the linkspan bridge storing itself underneath the centre section of the pontoon. All this is achieved using the simplest of controls and equipment. Everything on the pontoon is powered by air. Air is used to power the hydraulics, the motors and to blow water from the pontoon during deballasting. When ballasting or lowering the pontoon, valves are opened to allow water in. All this work is carried out by one waterside worker operating a simple set of controls and guided by an equally simple series of indicators. Two other waterside workers fit the necessary guard rails into place at the end of the linkspan bridge.

The Ro-Ro has already handled a wide range of vessel types. It has handled

vessels with stern doors such as the Townsville Trader and HMAS Jervis Bay, vessels with stern ramps such as HMAS Tobruk and vessels with bow ramps such as the car carrier Ophelia. The Ro-Ro is capable of handling smaller vessels with starboard ramps, such as the Pilbara and Coolinda, and vessels with port quarter ramps. Fendering of the dolphin at the eastern end of the iron ore wharf will be required before the Ro-Ro can handle large vessels with starboard quarter ramps and long car carriers with side ramps. The former type of vessel has never visited the port and is unlikely to be attracted until the land bridge operation is up and running.

In the short time it has been in use, the Ro-Ro has benefited the port quite substantially. The turnaround time for car carriers which have used it has been significantly reduced. No longer are loading and offloading programs dictated by tides. By using the Ro-Ro, cargo discharge is continuous. The Townsville Trader service has been introduced, giving us the fortnightly service we have sought and which I am hopeful we can retain. The turnaround time on the Townsville Trader is considerably shorter than that of the Darwin Trader due principally to the speed of the Ro-Ro operation. The availability of the Ro-Ro assisted the movement of the No 75 Mirage Squadron to Darwin and no doubt saved the Commonwealth a lot of money. Without it, the vessels Tobruk and Jervis Bay would not have been able to bring all the equipment to Darwin that they did.

Finally, I would like to reconfirm the financial commitment to the Ro-Ro. For the marine works, the figure is $3 636 202. An amount of $283 110 was retained to cover works to be done under the original contract and, of this, $236 286 is still retained. These works include the internal tank protection which will continue until December. The cost for civil works remains at $1 507 064 as advised.

I repeat that it is fascinating to see how this Ro-Ro works and I invite members to come down to the wharf next time around to see it.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, this afternoon, I rise to speak on a couple of unfortunate happenings that have occurred in my electorate recently. It is the sort of thing that has been going on for some time. I am not able to do very much about it except to publicise what is happening if the people wish for publicity. I am referring to 2 cases that have been brought to my notice recently. People from both sides have put their views to me. I am talking about the shooting of dogs and stock in the rural area. Unfortunately, many people go into the rural area and think that they have gone into the wild yonder. They think that they can discharge firearms at will. A lot of people who discharge firearms do it conscientiously. A 5 or 20-acre block is not a very big area to discharge even a .22 rifle or a shotgun, particularly if one does not pay much attention to where the projectile will go.

Some years ago, I conveyed my views on this matter to the Commissioner of Police. I have conveyed it to other members of the force over the years. I have been told on the one hand that people's freedoms cannot be restricted. If they have licensed firearms and are registered shooters, and they discharge those firearms on their own property according to the law, one cannot do anything about it. It is usually a dog that cops it, unfortunately. A pet dog may stray only once - once is enough - onto property where poultry or small stock is enclosed. Other dogs may have been there already and caused a lot of damage but a poor little family pet may go there only once and not return from that little expedition. It might have been a friendly expedition to check things out.

I have been on both sides of this fence. Some time ago now, a certain dog lived near us. I think that everybody knows that I like dogs more than most people do. I have had many dogs over the years. This particular dog killed 2 goats and nearly killed a third goat. By that time, I was a little annoyed. It fought other dogs in the area, killed chooks, stole eggs and worried horses. On the other side of the fence, I keep pigs. At the moment, I have only one pig. I was rung up on a couple of occasions by a rather irate neighbour because my pigs had escaped and damaged his vegetable garden. I apologised to him the first time and said that I would keep my pigs in. Unfortunately, they got out again. That neighbour, I suppose rightly, threatened to shoot my pigs, so I did the right thing and go rid of 2 of them. They were very good eating. We still have another one which we keep in all the time.

I can see both sides of the problem. I do not know what the answer is. I feel very sorry for the people who lose their dogs in this way and for the dogs that are injured. But I also feel sorry for the people who have small stock that is killed or maimed. Even large stock can be hurt. Recently, a few dogs got into a paddock and ran a blood stallion into a barbed wire fence which did considerable damage. It did not blight his prospects completely but it did a lot of damage to his legs. These animals are worth quite a bit of money. It is a very unhappy question to consider and I am not pushing the blame onto other people's shoulders or trying to get other people to seek a solution. I have given it a lot of attention and I do not know what the solution is except to tell people that they must look after the animals under their control because of certain things that may happen. On the other hand, if people have firearms, they must discharge them in a responsible way.

Mr Deputy Speaker, yesterday, one of my constituents brought something to my attention which the Department of Health should change its point of view on. This particular man has a store in the rural area and is in a reasonably isolated position as regards stores. He is trying to carry a range of stock so that the people in the rural area will have a good range to choose from. It improves his business and it is also of benefit to the local people because it saves them a trip to town.

He wants to carry certain chemist's lines in his shop and he made an application to buy them from the wholesalers but was told he could not take them. He could not buy them because they were chemist's lines. I think that the Department of Health has made the ruling or it may have come from the pharmacists. Because they are chemist's lines, they cannot be sold except in chemist's shops. One might say that is right and we cannot have everybody selling S3 and S4 drugs. However, the things that he cannot sell are pretty ordinary. If somebody wants them from his place, they cannot get them. They have to go to a chemist shop. The nearest chemist shop is not outside the 35 km limit that is mentioned in the regulation governing the sale of these chemist lines. It is 33 km to the nearest chemist shop which I think is in Parap. The things that he cannot stock are pretty ordinary. One is a palliative for prickly heat. If somebody has prickly heat, he cannot obtain what he needs from this retailer but must go to a chemist. He must put up with his prickly heat. Another thing that this man in the rural area cannot sell is a soothing syrup for the gums of teething babies. If you want to buy Bongella for your baby, and you live in the rural area, you must make a 40-mile round trip to town.

Mr Deputy Speaker, I have not had occasion to approach the Minister for Health about this matter but I will. I think it points up that legislation and regulations should be made to suit the needs of the people.

Mr PERRON (Education): Mr Deputy Speaker, honourable members may be interested in some further information that I have in relation to the outstanding success we are having with application from a recent national campaign to recruit more teachers to the Northern Territory. The member for MacDonnell asked me if I could give figures for primary and secondary school teachers. Unfortunately, I have mislaid that figure but it was about 40:60. I could not tell him which way but I will obtain that figure later.

At present, we have some 687 applicants to be interviewed and we have many more applications arriving each day. An interesting development this year is the large number of mature-age applicants. In a sample of 50 Western Australian applicants, the age break-up is as follows: 20 to 25 years - 12; 25 to 29 years - 14; 30 to 40 years - 15; 40 to 50 years - 4; and 50 years plus - 4. This is quite a change from previous years when most applications from interstate for teaching positions in the Northern Territory were from young ex-teachers or from teachers straight out of college. It has been a criticism of the composition of the Northern Territory Teaching Service that we had a disproportionate number of young and inexperienced teachers. Hopefully, we can begin to change that.

Whilst I am advised that there still could be some problems in specialist areas for 1984, particularly secretarial and technical studies, a quick check of the 687 applications indicates the following distribution in secondary specialist areas: languages - 11; maths - 30; science - 36; home economics - 11; secretarial studies - 5; and technical studies - 1. The maths and science figures are important because that was an area of concern.

Following interviews, many of these applicants could be rejected as being unsuitable for work in the Territory for a number of reasons. Teachers are not just coming to urban schools in the Territory. We must have teachers for schools in all manner of circumstances across the whole of the Territory.

I wish to advise the Assembly that we have some specialist teachers coming from our scholarship scheme for 1983: technical studies - 2; maths and science - 7; agricultural studies - 1; and languages - 1. These will be of considerable help in the establishment of the pool which the Northern Territory government announced in the budget. We will be establishing a pool of teachers surplus to the allocation to schools so that we can retain specialist teachers for replacement purposes when a teacher leaves us during the course of a school year. The pool will enable us to recruit some specialist teachers that otherwise we would not be able to do. I thought that honourable members might be interested in that good news for the education system of the Northern Territory for 1984.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, in answer to a question from the Leader of the Opposition this morning, the Minister for Mines and Energy said something which excited my interest. The Leader of the Opposition asked about a possible increase in electricity charges. I was not very pleased with the answer that the honourable minister gave. In the course of his reply, he informed the Assembly that there was no longer any fixed parity with north Queensland electricity charges. That is quite an interesting piece of information, particularly because, for a number of years, electricity tariffs in the Northern Territory have been aligned with those obtaining in north Queensland. I would have thought that, if the arrangement had changed, the minister should have published this very important fact. It was only on 5 May 1983 that the minister announced that electricity charges for Northern Territory residents were to be increased by 9.4% in line with expected increases

in north Queensland charges. That increase has not occurred, and nor should it, because charges in Queensland were increased by only 2%.

I thought it was very interesting that the Minister for Mines and Energy made that statement in question time. It would have been worthy of a press statement at least. The Chief Minister seems to resent that we get so much Queensland coverage on the ABC. However, as a result, we come to know quite a lot about what is happening in Queensland, particularly in the run up to the election of 22 October. Certainly, the announcement by the Queensland Leader of the Opposition, Mr Keith Wright, that his party would reschedule electricity charges, has excited quite a bit of interest in Darwin. I am grateful for the opportunity to follow closely what is happening in Queensland because, up till now, our electricity charges have been aligned exactly with north Queensland charges. The minister has always said that we have no discretion in this matter and that it is a quite rigid nexus which cannot be broken.

Whilst I welcome the news that this arrangement is no longer with us, I think that the minister should have done something to alert the community about this fact. Only 2 days ago, following the announcement of the Labor Party in Queensland as part of its election campaign that it would reschedule electricity charges, I was contacted by a person from Telecom. The Treasurer may talk about give-aways but I am glad that Australia's largest public business undertaking takes it seriously enough to attempt to obtain more information in order to do some forward estimates on its electricity charges. It is quite clear that, not only were members of this Assembly...

Mr Perron: They rang you to get the information?

Ms D'ROZARIO: Indeed they did. That may surprise the Treasurer but, unfortunately, it is a fact. They certainly did ring me and I conveyed the request to Mr Wright's office direct. It is quite clear that there are people in the community who are quite happy to talk to Labor politicians about this, and that is as it should be.

Mr Deputy Speaker, another point that I was very interested in was the minister's response to the question about maintenance costs in the electricity commission which were outlined in the budget explanatory papers. The Leader of the Opposition asked whether the backlog of maintenance costs notified in this document would be reflected in any forthcoming charges. Whilst I am pleased to say that the minister said that no way in the world would our electricity charges reflect maintenance costs, he made another statement which I found most intriguing, particularly when read in conjunction with the comments of the Auditor-General. The statement was that maintenance was not an operational cost. He said words to the effect that, if our electricity charges reflected the value of our capital assets, we would be paying $10 per unit.

Mr Deputy Speaker, I am pleased that our electricity tariffs are net of maintenance because I think that the maintenance costs on the infrastructure we have are quite considerable. But the minister went a little further than that and seemed to separate these 2 categories of costs and actually put the maintenance charges in with capital costs. The electricity commission said on page 7 of its explanatory document: 'Maintenance costs in the Darwin area are estimated to increase significantly in 1983-84 due to the unavailability of resources in 1982-83'. I would like to ask the minister - given the disclosure in the Auditor-General's report - why the $50m worth of loan funds raised in the semi-government borrowings program through the Department of

of Treasury were not called upon. I asked this question yesterday of the Minister for Mines and Energy and he said he had obtained a Treasury briefing but he did not have the answer for me yet. I am quite happy to wait but I think that the minister cannot have it both ways: he cannot say that maintenance costs should be considered under capital items - the phrase he used was 'capital items' not 'capital assets' - and, at the same time, have the electricity commission tell us that there were no funds availablewhen the Auditor-General told us that $15m worth of loan funds were not drawn upon.

Mr Deputy Speaker, I think the community requires some explanation from the minister, both in terms of the true position with loan funds obtained on behalf of the electricity commission and its maintenance and also the nexus between charges in the Territory and maintenance costs and whether or not any of these charges will be aligned with north Queensland charges in future.

I also picked up an interjection from the member for Stuart during question time, Mr Deputy Speaker, in which he observed quite rightly that the Queensland electricity generating feedstock was coal and we do not have that feedstock in the Northern Territory. Although that is true, that situation has not changed since this arrangement was struck so it is not a new factor. I think that someone has finally seen the illogicality of aligning Northern Territory charges with north Queensland charges. I look forward to the minister's explanations to the questions that have been raised by myself and the Leader of the Opposition because I think that the matter of electricity charges and planning for the payment of these charges is a very crucial one for the Northern Territory.

Just to finish on that point, may I also remind the Treasurer, because he seems so aghast that anyone should ask us for the official reasons why the Queensland government should be altering its view on electricity charges...

Mr Perron: Particularly Telecom.

Ms D'ROZARIO: Yes, particularly Telecom. I think that shows the confidence that the community has in Labor governments and propsective Labor governments in Australia. I think that the Treasurer is in for a bit of a shock because, not only is Telecom interested - the largest public undertaking in this country, with a budget much larger than even the Northern Territory's - but a large number of other firms in the Territory are very interested in the question of electricity charges.

We have often observed differences between the Chief Minister and his deputy and here we have another one. Last week, the Financial Review ran a special feature on the Northern Territory and I read the Chief Minister's statement. It was probably the only one that I did read because most of it seemed to be quite old information. But, I read the contribution that the Chief Minister made to that particular special feature and he referred to electricity charges and costs as being critical for industrial development in the Territory. We often have these little differences of opinion between the Chief Minister and his deputy - he is called upon to dig his ministers out of all sorts of holes that they have fallen into. This seems to be another one.

Mr Deputy Speaker, the other matter I wanted to raise was the question of the Sanderson High School. Whilst I accepted what the Minister for Transport and Works said in answer to a question this morning, I would like to assure him

that interest in this matter in my electorate is gaining some momentum, and some better review of the position ought to be undertaken. I am referring now to the fact that the water reticulation system in the Sanderson High School is to be constructed out of asbestos piping. I visited the site this morning and confirmed that these pipes are on site and ready to be installed. I would ask the minister whether he could have another look at this situation, which is causing quite a bit of comment in the electorate, to see whether these pipes cannot be replaced by some more acceptable material. I would be reluctant to give the impression that I am asking for the construction program to be held up in any way but, at this stage, when construction has only just started, questions that are being raised ought to be looked at closely. I would not like to see this question raised again at a more advanced stage of construction and remedial work undertaken then. Whilst I appreciate that the material in these pipes is actually a conglomerate of asbestos fibre and cement and is not the same as the insulation material that we have seen in some powerhouses in the Territory, nevertheless the question of the effects of asbestos is now being very well documented. Workmen's compensation commissions around the country are having to grapple with the question of those effects not only on the workers but on people who use the facilities that have this material in their construction. Whilst some factors were unknown at the time this material was widely used, more and more is becoming known about it. If there is an adequate substitute, that substitute material ought to be used.

There are a number of other materials that could be used for pipes for the reticulation of water. The cheapest and most commonly used would be PVC piping. I think that the Minister for Transport and Works ought to have another look at this.

Mr Perron: I doubt that it would be cheaper.

Ms D'ROZARIO: It might not be cheaper now but wait until the compensation claims start coming in. It was reported in a recent edition of the Business Review Weekly that one jurisdiction in Australia has already awarded $150 000 as a result of illness incurred through exposure to asbestos material. I do not want to claim that this material is more hazardous than the minister has said it is. Certainly, he related it to the discharge from brake linings. Nevertheless, information about this material is now more advanced and I think the safety of people who will be using Sanderson High School ought to be given a bit more regard than the Treasurer would wish to give it. At this early stage of construction, before the reticulation system has been installed, the Minister for Transport and Works should review the material specified.

Ms LAWRIE (Nightcliff): Mr Deputy Speaker, it was my honour last night to chair a meeting at the Greek Hall held largely for Timorese people with some Australians and members of other nationalities attending. Of course, the purpose was to hear Monsignor Martinho de Costa Lopes who was born in Timor, studied for the priesthood in Macau and was the former Apostolic Administrator of the Catholic Church in East Timor. Approximately 250 people attended the meeting and, whilst some were disappointed, hoping it would be full of blood, fire, thunder and big revelations, most of us who attended accepted that the Timorese would be there to listen to their bishop, to gain mutual comfort and support and to re-express their feeling of unity in Australia for their loved ones who have been left behind in Timor.

I have consistently risen in the Assembly to express my displeasure, my disgust and my fury at the way in which successive Australian governments have allowed the Indonesians to subjugate a peaceful people in Timor, have

allowed them to start annihilating those people - practising genocide - whilst Australia, to her eternal shame, pursues a policy of appeasement. It was bad enough when Gough Whitlam pursued this line. I will never forgive him and neither will many Australians. Then, the Fraser government came to power and it was significant that a number of Country Liberal Party members of the federal House disapproved violently of their government's policy of appeasement. But many people in Australia voted for Bob Hawke and the Labor Party because of their well-defined policy on East Timor which included no further military aid to Indonesia until East Timor had been allowed self-determination and so on. Notwithstanding that, the leaders of the Australian Labor Party in Canberra have handed over a patrol boat to Indonesia. The handover was made from Darwin. There is continuing dissent within the Labor and Country Liberal Parties as to Australia's position should a vote be taken at the United Nations.

Mr Deputy Speaker, many people in Australia are wondering who the hell they should vote for next. Mickey Mouse perhaps? As I stated, successive Australian governments are refusing to reflect what I believe to be the views of the majority of Australians - that the East Timorese have the right to self-determination. We operate under a democracy and who are we to deny it to the East Timorese. It has been said before but it must be said again: they came to our aid during World War II. There were a number of people at the meeting last night who fought during that war. I think they would vote conservatively. They were there to express their distress at the fact that successive Australian governments appeased the Javanese - a better term - and approved of their territorial imperatives. In fact, one is left with the clear feeling that the only hope for East Timor is that the dissent within Indonesia, which is not a cohesive nation, will so overrule the Javanese that, in the resulting tumult, the people of East Timor may be left to find their own destiny.

I am sickened and disheartened by the actions of Australian governments which deny the right of self-determination to these peaceful people. I have watched the change in attitude of people in this Assembly too, who once espoused the right of freedom for East Timor but, because of the great gods, trade and money, are changing their views now and saying that we must be friends with Indonesia no matter what. Mr Deputy Speaker, this was the policy which was shown to be a shallow sham during World War II when Britain for a while adopted the same attitude towards Hitler and his Nazis in Germany. It did not work then and it will not work now. The people who are suffering are the East Timorese. We can sit here, fat, happy and complacent, but those people, who are deserving of our support and our strong voice in the United Nations, look as though they are going to lose yet again. The only crumb of comfort I have to offer is that the majority of Australian people disapprove heartily of successive government policies and wish the right of self-determination for the East Timorese.

It was heart-rending to be there last night. I do not speak Portugese. Part of the meeting was conducted in Portugese and part in English. From speaking to the people later, I was made aware again of their fear for their loved ones and of the number of Timorese people in Darwin who were still too frightened to attend the meeting because they were scared of having their photographs and names taken. In that context, I am still being subjected to the stupidity of certain members of the Indonesian community who hide behind cars in Darwin and take my photograph. They cheerfully admit that to those whom they may think are their friends and they, in turn, report back to me that I am a bad lady and I am on the files. If they want my photograph, I will go out into the middle of the road and pose for them. I feel so strongly about

them and their silly little games. In some cases, they have taken out Australian citizenship and they still act as subversive agents of another country, a country which I think is very ambivalent towards Australia. We are not necessarily Indonesia's great friends. It will use us for as long as it suits it. For 'Indonesia', perhaps we should say 'Java'. The rest of the Indonesian Archipelago is waking up to the Javanese, and about time.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, this morning, I asked the Minister for Lands a question about backyards and subdivisions facing on to major roads. There are a couple of examples in Alice Springs. One is in the Araluen subdivision. The solution there was to build a fence. I do not particularly like it but at least it gives privacy to the people and, for most of its length, there are no houses opposite which have to face that particular fence.

However, in Sadadeen stage 1 in my own electorate, there are roughly 20 blocks which back on to Undoolya Road. I appreciate the argument and rationale of not allowing cars to enter that major road and add to the traffic hazards. However, it does not solve all the problems by a long shot. The first thing that one thinks of is the privacy of the people whose houses and backyards face onto that main road. That is something which needs to be considered. I knocked on doors and spoke to people in the area when they first started to move in. I asked them what they were interested in. I put 3 basic propositions to them. One was an Araluen-style fence and another an earthmound and a row of shrubs which would effectively hide their yards from the road. That was the one which most people opted for. I was grateful to the Conservation Commission for making an effort to get some shrubs growing there. Unfortunately, they were planted late last year. The temperature and the hard, stony ground made it difficult to get the plants growing. In fact, very few survived in spite of fairly valiant efforts to keep them watered. The commission will try again and put considerably more care and effort into planting the next lot.

In the meantime, the people who have been there for a long time and who are concerned for their privacy are starting to build their own back fences. Fencing is not cheap and it is not usual to spend much on a back fence unless it faces onto the road. The other people who are vitally concerned are the people who live in the houses in the subdivision across the road. They have to look at the backyards and the proliferation of higgledy-piggledy back fences which are starting to blossom. It does not please many people. Many of them bought their houses when the east side valley subdivision was started. Their thinking was that there would not be any subdivision across from them and that they would have open land opposite. They are fairly upset. I was in that position with the east side valley subdivision. I had to put up with it. However, to have to look into backyards and at these unsightly back fences is another matter. I have spoken to the principal of the Sadadeen stage 1 subdivision and tried to urge him to honour his commitment to erect a uniform fence. Hopefully, the Conservation Commission will be successful with the shrubs. I certainly hope that we do not have too many more situations like this.

The best solution is typified by the Stuart Highway, near the old racecourse area, where there is a parallel service road. That solution would not be much more expensive than the situation at Sadadeen where there is only one house between the highway and the next road. If the front of the houses face the main road, then blocks can be back to back. If a service road had been included in the planning, then this problem, which is causing a fair bit of heartache to many people, need not have arisen. I certainly intend to write to the Department of Lands with the suggestion. I was pleased to be

assured that it would not occur in the Mt John subdivision but I did not get an assurance that it would never occur again. I would like to think that my suggestion is worthy of very serious consideration.

I would like to raise a point that I have spoken about in this Assembly a number of times over the last few years. I may have described it wrongly but I would like to see an emergency heliport in Alice Springs. Basically, this need has arisen because of an offer from Leach Aero Services, which has Jet Ranger helicopters of suitable size for emergency work. They can carry 2 stretchers, crew and gear. Provided the helicopter is safe from vandalism, it has offered to base one in the town. I appreciate that a helicopter is an expensive item. It must be used for 500 hours to justify keeping it. A total contract for all the government departments still adds up to only 300 hours. But 500 hours is not many hours in a year. It could be based in town if a suitable site could be found for it. An offer has been made by St John Ambulance in Alice Springs to allow the chopper to be wheeled into its yard and protected. St John Ambulance is a 24-hour operation and its security should be very good.

The proposal that I put forward is for the helicopter to be able to land on the north side of St John Ambulance Station, where there is some vacant land. I know there are powerlines about. The Department of Transport air group has caused some hold-ups. Perhaps a special licence can be issued to a special pilot. The pilot employed by Mr Leach is a lady who has been flying in the Territory for many years. In fact, when a certain lady was saying that she was the first woman pilot with Ansett, this lady had already had many years flying with Connair. I cannot mention her name but she is certainly very experienced in helicopters, as I observed personally at the time of the floods in Alice Springs.

I have spoken to the Alice Springs Town Council. It has no objection to the arrangements. One of the chief advantages would be that the helicopter would be there in a state of readiness. Before any aircraft flies, it is supposed to have a daily inspection. It was promised that that chopper would have its daily inspection before leaving each night. It was interesting to note that the majority of calls for the use of the helicopter have been for night work. It has a magnificent set of lights which allows it to be used at night. That was amply demonstrated some time back at Anzac Oval.

My main point is not that we need to be able to land a helicopter in the town. We could land a helicopter right in the hospital yard. I tried to get permission for that to happen. Generally, it was frowned upon although pilots assure me that modern helicopters are much more versatile and quite capable of landing safely near the emergency entrance to the Alice Springs Hospital. That is not really the point. The real point is that it takes something like 15 to 20 minutes to get from Alice Springs out to the airport to pick up the helicopter.

The other thing is the matter of readiness. If it could be organised for that helicopter to have its daily inspection and have on board all the gear that one would require in an emergency, the pilot would only have to wait for the medical team to arrive and then take off immediately. At the very least, 15 or 20 minutes could be saved. But, if the helicopter is out at the airport and has not had its daily inspection, another 10 minutes is added to the travelling time. Whatever gear is required must be stowed aboard and, if that is not properly organised, time can be wasted. The whole thing boils down to the time that can be saved in getting the helicopter away to the scene of the

accident. I believe that all the problems that have arisen need to be attacked by the various government departments in a very decisive way so that we can get some action on this while this offer is still available.

That leads to another point, Mr Deputy Speaker. This morning I was given an example of another problem they have. The helicopter has been used in emergency work to advantage, but one particular case was mentioned where some Aboriginal people were hit by a train some distance down the line. The message came in that there had been an accident. Someone made a decision to send a St John ambulance. When the ambulance people arrived, they decided that the situation was far worse than they had been led to believe and the helicopter was called in and picked up a person but he died during the trip to the hospital. It was put to me that, if the helicopter had been brought in at the beginning, some 2 hours would have been saved. Perhaps that person could have been saved. No one can make that judgment and we will never know but possibly that person would be alive now if the helicopter had been used. One of the problems that Mr Leach put to me was that no one person seemed willing to take the decision. It is not just up to the medical staff.

However, I would suggest that, if the helicopter is brought into operation, some person be authorised to make that decision. If that person happens to err on the wrong side and send a helicopter out when an emergency could have been handled by an ambulance, I do not consider that to be a matter for great concern. I have been told, and I would like this to be checked, that ambulance costs on certain journeys, particularly if there are dog-legs around mountain ranges and so forth, are actually more than those incurred by the use of the helicopter, not that I think the financial side is paramount.

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

Mr BELL (MacDonnell): Mr Deputy Speaker, I was interested to hear the member for Alice Springs talking about fences backing onto main roads. Recently, I had drawn to my attention a letter on the subject that the honourable member had written to News Weekly. News Weekly is the organ of the National Civic Council, a well-known organisation which is well to the right of centre. It is little wonder that the honourable member has gained for himself a reputation for having extreme right-wing views if he believes that News Weekly is such a valuable journal. Of course, he only confirmed an opinion that had already gained some spread not only around the Northern Territory but Australia as a whole as a result of his sponsoring a grubby little paperback book called 'Red Over Black' that was written by a Geoff McDonald. Actually, one can hardly take exception to the contribution written by Mr Geoff McDonald except for the fact that it is so full of inaccuracies, exaggerations and downright untruths that it was unbelievable. The thing that one can take objection to with that little volume is the very nasty racist introduction by the President of the Victorian Branch of the Returned Soldiers League. Many returned soldiers would be horrified by his views. I refer, of course, to Mr Bruce Ruxton. The honourable member for Fannie Bay commented today about that sort of extreme fascist, racist literature. I am not saying that 'Red over Black' is quite in the same line, but it is certainly enough to give the honourable member an honestly-deserved reputation of being reactionary and right wing.

I thank the Minister for Education for making brief mention in this afternoon's adjournment of a breakdown of the figures for applications for teaching positions in the Territory for next year. I would like to make a

couple of brief comments that I hope he will take on board. I referred to 3 categories - primary schools, secondary schools and Aboriginal schools. He referred, I think, to a breakdown between primary and secondary schools. I would like to suggest to the honourable minister that he seek some sort of breakdown of those figures for people seeking to teach in Aboriginal schools. I appreciate that it may be an aspiration on the government's part to regard schools in Aboriginal communities as part of a general government program of primary education and that, of course, is not unreasonable. However, I would argue that what is involved in Aboriginal schools and Aboriginal education is such a particular field of interest and an area that requires particular training and expertise that I believe it behoves the government to give it separate consideration.

I thank the honourable minister for giving a breakdown in some of the areas. I believe you were in the Chair yesterday, Mr Deputy Speaker, when I spoke fulsomely about foreign language teaching. I believe there are big problems there and that there is what can reasonably be called a crisis in our secondary schools as there is a crisis in Aboriginal schools. The difference is that the crisis in secondary schools is much more amenable to government action than is the critical situtation in Aboriginal schools.

I hope that the honourable minister will follow up those applications and ensure that we minimise the possibilities of very rapid turnover of staff in our secondary schools. Mr Deputy Speaker, you may be aware yourself of problems in this area. Certainly, I am aware of problems. I have heard students in critical areas, such as mathematics, having to suffer 10 different teachers in one year. I was pleased to note the concern of the member for Stuart in asking the question. I am not sure whether it sprang from his own breast or whether it was a Dorothy Dixer, but I appreciate his concern. I appreciate the attention of the minister in that regard. I hope he will continue to pursue the matter and I think he should consider a separate category of applications for people to teach in Aboriginal communities.

The last thing I want to mention in the adjournment today, Mr Deputy Speaker, is the Idracowra Horseshoe Bend Road. The road is crucial to the pastoral industry in that area. It is essential for turning cattle off properties there. I had been advised that this particular stretch of road was badly in need of straightening and that it had achieved design status much sooner but had been deferred. I was deeply concerned at that. I wrote to the honourable Minister for Transport and Works because, although he mentioned other capital works programs in my electorate, he failed to mention this one to which I have alluded previously in this sittings. I wrote in these terms:

> *I wish to protest the deferral of the upgrading of this particular road. I understand that the upgrading of this particular road has been on the program and has been subsequently deferred. You will be well aware that, in this period of escalating costs in the pastoral industry, any impact such upgrading can have in holding down such costs is not only most welcome but urgently needed.*

I must have trodden on a corn on the foot of the sensibilities of the honourable minister because he responded in somewhat querulous terms. He commenced by thanking me for my letter but then he went on to say: 'Unfortunately, your correspondence appears to be based on misinformation and suggests a complete ignorance of the principles and procedures involved in the government's capital works program'. In the next paragraph, he went on to explain: 'Specific projects I referred to still maintain their planning and design phase status and

in due course would be accorded a priority on the design list'. He said that it is therefore totally incorrect to suggest that the roadworks have been on a program. He closed the letter with another gratuitous criticism when he said: 'I have a great appreciation of the problems of the pastoral industry, as you are well aware, and I can assure you that the Idracowra to Horseshoe Bend Road project will receive capital works program listing as soon as funds permit'.

I was not quite satisfied with that. I was highly entertained by the letter. I sought some further information about how long this particular road had been enjoying planning and design phase status and when it would be accorded a priority on the design list. The honourable minister once more replied, and in far more reasonable terms, for which I congratulate him at this stage. Obviously, I had not trodden on any corns on the foot of his sensibilities. He went on to say that this particular project had received planning and design status in January this year and, by virtue of that fact, already attracts a priority for capital works listing.

My concern is that I find it difficult to believe. The matter was brought to my attention earlier this year in the context that it had been considered by the government for far longer than that. I sincerely hope that it is correct that planning and design status was achieved in January of this year. I have my doubts.

Mr VALE (Stuart): I think that the honourable member for MacDonnell represents probably the second or third largest electorate in the Territory. If my memory is correct, this is the second or third time he has spoken about roads in this Assembly. Even then he is ill-informed as he has demonstrated by some of the comments he has made.

The first point I would like to raise this afternoon concerns a favourite topic of mine: the Stuart Highway in South Australia. Several weeks back, I issued a press release following an announcement by both the Chief Minister and the federal Minister for Transport, Mr Morris, that an additional $4.5m had been made available for the construction of the Stuart Highway in South Australia. I checked with both the Highways Department in South Australia and the federal Department of Transport and Works and was advised that, of the $4.5m, only $1.2m was to be allocated to the construction of the Stuart Highway in South Australia and the remainder of the $4.5m was to go to construction work on the Adelaide to Melbourne highway.

In a press release that I issued, I welcomed the additional funds being allocated by the Commonwealth for the upgrading of the South Australian section of the Stuart Highway. I went on to say that it appeared that the funding was somewhat less than that originally announced by Mr Morris. However, any funding was welcome but I pointed out that the additional $1.2m which was allocated to the Stuart Highway would not significantly speed up construction of the road because it would be eaten up by inflationary factors. I went on to say that the planned estimated completion date of December 1986 set by the then Premier, David Tonkin, would still be met. Nowhere in that press release did I criticise anyone, certainly not Mr Morris or the South Australian government. However, 2 or 3 days later, the Territory's federal member, John Reeves, attacked me for criticising the federal government. He can have a copy of this press release as can honourable members. Nowhere did I criticise anyone. I would welcome any additional funding for the section of the Stuart HIghway, be it $10 or $10m. I am delighted to know that the completion date of December 1986 will be met.

For the interest of honourable members, I have just received another report on the progress of highway construction issued by the Highways Department of South Australia. It is interesting to note that, by December 1985, all but 210 km of that unsealed section of the Stuart Highway will be completed. That 210 km, which will be completed by 1986, includes the 79 km section between Marla and Rose Hill, a 59 km section between Pootnoura Creek and Mt Willoughby and one other smaller section to the north of that. In essence, the planned completion date of December 1986 will be met and the last national disgrace in terms of highways in Australia will finally be sealed.

Mr Deputy Speaker, while talking about roads, I must take this opportunity of congratulating the Department of Transport and Works and those contractors who were involved in the design and construction of the Lasseter Highway in the MacDonnell electorate. A number of interesting features are involved in this road construction but 2 are particularly worthy of note.

The 5 km signposts, instead of having the words 'Ayers Rock' and then the distance to it, show an attractive logo of Ayers Rock and the distance in kilometres. I believe this was the idea of the then area manager, David McHugh. These attractive signposts start at the Stuart-Lasseter Highways intersection and run west to Ayers Rock.

In central Australia and elsewhere in the Northern Territory, the edge guide posts have been subjected to a tremendous amount of damage by inconsiderate motorists running over them and knocking them out. On the last section of the Lasseter Highway, these posts are now made out of a plastic which, when hit, bends down then bounces back after a truck or vehicle has gone over it. Whilst those guide posts at the road edges are needed, a considerable amount of money will be saved by the Department of Transport and Works in the long run.

Mr Deputy Speaker, on another issue concerning the Stuart Highway, it is noted that, in relation to the northern area of the Stuart electorate and the southern edge of the Barkly electorate - one of those narrow sections of the Stuart Highway still to be widened - the department has come up with an idea which is worthy of consideration for all other major highways in the Northern Territory. Instead of grading and compacting the road shoulders up to the edge of the road, the department now proposes to cut back and grass these edges. In many instances, this will provide for much greater motoring safety. When a motorist is forced over on a narrow section, he will not raise the same amount of dust and stones which are a hazard to other motorists' windscreens. The area concerned will be much cheaper to maintain because, instead of having to grade, compact and water continually, the department will only have to cut the grass back, if and when required, and water it occasionally, which it would have to do if it was compacting a road edge anyway. I hope the department will continue to grass these sections with native grasses and, where possible, start planting native trees along the Stuart Highway and other major highways where there is little or no shade for travelling motorists.

Mr Deputy Speaker, I wish to make one final point. Bike tracks have been constructed along a number of road edges in Alice Springs. I believe that the section of the Stuart Highway presently under construction from the Larapinta intersection through to Smith Street should also be reviewed to see if bike tracks could be incorporated and link into tracks already constructed by the Department of Transport and Works.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, in the adjournment debate this afternoon, I would like to speak on something that is becoming a hardy perennial and that is the public transport service in Darwin. What I am about to say is actually a result of several of my constituents complaining to me about the bus service, not so much the weekday service but the total lack of one on Sundays and the small number of buses available on Saturday afternoons. There are many reasons why the public should be better served by public transport on weekends. The weekday service is also pretty shabby, particularly out Howard Springs way. I am well aware that the cost to the government to maintain the existing bus services is extremely high. I believe also that the public is entitled to reasonable public transport, irrespective of escalating costs, and would like to give some examples of various categories of people who are very much disadvantaged by the inadequacy of our bus service.

In the first instance, Mr Deputy Speaker, many parents are separated with one parent having custody of the kids and the other parent having some access, particularly at weekends. If the mother is not the person who has custody of the kids, she is usually in pretty poor circumstances. She cannot afford taxis and does not have alternative transport. The result is that she does not see her kids or she is able to see them only for a very short time. For instance, the kids cannot stay overnight with her. That is quite unfair. It is detrimental to the mother and to the well-being of the kids, despite the fact that she has legal access to them. Usually in such circumstances the father will not assist in paying for taxis for the kids to visit the mother because, unfortunately, separated parents often prove quite antagonistic towards one another.

Another group of people who are greatly inconvenienced through the inadequate public bus service are those who wish to visit hospital patients at Casuarina on the weekend. Many of the people who visit patients in hospital are pensioners and they have no private transport. They cannot afford taxi fares and, therefore, have to forgo a visit to a sick friend on the weekends.

Mr Deputy Speaker, I could go on indefinitely about people who are disadvantaged or inconvenienced through lack of adequate public transport. Shift workers, for instance, people who work on Saturday mornings and, through necessity, must take taxis home after work, are unduly penalised. The same goes for people who live along the Stuart Highway, particularly people who live in caravan parks and do not have alternative transport.

In an adjournment debate last year, I spoke at some length of the need for more buses to service the Stuart Highway. My attention was drawn to this matter by 2 young ladies who were employed in Woolworths in the city. Their place of employment closed for business purposes at noon each Saturday. However, the girls had to count the cash taken at the checkout counter. After finishing this duty, they were unable to catch a bus from the terminal to the Shady Glen Caravan Park because that bus departed the city at 12.15 pm. The time lapse of 15 minutes to count the cash at the checkout counter, added to the time taken to walk from Woolworths up to the bus terminal, made it impossible for them to catch the bus. People on shift work are likewise disadvantaged through inadequate bus services, as are people who are employed in the building industry. People employed on construction sites normally commence work at 7.30 am but buses which service caravan parks along the Stuart Highway do not arrive in the city until 7.40 am. Consequently, people employed in the construction industry are late and their jobs are at risk through no fault of their own. It is totally unfair.

Mr Deputy Speaker, pensioners are in receipt of free bus passes to which they are certainly entitled. Any pensioner who might feel like hopping on a bus and going for a nice ride on a Sunday cannot do so because no buses run. I realise that to seek to prevail on this government to run weekend buses for humanitarian reasons is something of a waste of time. Perhaps the pensioners could pay for part of the bus service. Some of the pensioners I spoke with said that, if the bus ran on Sundays, they would be quite prepared not to use their bus passes and, in fact, their passes could be stamped 'not usable Sundays' and they would be happy to pay to have a trip around the city. They are pretty bored and things are pretty dull. On Sunday, the city is quiet and there is less heavy traffic. I know that there are pensioners who would enjoy having a day out on Sunday on a bus.

There is another area where the government could possibly pick up some of the costs of public transport which, I do not dispute, are very high. There are many tourists visiting Darwin now and we are always saying that we want to promote the tourist industry. One small way to promote it could be to provide bus services on a weekend. Not all tourists want to go on conducted bus tours, which are pretty expensive, and not all tourists want to travel on a bus where they are subjected to a spiel from the driver. We have enough of this type of service around Darwin. They take people, tourists particularly, out to the spots of scenic interest. But many tourists would like to see the city of Darwin as it is, have a roam around in a bus and get on and off and change buses and so forth. Perhaps the pensioners' willingness, as expressed to me, to pay for their bus trips on a Sunday - some even said double if they could just get out of the place for a while - together with the added revenue that could be picked up from tourists who wanted to have a look at the city which we are always boasting about, could make a Sunday service feasible. Most organised bus tours do not go around the city. They take off to Kakadu or somewhere that is of well-known scenic interest. But as I say, lots of tourists wish to see Darwin as it is on a Sunday. They would like to relax and have quiet tour without being bound to schedules or paying exorbitant prices.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

NOTICE OF MOTION

Ms D'ROZARIO (Sanderson): Mr Speaker, I give notice that, on the next sitting day, I will move that this Assembly censure the honourable Minister for Mines and Energy for his failure to prevent senior officers of his department from improperly using their position within the Department of Mines and Energy for private gain to the detriment of the mining industry and the people of the Northern Territory.

Mr ROBERTSON (Mines and Energy): Mr Speaker, as is usual Westminster practice, I seek leave of the Assembly for the censure motion to be moved forthwith.

Leave granted.

MOTION OF CENSURE
Failure of Minister for Mines and Energy in Relation to Certain Senior Staff

Ms D'ROZARIO (Sanderson): Mr Speaker, I move that this Assembly censure the honourable Minister for Mines and Energy for his failure to prevent senior officers of his department from improperly using their positions within the Department of Mines and Energy for private gain to the detriment of the mining industry and the people of the Northern Territory.

Mr Speaker, on 2 June 1983, the honourable Minister for Mines and Energy made a statement in this Assembly in response to an item which appeared on the front page of the Northern Territory News of 1 June 1983. In that article, it was alleged that certain officers of the Department of Mines and Energy were directors of a company known as Litchfield Corporation Limited. It was further alleged that this company had a connection with an Aboriginal association, the Kunwinjku Association, which stood to benefit from royalties payable to it. On 2 June 1983, the honourable Minister for Mines and Energy informed us in this Assembly that certain actions had already been initiated with respect to the connection of these officers within the Department of Mines and Energy. He further informed us that he had asked for the matter to be transferred to the Public Service Commissioner as he did not think that it was suitable for internal investigation.

The honourable minister also indicated to the Assembly that one of the officers concerned had given notice of his resignation from the public service. The minister's words were: 'presumably to pursue his outside interests'. It is quite clear from the answers given to the questions that I asked this morning that the situation with respect to the directors of that company has not changed. The minister has not satisfied himself that these officers have divested themselves of their interest in this company but that, in fact, by virtue of their position, these people are able to obtain significant private gain from matters that come before them in their work.

Mr Speaker, a search of the records of the Companies Office will indicate that 5 persons are listed as the directors of the company. The 5 persons are Joseph Maxwell Smith, Christopher Paul Smith, Brian Ross Farrow, William Lewis Thompson and Ian Edward Lewis. These people are listed as being directors of a company incorporated on 4 June 1982, that company being titled Litchfield Corporation Ltd whose registered offices are the offices of Clarke and Partners in suite G18, Gallery Level, Centrepoint in Darwin.

Mr Speaker, obviously the honourable Minister for Mines and Energy was referring to one Brian Ross Farrow who had left the department temporarily to pursue his outside interests but I am now informed that Mr Farrow is an officer of the Department of Mines and Energy.

I can further inform the honourable minister that this particular company has no telephone number and no address other than the address of its registered office. It is not a coincidence that those 5 directors - and they are the only directors that the company has - are all officers at a very senior level, about E3, in the Department of Mines and Energy. I ask for the reason for incorporating such a company and describing its activities as merchant banking if it is not for private gain. I would further ask the minister why he has not ensured that these people have divested themselves of their interests as he indicated to us in the Assembly on 2 June.

I do not think it is good enough to say that the Public Service Commissioner recommended that this would be the wise course of action but that the 5 gentlemen concerned could not be compelled to follow it. I do not think that that is good enough having regard to the safeguards that the Public Service Act provides and the directions given to departments in respect of the pecuniary interests of members of departments.

I would like to refer to Public Service General Orders section 4 which relates to the declaration of pecuniary interests. I would like to read the content of this general order into Hansard so that people can see that it is quite clear that the legislature intended that persons acting in senior positions, or positions in which they could obtain gain through knowledge obtained in the course of their employment, should not so act if there is a conflict of interest. This Public Service general order was issued by the former commissioner, Mr Norm Campbell:

> *An employee should at all times so regulate his private financial interests so that they do not conflict or appear to conflict with his duty. An employee is required to inform his Chief Executive Officer, or a person delegated by him, of any direct or indirect pecuniary interest that might conflict, or appear to conflict, with his public duty in relation to a matter under consideration or likely to come under consideration by him. The Chief Executive Officer or his delegate will then determine whether the declaring employee should continue to carry out the duties in question or whether another employee should be directed to deal with the matter in the absence of satisfactory arrangements being agreed upon for the employee to divest himself of the pecuniary interest concerned.*

I ask the honourable minister to note that last sentence because I propose to refer to it a little later. I continue the quotation, Mr Speaker:

> *An employee should at all times avoid engaging in private dealings where such transactions could be influenced by, or be seen to be influenced by, his knowledge of official information. The employee is required to inform his Chief Executive Officer, or his delegate, of any contemplated acquisition or disposal of pecuniary interests where such actions might be influenced by, or be seen to be influenced by, his knowledge of official information. Chief Executive Officers and heads of prescribed authorities are required to declare to their respective ministers any actual or contemplated pecuniary or other interest where a situation of conflict or*

potential conflict of personal interest and official duties, whether real or apparent, might arise, and an employee should pay special attention to private pecuniary interests at the time of taking up duties in a work area to ensure that interests held are not incompatible with his duties in that area. Failure by an employee to notify a pecuniary or other interest in breach of this general order will be regarded as a failure to fulfil duty as defined in part VIII of the Public Service Act.

Mr Speaker, that is very commendable and I also commend the former Secretary of the Department of Mines and Energy, Mr Mike Purcell, who, on 2 June 1980, circulated his officers with an instruction drawing their attention to this general order but adding:

Staff in the Department of Mines and Energy should be particularly careful to comply with this order. The department holds information which is confidential and financially sensitive and which staff could wrongly use for private financial advantage. It is inevitable that, on occasion, the department will come under suspicion. At those times, a history of assiduous compliance with general order section 4 will assist to protect staff.

I commend the former secretary for having drawn the attention of his officers to that particular general order and for spelling out the very sensitive nature of the area in which they worked.

Mr Speaker, naturally I am most concerned by the answer given by the honourable Minister for Mines and Energy that he is not able to tell me - other than privately, which I do not think is good enough - whether these people have made any progress in divesting themselves of their interests in this company. The matter is of extreme concern because, as the honourable Leader of the Opposition pointed out, there is no area so lucrative in investment in the Northern Territory as the mining area.

Let us look at the activity of this company. It describes itself as a merchant bank and I have nothing against merchant banks. But, Mr Speaker, every one of the directors of that company is in a position to obtain information from the Department of Mines and Energy. There is no director who is outside of the Department of Mines and Energy. Every single one of these people named is in a senior position in the Department of Mines and Energy. I make it very clear that I do not allege that any one of these people has obtained private gain from his position. But what I do say is that they are in a position to obtain private gain. I think that is what this motion is about and I censure the minister for permitting this situation to continue.

I have some inkling as to how this company could work, and may in fact be working at this very moment. I am in possession of a memorandum which was written from one director to the others, and I have every reason to believe that this memorandum was written by the person alleged to have written it to the directors - the directors being Smith, Smith, Farrow, Thompson and Lewis. This person is Dr N.C. Blake. His whereabouts is unknown. I have every reason to believe that this gentleman wrote this memorandum to the 5 persons named:

Typical investment banking activities advising on mergers, acquisitions and takeovers:

An area of particular interest to LCL on its own account. Some will not be appropriate to LCL for varying reasons - size, complexity

etc - but will be suitable for other organisations. Rather than wait for clients for the service, we should all be aware of possible 'logical fits' when they come to notice. During the course of our work, companies will come to notice that may fit into another organisation; for example, some mining or other activity which would be a good takeover and would integrate well with another organisation. When such 'targets' come to our notice, they can be researched and a complementary buyer found.

That memorandum is dated 22 April 1982, some 2 months before the incorporation of the company, and was signed by Dr N.C. Blake. As I say, I do not allege that these 5 gentlemen have in fact been undertaking this activity. But the important thing is that they are in a position to act in the manner suggested by this memorandum. If that is the case, then I suggest that it is most reprehensible that these gentlemen should continue to act in important positions in the Department of Mines and Energy.

Mr Speaker, as has been mentioned, the investment in mining activities is a very prospective area of Northern Territory investment. Mining, as the honourable minister would know, is the most important area of economic activity in the Northern Territory. It is by far the largest earner of income for the Northern Territory. I do not think that it behoves the minister to allow this situation to persist whereby the confidence of the mining industry will be undermined because there are people within it who are looking for information, which is provided to them by statute by the companies with whom they have dealings, and conveying that information in their private capacity to other organisations. I think that this situation cannot be permitted to continue. The minister must well realise that the confidence of the mining industry is extremely important for the economic well-being of the Territory. If that confidence is undermined by the actions of senior officers, there are only 2 choices available to him: these senior officers may continue to act in their private capacity or they can continue to be full-time members of the Department of Mines and Energy. Their 2 roles are quite incompatible.

I stress that these 5 people are all very senior in the department. There seems to be no other method of contacting this company. One cannot, for example, ring them up. They are certainly not in the yellow pages. They do not have offices from which they work. I ask the honourable minister how, if they were acting as a merchant bank, clients would come to their attention or seek their services. I am suggesting that this memorandum, which I have every reason to believe was written by the person whose signature appears at the bottom of it, is the method of operation that this company proposes to use. I am suggesting to the minister that this matter cannot be allowed to persist. I think that he should take action to make sure these officers are not in a position to benefit privately to the detriment of mining industry and, more importantly, to the people of the Territory.

Mr ROBERTSON (Mines and Energy): Mr Speaker, there is very little in terms of sentiment that I would disagree with in what the honourable member for Sanderson has said. I wonder if I could have a moment to peruse this document which I have just been given and which, needless to say, I have not seen before. I do not deny the signature either. I do not know the signature of Dr Nicholas Blake but I can assure honourable members that he was not a doctor, as it subsequently transpired. It would seem though that there is nothing much to be gained from that.

Mr Speaker, the motion is the important thing here. The honourable member for Sanderson says she is not making any allegations as to improper activities

of the officers concerned but the censure motion uses the words: 'failure to prevent senior officers of his department from improperly using their position in the Department of Mines and Energy for private gain to the detriment of the mining industry and the people of the Northern Territory'. That implies clearly that they are doing it. There is no other construction that the English language would allow on those words. The honourable sponsor of the motion, in putting it to the Assembly, has said that the basis upon which the motion comes forward is the nature of the answers I gave. The answers to the questions I gave were the only answers which could have been given to those questions. If the honourable member had asked if I had ensured that there would be no possibility of these senior officers using their role as directors of this company and their position in the Department of Mines and Energy, I would have given an answer which would have been satisfactory to all members of the Assembly. I note that the motion was probably typed yesterday. Therefore, no matter what the answers were, having regard to the fact that it was already typed, we would have had this motion before us.

I entirely agree with the honourable member for Sanderson that it is absolutely unacceptable that officers of the Department of Mines and Energy, or any other department of government, get themselves into a position of potential conflict to the detriment of the Territory community. I have no argument with that at all. I have had discussions. I am in no doubt that, in a different context, I would be accused of interfering with matters of the public service. Every time a minister does exactly what the opposition is now insisting that I do, that minister is castigated, if not censured, for what is alleged to be interference in the public service. Nonetheless, let us not worry about that.

In discussions with the Acting Public Service Commissioner at the time, and the most senior officers of my department, I insisted upon one thing - and this can be construed as interference in the public service but I will not back away from what I see as my duty in matters like this, which are regarded very seriously indeed. I insisted that, if those officers were to remain officers of the public service, they were not under any circumstances whatsoever to trade as a merchant bank. Exactly as the honourable member said, they had to make up their minds whether they were going to be merchant bankers or public servants. The insistence was that they were not, in any way, to trade as merchant bankers - not just in the mines area but in any area at all. Their endeavours were to be confined solely to shedding their shareholdings and directorships. Had a question been asked which would have allowed me to give that answer, I would have done so. Perhaps I should have offered the information gratuitously and anticipated the concern opposite. I am quite sure there is concern about these matters on this side of the Assembly also. Those instructions to the secretary of my department and through him to the Public Service Commissioner concerning the negotiations with these officers were absolutely unequivocal and irreversible. They had to make up their minds and they made up their minds to be public servants. They gave assurances to the Public Service Commissioner's Office and to the secretary of my department. That did not satisfy me. I instructed the Public Service Commissioner's representative and the head of my department to accompany all 4 officers, as it then was - or it could have been 5, I forget the exact number - to my office. I told them personally and sought their unequivocal guarantees that they would not trade. We now have in debate from the honourable member for Sanderson an admission that she is not alleging that any such thing happened.

So what is the position? I am somewhat disappointed that these officers have not achieved the shedding of their shares and directorships, which I expected that they would do as expeditiously as possible. However, it must be remembered that that part of it is a matter for the Public Service Commissioner,

not me. My role in it was to ensure that the conflict and potential conflicts, which very rightly concerned the opposition, had no possibility of coming about. No doubt was left in the minds of any of those officers that a breach of those instructions or the assurances given to me in my office in the presence of a representative of the Public Service Commissioner's Office and the secretary of my department, Creed Lovegrove, would lead to the application of disciplinary action, swiftly and with resolution. That is the true position: no trading will be accepted or get out. Those were the instructions given in my office, Mr Speaker.

I submit that I was far from being negligent in my duty. I heard about this by way of a memorandum from my office. With respect to the officer concerned, I did not concur with the memorandum. He could see little problem with it but I could see horrendous problems with it. I figured at the time that it might be a chicken which one day would raise its head. I hoped it would not be in this manner. I thought that it might raise its head in the nature of loss to the people concerned. However, I reported to this Assembly on that day and, on that same day, I instructed the Public Service Commissioner to take immediate and resolute action. I came out in the open with it. I gave instructions to the secretary of my department, in writing, that the matter was in the hands of the Public Service Commissioner and it was to be resolved.

Obviously, because the matter has been raised like this, Mr Speaker, I am not in a position to table the memoranda which I have sent but I can assure you that, if I were able to, the member for Sanderson would appreciate the unequivocal and firm tone of my written correspondence to the department which indicated my concern in this matter. My actions were immediate, firm, unequivocal and total. Having reached that stage, Mr Speaker, having given instructions as minister, for which I could have been accused of interference in the public service - although I doubt it in a case like this - having satisfied myself that, under no circumstances, would anything be done by any of those officers which would in any way impinge upon the integrity of the department, the government or the public service, and having had the assurance of the Public Service Commissioner that this was an appropriate way to go about it and that appropriate assurances had been furnished, I then relied upon those people to do what they said they would do. That is the position. Far from being negligent, I do not think that any minister in this government has acted with such speed and firm direction in a matter such as this.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I will not be as shy and retiring as the honourable member for Sanderson was in describing this situation. It is very simple. The current status of the Litchfield trading bank and its association with senior officers of the Department of Mines and Energy stinks, and it stinks very badly indeed. The particular stink that I am referring to may have more to do with the so-called Dr Nicholas Blake than any of the other 5 directors, but it is a matter of some considerable concern and regret to me that the records of that company indicate that, not only were the 6 original directors, without exception, senior officers of the Department of Mines and Energy, including Mr Blake, but that the largest shareholder by far is the Kunwinjku Association. Kunwinjku Holdings Pty Ltd is, by a long stretch, the largest shareholder in the Litchfield merchant bank. That is a matter of great regret to me.

I do not have to point out to any member of this Assembly the connections between the Northern Territory Department of Mines and Energy and Aboriginal associations in receipt of mining royalties. One would have thought that every member of this Assembly was aware of that. Neither should I have to point out to any member of this Assembly how improper it is to allow the existence of a merchant bank which has 6 directors, all of whom are senior employees of a

department, which has as its largest shareholder an Aboriginal association which has been dealing with the Department of Mines and Energy, which is in receipt of considerable resources by way of uranium royalty payments and which, courtesy of the Department of Mines and Energy, employed as its executive officer the same N.C. Blake. What an extremely odious position that placed and still places the Northern Territory's Department of Mines and Energy in. I will return to that in a minute because it bears saying again.

The honourable Minister for Mines and Energy placed a very strange construction indeed on the motion put this morning. Indeed, that motion still stands. I do not know how the honourable minister came into receipt of the information which we appreciated getting just now. Perhaps it was contained in the document which was just handed to him by the honourable Chief Minister. However, the questions were clear enough. In fact, they deserved and warranted the answers that were just given. Have these directors been instructed to divest themselves of their shareholdings and have they done so? That was the first question that the honourable member for Sanderson asked. Of course, his reply was, in essence, that he did not know but that he would inquire and inform the member privately of the answers to her queries. We now have a rather more complete answer given to us. The point that we are making is that the situation with the Litchfield bank and its connection with the Department of Mines and Energy stinks. This matter first came to public attention in June of this year. It is now the end of October; a considerable period of time has elapsed. One would have thought that the honourable minister would have been a little more assiduous in his attention to this highly improper and unsatisfactory situation in his department and that he would have been able to give the answer he has now given. The question was clear and unambiguous: had they been instructed to divest themselves of their shareholdings and have they done so? That was the question. So let us not have this nonsense from the minister that, if the question had been worded better or in another way, he would have given a more complete answer. That is absolute rubbish.

As I pointed out before, Blake was an employee of the Department of Mines and Energy. It had accepted Blake on fraudulent credentials. The poor old Kunwinjku Association, as always seems to happen to these associations, has copped this thing in the neck. As I have said before, and again recently in a submission to Justice Toohey on the Land Rights Act, when you are talking about getting staff - and this is from 16 years' experience - to work for and on behalf of Aboriginal people, you feel half the time like Diogenes: out with the lantern looking for an honest man. Unfortunately, Aboriginal organisations that have been trying to cope and come to grips with a multiplicity of complicated and difficult changes in their lives over the years have been by and large poorly served by the people they employ on good faith to assist them. One could forgive the Kunwinjku Association principals for accepting Mr Blake because he was a senior employee of the Department of Mines and Energy. It accepted him as having a doctorate and all these other credentials. It now turns out that the amount of checking that was done into his references or credentials was very marginal indeed. Poor old Kunwinjku took him on thinking it was getting a reasonable sort of product. Of course, as we now find, Nicholas Blake took off like a bolt of lightning for the southern regions of Australia. The honourable minister may well know where he is but certainly most of the principals of the Kunwinjku Association do not know. In the context of the honourable minister's own statement at the time this happened, it is not surprising that, when he said that this had to be investigated, Dr Nicholas Blake said that any call for an investigation was hysterical nonsense. I dare say that, while he was making that statement, he was putting on his running shoes, packing his bag and heading for the door.

Mr Speaker, it is extremely disturbing. As the honourable member for Sanderson has already pointed out, there is a so-called merchant bank that has a registered office. We all know what that involves: simply having a lawyer's office as its office of registration. It has no premises from which to operate; no telephone number listed to operate from. One can ask the legitimate question: where have these 5 directors, all of whom are senior officers of the Department of Mines and Energy, been conducting their business from? We have what I consider to be a very disturbing document indeed. It has already been referred to by the honourable member for Sanderson. This memorandum was written by N.C. Blake when he was still an employee of the Department of Mines and Energy. The memorandum is to J.M. Smith, C.P. Smith, R. Farrow, W. Thompson and I.E. Lewis. The interesting thing about all the names at the top of the memorandum is that they are all senior officers of the Department of Mines and Energy and they are the complete complement of the Board of Directors of Litchfield Corporation. The memo says: 'Rather than wait for clients for this service' - that is, using the bank as a broker for profit in organising takeovers and mergers on behalf of other companies - 'we should all be aware of possible "logical fits" when they come to our notice. During the course of our work, companies will come to our notice that may fit into another organisation; for example, some mining or other activity which would be a good takeover and which would integrate well with another organisation. When such "targets" come to our notice, they can be researched and a complementary buyer found'.

Mr Speaker, that is an extremely disturbing document because it indicates quite clearly that the 5 directors, all of whom are in the senior policy area of the department, were being instructed by one of the directors to use in the course of their work information that came across their desks. As the honourable minister knows full well ...

Mr Robertson: We should have been given a copy.

Mr B. COLLINS: Well, we only received it last night, I can assure the honourable minister.

Mr Robertson: If I had had it then, it might have been different.

Mr B. COLLINS: I can assure the honourable minister that we were certainly prepared to proceed with the censure motion this morning. I am quite happy to tell him that we had already made a determination that, were the answers that the honourable minister gave satisfactory, and indicated that he had in fact been assiduous in his attention to this matter and knew what was going on, we would not proceed with the motion. It is as simple as that. But because of the entirely unsatisfactory answers to that first and very straightforward question, we decided to proceed. It was the proper course of action to take.

Mr Speaker, I must say that the most extreme regret to me in this matter is simply that there is no more sensitive an issue in the Northern Territory. The 2 most sensitive issues without doubt are Aboriginal land rights and uranium mining. Unfortunately for the Aboriginal people of the Northern Territory, they have been at the centre of both those issues, which is a position I am sure they find extremely uncomfortable from time to time. The amounts of money that are involved are considerable, as the honourable minister knows full well. The relationship that exists between these Aboriginal organisations and the Department of Mines and Energy is crucial - absolutely crucial. The Mines Division can have no hint of impropriety whatever attached to its dealings with those Aboriginal organisations because, as I say, the amounts of money involved are considerable. When you have this horrendous situation where a former officer of the Department of Mines and Energy subsequently becomes the executive officer of the Kunwinjku

Association and, lo and behold, surprise, surprise, that association determines to invest a considerable part of its disposable income in the merchant bank of which he and 5 other members of the Department of Mines and Energy are directors, then I think I can be forgiven for saying that that situation stinks in the truest sense of the word.

I accept the assurances of the honourable minister this morning that these specific instructions were given. In fact, I particularly appreciate his information that an instruction was given that no trading be carried on. All I can say to the honourable minister is that we would have appreciated those answers at the appropriate time in answer to that original question. I can assure him that, if those answers had been given, this motion would not have been moved.

I accept the advice of the honourable minister handed to him by the Chief Minister in a rapid re-entry into the Assembly. However he came by it, I appreciate it. I am sorry he did not pay more attention and was not more on top of the situation. It is highly reprehensible and improper to allow it to continue for another minute. It has been going on for at least 4 months and the situation with the company has not changed. The minister told us that he instructed these people that no trading was to take place. I would like a categorical assurance that, in fact, no trading has taken place.

None of us needs to be told how much confidential information comes across the desks of officers of the Department of Mines and Energy. Companies are required to provide it. It is highly confidential information indeed. We have had ministers, and properly in my view, refusing to give information in this Assembly because it was commercially confidential. We all know the extremely privileged position of senior officers of the Department of Mines and Energy in obtaining these confidential company reports as to how well or how badly the exploration programs are going. When you are looking at the share market for a few good buys, it is useful information, as Mr Purcell, the former secretary, pointed out. We all know that it is impossible to be entirely sure that public servants do not use that information for their own private speculation. I dare say that most of them do not. I would not even consider that to be a matter of any particular interest unless there was gross impropriety involved. However, that is a little different from forming a merchant bank which is primarily interested in investment in the mining industry and whose directors are all employees of the Department of Mines and Energy. One of them has since done a flit from the Northern Territory, after having spent just sufficient time with the Kunwinjku Association to divert funds from that association into his own merchant bank and the merchant bank of these other officers of the Department of Mines and Energy.

It is essential that the Minister for Mines and Energy does not allow this situation to continue any longer. Let us not have any more of this nonsense about interference with the public service. There is a lot of difference in claims being made of political interference in the promotion of public servants and requiring public servants to comply with the administrative orders and instructions of the Northern Territory Public Service for the protection of the reputation of public servants. The order is quite specific: public servants must regulate their private financial interests so that they do not conflict or appear to conflict with their public duty. It is not political interference to ensure that public servants, particularly those in such a sensitive area of the Northern Territory Public Service, comply with those instructions.

I would ask the honourable minister to expedite as quickly as possible either the departure of these officers from the Northern Territory Public Service

to engage in whatever private commercial activity they wish or, alternatively, their immediate resignation as directors of this bank and their divestment of any shareholdings in it.

Mr EVERINGHAM (Chief Minister): Mr Speaker, it is apparent that the honourable member for Sanderson and the Leader of the Opposition have done a great deal of research into this question of the Litchfield bank, a merchant bank, which apparently has been formed by these people. I rise only because I am the minister responsible for the public service. The matter has not really come before me in a definite way. I have a 3-paragraph briefing on the matter in my briefing notes for this Legislative Assembly from the Public Service Commissioner's Office. The briefing was written some time ago. The final paragraph reads: 'We are awaiting a reply from the solicitors to the officers involved on what progress is being made in winding up the company'.

This is about the only way that I have been kept informed of what is going on. I can recall the Minister for Mines and Energy being in a fairly explosive mood the day the information first came to his attention. Frankly, the officers are fortunate that I am not the Minister for Mines and Energy because I would have exploded and not just have been explosive. My own view is that these men, if they are of the level E3 as has been suggested this morning, should know a lot better than to do this. Frankly, I think that the minister has been very forebearing.

Obviously, the Leader of the Opposition and his colleague have not undertaken the research that would have satisfied their queries. Although they have gone looking for memoranda and have gone searching at the Companies Office, they have not really made any inquiries where they might find out whether a winding-up is taking place. Those sorts of facts are ascertainable from the Supreme Court of the Northern Territory. Although I have not searched, I certainly can inform the Assembly that the Public Service Commissioner informed me.

Before I go on, Mr Speaker, I would say that I have not passed any information at all to my colleague, the Minister for Mines and Energy, since returning from outside where I spoke to the Public Service Commissioner by telephone to see if he knew anything of this matter. He informed me that winding-up proceedings are being taken and the company is expected to be wound up this week. Those were the words of the Public Service Commissioner. I have to accept his assurance and I certainly hope that it proves to be right. However, one would think that, if that information is known to the Public Service Commissioner, it would be available also to the Leader of the Opposition. I notice that the date on the press release referred to earlier is 27 June. I do not think it unreasonable that it has taken approximately 3 months to procure the winding-up of that company. To me, that seems to be a not unreasonable length of time. However, no doubt the opposition wanted its day in court - as I would have said in my former profession - and decided to get in this week before the liquidation took place.

Mr B. Collins: I was not aware of it.

Mr EVERINGHAM: Mr Speaker, the honourable Leader of the Opposition seems to be able to become aware of anything that he wants to. Obviously, the question was not asked of the minister in the Assembly this morning either.

Mr Speaker, the motion is a motion of censure of the minister for his failure to prevent senior officers of his department from improperly using their positions in the Department of Mines and Energy for private gain to the detriment of the

mining industry and the people of the Northern Territory. I agree with much of what has been said by the opposition about the actions of these people. For what it is worth, I feel that they have completely compromised their positions in the Department of Mines and Energy. I would ask the members of the opposition to place in the hands of the Public Service Commissioner all documents, papers and ...

Mr B. Collins: Certainly.

Mr EVERINGHAM: ... anything else they may have in relation to this matter so that the Public Service Commissioner can examine it with a view to taking whatever action appears to him to be appropriate in all the circumstances. I would also urge the Public Service Commissioner to act swiftly in this matter.

The Leader of the Opposition seemed to accept the minister's explanation that he had taken action to prevent senior officers of his department from using their positions improperly by securing from them an undertaking that they would no longer trade in this company. Mr Speaker, to my mind, the motion inevitably fails for that very reason. The minister has taken all reasonable action in the circumstances. We have been told by the Leader of the Opposition that the minister should have interfered more vigorously in the workings of the public service. The minister was between Scylla and Charybdis, the devil and the deep blue sea. If he had performed more vigorously, no doubt he would be on the receiving end of a motion for interfering with the public service. I believe that, in all the circumstances, the minister has brought the matter properly to the attention of senior officers of the departments concerned. He obtained undertakings and did everything that could be considered reasonable and proper for a minister to do in the circumstances. If there has been some delay, I do not believe that it is at all attributable to the minister.

Mr Speaker, I do not accept the motion or the bona fides with which the motion was proposed. I believe that an attempt to ambush the minister has been made this morning and I do not believe that the opposition has looked at the matter thoroughly. The honourable member for Sanderson interjected and said: 'I have personally been to the Companies Office, Mr Speaker, and made this search'. Why did she not trot along to the Supreme Court while she was doing her searches to see if there was a winding-up petition. I suggest that the motion is motivated solely by a desire to scandalise the public in relation to the affairs of these particular men. The minister's behaviour has been impeccable in all the circumstances and certainly the government will be rejecting the motion.

Ms D'ROZARIO (Sanderson): Mr Speaker, this motion is not about ministerial interference. What it is about is maintaining the integrity of the Department of Mines and Energy in the eyes of those who have to deal with it. The Chief Minister cast some reflection upon the bona fides of the motion and, by implication, on myself since I moved it. But I can tell him that this is not an attempt to scandalise anyone. I think sufficient people who deal with the Department of Mines and Energy have been scandalised by a situation that the minister has known about for months.

Had the information given by the ministers between them been given to us this morning in question time, this motion would not have proceeded. I gave the minister a chance in question time and I have brought it forward now because I consider it so serious as to require that it be aired and disposed of today. This is the first opportunity that I have had since the information came to my notice. If the honourable minister had given us this information before, we would not have moved the motion. The motion was prepared as a contingency in case we were not satisfied with the answers given - and I was not satisfied with the answers given.

I appreciate that the minister took what actions were available to him. He said that he spoke personally to the 5 gentlemen concerned and asked for their firm, immediate, unequivocal and irreversible guarantees that they would not trade. I accept all that but I suggest to the minister that these people have thumbed their noses at him. He said that, had he proceeded more vigorously, we would have accused him of ministerial interference. We would not have, Mr Speaker; we would have merely commended him for having taken actions required of him by the Public Service Act. When I read that general order into Hansard, I said that there were a couple of things in it which would be referred to later. Indeed, they were referred to by the minister.

I point out, Mr Speaker, that the minister has a role because this general order says that the chief executive officers and heads of prescribed authorities are required to declare to their respective ministers any actual or contemplated pecuniary interest. What is the purpose of this if not to alert the minister to the fact that these situations occur? I cannot see any other purpose. It is a requirement of the act that this be done. Whilst the minister elicited these undertakings, he did not follow them up. Having given the undertakings, these people have continued as directors of this company and ignored the instructions and suggestions of the minister. That is what we are objecting to: that the minister was not as assiduous as his former Secretary of the Department of Mines and Energy in making sure that the situation did not obtain. That is what this motion is about.

The Chief Minister told us that the minister has been very forebearing. Indeed, he has been too forebearing. As I mentioned when I moved this motion, there are companies which are required by the Mining Act to give certain information to the Department of Mines and Energy. The people who assess that information are also directors of this company. Mr Speaker, if you look at some of their jobs, you would see why there is cause for concern. Mr C.P. Smith is the principal registrar and another of the gentlemen is the royalties accountant. I am suggesting to the minister that the employment of the people in these positions is incompatible with their directorships of a merchant bank dealing with investment activity in the mining area.

Mr Robertson: I agree entirely.

Ms D'ROZARIO: The minister agrees entirely. I agree with the Chief Minister that the minister has been too forebearing and far too polite in this matter. He should have pursued it a lot more vigorously.

Mr Speaker, we also had information from the Chief Minister, for which I am grateful, that proceedings are being taken in the Supreme Court for the winding-up of this company, although he accused us of being deficient because we did not have this information. However, the minister in charge of the department did not know of it either. I keep stating that the reason we raised this is because the minister himself initiated this inquiry in June. Obviously, he has forgotten all about it and has done nothing since. I think we can be forgiven for not knowing about the proceedings in the Supreme Court because the minister is equally guilty of this ignorance.

Mr Everingham: You didn't want to know.

Mr B. Collins: Neither did you.

Ms D'ROZARIO: Neither did the Chief Minister until he went scurrying out to ring up.

Mr Speaker, as I mentioned when I put this motion, there are only 5 directors. We cannot say that these are sleeping partners and there are other directors who are pursuing the work of this organisation. The only people involved are the people within the Department of Mines and Energy. They are very senior people; they are people to whom information is divulged in pursuance of the requirements of the Mining Act. As I mentioned, they include the principal registrar, a petroleum registrar and a royalties accountant. I would suggest to the minister that these people are very well placed to benefit financially and privately from the information that comes to them. I suggest to the Chief Minister that the bona fides of this motion cannot be questioned. When we look at the facts that have not been disputed by the honourable minister or the Chief Minister, the only new information that we have had - and very encouraging information - is that there are proceedings in the Supreme Court for the winding-up of this company.

Motion negatived.

TABLED PAPER
Appointment of Ombudsman

Mr EVERINGHAM (Chief Minister): Mr Speaker, I lay on the table an instrument of appointment of Russell Henderson Watts as Ombudsman of the Northern Territory for a period of 1 year commencing on and from 9 December 1983.

MINISTERIAL STATEMENT
East Coast Shipping Service

Mr STEELE (Transport and Works)(by leave): Mr Speaker, honourable members will be aware that the then Chairman of the Australian National Line, Mr Neville Jenner, visited Darwin last month. At that time, he said the federal subsidy of $2m, at current levels of costs and revenue, will be exhausted in the new year. Mr Jenner said that, under ANL's instruction to act commercially, the company would have no option but to withdraw the service unless the Northern Territory government supported the service with finance. Mr Jenner also stated that, in his view, the service would never become financially viable. In subsequent discussions, Mr Jenner agreed that ANL should provide the Northern Territory government with a detailed proposal of the level of support required, including full details of costs and revenue. Members will recall that the government has fought against past suggestions from the Commonwealth that the Northern Territory contribute towards such a subsidy. I have described as 'economic lunacy' a suggestion that the Northern Territory contribute to a service in which we have no say and no knowledge of operating costs, revenue or how the federal subsidy was being applied. I also said that we would assist the company in every other way to make the service viable.

ANL's figures on present and projected operating costs were received on 10 October. Officers of the Department of Transport and Works and the Department of Treasury are now examining these figures and I expect to receive their report in the very near future. Members will also be aware that Mr Jenner has now retired as Chairman of ANL and he has been replaced by an acting chairman, Mr Bill Bolitho, previously of Brambles.

During his visit, Mr Jenner indicated that there were 3 areas where action was required to improve the service's viability. The first is a reduction in crew size. Mr Jenner said that he was confident that ANL could achieve this. The company has been and is currently holding discussions with the various unions involved to see if crewing levels can be reduced. The second area is a reduction in stevedoring costs in Darwin through reduced manning. Discussions took place

in Darwin recently between federal representatives of the Waterside Workers Federation and the Australian Employers of Waterside Labour, the Territory Stevedoring Service and a representative of the Australian National Line. Agreement has been reached on the reduction of some 6 WWF members through application of the Robinson formula and other voluntary resignations are planned. This is expected to reduce labour available by 10% and thus offset labour costs through reduction in idle-time payments. Thirdly, there is the area of an increase in cargo. There are initiatives under way which, if successful, could result in major additional cargo for the service. In the meantime, it is worth noting that southbound cargo, while still small, has increased significantly since the introduction of the Townsville Trader, due largely to the efforts of the Darwin agent Burns Philp and the Darwin Port Authority.

The assessment of the impact of cost reduction measures and potential cargo development on ANL's performance is a complex matter. It must be coupled with the examination of downstream effects on port stevedoring costs, which would have to be met by remaining shipping companies in the absence of ANL's Darwin service, and the effects of Northern Territory development generally before any final decision can be taken.

Mr Speaker, this government has spared no effort in ensuring the development of important transport links through the Territory and beyond. Our efforts in relation to the Alice Springs to Darwin rail link speak for themselves. The previous federal government saw the need for this vital link and, hopefully, the present government will do likewise and eventually honour its pre-election promise. Our road building program is on target and is probably one of the best in Australia. Our efforts to increase air connections continue following our success in attracting Royal Brunei Airlines to provide a new service to the Territory. Our efforts to expand and develop our shipping links will continue to be pursued with equal vigour. We have offered every assistance to Australian National Line but it appears that this line cannot shake itself free of a subsidy requirement. While any withdrawal of the service by ANL obviously will be a blow to the development of shipping links, I can assure honourable members that we are continuing to pursue all avenues aimed at increasing shipping services through Darwin.

Mr Speaker, I move that the Assembly take note of the statement.

Motion agreed to; statement noted.

CROWN LANDS AMENDMENT BILL
(Serial 357)

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 object of this bill is to correct a number of irregularities and errors in the Crown Lands Act which have been detected since the act was substantially amended by the freeholding bill in early 1981. Other amendments have also been introduced to improve the interpretation and administration of provisions of the act. An example is the amendment proposed in clause 4 of the bill. As the law stands, the minister is, by section 7 of the act, charged with the general administration of Crown lands in the Northern Territory. By section 12A, the minister has the power to delegate all or any of his powers or functions under this act. There is some doubt, however, that this power enables delegation of the function given in section 7 and it would be simpler for the purposes of

wording the delegation if there were a specific provision stating that Crown lands may be managed, regulated or controlled in such manner and by such persons as the minister directs. The amendment would achieve this.

Clause 5 proposes the repeal of section 13 of the principal act. This section specifies, for the purpose of the act, 4 districts: Darwin and Gulf, Victoria River, Barkly, and Alice Springs. They were introduced in the early 1930s for the purpose of regulating the minimum number of cattle to be run on pastoral leases in each district. The retention of these districts can no longer be justified for they cause unnecessary confusion with the 5 administrative regions and various sub-regions adopted by the Territory in 1979 and shown on the Territory pastoral map.

The amendment contained in clause 6 has been proposed to facilitate granting of leases of land, including buildings, over which the Territory holds a fee simple title. In such cases, the formal processes of section 15 of the Crown Lands Act will not be necessary and only the requirements of registration under the Real Property Act will have to be met.

Clause 7 expands the provisions for the sale of Crown leases by tender so that the minister may extend the time by which tenders may be received and for the minister to negotiate with tenderers as to the contents of their tenders. The provisions governing easements and easements in gross have been amended to place beyond doubt the minister's powers in respect to the granting of these rights over Crown land and the reservation at the time of granting of fee simple titles. The purposes for which service easements may be utilised are specifically described by schedule and a new concept, namely a general service easement, which allows for multi-purpose uses, has been introduced. The complete description of each type of easement will provide the Registrar-General with a reliable legislative reference when identifying easements on title, particularly those arising from subdivisions.

It is also proposed to provide for the issue of licences to appropriate authorities over alienated Crown land for the purpose of supplying services. These issues are contained in clauses 11, 12, 13 and 17 of the bill. Clauses 8, 9, 10, 14, 15 and 18 need no further explanation at this time. Clause 16 repeals section 50 of the principal act. This section is redundant as section 25 contains more appropriate provisions for consolidation of leases, including pastoral leases, under the Crown Lands Act.

Mr Deputy Speaker, I commend the bill to honourable members.

Debate adjourned.

LONG SERVICE LEAVE AMENDMENT BILL
(Serial 362)

Bill presented and read a first time.

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

Honourable members will recall the inquiry into leave of absence conducted by the honourable James Edward Taylor CBE back in 1980. His report, tabled in June of that year, led to the government's adoption of all his recommendations in the area of long service leave. This bill seeks in general terms to strengthen the provisions of the current act, particularly in the areas of preservation of rights.

The amendment proposed for section 6 of the act is clearcut and prohibits credit for long service leave more than once in respect of the same period of employment. Largely a procedural matter, the amendment will prevent further obscure arguments that some sections of the act could be interpreted as giving some people a double bite at the cake.

The amendments to section 8 of the act derive from requests to me to exempt employers and employees from the operation of the act where agreements or alternative schemes are entered into. The fundamental concept of the act is not only to give long service leave after 10 years continuous service but also to place emphasis on the need to take that leave as soon as possible after the right thereto has accrued.

I have received requests to approve agreements between employers and employees to defer the taking of that leave. While there is perhaps nothing wrong with that per se, some agreements envisage the deferral for many years. Also, by reference to section 11(2) of the act, those agreements may specify that, when an employee finally takes his leave, he would be paid the rate of pay which applies at the date the agreement was made. In other words, today's rate of pay may apply for leave taken several years in the future whereas the act currently contains a basic provision that, when you take the leave, you get paid your current rate of pay.

Mr Speaker, I caution honourable members about reading anything sinister into what I have just said. The facts are that the act currently allows agreements to be made to defer leave and that those agreements may - not 'shall' but 'may' - contain provision to pay for future leave at today's rate of pay. I have no real problems with those provisions as they stand provided that the parties to those agreements know and understand what it is they are getting themselves into. This, of course, applies particularly to employees. Consequently, the proposed amendments to section 8 give the minister a continuing watch-dog role over such agreements together with the ability to approve, vary or revoke on such conditions as the minister thinks fit.

Honourable members should note the distinction between approving agreements to defer leave under section 8 and the minister's ability to exempt employers under section 13 to have a scheme of long service leave not less favourable than that provided by the act. The amendments to section 10 are brief but important. The act currently provides for payment in lieu of long service leave to an employee upon termination or to an employee's estate in the event of death.

The act also provides for pro rata payment in certain circumstances to an employee who terminates his employment and to an employee whose job is terminated by his employer, except if the reason for termination is for serious misconduct. The effect of the amendment to section 10 is to eliminate any pro rata payment for long service leave for an employee whose employment is terminated for serious misconduct. It is important to note, however, that the amendment does not in any way affect an employee's entitlement to long service leave after 10 years continuous service. The withholding of payment in lieu of long service leave applies only to pro rata accruals; that is, before the first 10 years service has been reached or during the second or subsequent 10-year periods.

The amendment to section 11(2) corrects a drafting error which has recently come to light and the remaining amendments to section 14(2)(9A) and section 18 adopt the 3-year limitation on prosecutions as provided under the Limitations Act. These amendments will allow the Long Service Leave Act to stand on its own in this regard and improves the present time limitations for prosecutions of 6 months under the Justices Act. A similar amendment was passed by this Assembly in relation to the Annual Leave Act in 1982.

Mr Deputy Speaker, I commend the bill to honourable members.

Debate adjourned.

MOTOR VEHICLES AMENDMENT BILL
(Serial 358)

Bill presented and read a first time.

Mr STEELE (Transport and Works): Mr Deputy Speaker, I move that the bill be now read a second time.

The purpose of this bill is to correct a small but important omission in the Motor Vehicles Act. While it is illegal to use a vehicle which is unregistered and uninsured, there is a loophole which has allowed a few operators in the car rental business to pay the compensation contribution applicable to a normal business vehicle, currently $151, and then allow the vehicles to be used for hire. By doing this, they have avoided the hire rate applicable to hire and drive vehicles, currently $424, or $273 more. This has quite rightly caused concern to hire car operators who meet the spirit of the legislation.

Legal opinion has been that the practice is not an offence unless intent can also be proved. This is not easy. A legislative change has been considered more appropriate. The proposed change will also strengthen action that can be taken against persons using private vehicles for hire and reward. I might add that this anomaly was drawn to the government's attention by one of the car rental firms. The amendment will make it an offence for the owner of a vehicle to use or allow to be used for a purpose different to that for which it was registered if a higher category of accident compensation contribution would apply.

Mr Deputy Speaker, I comment the bill.

Debate adjourned.

MEAT INDUSTRY BILL
(Serial 356)

Bill presented and read a first time.

Mr TUXWORTH (Primary Production): Mr Deputy Speaker, I move that the bill be now read a second time.

As I reminded honourable members in my ministerial statement on 17 March 1983, a meat industry bill was introduced into the Assembly on 24 November last year by my predecessor, the present Minister for Transport and Works. Passage of that bill lapsed when this Assembly was prorogued. Since March this year, negotiations have been continuing at officer level between relevant Commonwealth and Northern Territory departments. Those discussions have focussed on developing options for integrating Northern Territory meat inspection services into the proposed national inspection service. The need to develop complementary legislation has also been recognised.

However, the decisions of the New South Wales and Victorian governments to hand over their meat inspection services to the Commonwealth has placed considerable strain on the resources of the Commonwealth Department of Primary Industry at senior officer level. As a result, negotiations relating to the Northern Territory have been deferred to a later date. In the meantime, and

bearing in mind the recommendations of the Royal Commission into the Meat Industry, we consider that there should be no further delay in updating and upgrading our legislation relating to the Northern Territory meat industry. The current Abattoirs and Slaughtering Act came into effect in 1955. Continuing changes in the industry and, more recently, the findings of the Royal Commission into the Meat Industry, have resulted in the need to amend this legislation to the extent where it is now more practical to replace the act than to seek an extensive number of amendments. Hence this bill is before the Assembly.

You will also appreciate, Mr Deputy Speaker, that the change in the name from 'Abattoirs and Slaughtering Act' to the proposed 'Meat Industry Act' implies that this bill is concerned not only with abattoirs and the slaughtering of animals for meat production but also with the licensing and control of processing places, including independent boning rooms, cold stores and the control of imports of meat from the states. In addition, emphasis has been placed on the need for licensees to accept their share of responsibility for the diseased-free status, quality and integrity of their product.

Provision is also made for documentation for all commercial traffic in meat, whether within, into or out of the Territory. This will guard against the repetition of past malpractices and also provide useful statistical data relating to the industry.

A significant change in this bill is the inclusion of a power to determine the maximum number of licences of a specified type which may be enforced in relation to a particular area or the whole of the Territory. We have seen too many abattoirs in southern Australia go to the wall with consequent serious local and regional socio-economic problems. The government would like to avoid that occurrence in the Territory and clause 5 of the bill is aimed at preventing the creation of hardship within the industry, particularly by eliminating the threat to the livelihood of people who rely on our meatworks, a threat which is inherent in the closure of any establishment.

As long as the proposal for a new works will not result in the maximum number of works determined being exceeded, the application will be subject to a series of stages before a licence to operate is actually issued. The first stage involves approval of a location for a licensed meat establishment. This means that the applicant will not incur unnecessary expense before approval in principle of procedures is given. Then follows a second stage of licence application where plans and specifications must be submitted. Approval of the plans will allow the project to enter a construction phase which, if carried out in conformity with the application, will enable the licence to be granted and the operation to begin.

The bill also provides for penalties similar to those in acts in some states for false descriptions of meat products and with respect to both species and quality. In addition, an ultimate sanction is included in the clause 30 where, if the holder of a licence has been convicted of an offence under the act or the regulations, the licence automatically will not be renewed. Abattoir operators will, therefore, need to be very careful that they comply in every way with this legislation.

The general provisions of the bill are aimed at preventing specific malpractices uncovered by the Woodward Royal Commission and provide for the better operation of abattoirs, processing plants and cold stores, as well as the hygienic transportation of meat. These provisions cover the meat chain from the farm gate to the retail outlet.

In so far as the latter is concerned, I should point out that the supervision of butcher shops is a matter for the Department of Health, working in close relationship with my department. In this context, I understand my colleague, the Minister for Health, will be dealing with this matter.

Mr Deputy Speaker, in closing, I refer you to a quotation from the Woodward Report: 'The small meat inspection service in the Northern Territory, controlled by the Department of Primary Production, has performed reasonably well in spite of the most inadequate legislative face'. I am confident that the enactment of this legislation will repair this deficiency and I commend the bill to honourable members.

Debate adjourned.

COMPANIES (TRUSTEES AND PERSONAL REPRESENTATIVES) AMENDMENT BILL
(Serial 359)

Bill presented and read a first time.

Mr ROBERTSON (Attorney-General): Mr Deputy Speaker, I move that the bill be now read a second time.

The Trustees Executor and Agency Company Ltd is a company incorporated in Victoria and registered as a foreign company in the Northern Territory. Since 1981, it has carried on business as an authorised trustee company under the Companies (Trustees and Personal Representatives) Act. As an authorised trustee company, the company has become nominal executor and trustee for 160 wills in the Northern Territory. It also acts as agent and holds powers-of-attorney for various companies and individuals.

On 13 May 1983, receivers were appointed to the company in Victoria as the result of liquidity problems. On the company's own application, provisional liquidators, and finally liquidators, were appointed to wind up the affairs of the company. In an attempt to preserve the value of the trustee operations of the company and for the benefit of unsecured creditors, the trustee side of the company has been sold to the ANZ Banking Group throughout Australia. The purpose of the amendment to the Companies (Trustees and Personal Representatives) Act is to provide for a smooth transfer of legal obligations to the old trustee company, the Trustee Executor and Agency Ltd, to the new trustee company, the ANZ Executor and Trustee Company.

The bill also amends section 13 of the act by requiring that the prescribed financial information is to be lodged with the Registrar of Companies rather than the Master of the Supreme Court. Mr Deputy Speaker, clause 4 of the bill amends that section of the act by providing that prescribed financial information under the act will now be lodged with the registrar rather than the Master of the Supreme Court. This proposed amendment will lead to more efficient administration of the act because the Registrar of Companies has a staff with sufficient financial expertise to analyse the accounts.

Clause 5 inserts a new part in the act which provides new section 39B which transfers the trust business of the old trustee to the new trustee and automatically appoints the new trustee in place of the old trustee. The section further provides that production of this part of the act shall be conclusive evidence in the courts and proceedings concerning the transfers and the appointment of the new trustee in place of the old trustee. Clause 5 also inserts a new section 39C which provides that, where an application is made by

the new trustee and it is accompanied by a certificate to vest property in the new trustee, the Registrar-General will vest the property in the new trustee.

I would like to point out to honourable members that the bill does not automatically give ANZ Trustee and Executor Company statutory status as a trustee company. This status must be sought in the normal way by application under the principal act. It merely provides for a smooth transition of the old trustee company's business if that authorisation is granted.

Mr Deputy Speaker, I commend the bill to honourable members.

Debate adjourned.

FOOD AND DRUGS AMENDMENT BILL
(Serial 333)

Continued from 31 August 1983.

Mrs O'NEIL (Fannie Bay): Mr Deputy Speaker, as a result of allegations of meat substitution, the then federal government established a royal commission which was to inquire into certain aspects of the export meat industry of Australia. The inquiry was about whether existing administrative arrangements and procedures were adequate to ensure that export meat meets all requirements, whether malpractice had occurred in the exportation of meat and whether past allegations of malpractice concerning export meat had been dealt with adequately and effectively.

The meat industry in the Northern Territory received special attention by the royal commission and the prosecution of some 22 inspectors operating in the Territory has resulted from the findings of the commission. The Report of the Royal Commission into the Australian Meat Industry was released in September last year and in it Mr Justice Woodward, when commenting on the inspection service in the Northern Territory, quite favourably - as the Minister for Primary Production referred to earlier - recommended that relevant legislation should be amended to cover various deficiencies. With regard to the meat industry, the key piece of legislation in the Northern Territory is the Abattoirs and Slaughtering Act. Just a short while ago, the honourable Minister for Primary Production introduced a Meat Industry Bill to replace that act.

However, the Woodward Report also made reference to the Food and Drugs Act, stating that it contained general provisions concerning the protection of food from contamination. Meat is, of course, included in this general coverage. Woodward recommended that the Department of Health needed wider powers to deal with meat declared unfit for human consumption and to enforce proper standards of refrigeration, cold stores and refrigerated vehicles. The amendments to the Food and Drugs Act, presently before us, represent this action.

The bill increases the powers of the health inspector to enable him to stop and search vehicles. The bill further requires that the vehicles used for transporting meat be equipped to ensure effective temperature control, which is particularly important in the Territory. The bill requires that vehicles used to sell food in the street are properly equipped to do so. Most importantly, there is a provision in clause 5 whereby an inspector may confiscate, condemn, destroy or dispose of any food unfit for human consumption. This power is to prevent the defective meat from re-entering the food chain. The current Food and Drugs Act only allows the inspector to confiscate the food. Destruction takes place only at the court's order. At the time, the minister said that it is impractical, where large quantities of meat are involved, and we support this view.

Destruction of such confiscated goods would of course be by the appropriate authority. Provision is also made for the cost of disposal of food to be charged to the owner. These provisions are designed to overcome problems encountered as a result of interstate transportation of illegal food.

Finally, where meat for human consumption is stored in wholesale-retail outlets, there are provisions in clauses 10, 11 and 12 which state that it must not be sorted with unprocessed pet meat.

Mr Deputy Speaker, this bill results from the Woodward Royal Commission into the Meat Industry and it has our support.

Mrs PADGHAM-PURICH (Tiwi): Mr Speaker, having attended most of the sessions of the Royal Commission into the Meat Industry hearing in the Northern Territory, I fully expected to see legislation like this some time afterwards.

At the royal commission hearings, it soon became apparent, after listening to several witnesses, that there was some confusion between the different inspectorial situations that arose. Different inspectors were doing the same job and others were doing different jobs. There were gaps and there were overlaps in their inspections. There was great confusion. It was apparent to everybody because the limits of responsibility of different inspectors were not apparent. There were meat inspectors and there were stock inspectors. All of these people, under the legislation then current, were doing the best job they could.

There was a case of a meat inspector from the abattoir inspecting the meat. He inspected the premises in accordance with the regulations and the legislation but, once the meat was packed and went through the abattoir doors, his responsibility ended. The meat was then transported, by one means or another, from the abattoir. Assuming it went to the cold stores, we then had the situation of the meat being subject to inspection by health inspectors. Nowhere was it very clear whose responsibility it was to have maintained the meat in good order from the abattoirs to the cold stores.

There was another situation which could have presented some confusion. The situation then existing in the cold stores was that owners of packages of frozen meat sent or brought in their packages of frozen meat which were stacked up in particular areas designated to those owners of the meat. If my memory serves me correctly, the areas were delineated by lines on the floor between one owner's meat and another owner's meat. It was also brought up at the royal commission hearings that, in certain situations, either by accident or by design, it was relatively easy for meat from one particular stack to find its way to another particular stack, thereby changing ownership.

We also had the case where a load of meat had left the Tennant Creek abattoirs, travelled down to Adelaide and was discovered to be unfit for human consumption. Because it travelled with the right paperwork, legally it was fit for human consumption. Yet inspection in Adelaide proved that it was unfit for human consumption. This load of meat, quite legally because it had the right paperwork, was sent to Brisbane. It still had the right paperwork. Then this load of meat went from Brisbane, still with the right paperwork, back to Darwin. So we ended up in Darwin with a load of meat which, according to the paperwork, was fit for human consumption but, because it was contaminated, was unfit for human consumption. Therefore, the Chief Health Inspector had no choice but to condemn the meat. However, he could not confiscate it. Even then, I do not think that it was very clear what would happen to the meat because of the paperwork.

This legislation seeks to make the position quite clear that, if a situation like that occurs in future, there is a remedy.

Whilst I have no argument with the bill, I have one query about the inspection of containers of meat. In clause 5, dealing with powers of inspection and sampling, it is stated that, under certain situations, inspectors can inspect vehicles or vessels and their contents which must be made available for inspection. I do not have any quarrel with that. However, the situation in reality is - and again this was stated at the royal commission hearings - that the meat was put into the container in a frozen condition or it was put into the container in a cool condition and frozen in the container by the use of CO_2 gas. Once the gas had been used for cooling, the container was sealed. I think the term used was 'snowed'. If the container was opened subsequently for any reason, the temperature would rise to the possible detriment of the contents of the container.

When an inspector seeks to inspect a load of meat in the course of his duties, I would like to be assured by the minister that, in the course of this inspection, there would be no detrimental effect to other meat in the load and no great expense would be put upon either the carrier or the owner if it is necessary to refreeze or regas the container to maintain the good standard of the meat and prevent its deterioration. In the course of their inspection, the inspectors take small samples to determine the species of meat and to test that there has been no deterioration. I would assume that the inspector would be able to form a correct assessment of any deterioration because, with frozen meat, unless the contamination is very gross, it is rather difficult to determine whether the meat is fit or not for human consumption. The texture is somewhat changed by freezing. One of the main tests is the test of smell and, if the meat is frozen, the bad smell will not be apparent. I think the inspector must consider several things when he inspects the meat and takes samples. He must ensure that the rest of the load does not deteriorate because of the sampling and that there is no great expense in refreezing or regassing the container. He must also ensure that he takes a true and accurate sample to be able to determine accurately whether the meat is in a good or bad condition.

In proposed new paragraph 21(1)(fc), I would have thought that 'condemn' should come before 'confiscate'. Deteriorated food would be condemned before it is confiscated.

Clause 9 proposes to insert a new section 44A relating to the transporting of food. It says that food must be kept in a fresh, frozen or chilled state or under conditions that ensure that it does not deteriorate during transportation. I know this legislation refers not only to meat but also to other food such as vegetables. I would like the inspectors to take into account the standards accepted by the community. I know the community has high standards in relation to meat products and dairy products but it also expects high standards in relation to the transport of vegetable products. Looking at a situation sensibly, whilst some green vegetables leave their port of origin in a crisp, fresh condition, by the time they reach their retail outlet - perhaps a truck off the road - they have deteriorated to a slight extent in that they have become a little dehydrated. I hope the inspectors, in assessing deterioration, take into account community standards and what is expected by the community.

I was pleased to read proposed new seciton 76A which relates to the separate storage of pet meat and human meat. It is a more sensible approach to the matter, provided the regulations do not go overboard. Some years ago, pet meat was all but regarded as poison when it was sold from a supermarket. For example, at a supermarket in Howard Springs, the pet meat was not even allowed to be sold

in the supermarket proper. It had to be sold from a freezer in the passageway of the supermarket, which is going a little overboard. It is still sold from a separate freezer in the supermarket, which is not near the freezer where meat for human consumption is sold. It is a sensible way of separating the 2 sorts of meat and is accepted by the community simply because pet meat and chops are put in the same fridge in the household.

Mr Deputy Speaker, I will close by saying that I favour this legislation. I hope that the regulations that follow it reflect the legislation in a sensible way and also have regard to community expectations of the standards of public health.

Mr DOOLAN (Victoria River): Mr Speaker, I think this amendment to the Food and Drugs Act is most necessary and timely in the absence of the model Food Act being developed by the National Health and Medical Research Council. This was highlighted by the Woodward Report of the Royal Commission into the Australian Meat Industry as mentioned by the Minister for Health in his second-reading speech. The main thrust of the bill seems to be to give the Department of Health wider powers to deal with meat which has been declared unfit for human consumption and to enforce better standards of refrigeration in both cold stores and refrigerated vehicles used to transport meat. The powers of the health surveyors have been increased by giving them the power to stop and search vehicles, to investigate the quality of meat being transported, to check for illegal meat and to ensure that refrigerated vehicles are equipped in a manner which ensures that effective temperature control can be maintained when meat is being transported. The bill also requires that vehicles used to sell food are properly equipped to both store and sell that food and empowers inspectors to confiscate, condemn, destroy or dispose of any food which does not meet the standards set for fitness for human consumption.

Mr Speaker, this legislation should allay some of the fears expressed last week by the honourable member for Fannie Bay when she asked a question relating to foodstuffs being sold from vehicles. At present, under the Food and Drugs Act, an inspector is permitted only to confiscate the food but has to obtain a court order to destroy unfit food. There are provisions that the cost of disposal of such food will be charged to the owner.

There has been nationwide adverse publicity fairly recently in regard to interstate transportation of illegal meat. This bill will make it an offence to store meat for human consumption in the same facilities used for storing unprocessed pet meat. This provision is most necessary to maintain health standards and at the same time should make it virtually impossible for unscrupulous wholesalers or retailers to transport illegal meat interstate. Inadequacies in the current Food and Drugs Amendment Bill should be eliminated through passage of this Food and Drugs Amendment Bill. I commend the bill to honourable members.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, there is no need to speak to you about the import of this pet meat scandal to Australian meat exports which the Woodward royal commission undertook to investigate. We have before us this recommendation which has been widely canvassed by other members. It has been suggested that the Department of Health have much wider powers to stop vehicles of all sorts. The definitions are in the bill before us. Inspectors can stop these vehicles, search them, take samples, test the meat, and check the temperature controls. Honourable members would be well aware that, if the temperatures are not right, meat deteriorates at a very great rate.

Two things come to mind here. First of all, the vehicles are to be certified as to their capacity to hold meat at the temperatures required and,

secondly, operational checks in the field will take place. Health surveyors are given very wide powers. I bring to members' attention proposed new subsection 21(1AA): 'For the purpose of this act, an inspector or authorised officer may, at any time enter and inspect any place'. Those are very wide powers and one would have some reservations about them. I would like to think that inspectors would have some information or some good reason to suspect that a place should be checked over.

I would agree with my honourable colleague, the member for Tiwi, that 'condemn' properly should be placed before 'confiscate'. I note that the health surveyor can destroy and dispose of defective meat. If for some reason meat was found unfit for human consumption, perhaps through contamination by a chemical, but was still fit for consumption by domestic pets, it could be dyed or marked in some way to indicate that it could be used for that purpose rather than the whole consignment destroyed. I appreciate the intention here to prevent it from entering the market for human consumption. The honourable member for Tiwi gave an indication of some odd happenings that have occurred in the past.

I am also concerned at some practical realities of this inspection. It is fine for a commission to recommend these wide powers but I wonder whether the health inspectors should be keen to attempt this on all occasions. Consider the scenario where, on the Stuart Highway on a pretty hot day, a pantechnicon of meat was being transported by a couple of tough fellows. Particularly if they were involved in illegal meat transportation, they would certainly be on edge. One wonders whether they would take a great deal of notice of a health inspector in that situation.

Many years ago, when I first came to Alice Springs, I had a job with a firm which was taking over a butcher shop. The owner of the firm felt that he was very harshly dealt with by the health inspectors. He moaned and groaned that he felt that the health inspectors were not doing their job. I suppose there would be a temptation occasionally, depending on the situation and the people involved, to turn that blind eye. At least one health surveyor has put to me that, from his experience, it would not be easy to stop some of the people on the highway and check over their loads. It was suggested that possibly a better course of action would be for them to take the vehicle's number, follow it and perhaps seek police support to check it. I think that might depend on a knowledge of the people involved in transporting the meat. It could be a wise move.

Another thing which could easily be provided for in the regulations to this legislation would be the time and place of inspection. I would suggest that it take place at the loading and unloading. I could well imagine that someone with a big pantechnicon of meat would not be amused about being stopped on the highway on a stinking hot day and asked to unload. As the member for Tiwi said, the cooling system could be affected by opening up the doors and taking samples. I think common sense will prevail here. I would like to think that the checking of the load would be at a time and place that is reasonably suitable to all parties concerned.

The other main area covered is the checking of food for sale on the streets. It brings to mind a situation that occurred in Alice Springs when vehicles were coming down from Darwin with so-called fresh fish. It was actually in a frozen state. It was placed on the front seat of the vehicle to thaw out and sold as fresh fish. Some photographs were given to me by a person who had had to go to great lengths to get double doors fitted at his own premises and all sorts of other things to satisfy the Department of Health's specifications. Tongs were to be used so that food would not be handled. He was selling seafood. He felt this sale of fish from a vehicle was rather unfair. It seems that the health

surveyors at that stage had very little power to do anything about ensuring that food was handled in a safe and hygienic manner. I would like to see the provisions for the preparation and handling of food before it goes into a vehicle and taken onto the streets for sale fully explained to the people who want to conduct this kind of business. The checking could be a fairly routine matter by the health surveyor to ensure that the conditions laid down are fully complied with. If they are not, permission to trade and the licence would be withdrawn.

In the interests of fair play, this is a necessary piece of legislation. I hope that the health surveyors will enforce it with as much enthusiasm as has been shown towards shopkeepers. In relation to the sale of fish in Alice Springs which I mentioned, the person who made the complaint received some pretty strong threats from the people involved with the vehicle. He pointed out to me that the price asked for the fish was less than he could buy fish for in Darwin. He had approached the police. He hinted strongly that more than fish might have been involved. That has not been proven. I mention it because, if there are tough and sometimes desperate and dangerous types around, the health surveyors may not feel too inclined to do their duty as we blithely suggest they should. I would like to think that they would display a reasonable degree of courage and, if they were threatened in any way, they would bring in the constabulary to enforce these provisions.

Mr DONDAS (Health): Mr Speaker, I would like to take the opportunity of thanking the honourable members for their support of this legislation. It is an important step to protect the consumer. The honourable member for Tiwi asked why the word 'condemn' did not come before 'confiscate' in proposed new paragraph 21(1(fc). As I understand it, the intention is to give the health inspector separate powers depending on the circumstances. The powers are not meant to be in any particular order.

The honourable member for Tiwi also raised another point about a container being opened by an inspector. She asked who would bear the cost of regassing that particular container. The advice that I have is that, in most cases, if the health inspector thought that there was something wrong, he would advise the transporting authority that he intended to inspect the vehicle. It probably would be inspected either in the coolroom or at the cold stores depot.

In relation to the member for Alice Springs' point about a semi-trailer load of food being transported between 2 points, the health inspector would advise the driver that he wished to inspect the vehicle at the end of the journey and would do so upon arrival at the coolroom or depot.

The member for Tiwi also raised a query regarding the transportation of food. She was concerned that vegetables, in particular, could leave a destination in a crisp condition and arrive at their destination in a limp condition. This particular provision really relates to ensuring that there is no health risk from that food. We believe that people would not buy a lettuce that was covered in the greenish-black slime that surrounds it if it has not been transported properly. We do not believe that the consumers would be throwing good money away to buy vegetables that had not been transported properly. But the intention of that particular provision is to ensure that there are no health concerns.

The honourable member for Tiwi raised another particular question and that related to the separate storage of food for human consumption. Clause 10 states: '(ba) not permit any meat for human consumption to be stored with unprocessed pet meat'. Proposed new section 76A states: '(1) A person who stores or keeps,

or permits the storage or keeping, of food for sale for human consumption shall at all times store or keep that food in a separate compartment from pet meat'. A refrigerated unit could have several compartments. Provided that a health inspector considered that there was no contamination between the compartments, then it would be all right. But if a health inspector thought that the compartments would not prevent the contamination of food for human consumption, then he would have the right to request its removal. In most cases, it is understood that frozen foods very rarely cause contamination. The important thing is that the health inspector, on fearing contamination, has the power to order the particular person to move it to another location. Under clause 12, it is quite clearly defined that a person selling the different types of food from one coolroom cannot rent out a chamber to store pet food.

The thrust of the legislation is to provide the consumer with some protection. At the same time, it has widened the powers of the inspectors. That will ensure that the proper methods of transportation, especially with frozen foods, are carried out.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 4 agreed to.

Clause 5:

Mr DONDAS: I move amendment 175.1.

As I foreshadowed, this is purely a machinery-type amendment to conform with Standing Orders.

Amendment agreed to.

Clause 5, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

STATUTE LAW REVISION BILL
(Serial 347)

Continued from 31 August 1983.

Mr B. COLLINS (Opposition Leader): Mr Speaker, the opposition usually supports Statute Law Revision Bills as a matter of course. Their main purpose is to make amendments aimed at correcting anomalies and achieving consistency of style. Normally they contain no amendments of substance. However, there are a couple of amendments of substance in this particular bill, neither of which, I might add, were drawn to the specific attention of the Assembly when the bill was introduced.

Mr Speaker, the first amendment is to section 15(1) of the Energy Pipelines Act. By changing the reference to section 13(5) to section 13(4), this bill effectively alters the time-frame within which the minister can grant a licence under the act. Currently, an applicant must, at the time of applying for a licence, give notice to effective councils and occupiers. As soon as practicable after the application, the minister must publish further notices. Under the

present section 15(1), the minister must wait 28 days after the second set of notices before granting a licence. This period will now be shortened since the 28 days will run from the first set of notices.

It seems that the main purpose of the amendment is to make the granting of the licence dependent on the applicant having given all the necessary notices under section 13(4). We support such an intention. I think that this could have been achieved, however, in other ways, and possibly more effectively, without interfering with the present provisions. Whilst making these comments, we will not be opposing this particular amendment.

A similar objection must be made about the amendment to section 32(1)(c) of the Fire Service Act. This paragraph sets out the circumstances in which the appointment of a nominated member of an appeal or promotions board can be terminated. This amendment will delete the provision by which the relevant employee body can revoke its nomination. Certainly, the clause requires revision since it makes reference to employee bodies which are not defined in the act, one of which has now amalgamated with another union. We acknowledge that some amendment to the legislation is necessary but this should not, in our view, extend to removing the right of the appropriate employee organisation to terminate the appointment of its nominee and for this reason we are opposing the amendment.

We can only voice our disapproval at the introduction of what is in fact a fairly controversial amendment through the vehicle of a Statute Law Revision Bill. It seems to us that it serves little purpose at all to give any organisation the right to have an organisational representative on any government body if that organisation cannot remove that member - perhaps because that member is not in its view expressing adequately or properly the views of the organisation which he represents - and replace him with another representative. I must say that I cannot quite see the reason why the government would want to move in such a way. I certainly seek some explanation.

Mr EVERINGHAM (Chief Minister): Mr Speaker, I am informed by the draftsman that the Statute Law Revision Bill, as it is proposed without the opposition amendment, seeks to remove reference to 2 employee organisations. This was overlooked at the time the Fire Service Act was being debated in committee. It is certainly not intended to do away with any right to remove or replace the prescribed nominated member. In fact, the bill does not do what the Leader of the Opposition says it will do. In view of the fact that I have not been aware until now of his concern about this particular bill, I will certainly discuss it again with the draftsman to make the assurance doubly sure.

Because the Leader of the Opposition has no query with the other amendment to the Energy Pipelines Act, it hardly seems worth discussing the matter. Mr Speaker, I foreshadow that we will defer the committee stage so that I can discuss this matter further with the draftsman.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

LOCAL GOVERNMENT AMENDMENT BILL
(Serial 306)

Continued from 31 August 1983.

Mr SMITH (Millner): Mr Speaker, this bill seeks to change local government accounting and financial management procedures. It is supported by the Northern Territory Local Government Association and by the opposition.

Mr HARRIS (Port Darwin): Mr Speaker, I rise to speak briefly in support of this bill. In particular, I want to refer to the preparation and distribution of annual financial statements that are put forward by the Darwin City Council and the other town councils of the Northern Territory. This Assembly has made comments in relation to the late tabling of reports. In fact, there is a report before this Assembly at present relating to that specific issue. I will not pre-empt that debate here, Mr Speaker.

The draft regulations that we have before us spell out very clearly when annual financial statements have to be taken before an auditor. It should be pointed out that it is no longer a requirement that those financial statements be actually tabled in the Legislative Assembly. In relation to this, there has been some comment about the accountability. I believe that, in draft regulation 12, which deals with the distribution, there is still adequate accountability. The auditor's reports are to go before the Director of the Department of Community Development, the Chairman of the Northern Territory Grants Committee, the Auditor-General and the Australian Bureau of Statistics. I believe that there is adequate accountability there to the minister through the department and to this Assembly through the Auditor-General's Report if there happens to be something in those financial statements which is not as it should be. I believe that we will have the opportunity to debate issues here if they are out of order and I do not agree with the line that perhaps it should be a requirement that those financial statements should be tabled in this Assembly.

Mr Speaker, for some time,we have been trying to make financial statements accountable close to the time at which they are audited. In some cases, it has been many years before they have come forward for debate. I think that the draft regulations before us are a step in the right direction. Financial statements will have to be audited by 31 August in each year and, within a 10-day period after that, these statements will have to be distributed amongst the people I have mentioned. I support this move.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, the aim of this bill is to amend the accounting and financial management procedures of local government to bring them to an acceptable public standard. I am very pleased to note the level of consultation which was taken up by the Local Government Accounts Review Committee. Local governments, the Auditor-General, the Australian Bureau of Statistics and the Local Government Division of the Department of Community Development got together on this problem which has created difficulties in nearly all councils for a fairly long time. I am pleased to note the acceptance of the proposals by all of these bodies, particularly by the people involved in local government.

Mr Speaker, I very strongly support the principle of local government and, in fact, the whole 3-tier system of government which we have in this country. I believe it is one of the best safeguards of individual freedom, particularly if each tier keeps to its particular bounds. The present Prime Minister, when he came to the parliament, quoted the oft-quoted saying that power corrupts and absolute power corrupts absolutely. It is interesting to note that, when they get into a position of some power, some people like to extend that power. During the Tasmanian issue, external affairs powers were used to oppose state sovereignty. Senator Button stated in the Australian a week or 2 ago that he would use the constitution to oppose governments giving local preference to tendering.

It is quite clear that, in my home town, there have been problems with the council's accounting system. Ratepayers have had legitimate complaints. There has been a tremendous amount of hoo-ha in the paper over the last 18 months or so with various people trying to blame others. It has not been very constructive

and certainly it has not solved the problem. If anything, it has tended to lower the average person's opinion of the town council, I know many of the councillors want this problem to be sorted out so that people can be reassured that their council is functioning properly. I welcome this move for this system of public accounting. I would like to think that, besides the double entry method of keeping accounts, the councils that have computers can always be aware of just what money is owed to the council, and what bills are to be paid. The local business people who are dealing with the council will also know exactly where they stand. I welcome this move. I trust it will restore the integrity which was not really lost by councils but which has been dragged through the mud by the media over the last few months.

Mr TUXWORTH (Community Development): Mr Speaker, I thank honourable members for their support.

Motion agreed to; bill read a second time.

Mr TUXWORTH (Community Development)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

ABORIGINAL SACRED SITES AMENDMENT BILL
(Serial 315)

Continued from 1 September 1983.

Mr SMITH (Millner): Mr Speaker, the opposition is opposed to this bill. On first glance, it seems innocuous enough. It provides that the Sacred Sites Authority is subject to the directions of the minister in the exercise of its powers and functions. Exempted from this direction are the authority's powers related to the registration and evaluation of sacred sites, recommendations to the Administrator for the declaration of the sites and prosecutions under the act. Basically, the amendment gives the minister direction over the areas of employment of staff, including the director, and administrative matters of the authority.

The opposition is on record as supporting the principle of ministerial control. This position has not changed. But the circumstances surrounding the introduction of this particular bill are, to say the least, somewhat disturbing. In introducing this bill, the Chief Minister pointed to a number of statutory bodies where ministerial control had been imposed. That is very well except that the Chief Minister failed to point out that the organisations he cited were not appropriate for comparison. The staff in all of these organisations are in a different situation to that of the Aboriginal Sacred Sites Authority. They are for the most part public servants with the rights and protection of the Public Service Act. The 2 outside these provisions are both commercially oriented and employ their staff by contract or under award. The staff of the authority, on the other hand, are in a less secure position. They are much more vulnerable in every respect. The Chief Minister failed to mention this difference which is crucial and distinguishes the authority from the list of organisations he mentioned.

Mr Speaker, there are more serious reasons why this bill should not be passed at this particular time. Given the current prosecution of a minister of this government by the authority, I think that it is inappropriate that the director and staff be placed in a position where pressure can be applied. It is clear that that will be the effect of this bill. The minister, if he so wishes,

will be able to apply direct pressure to the director and staff of the Sacred Sites Authority.

Further, in the light of the federal government's stated intentions to introduce federal sacred sites legislation, and in the light of the fact that this will be examined in the inquiry currently being conducted by Mr Justice Toohey, it is undesirable to amend the legislation at this stage. After all, there is no immediate need for the introduction of this bill. The Aboriginal Sacred Sites Act has been operating satisfactorily. Indeed, the only real complaint about its operation seems to come from the government which, from time to time, in disgruntled with its decisions.

That brings me to the crux of why the opposition opposes this bill. The Aboriginal Sacred Sites Authority is in a peculiar position. It works in a politically-sensitive area. By its very nature, it will sometimes make decisions which conflict with the government's views. As an example of this, we have the current prosecution. That it should be totally separate from the government and political considerations is essential to the integrity of its operation. The integrity of the authority needs to be beyond reproach and I cannot see that this is possible if it is placed in a position of being subject to political influence wielded through the power to hire and fire. For this reason above all, the opposition opposes the bill.

Mr DOOLAN (Victoria River): Mr Speaker, I would say at the outset that I cannot understand why this bill has been introduced. The federal Minister for Aboriginal Affairs has written to the Chief Minister suggesting that there be no amendment until Mr Justice Toohey has had an opportunity to consider the operation of the relevant legislation.

There are at least 2 major areas of concern. The first of these relates to possible political influence in the employment of authority staff and the second is in respect of ministerial direction in the recommendation of sites to the Administrator for declaration. In the latter case, it is not considered that the proposed amendment will achieve the purpose of ensuring that ministerial direction can apply to referral of sites to the Administrator for declaration, if such was the government's intention, because the powers of the Aboriginal custodians with respect to this action are enshrined in section 26(1) of this act.

Section 13(d) of the legislation states that the functions of the authority include recommending to the Administrator that particular sacred sites be declared protected sites under the act. In a number of media releases and in this Assembly, the honourable Chief Minister has indicated a great deal of frustration at his inability to instruct the authority to refer certain requests for protection of sites to the Executive Council for consideration. It is therefore probable that it is his intention to exercise such powers under the proposed amending bill.

Section 26(1) of the act, however, clearly indicates that action to have a sacred site declared can occur only at the request of the custodian or custodians of a particular sacred site. As this section is specifically excluded from the powers sought by the minister, it is believed that the status quo will be preserved and that the pre-eminent consideration in any action to protect a sacred site will be in specific terms at a request by the custodian or custodians.

With regard to employment of staff by the authority, the present act provides under section 15 that the authority 'may employ such persons as it thinks necessary in the exercise of its powers and functions' and that the

authority 'shall employ these people under such terms and conditions as are determined by the Administrator with the advice of the Public Service Commissioner of the Northern Territory'. Under current arrangements, the Aboriginal Sacred Sites Protection Authority is not a prescribed authority and, therefore, its employees are neither public servants nor persons subject to sections 30 and 31 of the Public Service Act. These sections are particularly important as they ensure that persons appointed must possess relevant qualifications for the positions for which they are seeking employment. Without them, and with provision for ministerial direction included in the legislation, the appointment of staff is open to political interference.

In his second-reading speech introducing the bill to amend the Aboriginal Sacred Sites Act, the Chief Minister gave examples of statutory authorities responsible to a minister by virtue of an explicit requirement of a parent act. Bodies identified were the Northern Territory Development Corporation, the Northern Territory Tourist Commission, the Palmerston Development Authority, the Territory Insurance Office, the Northern Territory Conservation Commission, the Agricultural Development and Marketing Authority and the Northern Territory Port Authority. Mr Speaker, examination of the legislation relating to these authorities clearly demonstrates that these examples are not true precedents and, therefore, they are not to be compared with the Sacred Sites Authority. For example, the NTDC is covered by the Territory Development Act. This legislation provides under section 17 for ministerial direction in the corporation's activities. Section 22(1) empowers the corporation to employ the staff for the purpose of this legislation. Under section 22(3), the corporation is a prescribed authority and, as such, under sections 30 and 31 of the Public Service Act, employees are protected from political interference. I have to hand a paper which deals with each and every authority or commission that I mentioned earlier. It will prove that they are not analogous to the Sacred Sites Authority because they are protected from ministerial or political interference in the selection of their staff by the fact that the bodies themselves either employ public servants or are prescribed authorities under the Public Service Act.

In the 2 non-typical examples - that is, TIO and ADMA - special features exist which again render them inappropriate as precedents for the proposed amendments to the Aboriginal Sacred Sites Authority. If this bill is passed, the effectiveness of the authority will be greatly weakened and the confidence of Aboriginal people in the staff of the authority will be diminished. At the CLP state conference held in Tennant Creek on 4 and 5 June 1983, the Chief Minister referred to the need to legislate separately for 'hallowed ground and places of historic interest where sites were proposed for protection'. 'If this were not done,' he said, 'Territory land could be barred from use for no more than sentimental value'. The Chief Minister identified also the need for wider public consultation before land use or reservation was decided with respect to sacred sites. These 2 themes have been taken up in the government's agenda items for inclusion in the AAAC conference later this year. What we see once again is the Chief Minister's almost paranoid desire, if not to have sole control of all commissions, authorities or whatever, at least to have a finger in the pie so that he can manipulate even supposedly autonomous bodies and make them dance to every tune that he pipes.

I believe that the bill is merely wasting our time. I cannot see that it will be implemented until Mr Justice Toohey has had the opportunity to consider the operation of the relevant legislation. Should the Chief Minister somehow manage to sidestep Justice Toohey, then I feel reasonably certain that the federal Minister for Aboriginal Affairs will take strong steps to ensure that the Chief Minister does not take control of the Aboriginal Sacred Sites Authority.

Mr BELL (MacDonnell): Mr Speaker, I rise in this afternoon's debate to make a few points supporting other opposition speakers. I will start with a couple of general points. The honourable Chief Minister is on record as complaining that the issue of Aboriginal sacred sites is much more of a problem in Alice Springs than it is in Darwin. Previously, I have commented in this Assembly that I wonder whether the Chief Minister assesses fairly the activities of organisations involved in Alice Springs vis-a-vis their Darwin counterparts when he alleges, as he has, that such organisations encourage confrontation in addition to stimulating debate over particular sacred sites in Alice Springs. As the Chief Minister has noted, this does not happen in Darwin. I think it is worth saying in this debate that, in Alice Springs, the sheer topography taken in the context of Aboriginal culture and Aboriginal history has encouraged the existence of sacred sites and ritual relationships with land in a place as beautiful as everybody recognises Alice Springs to be.

I would not say that Darwin was by any means devoid of beauty but the Minister for Transport and Works has suggested that a mountain of discarded cars be used to develop a certain degree of 3-dimensionality in Darwin. In Alice Springs, we do not have to resort to piles of old cars. We are blessed with large, extensive and very beautiful ranges and hills. Of course, the Aboriginal mythology is that those very hills are created by dreamtime ancestors. That is a belief that is still very important to people. In fact, the government's bill enshrines their protection. I believe that this particular act has gone a long way towards encouraging Aboriginal people to believe that due processes of law can work in their favour, even the due processes of law which come within the purview of the Northern Territory Legislative Assembly.

When the original form of this bill, which has since lapsed, was brought in, I received many representations as a result of it. I am very pleased that this revised form of the bill has meant that the honourable Chief Minister and the government have taken these representations into consideration and brought in a bill that is far less aggressive and far less discriminatory than was at first envisaged. I would hope, however, that the honourable Chief Minister does not construe those comments as support for this bill. The opposition does not support this bill. However, given the numbers that apply at present in this Assembly, there is little doubt that it will be enacted since the government was determined to bring it on today. I would give at least thanks for the fact that it is not as harsh as it might have been.

Turning to the honourable Chief Minister's second-reading speech, I note that he made a reference to ministerial control. He said in his second-reading speech that it was obvious that such ministerial control was necessary and in the interests of good government. The honourable member for Millner has demonstrated that that sort of platitude does not wash. I would like to corroborate the point that he made that the precedence to which the Chief Minister referred in his second-reading speech applied to ministerial control in government organisations, the intent of which was largely a commercial one. Clearly, the object of the Aboriginal Sacred Sites Act is somewhat different. I believe that there is an absurdity in the argument that the honourable Chief Minister deduced in his second-reading speech.

A second point that leaps out of the honourable Chief Minister's second-reading speech is his statement that practical difficulties have been encountered with respect to day-to-day activities of the authority. I would suggest that that sets something of a record as a euphemism. Euphemisms are something that the people on the other side of the Assembly are generally very good at. In this case, they have excelled themselves. When a minister of the Northern Territory, who is the subject of press reports of action to be taken

against him, suggests that the problems that have occurred with the Aboriginal Sacred Sites Act are practical difficulties, it means that bringing this particular legislation on for debate is extremely improper.

Having said that, I think another general point that is worth making in the context of the possible practical difficulties which the Chief Minister's euphemism refers to is perhaps the difficulties that the government experienced in its relationship with anthropologists. I think that, in the context of this debate, it is worth making the general point that, in the area of relations with Aboriginal Territorians who quite clearly have a different belief system, a belief system that is very difficult for white Territorians to come to terms with, the role of anthropologists is a particularly important one. It is particularly important because I see that at least part of the role of those people employed by government to mediate between Aboriginal people and government is to consider this complex belief system. I suggest that what the Chief Minister refers to as practical difficulties, in fact, go a great deal deeper than practical difficulties. They are difficulties of philosophy that the honourable Chief Minister and his colleagues show no capacity to overcome.

Moving on, I would like to say that the opposition has declared its opposition to this particular bill. I would earnestly implore the honourable Chief Minister to do as he did during the last sittings and not proceed with it at this stage. I would like to say finally that this bill should not be passed when a minister of his government is currently accused of vandalism in terms of this act.

Mr EVERINGHAM (Chief Minister): Mr Speaker, the honourable member for MacDonnell said that the government should attempt to act as a mediator. The government has on many occasions attempted to act as mediator between interest groups and Aboriginal people and between the rest of the community and Aboriginal people. Unfortunately, one finds that, in dealing, not so much with Aboriginal people but with their representatives, in most cases mediation is impossible for the simple reason that the representatives of Aboriginal people are rarely prepared to accept anything less than the full cake. In those circumstances, meaningful mediation is extremely difficult. Since this bill is being opposed by the members of the opposition, I think that I should just read into the record some correspondence that I have had with the Minister for Aboriginal Affairs who wrote to me first on 23 August 1983:

> *I write to you in relation to a proposed amendment to the Aboriginal Sacred Sites Act 1978 providing for ministerial control of certain aspects of the operation of the Aboriginal Sacred Sites Protection Authority. The chairman of the authority, Mr Wenton Rabuntja, has written to me expressing concern about this amendment, saying that there has been inadequate consultation with Aboriginal communities and organisations. He says that the provision for ministerial direction in this amendment in its application to section 15 of the act may affect appointments to the authority and place at risk the integrity and the standing the authority has in Aboriginal eyes. It is my view that the Aboriginal Sacret Sites Authority has a particularly sensitive and important role to play in the administration of the act and should be seen to be unhampered in the performance of its functions. Given the fact that you now propose to draw to the attention of Mr Justice Toohey certain difficulties you have experienced with the sacred sites legislation, I would have thought that it would have been appropriate for your government to withhold action to amend the legislation pending the outcome of the Toohey review.*

That was signed 'Clyde Holding'. My response on 29 August was addressed to the Minister for Aboriginal Affairs, Parliament House, Canberra:

My dear Minister, you wrote to me on 23 August about amendments introduced to the Territory's Aboriginal Sacred Sites Act. Once again, I must protest your assumption that even the most innocuous legislative moves by my government must have some sinister intent. I attach copies of the bill and second-reading speech which I think make our intentions clear. We do not seek to control the Aboriginal Sacret Sites Protection Authority in the performance of its fundamental statutory responsibilities in the investigation, reporting and registration of sacred sites, nor do we wish to tell it how sites should be protected or who it should prosecute. Indeed, as you are very well aware, the authority has already launched proceedings against one of my ministers.

I think, Mr Speaker, that the references to that prosecution in this Assembly are singularly inappropriate.

The amendments are designed to ensure that, along with all the government departments and statutory authorities, the authority is responsible to a minister for the proper administration of its affairs. The authority presently acts, at times, as though it is answerable to no one, although it is perhaps unfair to apply this criticism to its individual members since it is the director who tends to treat the authority as his personal fief. By way of example, in the Northern Territory, all interstate travel by officers of departments and statutory authorities must be approved by the minister responsible for that body. The authority has ignored these and other conventions from time to time and has chosen to demonstrate its administrative independence to an extent which I, as its minister, find intolerable. I would have thought that you, as a minister yourself, would readily have appreciated the point.

The question of appointments to the authority is not an issue because such appointments are made by Executive Council on the recommendation of the minister in accordance with section 5 of the act. This provides that 7 of the 11 members of the authority must be appointed from nominations made by land councils. We do not propose to alter this part of the act or in any other way change the method of appointment or selection criteria. I therefore do not understand why you raised the matter.

I do not intend to consult with Aboriginal people or address Mr Justice Toohey on issues of basic government practice common to all systems of public administration. In my view, it is absurd to seek comment on whether a statutory authority ought to be administratively responsible to its minister as it is to ask if it should be held accountable for the public money it spends. You may be assured that the difficulties we have with the sacred sites legislation which do fundamentally affect the responsibilities of the authority will be taken up with Mr Justice Toohey as agreed at our meeting of 12 August. In the meantime, the Territory government will proceed with the minor amendments it has introduced.

On 6 October, Mr Holding wrote to me again:

Thank you for your letter of 29 August concerning proposed amendments to the Territory's Aboriginal Sacred Sites Act. As you will recall, the Chairman of the Aboriginal Sacred Sites Protection Authority had written to me expressing some concern with the amendments and, consequently, I felt obliged to check these concerns with you. In particular, I sought your assurance that the amendments would not put in jeopardy the integrity of the authority from outside control of staffing matters. I am pleased to note the assurances provided in your letter and in the further comments provided by Mr Pitman in his telex of 14 September to Mr Gray of my department. I had not assumed any sinister intent on the part of your government but wished to obtain clarification of the intent of the amendments in the context of this government's concern to ensure protection of Aboriginal sacred sites on a national level.

Mr Speaker, we have been in the business of Aboriginal sacred sites protection a long time before the Commonwealth. So it seems to me that the honourable Minister for Aboriginal Affairs must be making remarks like that tongue in cheek. The government certainly proposes to proceed with this legislation which is directed to administrative matters. I certainly saw no reason in the arguments of the opposition to distinguish this particular authority from any other in respect of those areas.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

APPROPRIATION BILL 1983-84
(Serial 342)

Continued from 11 October 1983.

In committee:

Appropriations for divisions 10, 11, 12, 13, 14 and 15 agreed to.

Appropriation for division 16:

Mr LEO: Mr Chairman, at the bottom of page 85, dealing with the Northern Territory Fire Service, there are explanations for variations. Provision is made for 120 employees at an estimated salary cost of $2.025m. In addition, the allocation includes the Northern Territory overtime payments and other allowances totalling $1.556m. My calculation is that the allowances for overtime and Territory allowances are almost 40% of the total allocation for salaries. I wonder if the Chief Minister could explain why it is necessary to have such a high allocation for overtime and allowance payments.

Mr EVERINGHAM: Mr Chairman, I am delighted to tell the honourable member for Nhulunbuy about these provisions for overtime and allowances. No doubt, Mr Chairman, when you have heard the story, you too will put in for your share, as will a lot of people out there.

The annual overtime costs in the Northern Territory Fire Service runs at approximately $500 000 which represents a significant proportion of the total wage bill of about $3.75m. The weekly overtime bill is in the order of, or in excess of, $40 000. The most significant cause of this overtime bill is a provision in the fire fighters and fire officers determinations that ensures that

members receive 2 hours work at overtime rates every week. This accounts for about $354 000 of the total $500 000 overtime bill. It is in no way affected by the manning or staffing levels. The realities are that, if the establishment was increased, the overtime would increase. Additional factors are as follows. Firstly, as a result of an arbitral tribunal decision, there is a requirement to maintain minimum manning standards on each shift. Thus, any leave, other than planned recreation leave, incurs overtime irrespective of whether there is a real need to maintain those manning levels of absenteeism. Secondly, as a result of an arbitral tribunal decision, there is a requirement to increase minimum manning standards from 15 to 17 at Darwin on days of very high and extreme fire risk. This results in 2 members being engaged daily on overtime rates. Thirdly, senior officers and specialist fire safety officers are called out to fires outside normal working hours. This results in unavoidable overtime payments because there are insufficient callouts to warrant members being rostered on duty. At Katherine and Tennant Creek, only one fire fighter is rostered on duty at any given time. Others are called out on overtime to fight major fires. Once again, the incidence of fires is too low to warrant rostering additional members on duty. Reduced to the simplest terms, the high overtime payments are the result of either unavoidable callouts or conditions of service imposed by arbitral tribunal determinations. The anomaly of the situation is that, if the establishment of the fire service is increased, the overtime bill will increase.

Appropriation for division 16 agreed to.

Appropriation for division 20:

Mr BELL: I have a brief question about the appropriation for the Department of Lands. I notice in the capital works program an amount of $98 109 to be spent in Alice Springs on external services to a rural tourist development. That is from Budget Paper No 5 at page 25. I wonder what the rural tourist development referred to is.

Mr EVERINGHAM: Mr Chairman, I have no idea but I will find out.

Appropriation for division 20 agreed to.

Appropriation for division 21:

Mr SMITH: Mr Chairman, hopefully, the minister will have the answer to this question as I gave notice of it in my second-reading speech. It concerns the municipal services operations for Palmerston where a sum of $673 000 has been provided with a statement that all except $198 000 of that will be obtained from internally-generated funds. The internally-generated funds that I could see - rates, garbage charges, miscellaneous fees etc - are estimated at $186 000 and, consequently, there is a gap of $290 000. Could the minister throw any light on that?

Mr EVERINGHAM: Mr Chairman, I am sorry but I do not have that information. Frankly, I do not recall the honourable member mentioning it although I am sure he did if he says he did. Again, I can quite easily find out.

Mr B. COLLINS: Mr Chairman, I also have a question in regard to the allocation for the Palmerston Development Authority. It relates specifically to design and documentation. The allocation for the 1982-83 financial year was $1.809m but the actual expenditure was only $623 000 which seems to demonstrate rather dramatic underspending. I wonder why only a quarter of the allocation was spent and whether, in fact, it had any effect on the corporation's capital works program?

Mr EVERINGHAM: Mr Chairman, I do not think there has been any significant effect on the corporation's capital works program and I am sure a visit to Palmerston by the honourable Leader of the Opposition would convince him that it is one of the most thriving areas of the Northern Territory. A considerable amount of work is under way at present. The situation is that construction of capital works at Palmerston cannot go on forever because a point will be reached where all necessary works will have been carried out. I am not aware of the reason why the budgeted estimate of almost $2m was not reached but, again, I can find that out. Mr Chairman, if honourable members wanted to know various obscure facts, they should have given me even a couple of hours' notice.

Appropriation for division 21 agreed to.

Appropriations for divisions 22 and 23 agreed to.

Appropriations for divisions 25 and 26 agreed to.

Appropriation for division 27:

Mr BELL: I have a brief question for the Treasurer in relation to the Racing and Gaming Commission, specifically in relation to casino taxes and fees. I understand that currently there are agreements between the Northern Territory government and Federal Pacific Hotels whereby the government receives revenue at the rate of 15% of turnover with respect to Federal Pacific's Darwin operation and 5% with respect to the turnover in Alice Springs. My recollection is that the difference in those 2 figures relates to representations made to the government some 12 months or so ago that it should accept 5% for the Alice Springs operation instead of 15% because of difficulties in the accommodation area. I notice in Budget Paper No 2 at page 2 that casino taxes and fees received in 1982-83 were $1.735m whereas the estimate for 1983-84 was $2.03m. Given the views frequently expressed by the Chief Minister that there is a burning demand for accommodation in the Northern Territory, I find it a little surprising that that figure of 5% should be a mere third of the figure that applies to the Darwin operation. I would ask if that is likely to be the case for the 1983-84 financial year.

Mr PERRON: Mr Chairman, I think I can inform the honourable member that the casino tax on gross gambling profit in the Darwin casino is 20% since it has moved from the Don to the new Mindil Beach casino. The situation at Alice Springs is quite different. When the expressions of interest were originally sought from casino operators to open a casino in Alice Springs, the general view was that it was a very small town, despite its many visitors, which was unlikely to be a very viable proposition. A special tax rate was set in the case of Alice Springs. For the first 12 months, a flat $100 000 tax was paid by the Alice Springs casino and there was no tax based on percentage of turnover. The tax for the 1983-84 financial year is 15%. If I remember rightly, last year's tax on the casino was 5%. There was a deferral of one of the jumps of taxation at Alice Springs between the $100 000, the 5% and the 15% which the government acknowledged some time back as a result of the continuing losses made by the operation in Alice Springs as a result of the less than anticipated turnover.

I can obtain more specific details for the honourable member on the amount of tax paid by the Alice Springs casino for each year since its existence. We have been encouraging the casino operators to expand their accommodation on site or near to their site. The casino operators certainly do not oppose the advent of additional accommodation in Alice Springs. Indeed, they say that the operation may not be profitable until such time as there are other major accommodation complexes in Alice Springs to help provide custom for the casino.

Appropriation for division 27 agreed to.

Appropriation for division 30:

Mr B. COLLINS: Mr Chairman, I want to make a brief statement about the whole division. I have some 30 queries regarding details of the budget and I realise that there is a limit to what we can expect a minister to provide in the committee stage. I want to advise the minister that I will do what I did last year and write to him with the full list of these queries for a written explanation.

Mr SMITH: I hope that the minister is able to answer these questions which concern the subsidy for computers. Is the $2-for-$1 computer subsidy over and beyond the $1-for-$1 subsidy that presently operates? Will the limit for the $1-for-$1 subsidy remain at $5000? What limit will be placed on the $2-for-$1 computer subsidy? What minimum level of assistance outside the $2-for-$1 subsidy scheme will be provided to schools in the computer area?

Mr PERRON: I do have some information. If I can read out a short briefing, I think it will cover a number of the aspects but not perhaps all the detail. All schools will be provided with basic free issue of equipment to the cost of $185 000 regardless of the existing holdings which are already quite substantial. Mr Chairman, we had to make the decision whether, in providing an initial basic supply of computer equipment to all schools in the Northern Territory, we should take into consideration those schools that have been particularly innovative and already have computers. We had to decide whether they should be disadvantaged under the scheme. We could have adopted the attitude that, since they had equipment, we would increase the amount of basic equipment to other schools. The decison was made that all schools would get a basic issue irrespective of their current equipment.

The free issue is backed up by a major program to educate teachers in the use of computers as teaching tools and to educate teachers in teaching about computers. This government's top priority in this computer program is the teaching of teachers to handle computers in the classroom and to help other teachers. To this end, a micro-computer centre has been established at the Darwin Community College which will attend to in-service and pre-service teacher education. An additional expert will be resident in the Alice Springs Education Centre to deliver the support necessary. Of course, the centre will provide curriculum and software support to the education system. Funds for relief teachers to allow teachers to attend in-service training are being provided.

The $2-for-$1 initiative is part of, and reinforces, the government's thrust to place Northern Territory schoolchildren in the forefront of computer literacy in Australia. It is not correct that no additional funds have been provided for the support of school initiatives where the school community has raised funds. An additional $57 000 has been provided to the pool of funds for grants to schools under the $2-for-$1 and the $1-for-$1 schemes.

Mr Chairman, can I say that I cannot at this stage provide figures on the limit that schools can initially apply for under the $2-for-$1 and the $1-for-$1 schemes this year. I point out that schools do not need to raise the funds at the time of applying to the department for funds under scheme. They can be raised during the course of the year. But until such time as we have an indication from schools across the Territory of their claim from the pool of funds, we have to provide an initial target figure for them to claim on. Some difficulty has arisen because the Commonwealth has taken an awfully long time to advise the Territory and the states of the fine detail and its priorities for

computer funding. We know that funds have been made available. I point out that it is 20 times less than was promised during the election campaign. We do not know the exact requirements of the federal government as far as its computer funding is concerned. It is being quite specific these days. Being a new federal government, it wishes to put its stamp on education in Australia. No doubt it will succeed by telling the states exactly where funds are to be used. Obviously, until such time as we have all the fine detail of what the Commonwealth wants us to do with the funds provided to the Territory for computer education, we cannot fine tune the provision of Territory funds into the same field. The 2 funding areas have to complement each other. I point out, for example, that the Commonwealth, if I recall correctly, refuses to let any of its funds be used in primary schools. At this stage, it will only fund computer education in secondary schools. That certainly is not the Northern Territory government's policy.

I believe that the final figures and negotiations with the Commonwealth are nearing completion, if they are not already completed. We are anxious to get all this information to schools at an early date so that they can put in bids and we can gear up properly for next year.

Whilst that may not have answered all the honourable member's questions, I think it provides some extra detail on the subject of computer education.

Mr B. COLLINS: Mr Chairman, in respect to the comments that the honourable minister has just made about the Commonwealth government, however deficient in his view the funding may be in respect to computer education, I am pleased to say as a member of the Labor Party's federal platform committee on education that it is the first time ever that a federal government has placed any special emphasis on funding for computer equipment and computer education in schools. I am very grateful that it has been done because it will be a vital area in the future. But the reason that I have some concern with this matter is that a study was done by the Department of Education and a number of other government departments some years ago in respect of word processors. In fact, money was spent that should not have been spent. It was spent on incompatible equipment. I am interested to know what has been done already in the department, if anything, in determining what kind of computer equipment is to be purchased and whether the department will ensure that this equipment is compatible, and indeed interchangeable, between schools.

Ms LAWRIE: Mr Chairman, this is a concern which I have also raised, particularly considering that primary schools were being actively encouraged to enter the computer studies area and are awaiting some advice as to which computer would be compatible with the high schools' equipment. Is it a fact that, within the Department of Education, there are 30 separate word processors or computers, none of which are compatible?

Mr PERRON: Mr Chairman, I am not quite sure where the word processor exercise fits into this. Perhaps the honourable member for Nightcliff is talking about departmental administrative equipment, of which there is quite a range. I do not know that there are 30. On the subject of compatibility in schools, the government certainly has made a decision that none of its funds will be provided for use other than on the purchase of approved equipment. The funds to schools will only be made available to purchase 3 brands of equipment. I will not name them here in case I get one of them wrong. But the schools have been circulated. I would be surprised if there were a school which is unclear as to the 3 brands of computers and peripheral equipment for each of those computers which have been officially approved for use in Northern Territory schools. The equipment has different levels of sophistication, starting with a fairly simple

computer for primary schools to quite a sophisticated computer with attachments. It can be quite expensive and can be used in a network situation.

We strongly believe that equipment must be standardised in schools. The decisions will be reviewed every year or two to see if some of that equipment should be taken off the approved list and other equipment added. The decisions take into account what the states are doing. At the present time, there is little formal official coordination across Australia as far as computers in education are concerned. Certainly, Tasmania, South Australia and Western Australia are regarded as leading states in the computer field. They have standardised on these 3 pieces of equipment which we have added to our list. Obviously, we are aiming for education systems which are uniform across Australia. It is a fiercely competitive area. If we let schools decide what sort of equipment they want in their own premises, we will end up with a terrible hotch-potch. That does not matter so much with the hardware but I have issued very firm instructions to the department that schools, at least at this early stage, should not be allowed to develop their own software. The department will have a central unit to evaluate software available on the market at the present time and to keep up with what the states are doing in developing education software packages. Also, the department will develop software packages in the Northern Territory specifically related to local issues and curricula. All schools will be circulated with lists of recommended software.

I think this is very important because well-meaning and enthusiastic computer people in schools could develop their own software systems. Whilst they might think that they are advantageous, it could be dangerous, at least at this very early stage. Perhaps when we have computers right through the education system, experimentation in the field can take place. In the meantime, we will be monitoring the Australian scene and keeping a very close eye on software. The simple answer to the honourable member's question is that we are certainly seeking to maintain compatibility throughout the school system.

Mr SMITH: Mr Chairman, I am somewhat confused by the minister's comments, not those on compatibility, but his initial comments. He seemed to be contradicting himself. He said that he was waiting for a response from schools to see what the needs were and contradicted that by saying there was a finite amount of money available for computers. I would put it to him that there is considerable confusion in schools about how much money is available for computers and whether there is money over and above the existing $1-for-$1 or $2-for-$1 part of that. Until the minister can give answers to those questions, he will not get a realistic response from schools about their needs. Obviously, their requests in the computer area will be different if there is additional money that can be tapped from the $2-for-$1 subsidy than if their needs must be covered by the $1-for-$1 subsidy. If the minister cannot make a clear statement on it now, I would ask him to do so by the end of this sittings.

Mr PERRON: Mr Chairman, I did not say we were waiting on the schools to let us know their demands. I said we decide on the maximum allocation available to each school in the Northern Territory. Those figures are distributed throughout the Territory and then a response is received from the schools who wish to take up those sums. We will not know until then whether there is an additional sum.

For example, if we say to the schools that they have $5000 to put in under the $2-for-$1 scheme, and only 50% of schools seek to take up the $2-for-$1 scheme, obviously there will be funds left over. We can go back to the schools which opted to take $5000 and tell them that more money will be available later in the year. I did not say that we were waiting on their response at the moment. I said that we are determining the limits to be provided to schools in the first

round under the $1-for-$1 and $2-for-$1 schemes. I also said that, in addition to the amount of money available under the $1-for-$1 scheme last year, which was $500 000, $57 000 has been added to the pool of money to be split between the 2 schemes.

Appropriation for division 30 agreed to.

Appropriations for divisions 31, 32, 33 and 34 agreed to.

Appropriation for division 40:

Mr B. COLLINS: Mr Chairman, the kind of budget that we are presented with is known as a lone-item budget; that is, it is a cash statement showing estimated receipts and expenditures for the forthcoming year and comparing them with actual receipts and expenditures for the preceding year. It is the most common approach in presenting budgets around Australia. We have commented on this before. It relies on a number of broad principles and one is that sufficient information is given in the budget. We have commented previously that, in explanations for Appropriation Bills, some departments provide far better information than others. Again, I have had to write to the minister because the detail we require is fairly extensive.

However, I have some comments to make in respect of division 40. This division relates to funding for the Department of Primary Production. We are being asked to endorse the expenditure of $24.5m in this division. The information we are given in the budget papers involves the allocation to cover the entire Division of Agriculture and Stock. We have been presented with figures that relate to the employment of 245 people with no further detailed breakdown as to where these people are or what they are doing. The other areas in which we are given very scanty information relate to fisheries, technical services and the BTB eradication program. I have written to the minister seeking a breakdown of the agricultural stock section. I have also specified the areas that I want detailed information about so that we can get some idea of the balance that is being struck in the department. Those areas are animal industry, plant industy, research services, research stations, administration and quarantine. I have sought details in those areas about staffing levels, administrative costs, capital costs and other costs that are associated so that we can get some indication in a budgetary sense of the priorities of the department. I have also sought information from the minister for details in respect of the following areas in the Fisheries Division: research, enforcement, extension services, economics and management. Again, this is so that we can get some detail as to where the priorities of the department are being struck in respect of its expenditure. I am also seeking a similar breakdown of other areas of management services, technical services and the BTB program. When this information is made available, it might then be possible to analyse the government's expenditure proposals and the priorities it is placing in the Department of Primary Production. We want more than a simple statement that it is expending $24.5m on the department.

Mr TUXWORTH: Mr Chairman, I would like to confirm that the Leader of the Opposition wrote to me on 10 October seeking the information that he has just outlined and I sent him a response on 13 October. I gather from the tenor of his comments that he has not received it. I am quite happy for him to have a copy of the letter that I have already sent him. There has been no intention on my part to withhold this information from the honourable member. If the information in the letter is not exactly what he wants, I am only too pleased to obtain what he wants.

Ms LAWRIE: Mr Chairman, will the honourable minister confirm that there will be no overtime available for fisheries staff as from January next year, thereby severely curtailing extension services and research?

Mr TUXWORTH: Mr Chairman, I have not had the benefit of notice on that question but I am prepared to obtain an answer for the member for Nightcliff. The proposition would seem to be quite unreasonable. I would be concerned if there are plans to implement such an attitude within the division. I will investigate it and inform her tomorrow or the next day.

Appropriation for division 40 agreed to.

Appropriations for divisions 41 and 42 agreed to.

Appropriation for division 45:

Mr LEO: Mr Chairman, in Budget Paper No 4, page 9, there is an allocation made for overtime payments and other allowances of $2.74m as opposed to a salary allocation of $1.945m. It is easy to see that more than 50% of the wages allocation for Darwin Prison is for overtime and other allowances. Can the minister explain this?

Mr TUXWORTH: Mr Chairman, the member for Nhulunbuy foreshadowed his concern on this matter in the second reading. I have a briefing note that I would like to read into Hansard for the benefit of honourable members. The member for Nhulunbuy claimed that, at the Darwin Prison, more than 50% of the allocation for salaries is for overtime and over-award payments. The honourable member went on to say that it seemed to him to be a very serious deficiency in manning that those amounts have to be allocated for overtime payments. A breakdown of funding for salaries and related payments for the Correctional Services Division is as follows: (1) Darwin: salaries - $1.945m, overtime - $2.074m, and total - $4.019m; (2) Gunn Point: salaries - $315 000, overtime - $225 000, and total - $540 000; (3) Alice Springs: salaries - $799 000, overtime - $540 000, and total - $1.339m.

I emphasise that the above figures are budget estimates and it is worth while analysing the moneys actually expended on salaries in 1982-83. Overtime and other penalty payments were only 32.5% of the total wages paid. During that same period, the amount expended for Darwin Prison was 34.5% of total wages, for Alice Springs Prison 29% and for Gunn Point Prison Farm 29%. However, the other penalty payments referred to by the honourable member are comprised mainly of normal shift penalty payments. Perhaps it is more rewarding to examine overtime payments in isolation. In this regard, the most up-to-date figures available are those for the first quarter of the 1983-84 financial year. During the period from 1 July 1983 to 30 September 1983, overtime payments for Correctional Services as a whole were only 14.4% of salaries; for Darwin Prison 15.7%; for Alice Springs Prison 9.8%; and for Gunn Point Prison Farm 18.4%. These figures do not take into consideration other allowances such as subsidised quarters, on-call allowance and other miscellaneous allowances which, if included, would reduce the above percentages even further.

Mr Chairman, I do not know whether overtime payments have increased due to staff shortages in our prisons, but the inquiry into security at present being conducted has included in its terms of reference the examination of manning levels. The government awaits with interest the report of the committee and will respond to it appropriately. I hope that information is of help to the honourable member.

Appropriation for division 45 agreed to.

Appropriation for division 46 agreed to.

Appropriation for division 50 agreed to.

Appropriations for divisions 55 and 56 agreed to.

Appropriation for division 57:

Ms D'ROZARIO: Mr Chairman, on 2 occasions now I have raised the question of the loan funds which were raised through the semi-government borrowing program not being drawn down on by the electricity commission. I have drawn the attention of the minister to the comments of the Auditor-General in this respect. He undertook to obtain some information on this and I wonder whether he is in a position to report on this matter.

Secondly, I would ask the minister to give an explanation on another matter which was raised last Thursday: the statement on page 7 of the explanations document for NTEC which claims that maintenance costs in the Darwin area are estimated to increase significantly owing to the unavailability of resources in 1982-83. He said at the time that those funds were not related to operational funds. In view of that statement, and also the findings of the Auditor-General, I would ask him whether he is in a position to give the committee an explanation of those 2 matters.

Mr ROBERTSON: Mr Chairman, I thank the honourable member for the questions because I had proposed, if possible, to deal with them this morning in question time. However, because of the disruption to question time this morning, I have not brought the exact briefings but I will try to handle it from memory.

Mr Chairman, you would be aware that government and semi-government authorities, when they conduct borrowing programs, try to target their borrowing timing so as to borrow at a stage when interest rates are most favourable to them. The target is at least to break even, if not to make a profit, on the component of the loan which has not been drawn down on whilst, at the same time, carrying out the capital works project for which those funds were designed. In this particular case, Mr Chairman, you would be well aware that we had an extremely late wet season which is the major reason, incidentally, for the other question that was raised quite rightly by the honourable member for Sanderson in relation to the capital expenditure timing on the Channel Island project. In fact, because of circumstances such as that, which are beyond the control of any mere mortal, the loan funds have not been drawn down. As it turned out, because of overseas fluctuations, a profit has not been made in relation to the manoeuvring of those loan funds. That is the reason for what appears to be a poor expenditure of funds on a capital project.

In relation to the question previously raised by the honourable member, we find the cause thereof at page 7 of Budget Paper No 4. The maintenance costs in the Darwin area are estimated to increase significantly in 1983-84 due to 'the unavailability of resources for 1982-83'. All I can say is that I apologise to honourable members for those words. For some extraordinary reason - and I can assure you, Sir, and all honourable members that I did read these documents - I overlooked those words. They are clearly misleading. The only inference that could have been drawn from them is the inference that the honourable member for Sanderson drew from them but in fact the true position is quite different.

The major component of those funds was for the maintenance of the turbine blades on number 6 turbine in the power-station. As I indicated, maintenance costs are not held against capital improvement costs; they are quite distinct.

It is held that the replacement of these turbines, because of the contractual agreements, which finally have been concluded with Stal-Laval, will be under maintenance budgetary provisions. We had expected those turbine blades to be in Darwin and those funds expended during the last financial year. That did not happen and we are not expecting those blades to be returned from Sweden until November of this year. It is not a matter of there being a lack of monetary resources to carry out the maintenance program. The resource was the turbine blades which were still in Sweden. I hope that explanation is satisfactory to honourable members.

Appropriation for division 57 agreed to.

Appropriation for division 60:

Mr BELL: I have 2 questions in relation to the budget allocation for crisis accommodation. First, will it be $100 000 or will it be $200 000? It depends a little on which document you read. Page 12 of Budget Paper No 2 says that the actual expenditure in 1982-83 for crisis accommodation assistance was nil and this will rise to an estimated $200 000 in 1983-84. However, if one consults Budget Paper No 4, relating to the Housing Commission, on page 8 one sees that, for crisis accommodation assistance, the estimated cash expenditure for 1983-84 is $100 000. I would like some sort of reconciliation of those 2 figures.

Secondly, I have received representations from a large number of people, some of whom, depending on guidelines, would have qualified for crisis accommodation. I presume that is the same thing as emergency accommodation. Since, to the best of my knowledge, this is unavailable in Alice Springs, I am curious to find out how this money will be spent. The Minister for Housing mentioned at one stage that there was some crisis accommodation available at Malanka Lodge. After I had received representations in one particular case, I investigated the availability of such accommodation and, contrary to the minister's understanding, that accommodation at Malanka Lodge is not available. I am curious to find out how this money will be spent.

Mr DONDAS: Mr Chairman, in the budget debate, I did pay attention to what the member for MacDonnell had to say regarding emergency crisis accommodation. Fortunately, I had the department prepare a full brief which, hopefully, will cover both the questions he asked. Following the withdrawal of the Department of Community Development involvement in the emergency accommodation scheme, the commission re-evaluated the issue of hostel rooms in the context of an integrated program, including all emergency crisis accommodation measures administered by the commission, and programs financed by the Commonwealth. Ministerial approval has been obtained for the hostel rooms to be used as a component of an integrated program rather than a program being developed around the hostel rooms as previously envisaged. The commission's welfare officers can now locate people in accommodation crisis to the hostel rooms when the rooms are the cheapest accommodation available at the time, appropriately having regard to family circumstances etc.

The commission is adding to the pool of crisis accommodation in the Northern Territory under the provisions of the Crisis Accommodation for Families in Distress Program, or CAFDP, which is administered on behalf of the Commonwealth. The period over which the program will operate has not been specified. Allocations are made in the budgetary context. In 1981-82, the $50 000 allocated to the Northern Territory was used to construct a house in Darwin which was leased to the Salvation Army at peppercorn rental for use as crisis accommodation. The commission met the difference between the $50 000 grant and

the actual cost of the house. Two houses, one in Katherine and one in Alice Springs, are currently under construction using the $100 000 allocation for 1982-83. The final cost is expected to be more than $110 000 and the commission again will make up the shortfall. A further $100 000 has been allocated by the Commonwealth for 1983-84. The Department of Community Development and the community organisations are being consulted about the management of the Katherine and Alice Springs houses and for a program for 1983-84. In actual fact, the Commonwealth is putting in $100 000 and the Northern Territory Housing Commission crisis accommodation program is putting in $100 000. That makes $200 000. There might be a small shortfall which we will still make up anyway.

Ms D'ROZARIO: Mr Chairman, I must say I am flabbergasted by the explanation given by the honourable minister. What the honourable minister said in essence is that, although we are obtaining $200 000 from the Commonwealth, which is clearly the indication given on page 12 of the revenue statement, actually only $100 000 is being given by the Commonwealth and the Northern Territory is putting in the other $100 000. That is not the indication given in the revenue statement. The indication in the revenue statement is very distinctly that $200 000 is being appropriated in this year from the Commonwealth to the Northern Territory.

Let us examine the other item also shown here: mortgage and rent relief scheme. The mortgage and rent relief scheme, again under Commonwealth payments to the Territory, is providing $180 000. But if we look at page 4 of the explanations document, we find that the allocation in 1983-84 is to be $360 000. The explanation that the minister has given in respect of crisis accommodation is the one that should have applied to mortgage and rent relief because, what has happened in mortgage and rent relief is that, quite rightly, the Commonwealth has allocated $180 000 and the Northern Territory has matched that with $180 000, bringing it up to $360 000. But the reverse situation is evident in crisis accommodation assistance and I think that the honourable member for MacDonnell deserves a better explanation than the one given by the minister.

Mr DONDAS: Mr Chairman, I agree with the honourable member for Sanderson that the $180 000 for the Commonwealth mortgage and rent relief scheme is matched $1 for $1 by the Housing Commission. As I understand it, the Northern Territory Housing Commission, under general public housing on page 8, is providing $100 000 for crisis accommodation and infrastructure for crisis accommodation. The other $100 000 will go towards the payment of rental relief or anything else that may be required in a crisis rental situation.

Ms D'ROZARIO: Mr Chairman, that is still not good enough. There are 2 separate allocations: one on crisis accommodation and the other on mortgage and rental relief. The honourable minister is just digging himself into the hole because he now tells us that $100 000 will be spent building houses and the other $100 000 will be applied to giving rent relief. That is not right. The sum of $180 000 will be allocated from the Northern Territory and $180 000 from the Commonwealth for the purpose of mortgage and rent relief. That is clear; we have no problem with that. What we are asking him is where the other $100 000 that the Commonwealth has allocated this year for crisis accommodation is going to be spent because it is not indicated in this document. This document accounts for only $100 000.

Mr DONDAS: Mr Chairman, I am quite aware of where the $180 000 from the Commonwealth rent relief scheme on a $1-for-$1 basis is going. The question at the moment is about the $100 000 for crisis accommodation. That is a figure that has been put in by the Housing Commission in anticipation that it may be used by people who are in crisis accommodation. In other words, it is for people such as constituents of the member for MacDonnell, people who have arrived from the

south to live in the Territory, who have 4 or 5 children, who are living in a caravan or are camping on the Todd River and who need some assistance. That is what that $100 000 is for: crisis accommodation. At the same time, arrangements are being made to construct facilities: one in Alice Springs and one in Katherine. What the commission is saying in anticipation of those particular projects going forward is where the money will go.

Last year, there were only 8 applicants under the rent relief scheme. The Commonwealth and the Northern Territory government are entering into a new arrangement to see whether that particular scheme can be broadened to allow more people into it. The crisis accommodation is for those people who are living in camps, under trees, in tents etc.

Mr B. COLLINS: The honourable minister still does not seem to have grasped the question. I accept his explanation but can he tell me where in the budget papers the $100 000 is disposed of? That is what is not clear. According to the budget papers, there is a discrepancy. The Commonwealth has given us $200 000. We accept his explanation of what the extra $100 000 is going to be spent on. Where is it accounted for in the budget papers?

Mr DONDAS: Mr Chairman, I will get a paper and I will provide the honourable members opposite with it.

Appropriation for division 60 agreed to.

Appropriation for division 61:

Mrs O'NEIL: Mr Chairman, I wish to address some questions to the honourable Minister for Health regarding the allocation of $500 000 to the Chan Park Nursing Home. It is mentioned in the explanatory documents for the Department of Health. That is a considerable amount of money. It is about $10 000 a week to an institution which is supposed to be a commercial, profit-making organisation. That is the nature of the organisation. In the past, I have asked the minister questions on notice about this. He has advised me that the subsidy is approximately $29 per day for an adult and $40 per day for a child. It was $290 000 last financial year. The very considerable sum on $500 000 will go this year to an institution which houses 40 patients.

I ask the minister what is the extent of the subsidy to the Old Timers' Home in Alice Springs which similarly accommodates nursing home patients. It is not a commercial institution but a benevolent institution. Similarly, what is the subsidy paid to other institutions in the Northern Territory which accommodate multi-handicapped children. I am seeking a comparison between the subsidy to Chan Park Nursing Home and the subsidy to organisations doing similar work.

Mr DONDAS: It would be very difficult for me to have all that information readily available but I can tell the honourable member that last year some $200 000 was made available to Chan Park Nursing Home. It was only for half a financial year. One-third of the operational expenses was paid by the Northern Territory government, one-third by the Commonwealth government and one-third by the patients themselves. That is different to our grants-in-aid program to the Old Timers' Home in Alice Springs. I cannot remember the figure off the top of my head, but it is on the same basis in order to ensure the level of service and protection offered to the Department of Health by institutions providing private hospital bed space. At the moment, we have 2 applications before the Commonwealth to increase nursing home facilities in the Northern Territory. One is for an additional 30 beds for the Chan Park Nursing Home and the other is for the Salvation Army which has had an application in for some time.

The Commonwealth really keeps an eye on what happens with the nursing homes, not only in the Northern Territory but throughout Australia, and it is reappraising its whole program. It will not let the nursing homes get away with too much. The Northern Territory government appreciates the work that the Chan Park Nursing Home is doing. It is felt that supporting that organisation by way of grants-in-aid will save the Northern Territory taxpayer an enormous amount of money in the long term. I will obtain the comparisons for the honourable member and provide that information to her later.

Appropriation for division 61 agreed to.

Appropriation for division 62 agreed to.

Appropriation for division 63:

Mr SMITH: Mr Chairman, I have a series of questions for the honourable Minister for Youth, Sport and Recreation. What sum of money has been allocated to Nhulunbuy for sports amenities and what are they? In his budget speech, the Treasurer mentioned the allocation of money for sports amenities but the budget paper in that regard is so poor that that sort of detail is not mentioned.

Secondly, Mr Chairman, I would like the minister to explain why there has been a rather dramatic blow-out in expenditure in the wages, salaries and administration area in the Youth, Sport and Recreation and Ethnic Affairs Division. In 1982-83, there was an allocation of $293 000 for wages and salaries. The actual expenditure was $426 000 and, in 1983-84, that has jumped to $543 000. I would like an explanation of why that has occurred. Similarly, in the administrative area, the allocation in 1982-83 was $89 000 but the actual expenditure was $132 000 which is a 30% to 40% overrun. The allocation this year is $316 000 which is almost a 300% overrun. Could he please explain those figures?

Mr DONDAS: Mr Chairman, to take the question on Nhulunbuy first, it would be absolutely impossible at this stage to provide the Treasurer with all the applications for grants-in-aid for the 1983-84 program. In fact, certain details for grants-in-aid are only just being finalised because the advertisements calling for applications for grants-in-aid for organisations were advertised in local newspapers in April and May. We asked those organisations to provide information to support their applications. Their needs change from time to time and, consequently, it is very difficult to come up with an overall list to be included in the budget papers.

However, regarding Nhulunbuy, my understanding is that this financial year some $40 000 will be allocated to the Nhulunbuy Oval Committee to provide further facilities on its 2 ovals. An additional $8000 or $9000 will go to the Gove BMX club; some $3000 or $4000 will probably be allocated to the tennis club; $8000 or $9000 probably will be allocated to the Gove Life Saving Club; and, presumably, $8000 to $10 000 will be allocated to the Gove Golf Club. Mr Chairman, it is very difficult to provide the exact information. Currently, Youth, Sport and Recreation and Ethnic Affairs Division is ascertaining applications for grants-in-aid to those areas. However, funds were allocated or specifically set aside for those particular projects in Gove and, until such time as they have been finalised, it will be difficult for the Treasurer to nominate specific amounts.

Regarding the question of wages for the Youth, Sport and Recreation and Ethnic Affairs Division, the honourable member would remember that, in February this year, certain sections of the Department of Community Development were transferred to the Youth, Sport and Recreation Division. The Handicapped Persons

Bureau moved over as did the Ethnic Affairs Division of the Department of Community Development. It became the Youth, Sport and Recreation and Ethnic Affairs Division. You would be aware, Mr Chairman, that, prior to the amalgamation of those 2 divisions, the Department of Youth, Sport and Recreation really had been embodied in the Department of Health. For certain good reasons, the government decided that it would be better placed with the Department of Health. Consequently, a salary transfer during that year took place. Until such time as the salary division of the Departments of Community Development and Health were able to ascertain the exact requirements on transfer, certain moneys were paid into the Department of Health salary budget by the Department of Community Development. This happened early enough for us to have a good look at it before a final budget was formulated. Consequently, after the dust had settled, the allocations that had been requested by the division were the ones that the Treasurer through Cabinet and through this Assembly has provided us with. I hope that that answers the 3 questions.

Mr B. COLLINS: I wonder if I could crave the indulgence of the honourable Chief Minister by asking a question which relates to the previous explanation. It is quite a simple one which I neglected to ask. The funds for the hospitality budget for last financial year were set at $686 000. The expenditure was $1.332m, which is a cost overrun of 94%. I wonder if the honourable Chief Minister could explain why there was such a gross overrun in costs?

Mr EVERINGHAM: Mr Chairman, I do not know why there was a cost overrun. I imagine it was because there were too many High Commissioners, visiting firemen or whatever else. Every night in the Chan Building, unfortunately, there seems to be a function of some sort for some group of visiting firemen. That is not the end of it. Every day in the city of Darwin, the Northern Territory government, I estimate, is paying for about 3 lunches for visiting firemen or hosting ministerial conferences or hosting officers' conferences. It is the price of federalism, as I call it privately. More and more councils of federal ministers are being created. I saw a briefing note this morning for a conference of secretaries of premiers' departments. They started meeting 2 years ago. They are meeting in Canberra at the end of this month. They have on their agenda the subject of holding 2 premiers' conferences a year instead of one.

Mr Chairman, it has been put forward, even by some people as responsible as premiers of states, that we should have 4 premiers' conferences a year. That is an unacceptable price of federation because I am always on a plane. I would say that I go on the average to one ministerial conference in 4 that I should by rights attend. I send officers mainly. Occasionally, I ask the Deputy Chief Minister to represent me. The honourable Attorney-General is representing me at some industrial ministers' meeting in Perth shortly.

We have these conferences here in Darwin too. It is impossible to estimate at the beginning of the year what the costs will run to. We do not know how many ambassadors and High Commissioners are going to come through a year. We have to charter planes to take them to Jabiru or Ayers Rock or wherever the itinerary is. Believe you me, I would like to cut that expenditure. I would not mind if I did not go to another reception or another lunch or another dinner. All I can say is that I will find out why. But I know we have too many visiting firemen. During the dry season especially, one becomes almost demented at the number of people that one has to entertain in Darwin and Alice Springs. It is now beginning to ease up. But in Darwin, today or tomorrow, there will be the Indian High Commissioner and the Spanish Ambassador. These 2 diplomats this week will cost us a poultice.

Appropriation for division 63 agreed to.

Appropriations for divisions 70 and 71 agreed to.

Remainder of the bill taken as a whole and agreed to.

Mr EVERINGHAM (by leave): I was asked a couple of questions earlier on by the honourable member for Millner and I think by the honourable Leader of the Opposition. One question related to an amount allocated for design of capital works at Palmerston. Approximately $2m has been allocated and only $600 000 spent. The discrepancy arose because it was decided to give the Department of Education control over design of the multi-purpose facilities, including school and community facilities, that are being built at Palmerston. Accordingly, the funds were transferred from the Palmerston Development Corporation to either the Department of Education or the Department of Transport and Works. There were some small savings in the program but the principal amount of $1.5m related to educational and community facilities. Therefore, one can see the amount of cost involved in design.

There was also a query regarding a discrepancy with internal revenues. The sum of $118 000 is the value of land purchased as buy-backs from developers but not paid for to the Palmerston Development Corporation by the Northern Territory Housing Commission until 1983-84. Presumably, that is money coming in this year as revenue. The sum of $178 000 represents the loss as a difference between the Valuer-General's market valuation, which the Northern Territory Housing Commission pays to PDC, and the price actually paid for buy-backs by the PDC from developers. I hope those explanations are satisfactory.

Bill reported; report adopted.

Bill read a third time.

ADJOURNMENT

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

In doing so, I have no hope of delivering the heart-rending and humorous oratory of the Chief Minister's last statement on the previous budget. The subject I wish to talk about would hardly be conducive to that. This morning, the program After Eight, hosted by Ms Vickie Laurie, had as one of its guests a gentleman known to all of us, Mr John Tomlinson. Mr Speaker, normally in the Assembly, I have refrained from commenting on the remarks of people who regard themselved as self-professed experts and commentators on the Criminal Code. However, Mr Tomlinson's comments this morning were so outrageous that I just cannot allow them to pass without reference.

It seems to me that his attitude is typical of a few people who have commented on the code and have set out in a conscious and deliberate fashion to distort the truth. An exact description of what they do would be unparliamentary and I would be ruled out of order by giving it. The sum total of these efforts is to confuse and mislead the public as to what are the true contents of the Criminal Code and the true attitudes of the government.

On the program this morning, Mr John Tomlinson started by saying that the Northern Territory Council for Civil Liberties again and again had put detailed submissions to the Northern Territory government and received no sensible response. What is the truth of that allegation? As the Leader of the Opposition would know, last Saturday at the seminar chaired by myself and conducted primarily by Mr Des Sturgess of the Queensland Bar, we heard from the

Northern Territory Council for Civil Liberties that it had put in - and this is consistent with what Mr Tomlinson said - numerous submissions to government and had received no reply. At least this changed in After Eight this morning to its not having received a 'sensible' reply.

What is the true position in relation to the statement? The Northern Territory government received a draft submission from the Council for Civil Liberties of the Northern Territory and, very shortly after that, a cleaned-up version of the same document. Far from that document being ignored, the Northern Territory Council for Civil Liberties received a 13-page reply 18 months ago. We received no acknowledgement from it and no comment on that 13-page response to its submissions. That, of course, is not the end of it. We have not heard from it since then either. There have been 4 or 5 drafts of the code since that time and not a solitary further comment has been received from the Northern Territory Council for Civil Liberties. Far from this government ignoring that council, that council has ignored the existence of the drafts of the code until it passed through this Assembly.

Mr Speaker, apparently the Northern Territory Council for Civil Liberties, through its now secretary, Mr John Tomlinson, went on to say: 'When the Australian Council for Civil Liberties commented, we were told by the Attorney-General that he did not want stirrers from outside the Northern Territory interfering'. No record exists anywhere of a submission from the Australian Council for Civil Liberties. You know, Mr Speaker, as do other honourable members, that the truth is exactly the opposite. In fact, the former Attorney-General and I encouraged comment from everyone. We have always treated those comments with courtesy and with consideration. Indeed, when the Chief Minister was Attorney-General, and responded to the questions of the Northern Territory Council for Civil Liberties, copies were sent to the honourable member for Nightcliff and to the Leader of the Opposition. They will recall having received a copy.

It was pointed out that Mr Sturgess said that the government would accept submissions from anyone and Mr Tomlinson went on to refute the validity of that statement. What is the truth of that matter? On Saturday, a meeting was convened within a meeting. That meeting within a meeting was convened by the Northern Territory Council for Civil Liberties. Its spokesman at the meeting on Saturday informed one and all at that meeting that that meeting of the Council for Civil Liberties had resolved that it would make representations to Mr Des Sturgess, a member of the Queensland Bar. What did Mr Des Sturgess do? The Leader of the Opposition was there. There and then, Mr Sturgess said he would welcome any submission from the Northern Territory Council for Civil Liberties and would be available at the Travelodge from some time in the morning until late in the afternoon. Was there any contact by the Northern Territory Council for Civil Liberties with Mr Sturgess? There was not a peep, not a phone call, notwithstanding that Mr Sturgess remained in his room from early morning till 2 pm waiting for the contact the council had sought with him. When he left the hotel, he gave a telephone number where he could be contacted to the receptionist but there was no communication. Finally, at midday on Monday, when Mr Sturgess was tied up with commitments all day, Mr John Tomlinson rang and demanded an interview with Mr Sturgess.

When it was pointed out to Mr Tomlinson that, far from ignoring the 'numerous' representations from his organisation, a response was sent - a copy of which the Leader of the Opposition has in his possession - he nods in agreement and I thank him for that - he had the marvellous excuse: 'Oh, but I was not secretary of the Northern Territory Council for Civil Liberties then'. Thus, the government can be maligned on a totally false basis.

The interview this morning then went on with a number of matters in relation to alcohol, which I thought probably expressed a view reasonably held by Mr Tomlinson, so I will not comment further on that. Alan Knight asked Mr Tomlinson a question: 'Mr Sturgess also says that the penalties in the code are not that severe when compared to Queensland. Is that the case?' John Tomlinson replied: 'Certainly, for riot it is about the same as Queensland. But there is no mandatory penalty for murder in Queensland'. Mr Speaker, for 84 years, there has been a mandatory life penalty for a conviction of murder in Queensland, Western Australia, South Australia, Victoria and Tasmania and, until recently, the state of New South Wales which is the only place now without it. As I recall, that amendment went through in the last 12 months. Mr Speaker, the whole of the interview this morning was a tissue of fabrications, distortions and untruths.

Mr B. COLLINS (Opposition Leader): Mr Deputy Speaker, the government's response to the Northern Territory ALP's TAB policy has been totally inadequate. The Treasurer revealed the fact that he knows about as much about TAB as he does about universities. Once again, he demonstrated his capacity to read out whatever his ministerial assistants have thrust under his nose, highlighted by a fluorescent pen, as he did with the TEC's report. The Treasurer's rebuttal of my colleague, the member for Nhulunbuy, demonstrated the fact that he does not know much about it. The Treasurer or, more correctly, his advisers, found a magazine article, which they believe reduced the appeal of our proposal, and simply read it out as a rebuttal. As I played some role in putting that policy together, I was concerned with considered criticism of our proposals and took some time to examine the proposal afterwards, particularly in regard to what I thought was the most substantial point made during debate: the question of broadcasting. I considered it to be a substantial point which deserved investigation.

Mr Deputy Speaker, the view of the Labor Party is that the government's own working party into racing has already been given its riding orders. In our view, that working party has already had its decision made for it and the conclusions were drawn up by the government along with the terms of reference. I am quite prepared to predict exactly what conclusions that working party will come to. The working party will come up with a policy which will bear a distinct similarity to the Territory ALP's policy in 1980. There will be the usual perfunctory mention of TAB. To attempt to diffuse the community support for TAB, the voters will be promised that TAB will come to the Territory some time in the future. But the keystone of the CLP government's policy will become its new method of helping the Territory's major racing and turf clubs. That will be achieved by closing down off-course bookmakers within a radius of 50 km of racecourses when meetings are in progress. The bookmakers will then be forced to field at the race meetings.

This approach might increase the patronage of the average race meeting by 1500 to 2000 people and, of course, the gate takings. It may reduce if not solve the financial problems of the Darwin Turf Club and the Central Australian Racing Association. But the policy will fail on 2 counts. It will not increase the returns to punters nor provide the reputed security and impartiality that the small bettor finds attractive about TAB betting. It will not arrest the slide in the government's gambling revenues because of continually declining turnover levy receipts. Some bookmakers will continue to evade their proper obligations under the turnover levy and the slide in declared betting turnover will continue.

Mr Deputy Speaker, the Treasurer did spend some time last week talking about the problems with broadcasting. He said that the ALP proposal would not be

effective, relying as it would on interstate race meetings, because the TAB would not get radio coverage of the races. I quote from what he said: 'A very important part of that network is having a radio station nearby which will broadcast all the races that are covered by the TAB. Unless the punter can follow the races during the course of the day, the system breaks down'. The Treasurer then moved on to quote from the September issue of a magazine called Bloodstock. I quote again: 'To add to the worries of the racing industry and the TAB, Hobart radio station 7HO dropped a minor bombshell when they announced they would cease race broadcasting from Saturday 6 August. The station which provided racing coverage to the most densely-populated areas of Tasmania had phased down its coverage over the past 2 years'.

This particular comment of the Treasurer and the article from Bloodstock does not at all affect the Northern Territory ALP's TAB proposal. Just the opposite. It reveals, in fact, the paucity of grounds for government criticism of our initiatives. I would ask the Treasurer: whether this criticism also applies logically to the off-course bookmakers currently operating in the Northern Territory. Presumably they get satisfactory services from their landlines. The situation at present is that the bookmakers use landlines for race meetings. The Territory TAB would use exactly the same system. It would be profitable enough to pay for the landlines for mid-week meetings and use the ABC radio on Saturdays and thereby save money that bookmakers cannot. It appears that the Treasurer's confusion arises from his inappropriate usage of the Tasmanian example. He does not understand the system that operates there.

The significance of the radio coverage - and I have investigated this because I was concerned about his comments - and the situation in Tasmania is that a highly-profitable area of TAB operations are Tasmanian telephone bettors. Those bettors place their bets mid-week from their place of work. They usually have a transistor radio to listen to the race, surreptitiously or otherwise depending on whom they work for. When the radio coverage of 7HO cuts out, the bettors could be expected to reduce their activities; not surprisingly, this will be a serious problem for the Tasmanian TAB. But that situation does not apply in the Territory. Mid-week race meetings are not broadcast and betting turnover obviously reflects that fact. If people wish to listen to the race upon which they have wagered, punters have to go to the betting shop and listen to the landline, as they do now. This situation will also apply under a Territory TAB so, in fact, the question of broadcasting makes no difference to the ALP's TAB proposal.

Mr Deputy Speaker, the issue over the Territory Labor Party's TAB proposal is not about Tasmanian radio stations nor the readiness or otherwise of people to listen to radio broadcasts of racing. It is the fundamental question of the efficiency of this government's administration and its fitness to govern. The administration of the racing and gaming industry in the Northern Territory is a disgrace. Everywhere else in Australia, punters demonstrate their satisfaction in the TABs in increased turnover, which was clearly demonstrated by the tables I had incorporated in the Hansard last week. In the Territory, turnovers have declined one-third in cash terms over the last 5 years. The Territory punter is obviously dissatisfied. The racing industry is in the doldrums and government revenue continues to suffer as a result.

Mr Deputy Speaker, the fourth report of the Commonwealth Grants Commission on special assistance for the Northern Territory provides impartial confirmation of this government's failure. Gambling revenues, including lotteries, in 1981-82 in the Territory were $20.79 per head. In Victoria, the figure was $50.55 per head at that time. In New South Wales, the figure was $ 69.14 per head. We managed less than half the tally of other states. This government has

demonstrated that it cannot manage the gambling industry in the Northern Territory. It is beholden to bookmakers and a monolopy granted to a hotel chain in the Northern Territory. The Territory community continues to suffer as a consequence.

Mr DONDAS (Health): Mr Deputy Speaker, during the course of this sittings, I was asked a question by the honourable member for Fannie Bay. The question was: 'In relation to the recent disaster at Ayers Rock, would the minister confirm that it took over 2 hours from receipt of the call by St John Ambulance for an aeromedical plane to take off? Is it further correct that this delay resulted from the Department of Health being inadequately prepared for an emergency and that supplies had to be packed in the early hours of the morning before the planes could leave?'

At the particular time, I indicated to the honourable member that I was unaware of those problems and that I would provide the information at a later date. Consequently, the honourable member asked more questions on Wednesday. I will address myself to those questions later. This is a statement from the Dr Devanesen from Alice Springs:

0200 hours. Called by St John. Asked to phone police at Ayers Rock on radio telephone 435 as there had been an accident. 0202 hours. Called radio telephone 435. Answered by a girl who could not give detailed information. Said policeman was at scene of accident. No idea of number of injuries. 0210 hours. Drove to St John Ambulance radio base for details of coordination. 0215 hours. Phoned acting regional director and aeromedical sister. Also phoned hospital superintendent. Received call from Dr Peterkin who was at hospital and wished to join them. Received confirming phone call from aeromedical sisters who had contacted RFDS pilot. 0225 hours. Inter alia a confirmation by police - 4 dead, 12 injured, no further details. 0230 hours. Left St John base. Arrived aeromedical office. Discussed with sister equipment to take out. Received various calls from pilots confirming flight requirements, number of passengers and equipment. 0235 hours. Started loading maximum amount of medical equipment into 2 cars along with AMS sisters. Due to lack of detailed information from Ayers Rock, extra stretchers, splints, oxygen, emergency drugs to suit all possible casualties had to be loaded. 0300 hours. Left AMS room to airport - 14 km away. 0315 hours. Arrived airport by car. Unload each car outside airport apron. Physically carry each item of gear to aircraft and load according to pilot's instructions with consideration being given to distribution of weight. Division of medical supplies into first and second aircraft as second aircraft pilot not available for immediate departure (each night, only one RFDS pilot on standby). RFDS pilot had warmed up second aircraft but was unable to fly himself as he was out of hours. This meant waiting for a third pilot being found and called in. This necessitated division of medical supplies on aircraft apron into first and second aircraft as soon as it was realised that both aircraft would not be leaving together. 0343 hours. Aircraft taxis alongside NT police aircraft. 0349 hours. Aircraft airborne.

There is a note attached to this message:

1. All the extra medical kits, equipment etc packed and ready at AMS. However, they still had to be transported to the airport and into the aircraft.

2. Royal Flying Doctor Service plane carries small quantities of emergency equipment at all times. It is limited by weight restriction and space but appropriate for the day-to-day accidents involving one or two casualties.

3. The emergency operation in this region required coordination between AMS, Royal Flying Doctor Service, St John Ambulance and police. There are no AMS aircraft in this region.

4. The Royal Flying Doctor Service aircraft was to take off at the same time as the police aircraft in spite of having to load all the extra medical equipment.

5. The accident was confirmed at 0225 hours and the aircraft was airborne at 0349 hours. Total time involved - 1 hour and 24 minutes.

In view of the fact that the honourable member has indicated that there were some 2 hours delay, that is the information that I have. She may have other information but I would consider that the information I have would probably be closer to the mark.

The other point raised was that, from reading this telex and learning that aeromedical staff had to physically carry equipment out to the aircraft at 2.30 in the morning, it would seem to indicate that something was really wrong with the system. Presumably, there should be some means by which they can drive straight onto the apron of the strip in an emergency and unload the vehicles so the aircraft can get away. It should be stressed, Mr Deputy Speaker, that there were no delays in the treatment of the accident victims. The medical and nursing team at the Rock, competently assisted by others, responded in an exceptionally professional manner. Casualties were triaged into categories of seriously injured, ambulators and so on. They were resuscitated. The evacuation occurred at times appropriate to their medical condition and that is important because a question was asked regarding the F28. Because of the local team, it was possible to remove the people to Alice Springs for the next stage of their treatment. The implication that the Department of Health did not respond as quickly as it should is not justified.

We were asked to confirm that a request was made to Ansett Airlines in Alice Springs to provide an F28 aircraft to evacuate the victims of the accident at Ayers Rock and whether it is a fact that the aircraft could have evacuated all the victims to Alice Springs within 1½ hours and, further, whether the request was originally agreed to and, if so, why it was subsequently withdrawn? I was fortunate enough to be able to discuss this particular matter with the manager of Airlines of Northern Australia today and he advised me that the aircraft was available. The company was not asked until about 5 o'clock in the morning whether it could be made available and, consequently, the personnel in Alice Springs checked with the Alice Springs manager who said it could be used. But, by that time, all the patients had been evacuated and the airline was told that it was not needed.

Mr Deputy Speaker, the honourable member for Fannie Bay criticised me for not being able to respond to the questions she asked in question time. At the time, I indicated that I had read and noted a report from the Secretary of the Department of Health regarding the incident at Ayers Rock and that my understanding was that the department, the Royal Flying Doctor Service and the people at Ayers Rock at the time all responded magnificently to the tragedy. I was unaware of any particular problem. I do not mind being attacked inside or outside the Assembly but I was satisfied that the Department of Health and other

organisations involved in that exercise carried out their work in a highly professional manner. It was a bit difficult to answer at the time that the honourable member asked the precise question: 'Was it true that it took 2 hours for the plane to take off?' If I had replied that it was not true - that it was 2 hours and 1 minute or 1 hour and 45 minutes - whichever way I went, I would get into trouble. I elected to find out the information for her. I hope what I have provided now is sufficient for her to consider any further action she wishes to take.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I thank the honourable Minister for Health for obtaining that information. The reason I raised it at the time was because a number of people from Alice Springs, in various areas but with some knowledge of both the health services and the transport industry, had expressed these serious concerns to me. Clearly, I will want to read, hopefully tomorrow, precisely what the minister has said in terms of times and so forth. However, from what he has said, I think he agrees with me that there are aspects of the system that can be looked at which might result in an improvement and a faster ambulance response in any future emergency in central Australia or elsewhere.

The minister spoke of the method of loading the planes and getting the appropriate equipment and material to the plane. There is another aspect which I would like to raise briefly this afternoon and that is the question of the communication system between Ayers Rock, the Police Force, St John Ambulance, the hospital and so forth. I understand that this has been commented on in general terms by the senior Emergency Services person in Australia. In relation to places such as the Northern Territory, the communications system is quite vital in terms of good response, quick response and the saving of lives in an emergency.

I thank the minister for having looked at that serious issue. Certainly, it was in no way intended to be a criticism of individuals. It is always most important that we look at our experiences in times like this to see how the systems work, to see if there have been problems, where there have been problems and how we can improve the systems for the future. This is particularly important in relation to persons who are injured. It is a fact, which the Minister for Health would know well, that ambulance response, both road ambulances and air ambulances, is quite critical in terms of saving lives. The sooner the ambulance gets to the site of the accident, the better the chance to save lives. Curious as it may seem, it is not the time that a person spends in the ambulance that is so critical; it is the time taken to get the ambulance, equipment and skilled personnel to injured persons which is vital.

These are the reasons why I asked the questions. I shall read the minister's response most carefully tomorrow. In the meantime, I thank him for it and hope that those various questions may be looked at so that, in the future, an even better or faster response might be obtained.

There is one other matter I wish to raise this afternoon. It relates to the Northern Territory Electricity Commission. It is a matter which came to my attention and, I believe, also to the attention of the Treasurer. It relates to the cutting off yesterday of the domestic power supply of a family living in Darwin because of non-payment of an account. The account was not paid because of the sale of a property - not the home of the persons concerned but a block of residential units - nearly 12 months ago. Probably because of an oversight, NTEC was not notified of the change of ownership for some 3 months. Apparently, there is no question that the persons responsible for the account for those 3 months were not the same persons who had used the electricity. In this case, NTEC ultimately cut off the domestic power supply to these people even though

everyone knew they were not the people who used the electricity that was not paid for.

There is probably no question that they are legally responsible in terms of the Electricity Commission Act and the Supply of Services Act. Nevertheless, in a case such as this, an oversight resulting from a transfer of property, I would have thought it more appropriate for the commission to pursue this matter as a legal process and to recover the debt from whomever it could recover the debt rather than cut off the power at a home for which the power has always been properly paid. I would commend that thought to the minister responsible for NTEC and to the commission.

Mr MacFARLANE (Elsey): Mr Deputy Speaker, the honourable Leader of the Opposition said that land rights and uranium are the 2 most sensitive issues in the Northern Territory and they both affect Aboriginals. Well, that is so. I wish to speak today about land rights for Aboriginals. May I be permitted to refer to this old newspaper containing an article headed 'True Facts about Land Rights' by Jack Doolan, member for Victoria River. I do not know what the true facts are but the facts are that, on 24 September, this article appeared in the NT News. It was as though the honourable member had been asleep for quite some time like Rip Van Winkle and just woke up for the elections. The fact of the matter is that there is nothing new in it. There are quite a lot of things in it which are wrong. He talks about the Gibb Committee Report recommending excisions of between 8 km^2 and 16 km^2. In his own electorate, on Fitzroy Station, the Aboriginals are claiming 50 km^2. Of course, on Lake Nash, the management offered them, according to the Central Land Council annual report, 1500 km^2. The Aboriginals rejected it. One of the main troubles with excised portions is that, if they are close to the homesteads, they can become centres of discord. Anyone, particularly the honourable member, would realise that it is pretty hard to run a cattle station anyway. But it is a lot harder if you do not have control over the consumption of alcohol. This goes for black or white. They find on settlements that they must have dry areas. It would be very hard to police a dry area excision on a pastoral lease.

He talks about Urapunga. Urapunga has a very smart owner. The excision granted there is right along the side of the homestead. They all use the same power and water generation source. The Aboriginals pay for it so there can be no complaint there. However, the owner of Urapunga, Mr Fryer, was badly dealt with by the minister over the Roper Bar Land Claim when the stock route was included in the land claim despite the recommendation of Mr Justice Toohey.

Other points that were not brought up by the honourable member, although he could have, include Oolloo. Mr Rixon is a supporter of the honourable member and one of the reasons why Oolloo was acquired is because the vacant Crown land across the river had been frozen by the Land Rights Act of 1976 and is still lying there dormant. We know that the honourable Chief Minister proposed to the Northern Land Council that the council allow the land to be used and to come to some agreement, assuming that it would win the land claim. The land could be used for the benefit of all. But ADMA had to acquire land and it acquired Fish River and Oolloo. But across the river other land was lying dormant. The same thing is happening now in the Upper Daly River Land Claim. There is a lot of agricultural land there, as we heard the honourable Chief Minister say this morning. It is not being used and the advisers of the Northern Land Council say it is unlikely that the Aboriginal owners will allow it to be used. These are some of the things which are causing friction in this very sensitive area.

The honourable member for Victoria River mentioned English being taught as a second language in Aboriginal schools. Well, the honourable member has a

proud war record. He served in New Guinea and Korea. I have no doubt that he fought for Australia. Had he and others lost those wars, someone else might be giving Aboriginals land rights. I doubt whether a second language would be taught in Aboriginal schools. I am just pointing out some of the true facts that the honourable member missed.

To get gravel from Aboriginal land to be used for road making, the Department of Transport and Works must obtain an extractive permit from the Department of Mines and Energy. The Department of Mines and Energy then gets permission to issue this through the NLC and through the minister. I am sure the honourable minister will back me up that it is almost a year since the Department of Transport and Works first tried to get gravel to upgrade the road where it goes through Beswick Station en route to Mountain Valley, Mainoru and the Aboriginal communities of Weemol and Bulman. It has taken nearly 12 months to get gravel. I contacted the Chairman of the NLC and he promised to chase it up but it appears that the solicitors for the NLC had not even consulted the traditional owners. I eventually received a letter back from the Minister for Aboriginal Affairs. He said that he had had recent legal opinion, as a result of my telegram, that the minister's permission is not now necessary. These are things that are quite incredible in this day and age.

About October last year, the people who formed the committee for community ownership of the Katherine Gorge asked me to contact the Chairman of the NLC, Gerry Blitner, whom I have known for 30-odd years, to see if agricultural land and pastoral land included in the Jawoyn Land Claim - I think about 4000 square miles - could be subleased to people requiring land for agricultural, horticultural, pastoral or just plain rural purposes. I tried to ring Mr Blitner 6 or 7 times. He is a busy man. He travels around a lot. I thought I might catch him in Katherine. About March, I found out that he was not even getting the phone calls. The receptionist was not putting them through. You come up against things like this. I think a lot of the heat could have been taken out of the Jawoyn Land Claim had the traditional owners agreed that, if successful, they would sublease, as ordinary people do ...

Mr B. Collins: They were never asked.

Mr MacFARLANE: I am just trying to tell you why they were never asked: because they could not get through to the Chairman of the NLC. This was the proposition: if they were successful, and there was no reason to doubt that they would not be, they would allow the land to be used under their own conditions. When they get inalienable title, the land is simply theirs. It is different at Beswick where the traditional owners own the land but they cannot let anyone take the gravel. What kind of a title is that? The member for Victoria River said in the article: 'Subleases on pastoral properties. Such leases, of course, are virtually not worth the paper they are written on. They depend entirely on the whims of the lessor and give virtually no security of tenure to the lessees'. What kind of title do the traditional owners at Beswick Station have? They own the land but they cannot let anyone take the gravel.

I put it to you, Mr Deputy Speaker, that 'True Facts about Land Rights' is a traversty of the truth. It is very one-sided and it has done nothing but exacerbate the problem.

Ms LAWRIE (Nightcliff): Mr Deputy Speaker, many times people approach me in my electorate office very upset at what they believe is the incorrect attitude of certain members of the Northern Territory police. These citizens have laid a complaint before them, and they have been told that the police will not take any action because it is 'a civil matter' or 'a domestic matter'. When I have

been approached soon after an alleged occurrence, it has been my practice to ring commissioned officers of the Northern Territory Police Force to give them the details and to ask whence came this policy because it was quite obvious that the complaint was genuine and could not be considered under any circumstances to be either a civil or so-called domestic matter. When I have been able to make these approaches within a reasonable time, it is significant that police action has ensued and the aggrieved party has obtained some redress.

Unfortunately, I am going to raise an issue here tonight which occurred at 10 o'clock on 26 February 1983. We are certainly discussing a matter in which it will be almost impossible to get direct evidence which could lead to a conviction. However, it may be that, after considering the remarks I will make in the adjournment debate tonight and the evidence I shall give the Chief Minister and the Attorney-General, they may well consider that an ex gratia payment would be moderate compensation as it would appear that the person suffering injury cannot claim under the Criminal Injuries Compensation Act because there was no criminal charge laid. The reason for no charge being laid was once again a police decision, I believe at a low level, that this was simply a civil matter.

The details are as follows. At 10 o'clock in the morning on 26 February 1983, a lady was with her husband watching the Chinese New Year procession and she was knocked over by a drunken male person whose name and age is unknown to the couple. The accident took place outside a shop in the Mall and there were a considerable number of people milling about the scene, a number of whom rendered assistance. Subsequently, an ambulance arrived and conveyed the lady and her husband to Casuarina Hospital for medical examination. She can supply the names and addresses of witnesses who were at the site of the accident. No action has ever been taken with respect to the drunken person who knocked her over.

Subsequent medical examination revealed that her right leg was severely broken around the knee and, during the ensuing 8 months, she has undergone 4 operations necessitating plates and screws being inserted and bone being taken from her hip for a bone graft. She had been in traction for a further 2 months, and then had to face the ordeal of the removal of the plate and the screws. The last operation was rendered necessary to remove arthritic nodules. Since then, she has suffered from arthritis and has been told by her surgeon that she will need an artificial knee joint in years to come.

The lady has endured what she considers to be gross pain and suffering. She is disfigured and has been placed under severe emotional stress. Her sporting activities and working potential have been curtailed severely which is a great disappointment to her and has led to a dramatic change in lifestyle as she has always been an active person. The expenses incurred as a result of this unfortunate occurrence have been considerable and have depleted their savings.

Mr Deputy Speaker, after the initial examination at the hospital, they contacted the police and the police advised that they were not interested because it was 'a civil matter'. Having suffered a fairly severe injury, it was not possible for her or her husband to apprehend the person who caused the injury at the time when it occurred. When they requested police assistance to make relevant inquiries, the reply was simply that it was a civil matter. They have taken legal advice and understand that no redress is available. They cannot find or identify the drunken person who committed what I consider to be a breach of the peace. Public drunkenness in itself is not an offence but, certainly, to cause injury, in this case severe injury, to an innocent bystander has to be a breach of the peace and can be dealt with under the old Police and Police Offences Act.

Mr Deputy Speaker, the Criminal Injuries Compensation Act relies upon a criminal conviction. There can be no conviction in this case because the person was never brought to trial. A perfectly innocent member of the community, whilst watching a procession, was knocked to the ground, suffered severe pain and injury and has no legal redress. Mr Deputy Speaker, this occurred in your electorate, I am sorry to say, but the person aggrieved and hurt is one of my constituents. Perhaps, Sir, we could consider a joint approach to the Chief Minister and the Attorney-General to see if the circumstances warrant further investigation as to why there was no police action. If it is found that the police advice was incorrect, I would be requesting the executive to consider an ex gratia payment.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, last week, I asked the Minister for Housing whether there was any intention to reduce the interest rate at the maximum level applying on housing loans offered by the Housing Commission to the public. The minister responded that the Northern Territory Housing Commission rates are well below those offered in other parts of Australia and that, for the time being, there is no intention to do this. I thought this answer most disappointing.

Clearly, the honourable minister misunderstood the question. I was not asking him to reduce interest rates across the board because I am aware that the loan offered by the Housing Commission to the general public is an income-geared loan in which the interest rate is dependent on the income of the applicant. Also, it is incremental in that it rises by 0.5% in each year of the loan until it reaches the maximum. But my question was specifically about the maximum rate which applies to Housing Commission loans.

I was interested to hear the honourable minister say that the interest rate is much lower than elsewhere in Australia because I do not think he has caught up with recent events in the money market. Certainly, my question referred to these events and specifically to the reduction in interest rates which had occurred in that particular week and the few days preceding it. Although I do not have the terms of the Commonwealth-Northern Territory Housing Agreement with me today, I recall that one of the conditions under which the Commonwealth makes funds available for lending to the Northern Territory government is that the maximum rate of interest on these loans will be one percentage point above the long-term bond rate. We know that the long-term bond rate at the moment stands at 12.25% which brings the maximum applicable rate - and I do stress that my question related to the maximum applicable rate - to 13.25%.

I do not see how the minister can continue to claim that this was a concessional rate when we look at other rates applying in the money market, particularly as a result of recent events which have contributed to reducing the rates. One of the specific events was the bond tender which is floated by the Commonwealth Treasury. I recall that, in the few days which followed, every major banking company indicated that it would reduce its prime rate. This caused quite a bit of comment in the financial press. The Westpac Banking Corporation, which makes a habit of notifying changes in its indicator rate, advertised the fact that its indicator rate is now 13.25%. I am very well aware that this is an indicator rate and not necessarily the rate which would apply to all of the bank's customers. Nevertheless, it is the indicator rate which applies to the bank's very best and largest customer. Now that the indicator rate of one of the largest banks is at precisely the level pitched by the Commonwealth-Northern Territory Housing Agreement, I cannot see that this rate continues to be concessional.

Mr Deputy Speaker, I would be the first to concede that the Home Loans Scheme which we have in the Northern Territory is a very good one and I have

been quite consistent in my remarks about that particular scheme. However, I am anxious that the advantages offered by that scheme are not eroded by the passage of time or by events which take place in the money market, and that, of course, was why I asked the question. The government has always been very keen to convey the impression that it wishes to encourage lending for owner occupancy. We on this side of the Assembly have always commended this policy direction. I agree with the government that everything possible should be done to increase house ownership levels in the Northern Territory. Of course, that level is well below that which pertains elsewhere in Australia. This suggestion was put forward for the purpose of maintaining those concessions and the comparative attractiveness of those schemes. If these interest rate cuts flow through to the housing-loans sector, which all banks seem to think that they will, then the advantage of this scheme will have been neutralised in comparison to other schemes. That was the purpose of the question.

The other part of the answer which disappointed me, Mr Deputy Speaker, was that the minister showed very little regard for housing conditions which pertain in the rest of Australia. His specific comparison was that the interest rates on Northern Territory Housing Commission loans were well below the Australian average. Firstly, that statement is absolute nonsense because we do not have one interest rate applying to our particular loans and that is the reason why I specifically mentioned the maximum rate applying. It is nonsense to talk about the Australian average. The other reason why it is nonsense is because it takes no account whatsoever of other conditions in our housing market and in the housing markets in other places in Australia. If the objective is to stimulate owner occupancy and domestic construction, then the minister's answer showed very little knowledge of prevailing conditions.

I would like to quote from a report which appeared in the current issue of the Australian Planner which is the journal of the Royal Australian Planning Institute. It is Volume 21 No 4 of September 1983 and in it appears a brief report on the housing market. The report was undertaken by the Real Estate Institute of Australia which, I would imagine, would know something about housing markets in Australia. The reason I would like to refer to it is because it tells us some very interesting facts about Australian housing markets and also compares one location with another. The honourable minister in reply to the question seemed to indicate that we were well off compared to other places in Australia but, of course, when you look at facts published by those in the industry, you will find that that is a fallacious and misleading statement.

According to the report, most housing loans in Australia in the March quarter were for established dwellings. Of course, our attempts have been to stimulate new construction. Nevertheless, there are some very interesting facts given in this report. It appears that 45% of dwelling sales in Brisbane were in the $40 000 to $59 000 range. I would suggest that the Northern Territory housing market would not be able to reflect a similar comparison because there are very few places indeed which one could purchase for under $59 000 in the major centres of the Northern Territory. It says that 45% of all Brisbane sales were under $59 000. In Perth, 50% of dwellings ranged between $30 000 to $49 000. Again, I would suggest to the minister that we would be very lucky indeed to obtain houses under $49 000 let alone 50% of the stock on offer. In Adelaide, which traditionally is supposed to be a depressed market, we have 60% of reported sales which were in the range of $30 000 to $49 000. I could go on but I am just giving some comparisons because the honourable minister indicated to me that, compared with other Australian cities, we are not so badly off.

When we come to rents, the situation in southern capitals is more attractive again. The median rent in Sydney is $75 for a 2-bedroom unit. In Melbourne, it

is $69. I am an assiduous reader of the real estate columns in the Northern Territory News and 2-bedroom units in Darwin do not rent for those prices. In fact one would be very lucky indeed to secure such premises for under $140 per week. In Adelaide, the median rental is $62 per week. One third of all the rents fall within the $50 to $59 per week range. In Perth, which has had a fairly buoyant market in recent years, rentals range from $40 to $80 with the median rental being $64. One in 4 vacancies, 25% of vacancies which were on offer were being offered in the range of $40 to $49 per week.

Mr Deputy Speaker, there are some other cities mentioned, Newcastle and Geelong, but I will not give you the information for them. It is very much the same. I only point out how misleading the answer to the question given to me by the Minister for Housing was. He was relating it to what a household could obtain for its housing dollar in the Northern Territory compared to other parts of Australia. Looking at these figures, I consider that Northern Territory renters and buyers are extremely disadvantaged compared to other places in Australia.

I would suggest to him again that the maximum rate offered by the Housing Commission on its loans on offer to the public ought to be reviewed because it is rapidly losing its relevance when looked at in comparison to other interest rates obtaining in the market. I make that suggestion again to the minister because I consider house ownership a most worthy objective. It ought to be encouraged in the Northern Territory. I am extremely disappointed by the rather misleading, inconclusive and ignorant answer given to me by the minister last Wednesday.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, the honourable member for Elsey has berated me this afternoon for an article I wrote for the NT News entitled 'The True Facts about Land Rights'. Whilst I do not intend to comment in detail on his remarks purporting to show that my article is in error, I feel obliged to say that the honourable member seems to have missed the whole point. What I was trying to point out was that the loudest complainers and most anti-land rights people are generally those who are most ignorant of the facts; that is, they do not seem aware that vast tracts of land were held by Aboriginals on Aboriginal reserves in some cases for almost 100 years. That was before the passage of the Aboriginal Land Rights Act in 1976. In endeavouring to point out this fact, I believe that I succeeded, judging by the number of letters, phone calls and comments that I received.

The honourable member for Elsey said that I was in error when I suggested areas for excision would be only 10 km^2 to 20 km^2 and that pastoralists had not taken any notice whatsoever of the Gibb Committee Report, which came out a dozen or more years ago. With the exception of Ray Fryer on Urapunga, I cannot think offhand of anyone else who did take any notice of it. The whole matter of excisions would have been finalised long ago and would not be the contentious issue which it is today. It is a fact that the areas I spoke of - that is, 10 km^2 to 20 km^2 - were about the size that the Gibb Committee envisaged at the time.

I wish once more to push the parish pump a bit. I have recently received a number of complaints from my constituents living in the Bees Creek area. All of the complaints relate to water and, in particular, the circulation of an agreement for the supply of water to the Darwin rural area. These residents are required to sign it or their own supply of water will be threatened; it will cease. Many of these residents believe that the Bees Creek community has been singled out to sign this agreement as it is their understanding that residents of other rural areas have not been requested to sign an agreement. They would

like to know why. A quick canvass of 21 occupied blocks along Bees Creek Road from the Stuart Highway to approximately 5 km down the road revealed the following results: 2 of the residences were currently unoccupied, 1 had no water supply, although this was formally applied for some 2 months ago, and 5 of them had signed and returned the forms. The breakdown of the 5 residents who signed it revealed that 2 of them were not much concerned at all about the agreement. One stated that he was very pleased to have water at all. Evidently, he was a satisfied customer. One elderly couple were unaware of what the document was all about. One chap was employed by the Water Division of the Department of Transport and Works and he did not want any arguments. Twelve of the residents, however, do not want to sign at all and they are unhappy about the conditions of the agreement. One of the residents has never received a letter or agreement for signature.

Only one occupier expressed dissatisfaction with supply because she had experienced frequent loss of pressure for extended periods in the past. This lady could not see why she and her husband were required to pay the same basic charge as town areas and receive either inadequate or no supply at all. This feeling was the basis of a complaint which I made during an adjournment debate last year. Following my speech, some sarcastic city dweller wrote to the press querying whether rural residents also require spas and sauna baths as a service. Let me assure you, Mr Deputy Speaker, that the rural sector on this water supply line seek only the basic service that city dwellers receive without any extras. The lady in question has a legitimate complaint. She realises that her water supply is subject to fluctuation but, because the family dwelling is on a high point, it has had total loss of pressure for days at a time. It is no laughing matter for a mother with kids. Three of the occupiers were staggered at the amount they were levied for excess water.

The agreement, which seems to be upsetting my constituents, and which I must admit sounds at times badly worded and inaccurate, led to a detailed study by one of the complainants who supplied me with the following information, which I have checked. At the start of the agreement, it says in reference to water for domestic use: 'the purpose of supplying to the consumer at his request'. My informant says that he, and many other residents, had not requested water at all and that, therefore, the agreement was incorrectly worded. These are not necessarily my views but what I have had put to me. In clause 1, there are these words: 'apply mutandis to this agreement'. He said that 'mutatis mutandis' means 'with amendments' and he can find no amendments at all to this section.

In clause 2 it says, in part, that the consumer will be responsible for 'the cost of installing the water meter in accordance with fees prescribed from time to time'. It seems quite reasonable that the consumer should be responsible for the cost of the installation of the water meter but clause 7(2) holds the consumer responsible for any damage caused to the meter. Damage could be caused to the meter, which normally sits on the waterpipe near the main, through vandalism or accidental damage, and he does not believe this is fair. A lot of other residents do not think it fair either. However, if he wishes it to be installed on his property where he can better protect it, he has to pay for it at a cost he estimates at about $100 per metre. In addition to this cost, according to clause 6(c), the Territory is entitled to claim costs reasonably incurred in 'travelling time', which seems unreasonable.

Clause 3 of the agreement says: 'The consumer shall obtain, at his own expense, all necessary easements, permits and licences for any pipeline required to supply water to his land'. Normally, the line to his property from the water meter would be across land which is no concern of his until it reaches his property where it becomes his concern. He believes it is an injustice that he should be required to obtain the necessary easements, permits and licences.

Clause 4 makes the consumer responsible for all pipe installations and fittings and for ensuring that they comply with various sections of both the Plumbers and Drainers Licensing Act and the Water Supply and Sewerage Act. Perhaps my informant is right when he says that legislation should be passed to protect prospective buyers from being misled into believing existing pipes and fittings comply properly with the specifications. He would also like to know the meaning of 'reasonably incurred' in relation to travelling costs for attending to water facilities. For example, would it include such things as overtime to a person effecting repairs?

Whilst he understands that fluctuation in water pressure cannot be avoided from time to time, he is upset about clause 9 which absolves the Territory from blame in regard to 'quality of water'. He asked, if through supply of contaminated water someone becomes ill and dies, whether I thought it fair that no liability fall on the government. I do not think it is fair. I suggested he talk to the Water Division of the Department of Transport and Works. Apparently he has done that already and was more or less told that, if he did not like it, he could get his own water. On my behalf, my secretary rang the Water Division and was informed by a lady that only troublesome people in the rural area had been sent agreements. I did not consider that a very diplomatic answer. I hasten to add that this person was not Miss Sue Lee or Mrs Carol Thomas who have at all times been most obliging when I have contacted them.

I ask the Minister for Transport and Works to investigate the matters which I have detailed with a view to having a more easily understood agreement drawn up and to advise me, at a later date, if similar agreements have gone out to all rural residents with connections to the main water supply or if it is true that only the troublesome residents are required to sign such agreements.

Finally, I would like to read to the Assembly a very eloquent letter from a lady who lives in Bees Creek to the Editor of the NT News:

Sir, I was shocked and dismayed to read the article headed 'Normal payout, patchy supply' (NT News, July 12) but not surprised. My family and I have lived at Bees Creek for 9 years and have repeatedly come across the same condescending attitude on the part of Transport and Works when complaining about the lack of water in our area. We in the rural area are tired of being treated as second-class citizens where services are concerned, but are remembered when bills must be paid.

No, we don't expect a sauna and a spa, just the comforting knowledge that when the toilet is used next that it can be flushed. That when my son asks for a glass of water I can give it to him. When one of the children is sick in bed during the night, I can wash the bedclothes, the child, and maybe the floor. That new babies in the area can have boiled water to drink without searching all the neighbours for the precious drop in the bottom of a kettle. To be in the knowledge that, if my home caught fire, that I could at least try to put the fire out and not be in the same position as a neighbour who had to stand back and watch his shed burn down because a particular government department had deemed it necessary that on that particular day we couldn't have water. Not to spend another Easter like 1976 where the water was cut off on Thursday afternoon and not put on until Tuesday morning. Not to spend another week like the one commencing Monday, June 21, 1982, where out of 7 days, the water was completely off during 4 of those days.

Most residents in the Bees Creek area have signed no such declaration as stated in the article. Even if we did, it states pressure would fluctuate, not go off completely. We have been told when the after-hours emergency number is called that technicians cannot be sent south of Berrimah so this problem encompasses the whole of the rural area.

Is it going to take a hepatitis outbreak or houses gutted by fire and familes burnt to death before action is to be taken? We do not receive our water as a gift but pay the same rates as people north of Berrimah, but we receive no service for this payment.

The lady does not mind her name being quoted. She is Mrs M.E. Whiting of Bees Creek.

That letter was dated 27 July 1982. I talked about this last year, but the supply has shown no improvement whatsoever. I believe that, in fairness to these rural residents, immediate action should be taken to improve the water supply, particularly for residents living along Bees Creek Road.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, last Friday, I asked the Minister for Education why Tennant Creek received some preference in the allocation of education funding over Nhulunbuy. His answer, while detailed, was very disappointing. Nhulunbuy Primary School will have some 750 students in attendance next year. I am more than pleased to talk with education experts but everyone I have spoken to assures me that it is not good practice to run a primary school of that size. I believe the department has its own guidelines for setting the optimum number of children to be contained within any primary school at no more than 350. I suppose that most people would accept up to 400 or even 500, but not 750. That is a lot of children to be managed at any one time in any one place, especially young children. It is impossible to supervise them with any degree of surety during their recess periods. It can be dangerous if they are not supervised adequately. I can well understand why departmental guidelines recommend that primary schools be no larger than 350.

As I said, Nhulunbuy Primary School will have a student population of some 750 next year. When I asked the minister last week why Tennant Creek was to get preferential treatment, he said that it was because of the age of the school down there and its type. Because of its location it was impossible to extend it and, therefore, a new development had to be undertaken. He also indicated that there was a problem with land tenure and the acquisition of land in Nhulunbuy. I am afraid I do not know Tennant Creek Primary School well enough to be able to comment on the validity of his first reason that it would be impractical to redevelop the present site of the school but I can certainly speak with some degree of authority on the validity of his second point.

Indeed, there is a real problem with land tenure in Nhulunbuy. This is not reflected only in the problems the Department of Education has in building primary schools. I believe the Housing Commission is having real trouble in constructing more houses there because, as I understand it, the Nabalco Mining Company, which manages the lease for its owners, has indicated that maximum capacity has been reached in the town, and that, if there is further residential or other development, major water and sewerage works would need to be undertaken before the desired capacity could be attained. Of course, that mining company's interest is not in the provision of services to people within that town. Its interest is in servicing its employees, and not much more. That is quite a legitimate point of view for an employer to hold.

However, as I have said in this Assembly, and the previous Minister for Community Development indicated that he understood what I was saying, if Nhulunbuy is to live beyond mining and is to be allowed to develop any broader industrial or commercial base, that town lease must be held by the Northern Territory government. I appreciate the legal problems and I accept that the legal wangle involved could keep a dozen solicitors busy for 5 years. It would be an extremely complicated business, but it is necessary if that town is to have any life beyond mining.

The previous Minister for Community Development indicated to me last year that he would set the introduction of local government in Nhulunbuy as a priority for the year 1983. I do not know whether that priority changed with the proroguing of this Assembly and the subsequent realignment or exchange of portfolios within the ministry, but I would still consider that to be a priority for that community. To date, I have seen no indication that the present Minister for Community Development is treating that matter as a priority.

Local government for Nhulunbuy is not a simple matter of wanting representation on a town council responsible to residents and having the high ideals that all democrats hold. It is not only that. It is a matter of who will control and run that community and who will take it beyond mining. At the moment, it is a one-industry town, as I am quite sure everybody in this Assembly will acknowledge. If it is to progress beyond mining, and if that development which has so far taken place in Nhulunbuy is to mean anything beyond mining, then it is necessary for that town lease to be held by the Northern Territory government.

I have spoken on this matter before. The Chief Minister had indicated that perhaps I should do more than I have in the past. As I indicated to the Chief Minister, I am not the Chief Minister of the Northern Territory. However, I am prepared to make any time available that I can to assist. I have spoken to the federal Minister for Territories and Local Government, Mr Tom Uren, and he has indicated to me that he did not see that the federal government could intervene. In fact, the opinion that I have from the Commonwealth Solicitor-General is that the superior legislation in this matter is the Northern Territory (Self-Government) Act. The federal member responsible for local government quite correctly does not want to intervene in Northern Territory affairs. I think that that is a most admirable attitude. It is the Minister for Community Development's responsibility to undertake this extremely important task on behalf of the community which I represent.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, last week, I spoke about the offer by Leach Aero Services of a helicopter to be stored in the town of Alice Springs for use in emergency work provided suitable arrangements can be made. The key point is the response time and the versatility of the helicopter. It can land in very small area and, if it has to land at an airport, it has to have extra transport to go with it. I hope that the many problems involving local government, Territory government departments and even the federal government in relation to a heliport in that particular place can be overcome.

I also spoke about a fencing problem. That led to a response from the honourable member for MacDonnell about an article I wrote in response to a 2-part serial called 'A Shame like Alice' which was on certain TV stations down south. I was first alerted to it when one of the journalists of the local paper mentioned that she had seen one part in Sydney. My wife was in Melbourne at about the same time and she came home to say that she had seen one part. Later, some people got hold of the 2 parts and showed it in Alice Springs. It was extremely biased. Basically, it was trying to say that the Aboriginal people were living in tin sheds or living outside in filthy conditions with perhaps one tap which sometimes worked and sometimes did not.

The reference to the fence was indeed to the Araluen fence. A person of no lesser standing than the former senator, Neville Bonner, was saying that, if the fence was not built to keep the whites in, obviously, it had been built to keep the Aboriginal people out. What the film did not show was that there was a walkway through the fence through which anyone could go. I give no praise to Senator Bonner for his rather foolish remarks. It did not show any of the brick buildings and the 14 special areas which the Tangentyere Council has been administering with taxpayers' money. It did not take into account any of the Aboriginal people and part-Aboriginal people who have been living in Alice Springs for many years.

It gave an extremely biased point of view which required a response from somebody. I wrote my letter and instructed my secretary to send it to as many papers as possible. In fact, it was an insult to the Aboriginal people in Alice Springs, particularly to the Tangentyere Council which has done so much work. I have been told that it will be sold overseas. One can only wonder at the political implications of showing such a film overseas. I would suggest that, if the member for MacDonnell has not seen it, he make some effort to obtain a copy and see whether he does not consider it to be very biased. Even with his professed point of view, he would have to concede that it is very biased.

Mr Deputy Speaker, some 18 months ago, I was handed a particular book and asked to read it. It raised quite a few doubts in my mind and I was not entirely satisfied about it at all. Once I had read it, I passed it on to an Aboriginal person who also read it. I did not make any comments. I simply said: 'I would like you to read this and see what you think of it'. When he returned it to me, he said: 'That gives a possible explanation of things that have been going on in Aboriginal organisations which, for a long time, I could not give a reason for'.

Mr Bell: Really, Denis.

Mr D.W. COLLINS: Whether the honourable member for MacDonnell likes it or not, Mr Deputy Speaker, that was the reply.

After that reply, I ordered about 20 copies and circulated some of them to many of my friends in Alice Springs seeking their comments. That is where the matter might have died. A number of those people said: 'It well may be the truth, but the evidence is not really that strong'. I do not know how it happened but the ABC talked to somebody who had one of these books and, next moment, I was being interviewed about it. Unbeknown to me, the Leader of the Opposition was in town that particular day. He roundly condemned me for promoting a book which, according to his view, was strongly anti-Aboriginal, and that was echoed by the honourable member for MacDonnell.

Mr Deputy Speaker, that was the catalyst. Once those 2 people condemned it, other people started to prick their ears up and wanted to know a lot more about it. I was interviewed for the After Eight program by Duncan Graham. I was also involved in an ABC telephone interview which was broadcast in South Australia. I know that one of the shops in Alice Springs reported that it had sold over 700 copies of this book. Certainly, I would thank the member for MacDonnell and the Leader of the Opposition as they seemed to be the catalysts in this. I know the author is very pleased that it has been reprinted 4 times. It has been sold in many places.

I note a couple of interesting points. The owner of this particular firm that sold at least 700 copies was actually threatened by some of the Aboriginal organisations in Alice Springs over his selling it. He had the courage to say that many other booksellers were selling it and he was not going to withdraw it. It was a book which was readily available anyway.

At the time, there was some attempt by a Darwin editor of a newspaper to try to link my promotion of the reading of that book with other events with which there was no connection whatsoever. That was his thinking. The interesting thing about it was that he would not even mention the name of the book. He did ring me up and asked me for a copy of it. I supplied it. After some further pressure, he made some comments about it. I rang him and said: 'Well, I think it would be a fair thing if you sent the book back now'. He said: 'No, I would rather pay for it'. I preferred to have the book back and said: 'I will be in Darwin at the Assembly. I cannot come and get it'. That was some 18 months ago now. It was pretty clear to me that he felt it was one heck of a joke. I went down to his office and he said that he had lent it to someone else. The story was stretched out for ages and ages. Then I said: 'Well look, it is obvious you are not going to return the book'. I rather suspected he had destroyed it anyway. During the last sittings, I said: 'Look, I still have not got that cheque that you have been promising me'. He replied: 'Oh, I sent it up to the Assembly office. You are not going to get another one'. That was his attitude to the book.

But I am pleased to note that the book is available in Darwin. I refute the claims that the book is an anti-Aboriginal book. I refute that very strongly indeed. The fact is that the conclusion in the book is that every effort must be made to bring the Aboriginal people into the society of the Northern Territory. That is a far harder thing to do than it is to try to divide society. Incidentally, I did not meet the author until February this year. I did not know the author at all. On 5 March, I actually took him home and put him up for the night so that I could interrogate him at some length to try to establish his bona fides to my own satisfaction.

His concern is the defence of Australia. He is in the defence reserves. He was a communist. He was brought up as a communist. His father was a communist and he went through the Eureka League and so forth and so on. He makes claim in the book that the communists, to achieve their claims to the world, want to divide white and black in Australia for their own purposes. Someone might describe it by the old adage: divide and conquer. He sees parts of the Land Rights Act as helping such a division in Australia by trying to set up a separate Aboriginal state.

These claims might be described as a bit farfetched. There was not sufficient evidence to say: 'Well, that is absolutely correct'. Certain claims were enough to satisfy me. However, I was able to learn about the communist way of thinking, the Marxist way of thinking, and I was alerted to the possibilities.

I point out to honourable members a couple of things that have been stated. One of his claims was that Fr Pat Dodson, an Aboriginal who lived in Alice Springs for some time, was involved in this. Irwin Colinda, the Editor of the Centralian Advocate, interviewed McDonald and Pat Dodson. Fr Pat Dodson did say to Colinda that the intention is to try to get a separate Aboriginal state. I might also refer to Aboriginal Week. Gary Foley speaking on the ABC made the claim that, if the Aborigines kick all the whites out of the Territory, and have the Territory for a state of their own, that would be too little compensation for them. Those comments add evidence to what McDonald has been claiming. As far as I am concerned, there is only one safe way for Aboriginal people ...

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

Mr BELL (MacDonnell): Mr Deputy Speaker, I sincerely and honestly apologise to each and every member of this Assembly. If I had known that my few idle comments on 'Red over Black' was going to visit upon myself and all other members of this Assembly the last quarter of an hour's worth, I honestly and sincerely

would not have risked it. I trust that honourable members will accept my heart-felt apology.

Mr Deputy Speaker, I really cannot pass over the contribution of the honourable member for Elsey today. I do not know whether he was trying to get me going but he very nearly succeeded. I think there are at least 2 points that need to be made. The honourable member was making reference to his earnest representations to the Chairman of the Northern Land Council that were slaughtered by, it would appear, enemies within the organisation of the land council. It has been explained to us by the honourable member that, if only he had been able to carry out his earnest duty, the whole situation of the community discord that was created over the Jawoyn Land Claim would have come to nothing. The honourable member would have been able to arrange for a sublease of the Katherine Gorge after a successful land claim. There would have been no threat to the tourist industry. There would have been no need for the community discord.

Mr Deputy Speaker, it is obvious to you, it is obvious to me and it is obvious to every other member of this Assembly that the honourable member for Elsey is attempting to rewrite history. I am quite sure, Mr Deputy Speaker, and I am sure that you are certain in your own mind, that it was not thus that the honourable member addressed the hysterical little march in Katherine some 12 months ago. I am quite sure that the honourable member for Elsey did not get up in his full magisterial capacity and say: 'Now, now, home you go, home you go. Really, I am sure this can be quite honestly arranged. If we allow these people to go through the due process of the federal Land Rights Act, and if we allow them to make their due claim over the area, they will be able to make an arrangement with these people who are all so well known to us. After all, we in Katherine are a small community. We will be able to make arrangements for a sublease back'. I am sure that was the way that he spoke to them. I am sure he went on to say, 'Now look, disperse, disperse, disperse. I really do not see any need for this march'. What absolute nonsense. Twelve months ago, the honourable member, who is trying to tell us what a great job he did to discourage community discord, was in it boots and all, kicking the issue along. I really think that he owes a better explanation than to come here with mealy-mouthed nonsense. When he has had a change of heart after 12 months, that really gets me going. It is a shame that we did not have available to us today copies of Hansard debates from sittings towards the end of last year. He would have had a redder face. Suffice it to say that, in due course, it will be pointed out to him.

There was something of importance that the honourable member did bring up in the context of that discussion. That was the problem of gravel permits. He mentioned there were problems at Beswick with gravel permits for roads within his electorate. He was saying that these are problems with the Land Rights Act and that people who have title over Beswick under the Land Rights Act do not really own it because they cannot get gravel out of it. That is mischievous. I have a similar problem in my electorate. I have been making representations. I think that there are administrative problems in obtaining extractive permits to obtain gravel for making roads just as there are administrative problems with the Land Rights Act. But for the honourable member to suggest that, therefore, there are problems in principle is mischievous, and it is about time he did a bit of homework.

To turn to a rather more pleasant subject, I was delighted to see the Annual Report of the National Trust of Australia, Northern Territory Branch tabled in the Assembly today. I have comments to make on the National Trust, its activities and the report. The National Trust is a very important body. It fulfils an important role in ...

Mr Vale: Hear, hear!

Mr BELL: It is delightful to hear the honourable member for Stuart giving me some praise. I presume he agrees with everything I have said this evening. The National Trust plays an important role. I suppose I should declare a self-interest here, being a somewhat inactive member of the National Trust in central Australia. Unfortunately, time constraints forbid me from participating to the extent to which I would like. The National Trust plays a key role in protecting our heritage. What does the word 'heritage' mean? 'Heritage' means those things that are inherited by us all. I think that it plays a very important role in protecting those things that are inherited by us all. I think it is socially important. It gives people a chance to look around and say: 'Yes, that is a part of us'. We have only to look at the excitement that arises in this Assembly over debates in relation to Admiralty House and Myilly Terrace in Darwin to see how important that is. In that sense, it is socially and psychologically important. In the individual sense, it is psychologically important for people, particularly in this day and age where people are forced to move from place to place to work. Organisations like the National Trust provide a pattern in which people are able to stop and identify the continuity of history by physical reminders of the continuity of history. That, of course, is important to all Territorians. I will come to that issue later. As well as the social and psychological importance of that role, there is of course the aesthetic side to it - the aesthetic importance of protecting those things that are inherited by us all.

For that reason, we do not have those beautiful old buildings which are in the southern states and which have been part of their heritage over the last couple of hundred years. We certainly do not have anywhere in Australia the sort of physical heritage in terms of buildings and so on that I was privileged to see in the United Kingdom. I will not dwell on that. Of course, within the relatively short historic time frame of the Northern Territory, we do have, in terms of European contributions, wonderful landmarks and wonderful monuments that are well deserving of preservation.

I notice in the annual report that has been tabled a series of project statements. There is reference to a number of statements that I will be personally very interested to follow up. I was not aware of all of them. There are 2 projects, both social histories, one at Hermannsburg, which is in my electorate, and Hamilton Downs, which currently is not in my electorate but is likely to be. I will watch and read with great interest the results of those particular projects. Likewise, there is the Altunga study. I have heard some press reports of archaeological study in that area. I am pleased to see that something formal is to be committed to paper and I will look forward to it with interest.

Mr Deputy Speaker, the walk-and-drive brochures are a great contribution in heritage terms. They are also a great contribution in tourist terms. I know that one part of those walk-and-drive brochures in Alice Springs is Adelaide House. I am very well acquainted with Adelaide House and appreciate the magnificence of the achievement of the building of Adelaide House, the first hospital in Alice Springs, and its unique design. The building contains from pre-air-conditioning days an extremely innovative process of drawing air through damp hessian under the ground - a big Coolgardie safe as it were. My wife has guided tourists through Adelaide House and spent time explaining to them aspects of it.

In the context of the McDouall Stuart Branch of the National Trust, there are a couple of names that I really ought to mention. I understand that the president is the Rev Tom Flemming. For some reason, the National Trust has

seemed to attract clergymen in central Australia. The Rev Tom Flemming for many years was the Baptist missionary at Yuendumu. There is also the Rev Graham Bucknell of the Uniting Church. He is currently working on a heritage project, studying the track from Oodnadatta to Alice Springs. There are many other people I should mention in that context. Perhaps time is a little short.

I have one point I would like to take up on the issue of the report. It relates to page 9 of this report. It is a mild criticism of the stance of the National Trust in this regard. There are 2 paragraphs towards the bottom of the page: 'The trust council adopted a multi-cultural heritage policy which could have significant consequences in regard to its assessment of all sites of heritage significance in the Territory. The policy meant that the trust would need to consider the role of all racial and cultural groups, not just Europeans, in its documentation and interpretation of sites'. I am sure that all honourable members would find that object a laudable one. However, in the paragraph above, we see that the trust's views were sought on the controversy surrounding the Todd River Aboriginal sacred site at Alice Springs. I am not sure which is referred to there. It may be that particular place that was vandalised by the then honourable Minister for Lands. It goes on to say, unfortunately I think, that the executive committee referred this to the southern regional committee which resolved that the matter was of such a divisive nature that any ...

Mr VALE: A point of order, Mr Deputy Speaker!

Mr DEPUTY SPEAKER: What is the point of order?

Mr VALE: Mr Deputy Speaker, I believe that the honourable member for MacDonnell made an unfair accusation against the Treasurer and should be asked to withdraw it.

Mr DEPUTY SPEAKER: Will the honourable member withdraw the remark he made about the Treasurer?

Mr BELL: I am reluctant to do so, Mr Deputy Speaker.

Mr ROBERTSON: Mr Deputy Speaker, it is a long-established practice. I understand that the honourable member has had the privilege to attend parliamentary conferences where, one would have thought, such a fundamental thing as a matter which is pending before the courts is not dealt with in such an outrageous manner as this. This matter is before the courts and he has used words which are entirely prejudicial in this Assembly to a person who is subject to an action before the court.

Mrs O'NEIL: On the point of order, Mr Deputy Speaker, the honourable Attorney-General said that the member for MacDonnell cannot discuss this matter because it is pending before the court, yet earlier this afternoon the government was quite prepared to proceed with the passage of legislation which is clearly closely related to it.

Mr Robertson: That is absolutely ridiculous.

Mr DEPUTY SPEAKER: Order, order!

Mrs O'NEIL: Mr Deputy Speaker, I heard quite clearly the words of the honourable member for MacDonnell. I heard him in another part of the precincts. He was referring to a document which has been tabled in this Assembly, and to the attitude of people who run a particular organisation. Those words were quite in order in terms of Standing Orders.

Mr BELL: Mr Deputy Speaker, since quite clearly I have offended the sensibilities of a number of people on the government side, on more mature consideration, I will withdraw the comment. In no way do I want to deny the honourable member a good night's sleep because of that imputation.

Mr ROBERTSON: Mr Deputy Speaker, that is utterly unacceptable to me and, I am quite sure, to any person who knows anything about the precedents pertaining to the objection I raised.

Mr DEPUTY SPEAKER: The honourable member for MacDonnell will withdraw the remark unreservedly.

Mr BELL: I withdraw the remark unreservedly.

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

Mr PERRON (Treasurer): Mr Deputy Speaker, I rise to respond to some comments made this afternoon by the honourable Leader of the Opposition. In one of his flights of fancy, the Leader of the Opposition - I thought most unfairly under privilege in this Assembly - cast aspersions on the integrity of people on the government working party on the funding and operation of racing in the Northern Territory. Honourable members will recall that the Leader of the Opposition said that the working party has its instructions from government and that its report, certainly the conclusions, were as good as written and the entire exercise was a waste of time. Mr Deputy Speaker, that was an abuse of privilege in the Assembly. The working party consists of: a senior Treasury officer, a most trusted and respected man who is the chairman of this working party; the Chairman of the Racing and Gaming Commission, a man in a very sensitive position, who has held the chairmanship of that commission since self-government and, to my knowledge, has not at any time had his integrity questioned anywhere at all until today; the senior officer of the Northern Territory Police Force; 2 members of the turf club, one representative from Darwin and one from Alice Springs; one bookmaker; and one consumer representative.

We were told today that these people have been instructed by the government as to what their report is to be and that their action is simply a charade to try and get the new policies for the government. I think that it was most unfair of the Leader of the Opposition to do that in this Assembly. It would be ridiculous for anyone to take the accusation of the Leader of the Opposition seriously. Could anyone imagine a bookmaker on the working party, for example, agreeing to an instruction that it will hand down a pro-TAB report at this stage, without hearing any of the evidence or submissions and without going interstate to take evidence. That man alone, let alone the other members of the working party, would not find it in his own interest to be on such a working party if those were the rules of the day. I do not think there is a person on that working party who would not have resigned immediately if the instructions outlined by the Leader of the Opposition had been issued to it. I think the accusation that they are simply government stooges going through a pedantic exercise is a disgraceful one for the Leader of the Opposition to have made in this Assembly.

Mr SMITH (Millner): Mr Deputy Speaker, earlier this evening, the honourable member for Nightcliff related a story about a lady who was knocked over in the Mall, which quite distressed me. Unfortunately, I want to talk about a couple of other people who have also been badly done by in one way or the other in the last few months. One has been badly done by, in my opinion, and in the opinion of his solicitor and other independent people, over the construction of a house.

I would just like to go through this little episode because I intend to pass this debate on to the relevant builder and real estate company in the hope that they will do something about it. He entered into a contract with a builder, through a real estate company, to construct a house around the Darwin River area. The completion date for the contract was to be early November last year. Two days before Christmas last year, he was informed by the builder that the house was finished. With some glee and anticipation, he went down. Unfortunately, it was raining, and he could quite clearly see that the house leaked like a sieve. Not only did the roof leak but water was coming out of the power points. The floor of the house was flooded.

The builder was not prepared to do anything about it. In fact, the very next day, he came back with a certificate of completion from the Building Board. That in itself is a bit of a scandal. The Building Board had issued this certificate of completion without actually having completed a thorough survey of the place and without actually having seen that the things that should have been done had been done.

Mr Perron: They do not check for leaks. It is not part of their charter.

Mr SMITH: It is part of their charter to check that the building was constructed properly. As you will discover in a moment, the building was not constructed properly and that is why it leaked.

This is not the first occasion that has come to my knowledge where the Building Board has not made proper checks before issuing certificates of completion. I am happy to acknowledge that, subsequently, the Building Board has revised its code of conduct and has toughened up its criteria. It is now a requirement that a thorough inspection be undertaken at various stages of the actual construction. This sort of problem should not happen. It has happened in this case where the Building Board passed it without assessing it properly. That is one of the problems that this person faces.

He went to Consumer Affairs. After Consumer Affairs brought all the parties together, the agreement was that he would pay the remainder of the money that he was withholding and the builder would fix up the faults. So he paid $6000, which was the remainder of the money which he was holding, and the builder, within 3 or 4 days, was required to fix the faults.

Unfortunately, although the builder fixed the few minor things, there are still a number of major faults in the house which the builder is refusing to fix. I will go through those faults. I have already mentioned the roof that leaks and the water that comes out of the power points and floods the floor. The septic tank line runs uphill from the tank of the house. The septic tank does not work and the sewage will not flow away. The internal walls are made out of plywood. Instead of being nailed at the required 500 mm distance, they were nailed at the 800-900 mm distance. The result is that the walls warp. A spiral staircase, which should have had 40 screws placed in it, had no screws placed in it at all. As a result, the hand-rail has come off. The outside panelling, which should have had 5 screws per sheet, has only 3 screws per sheet. The corrugated outside cladding minimum overlap has not been met in a number of places. The minimum overlap on the ridge on the roof has not been met either and that is the reason why the roof leaks so badly.

These faults have all been identified by an independent architect who, at the expense of the owner, was engaged to give such independent advice. As a result of that independent advice, the matter has been taken to the Ombudsman. As a result of that, I understand, the builder has been told by the Building

Board that he will not get any more houses to build. That is good. Unfortunately, that does not help the fellow in this particular situation.

This is where we get to the crux of the story. There is no redress for this man apart from a long legal battle. He does not have any opportunity to go to anybody, apart from the courts, to get justice. Because he only has that avenue open to him, he has engaged a lawyer. But he is now in a situation where his court case will not be heard until well into next year and he is facing the very real fact that it will be at least 2 years after the expected date before he gets into his house. Of course, that means 2 Wets. With the roof leaking that extensively, there is going to be quite a lot of internal damage. For that particular man, the dream of home ownership has turned into a nightmare. It does reveal that there is a weakness in the building and construction area up here. Again, I say that the weakness is that he has no recourse other than this expensive legal recourse.

The situation is not the same in other places where, for example, builders are registered and there is some sort of control over who enters the industry. In some places, there is a builder's insurance scheme which applies exactly to cases like this where the builder is either unable or unwilling to make the necessary repairs.

As I said before, this is not the first case of unsatisfactory building work that has been brought to my attention. I am forced to say that the present situation is completely unsatisfactory. It behoves both political parties in the Northern Territory to look at a way to make builders face up to their responsibilities in this situation. At present, they do not have to. I am happy to say that the Labor Party will have concrete proposals in this area within the very near future.

My other main concern is a constituent of mine who was employed as a carpenter for a period of time at Jindare Station. Jindare Station, as most members will be aware, is in the Victoria River area. It is owned by a Malaysian concern. He was employed to do carpentry work. He was employed for a period of months, 3 or 4 months I think. During that period, he worked 7 days a week, 12 hours a day. For one period of 31 days, he received in hand $510. In that month of 31 days, he had worked 31 days and he had worked 12 hours on each of those 31 days. So that means his hourly rate was slightly less than $1.50 per hour. I accept that that hourly rate had tax deducted which may have bumped it up to $1.75 an hour and also that board and lodgings were deducted.

That gets us to the second part of the problem. The board and lodgings consisted of a very basic bed in a rat-infested grain shed. His last memory each night was the rats running over his feet. Again, it raises the problem that, in the Northern Territory, we do not have any sort of legislation which provides minimum standards for farm accommodation. There is legislation in Queensland and there is legislation in Victoria that I know of but there is no legislation in the Northern Territory. I am informed that the quality of farm-type accommodation in the Northern Territory varies considerably. Some of it is very good because it is based on the Queensland legislation. But the Jindare situation, where you put people in a rat-infested grain shed, is not atypical of the situation that applies on some pastoral properties in the Northern Territory. I think it is a situation that is not good enough. I think that the experience of this particular person has demonstrated that there is a need for this legislature to look at some sort of legislation to ensure that people working in these areas are adequately housed.

Motion agreed to; the Assembly adjourned.

Mr Speaker MacFarlane took the Chair at 10 am.

TABLED PAPER
Port of Darwin Fort Hill Wharf Design Check Report

Mr STEELE (Transport and Works): Mr Speaker, I lay on the table a report entitled 'Port of Darwin Fort Hill Wharf Design Check'. I move that the report be printed.

Motion agreed to.

MINISTERIAL STATEMENT
Port of Darwin Fort Hill Wharf Design Check Report

Mr STEELE (Transport and Works)(by leave): Mr Speaker, in recent times a number of serious allegations have been made regarding the design and construction of the new Fort Hill Wharf. With the recent receipt of a report from an independent professional review of all matters associated with the design of the wharf, I believe it is appropriate to make a comprehensive statement to the Assembly in order to provide the facts in relation to the allegations made.

On 15 August 1978, Cabinet endorsed proposals to construct a general cargo wharf at Fort Hill. Consulting engineers, Cameron McNamara, were commissioned by the Department of Transport and Works to design the wharf on 12 September 1978. The design brief provided for the consultants to investigate and report on types of wharf construction with a view to considering cost and durability options prior to proceeding with detailed design work. The design brief included load data supplied by the Northern Territory Port Authority.

At that time a 23 t lifting capacity container crane was proposed, although a specific crane had not been decided upon. In the detailed design stage, the consultants calculated wind loadings for a crane assumed to fit the brief from the best information available. Tenders were called for construction of the wharf and a contract was let to successful tenderers, Barclay Brothers, on 22 June 1979.

During the course of construction, the contractor requested that variations be made to the design work to facilitate its construction methods. On 29 November 1979, Cameron McNamara, the design consultants, were requested to review Barclay's request to assess whether its implementation would affect the design criteria. On 14 December 1979, Cameron McNamara provided an alternative raker pile layout which was adopted by the department on the basis of advice from the consultants that there would be no detrimental effect on the wharf's capability to meet the design criteria. Similarly, sand filling of the piles was omitted on the advice of the consultants that other compensatory works, which were subsequently included in the construction of the wharf, be undertaken. Construction of the existing Fort Hill Wharf stage 1 of the government's plan for modernisation of the port was certified as complete on 24 April 1981.

Meanwhile, on 8 April 1981, Cabinet approved the provision of the container crane and railway facility of a style and capacity conceived to meet present and future needs in the Port of Darwin. The container crane was required to be of a 35 t lifting capacity, a substantial increase over the 23 t lifting capacity crane which had been used in the design brief for the Fort Hill Wharf in 1978. A further increase to the potential loadings on the wharf structure was occasioned by the decision to increase the size of the port control building which was completed in May 1981.

Upon a Northern Territory Port Authority recommendation, the government agreed to accept a tender for a new 35 t lifting capacity container crane in April 1982. It was well recognised that additional loads would be imposed on the wharf and that it was possible that upgrading works would be required. The sum of $200 000 was set aside by the Port Authority to cover such upgrading works. On 5 October 1982, Cameron McNamara was commissioned to assess the effect of the various developments and increased loading consequence on the new wharf structure, which had been designed originally by it. The consultants' report of 9 November 1982 indicated that the wharf, as designed originally, would be overstressed by the loads imposed by the new, larger crane and other facilities when subjected to severe storm or cyclonic conditions. Cameron McNamara agreed with previous assumptions that upgrading would be required to meet these extreme demands but it provided estimates for upgrading work significantly in excess of the previous allowances made by the Port Authority. Rather than meet this additional cost to upgrade the existing wharf, to take account of possible extreme climatic circumstances, on 14 December 1982, the government decided to approve the staging, construction and extension to the Fort Hill Wharf. This decision was made to provide for a second berth to handle expected increases in the throughput of bulk cargoes, to increase port efficiency and to provide a cyclone-proof anchorage for a new 35 t container crane. The new crane would, of course, be able to work the full length of the wharf.

At the time, the wharf extension project stage had been destined for the 1984-85 capital works program. On 25 February 1983, a commission was let to the consulting engineers Gutteridge, Haskins and Davey to undertake detailed design work and documentation for the wharf extension. Gutteridge, Haskins and Davey had proposed to undertake the works under an associated company, Australian Port Consultants, whereby it engaged the services of experienced ports and harbours consulting engineers, Alex McNide and Associates, in a joint venture.

The project involved a wharf 150 m in length to be constructed to the east of the existing Fort Hill Wharf. The first 40 m of the new wharf was to provide for a cyclone tiedown area for the container crane. A tender was accepted from Steelmains Pty Ltd for the supply of steel tubes for the wharf extension piles on 18 March 1983. Documentation for the wharf construction contract was required to be structured to provide for the 40 m cyclone anchorage area to be completed as a separable part of the proposed contract to enable the new crane, due to be commissioned in 1984, to be tied down, if necessary, during the 1983-84 cyclone season.

As a result of concerns expressed by the Port Authority's port engineer about the design and construction of the Fort Hill Wharf, and particularly the technical adequacy of the consultants, Cameron McNamara, the Chairman of the Port Authority requested the port engineer to produce a report documenting his concerns in sufficient detail to form a professional substantiation of the matter. The port engineer produced the report on 9 May 1983. This report addressed the original design, including the modifications which changed the raker pile configuration, previously referred to by me, and the Cameron McNamara report of 9 November 1982, also referred to previously by me, which proposed necessary upgrading works. The Port Authority engineer's report also commented on the structural behaviour of the wharf, allowable structural design parameters and the extension design work of Alex McNide and Associates in association with Gutteridge, Haskins and Davey. The Port Authority engineer's report concluded that there existed a basis of claim against Cameron McNamara due to alleged faults in the original design and the modified design, and due to the misleading of the Port Authority in its report of 9 November 1982.

Due to the serious nature of allegations made in the port engineer's report,

the Department of Transport and Works sought immediate comment and explanation from the original design consultants, Cameron McNamara. In their response of 19 May 1983, Cameron McNamara refuted the basis of claims made by the port engineer, indicating that they considered the claims were based on inappropriate analysis, misinterpretation and incorrect suppositions. The Department of Transport and Works considered the situation of conflicting opinions on highly-technical matters and, on 26 May, decided to arrange for an independent professional review to be carried out by a firm of engineers and consultants, MacDonnell, Wagner and Priddle. MacDonnell, Wagner and Priddle were chosen from a list of consulting engineers who included port, harbour and all marine works in their schedule of activities.

The brief for the independent professional review was prepared by a team of professional structural and civil engineers of the Department of Transport and Works who consulted, during its preparation, with the Port Authority's port engineer. The brief was specifically structured to provide independent professional opinion on matters which had been the subject of argument between professional engineers of the Department of Transport and Works, the Port Authority and consultants. The brief was delivered to the consultants, MacDonnell, Wagner and Priddle on 15 June 1983 with instructions to proceed immediately. A tender from John Holland (Constructions) Pty Ltd for the construction of the wharf extension was accepted on 1 July. The crane tiedown area was scheduled for completion by the end of 1984.

As previously stated, in November 1982 Cameron McNamara's report addressed the upgrading works necessary to ensure that the existing Fort Hill Wharf could resist loads resulting from severe storm and cyclonic conditions with a new larger crane functional. The 150 m wharf extension currently under construction was designed by Australian port consultants, including Alex McNide and Associates, to provide for interaction with the existing wharf to ensure stability when subjected to loads resulting from severe storm and cyclonic conditions as well as providing for a crane tiedown area in the event of a cyclone.

By approaching the design in this way, the consultants were able to alleviate potential problems of interference to stevedoring operations on the existing wharf, which undoubtedly would have occurred during construction works. I will comment on the current state of wharf contracts shortly.

MacDonnell, Wagner and Priddle's report on the design check was received on 20 August 1983. I advised the Assembly on 30 August that the report had been received and a copy of it had been made available to the honourable Leader of the Opposition. Copies of the report were also made available to the port engineer and to the Chairman of the Northern Territory Division of the Institute of Engineers Australia. The report addressed exhaustively all points of the brief given to the consultants and presented a summary of findings which effectively rejected all allegations of faulty design work on the Fort Hill Wharf. As I advised the Assembly, one area of concern was contained within the report on which I had requested a check to be made. The consultants, MacDonnell, Wagner and Priddle, expressed concern at the response of the crane rail girders in the regions under the crane bogeys when they are located over vertically-piled sections of the wharf and the crane is being subjected to loads during severe storm and cyclonic conditions. MacDonnell, Wagner and Priddle has now carried out a detailed check of the rail girders, under these conditions, based on corrected design data. The check has shown that Cameron McNamara's design was adequate. The design was based on information made available to it in connection with the capacity of the proposed container crane at the time. While a 35 t crane is now under construction, as opposed to the original 23 t crane plan, the different wheel bogey configurations are such that the new crane will be catered for adequately.

Mr Speaker, this one outstanding area of concern has now been laid to rest. The independent, professional review has effectively addressed all matters relating to allegations of: faulty design work, including incorrect structural analysis; a cover-up by design consultants and a misleading of the Port Authority; arguments between professional engineers for the consultants, the Port Authority and the Department of Transport and Works regarding the technical approach; and negligence by the department in its handling of the whole issue of projects at the wharf area. I am satisfied that the allegations have been investigated comprehensively and that no foundation exists for the basis of claims made.

I indicated previously that I would brief the Assembly on the current situation in respect to the relevant contracts at the wharf. Erection of the 35 t container crane is proceeding steadily, although some delays have been caused by the contractor's on-site management problems. These have now been substantially overcome.

The last major erection left, the main boom, is expected within the next week. The contract is still aiming for completion by Christmas. The crane is expected to be able to operate under its own power by next month. The 150 m wharf extension contract by John Holland (Constructions) Pty Ltd has been proceeding at a steady rate, although it is clear that the full extent of the separable part of the work required to provide for anchorage of the new crane in a cyclone will not be ready by the end of October 1983 as originally planned. Holland has experienced some manpower problems and minor equipment failure which has set back its construction program targets by about 1 month for the tiedown area, although the entire contract works are expected to be completed well before the due completion date of November 1984. The Department of Transport and Works is currently investigating the options for tying down the new crane in the event of a cyclone warning or alert during the month of November 1983. The extent of new wharf extensions works available will be utilised if required. The consultants, Alex McNide and Associates, are due to report on this matter by the end of this week and work will be initiated to provide for temporary tying down in the event of a cyclone or cyclone alert.

The other main related contract, supply of steel tubes by Steelmains Pty Ltd for wharf piles, is proceeding and deliveries are being effected to coincide with use by the wharf extension contractors to reduce the storage area required in the contractors' allotted pile assembly area at the port.

Mr Speaker, I am confident that this statement provides a detailed account of all the relevant facts surrounding the design and construction of the new wharf in the Fort Hill development of the Port of Darwin. The government is satisfied that all allegations have been answered satisfactorily by the consultants and that the bases of the allegations are totally unfounded.

MINISTERIAL STATEMENT
Electricity Subsidy Arrangements

Mr PERRON (Treasurer)(by leave): Mr Speaker, in the self-government negotiations of June 1978, the transfer of electricity functions was one of the last to be decided and was not resolved until the final night of meeting. The Territory's view was that the function should not transfer immediately, our main concerns being: firstly, that there was no coordinated commercial organisation in existence; secondly, because the Department of Housing and Construction was operating the power-station and the Department of the Northern Territory conducted the billing function, the Commonwealth could not provide a reasonable estimate of cost for the operations or an indication as to the deficit; and,

thirdly, the generation plant and transmission systems were not regarded as efficient.

It was agreed finally that the Territory should take over the function but that a permanent financial transfer should be delayed until costs were clarified. Hence, under paragraph 69 of the Memorandum of Understanding, 1978-79 was a transition year, with the subsidy to be the difference between actual costs and revenues at average north Queensland tariffs. The memorandum also provided for an estimate of the deficits to be assessed for the following 3 years, with the Territory to share in any benefits or losses on actual operations. There was to be review of the subsidy in 1981-82 under the Memorandum of Understanding.

Following the release of a report into NTEC's operations, prepared by Mr E.D. Chapman, the Prime Minister, in a letter of 8 April 1980, and the Minister for National Development and Energy, in another letter, proposed that the subsidy for 1979-80 through to 1981-82 take account of a staff target of 650 by 1982 and a recommended point-to-point nexus between the north Queensland tariffs and NTEC tariffs for the purposes of calculating the subsidy. These matters were disputed by the Territory, with the difference between the 2 governments' positions being estimated at over $12m for the period under question. The compromise offered by the then Prime Minister in a letter of 10 February 1982 was that the Commonwealth would settle its subsidy for the 4 years through to June 1982 at the amount actually advanced, $141.7m, thus forgoing its claim for reimbursement of over-advances of $6.5m. Nevertheless, NTEC still incurred an accumulated deficit in its operations to June 1982 of $5.9m. The compromise was accepted by the Chief Minister in a letter of 12 February 1982.

The options for a subsidy arrangement to replace the 4-year transition period were discussed between officers during 1981-82. On 16 March 1982, the Prime Minister advised that the Commonwealth's offer was for a formula based on an operating subsidy for the 5-year period through to 1986-87 to be based on a sharing of oil costs between the Territory and the Commonwealth, a load growth limit of 5%, a limitation on the subsidy to the level of actual deficit, exclusion of costs associated with Channel Island borrowings, a base for 1980-81 adjusted for the disputed staff numbers and tariff nexus and, lastly, exclusion from referencing to the Commonwealth Grants Commission; that is, exclusion of the Territory's ability to refer the electricity question to the Grants Commission. In addition, the construction grant of $124m at 1980-81 prices for the Channel Island power-station was also offered.

Following lengthy Territory representations, the Commonwealth made a revised offer on 29 June 1982 in which it removed the deficit limitation on the subsidy payable in any one year, agreed to include one half of any growth above 5% per annum, removed the bar to the Grants Commission and agreed to a review in 1986-87. This offer was accepted by the Chief Minister on 30 June 1982. Officers proceeded to draw up a draft agreement for finalisation between the Territory Treasurer and the Minister for National Development and Energy. The draft provided for a formula in which the 1980-81 subsidy, as modified, was split into 5 elements: heavy fuel, distillate at Alice Springs, other distillate, salaries and wages, and other operating expenses. The subsidy is to be escalated annually according to increases in load growth and price movements for these 5 elements.

This proposal was agreed to by the Northern Territory Treasurer and sent to the Minister for National Development and Energy for ratification on 17 February 1983. The federal minister declined to finalise the arrangements given the impending federal election. On 11 March 1983, the Northern Territory Treasurer resubmitted the proposed agreement to the new Minister for Resources and Energy. Following representations from the Territory, the Prime Minister replied on 18

August 1983 that the Commonwelath confirmed the in-principle agreement between the 2 governments to provide an operating subsidy to 1986-87 in accordance with the formula proposal previously drafted by officials and that a review would be undertaken in 1986-97. The construction grant of $124m for the new power-station was also confirmed. The Chief Minister acknowledged this confirmation on 24 August 1983.

Following release of the federal budget on 23 August 1983, which included provision for a new excise levy on fuel oil, together with increases in existing excise rates, the Territory protested against the increases as the new excise, which is indexed, was not comprehended in the agreed subsidy formula. As recently as 15 September, the Chief Minister wrote to the Prime Minister seeking an addition to the subsidy arrangements to reflect the fuel oil excise. The Prime Minister responded last Thursday. In the meantime, the Minister for Resources and Energy utilised this hiatus in settling the agreement to withhold payment of the October subsidy advance of $5.5m, which was payable on the first working day of the month. He has done this on the pretext that the Territory's request to have the fuel excise included has annulled the subsidy agreement in its entirety and, therefore, the Commonwealth has no authority to make payments.

The Chief Minister responded by telex on 12 October, seeking the Prime Minister's intervention in this action by his minister. Mr Speaker, I will read a short telex to the Prime Minister from the Chief Minister, dated 12 October 1983:

> *My dear Prime Minister, your Minister for Resources and Energy has suspended the flow of monthly subsidy payments to the Territory under the established inter-governmental funding arrangements. Those arrangements were put in place in June 1982 and confirmed by you on 18 August 1983. He has done this without notice or explanation to the Territory government. The first we knew of the step was when the October payment did not arrive on the due date. One of the elements of the subsidy, being movements in fuel costs, remains a matter of issue between us. You will recall that, subsequent to your agreement to the arrangements, there was a unilateral imposition of fuel excise which will add over $3m to the Electricity Commission's costs. In my letter of 15 September, I suggested that our ministers meet on this issue and am awaiting your agreement to my proposal. As far as I know, there is no basis whatsoever for a disruption to the orderly payment of assistance on a matter which has the agreement of both our governments. The disruption to our cash flows and financial planning could cause severe hardship. I seek your urgent intervention in your minister's action. It bears no hallmark of either consultation or consensus. Signed Paul Everingham.*

Mr Speaker, the Prime Minister's response to that telex, which was received last Thursday, rejected totally the proposal to include the new excise in the subsidy formula and indicated that the federal government considered the previously-negotiated agreement as quite generous and sought the formal adoption of the agreement as soon as possible.

Mr Speaker, with payments of $5m per month to the Northern Territory government, which have now been stopped, and the refusal to negotiate further on the question of the new impost of fuel excise on NTEC's costs, it would appear that the Northern Territory government has no other option in this gun-at-the-head situation than to sign the existing agreement. I can only point out to the Assembly that this hardly represents consensus and consultation. The effect of the action will mean that additional costs will have to be passed on to electricity

consumers in the Northern Territory as a result of these decisions by federal government. We have reached the stage where we can delay no longer. I move that the Assembly take note of the statement.

Debate adjourned.

ANSWER TO QUESTION

Mr STEELE (Transport and Works)(by leave): Mr Speaker, I would like to provide some further information which only came to hand at 10.15 am. This is a response from Mr J.J. Wood, Jennings Industries Limited in Melbourne. I understand that Mr Wood is the managing director or at least as senior as the managing director. The telex which he sent this morning says:

I regret that several attempts to contact you by telephone have been unsuccessful due to the current sittings of the House. Replying to your telex of 11 October, we advise that recent changes to the organisation's structures of both the superintendent's team and our own have created an improved attitude of direction and cooperation and we look forward to site progress obtaining targets which lie within the adjusted contract period. The benefits of actions and decisions made by our company in connection with this site are not yet fully apparent. However, material available at the site has been almost doubled during the last 6 weeks and our daily site records disclose an increase in personnel from 125 men in August to 188 currently on site. This number is to be further increased to 210 within the next 2 weeks.

I also confirm the recent appointment of Mr Jim Lawrence as Manager, Darwin Centre Project, and he is now permanently on site. Mr Lawrence is one of our senior people and his prime responsibility is to ensure maximum contract performance.

Mr Speaker, as to the rest of the information that needs to be provided to the honourable member concerning the delay, I will provide that as soon as I know it.

QUESTION TIME DETAILS

Mr SPEAKER: Honourable members, this morning the 4 government back-benchers asked 13 questions and the 8 people on the other side asked 19 questions.

EDUCATION AMENDMENT BILL
(Serial 361)

Bill presented and read a first time.

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

These amendments are concerned with 3 separate matters. They allow for the establishment of the Northern Territory Board of Studies, the appointment of the Chairman of the Council of the Darwin Community College by His Honour the Administrator and an increase in the maximum amount currently able to be awarded by contract by the Darwin Community College.

During the first sittings of the Assembly this year, I foreshadowed the establishment of a board of studies when the government education policy document,

Direction for the Eighties, was tabled. The board will accredit senior secondary school courses and issue certificates for both junior and senior secondary courses. It will also be responsible for advising the Secretary of the Department of Education on curriculum policy in Territory schools from pre-school through to Year 12. The board will carry out responsibility for the quality of education offered in our schools and will therefore be required to be representative of a wide cross-section of the population of the Northern Territory.

Membership of the board, which will be under the chairmanship of the Secretary of the Department of Education or his nominee, will include representatives of schools, tertiary institutions, parent organisations, employer and trade unions, the Northern Territory Teachers' Federation, FEPPI and the Vocational Training Commission. An independent board will strengthen public confidence in the standard of secondary courses and the certificates awarded. It will also bring the Territory into line with the Australian states.

At the senior level, Years 11 and 12, the board will develop policies and guidelines for academic courses and also for general vocational courses. This should enable schools to offer programs appropriate to local needs and allow students to select courses in terms of their individual developing needs and interests. The board will be required to ensure that its courses are not merely educationally sound but socially, culturally and economically relevant. It will develop procedures which will enable it to examine the relevance of proposed courses and certificates to life after school. The board will be concerned with all secondary certificate courses except those offered by the Senior Secondary Assessment Board of South Australia; that is, matriculation courses, and senior secondary certificate courses.

It is expected that the Northern Territory Board will enter into close liaison with the South Australian Senior Secondary Assessment Board to ensure that, where relevant, NT needs are taken into account. The board will also provide for a general education from pre-school to Year 10 catering for students with a wide range of needs, interests and aspirations. The board will oversight assessment procedures and the issue of the Northern Territory Senior Secondary Studies Certificate for students leaving school at the end of 1984. This certificate will include the results gained by the students who have studied South Australian matriculation and SSC courses as well as the results gained in Northern Territory courses at Years 11 and 12.

The board will also issue the Northern Territory Junior Secondary Studies Certificate for junior secondary students completing their compulsory education program at the end of Year 10. This certificate will be issued for the first time in 1984 to students who began their secondary studies in 1982. The board, which will come into effect from 1 January 1984, will be made up of members whose initial appointment will be for a period of 3 years thus enabling a continuity of service and input to the development of education in the Northern Territory.

Matters such as the appointment of the chairman and deputy chairman, and appointment and registration of members are specified in this bill. Frequency of meetings and functions, and powers and requirements of the board are specified. The confidentiality required of members is necessary to protect the privacy of students and to ensure that all students have equal opportunities. The board will also be required, as is the case with other statutory and advisory boards, to furnish an annual report outlining its activities during the year ended 31 December. The establishment of this board will help achieve many of the aims of government in primary and secondary education and I commend it to members.

Mr Speaker, the second amendment is designed to allow the Darwin Community College to extend its contractual power from $100 000 to amounts up to $150 000. In view of cost increases since 1979, this adjustment is essential for efficient operation of the college.

The third amendment repeals current section 50 of the Education Act and requires his Honour the Administrator to appoint a chairman from amongst the members of the council. The deputy chairman shall be appointed by members of the council. The current chairman and deputy chairman shall, under the terms of this bill, retain those positions until the expiration of their terms of appointment at which stage they will be eligible for reappointment.

Mr Speaker, the amendment allows the Darwin Community College to assume the same status and role as other statutorily-appointed authorities in the Northern Territory and elsewhere in Australia. I commend the bill to honourable members.

Debate adjourned.

PLANNING AMENDMENT BILL
(Serial 350)

Continued from 1 September 1983.

Mr SMITH (Millner): Mr Speaker, the honourable Chief Minister, in his statement on Fish River delivered in the first day of this current sittings, accused me of not doing my job properly by putting a series of questions on notice on that matter. At the same time he said that he 'was seeking an urgent briefing on another fairly minor matter'. That minor matter was the bill that we have before us. I do not think it is a minor matter. From the interest shown in this particular bill by the Department of Lands, it does not think it is a minor matter either. I can count 6 members of the Department of Lands currently in this chamber listening to this debate, including the secretary of the department, the head of the appropriate division, and the director of the Darwin planning team. I would suggest that the Chief Minister allowed his rhetoric to get away from him in his Fish River speech and he is the odd person out on this matter.

What we have before us is a very important matter. All matters concerned with planning are important and certainly create considerable interest amongst members of the community, even if it is only at the stage when they are affected by particular proposals. Certainly, it behoves the people who make legislation to ensure that that legislation is as fair as possible to all parties involved so that, if they are affected, they have every opportunity to put their point of view and have the feeling that they are being dealt with equally.

Basically, this bill is proposed under the guise of increasing administrative efficiency and improving some of the things that are seen to be unsatisfactory after the experience of the operation of the present act. We support some of the provisions. In fact, it is probably fair to say that we support most of them. We support the reduction in the mandatory 3-month period of advertisement of a draft planning instrument back to 28 days. It should be noted that this 28-day period may be extended for the more important and or significant draft planning instruments. By this proposed change, the government is seeking to reverse the existing situation. We think that 28 days is sufficient, except for the more significant items. We believe this change will have a significant effect by reducing the amount of time that a draft planning instrument takes. We believe it is desirable and gives sufficient time to those who want to express an interest to do so. We strongly support that particular proposal.

Associated with that is a reduction in the number of times that a particular draft planning instrument will be advertised in a newspaper. This has been reduced from 4 appearances to 2. Obviously, that is a consequence of the reduced exhibition period. We will support it but we will support it with an amendment which we propose to put.

An important initiative in increasing public awareness of draft planning instruments is the proposal that persons applying to have land rezoned will be required to erect a sign in a prominent position on that land indicating the fact. That is strongly supported by us. I know, for example, that that is a practice in Western Australia. Whilst on holidays in Western Australia, I saw a couple of examples of such advertisements on pieces of land. Certainly, it caught the eye and I think there could be no doubt that people in that immediate vicinity were aware that a proposal to rezone the block was presently before the planning authority and that, if they wanted to comment, they could do so. That is something that we support.

An administrative matter is that the minister, rather than the Executive Council, will make the planning instrument. We support that because it has the desirable virtue of reducing the period of time that such things take. Another thing that it is proposed to formalise in this legislation is compulsory pre-appeal conferences. Such conferences will require both the applicant and the consent authorities, under the chairmanship of the Planning Appeals Committee Chairman, to try to resolve outstanding differences prior to the matter going to appeal. My understanding is that this is basically carried out at present. From what I can find out, it appears to be working well. Certainly, we support that. It should have the virtue, in many cases, of resolving appeal matters before the formal appeal procedure is undertaken. Again, it will reduce the time taken.

However, we do have some serious reservations and concerns about the bill. The first relates to the proposal to remove the mandatory requirement for consultation with local government councils. In his second-reading speech, the minister claimed that councils were consulted about this clause and agreed to it. Mr Speaker, that is not my information. Councils that I have spoken to have denied that they have been formally consulted on this proposal. They accept that certain individual members of councils, particularly those who serve on the Planning Authority, have expressed views on it. However, they have said to me that this proposition has never been put formally to councils and has never been formally agreed to by them. In fact, they said that they strongly object to any weakening of their present right to comment on these matters in the preparation of draft planning instruments. For that reason, we will be opposing that particular clause.

The Chief Minister was also a little bit cute in a further explanation on why the councils would not miss out if this particular clause was passed. He stated in his second-reading speech that councils have a majority of local members appointed to the Planning Authority and, obviously, their interests will be well protected. It has been made very clear by members opposite on a number of occasions that, if the council members on the Planning Authority dare to act on behalf of the councils on these issues, they will be taken off the council. It has been made very clear to them that they are on the Planning Authority as individuals and not as direct representatives of the councils. For the Chief Minister to have used the argument that he used in his second-reading speech is very cute indeed.

Mr Speaker, the clause relating to the method of exhibition has been rewritten. We have no objection to what is in there but we believe that it does not go far enough. We are proposing that 2 additional points be placed in it.

One, I think, is a formalisation of the existing practice of the Planning Authority. This would provide that a copy of a draft planning instrument should be circulated to people living in the area affected by the proposal it covers. I think it is quite obvious that that makes good sense. It is our view that every means possible should be used to alert people in the general vicinity of any proposed rezoning. This is one very effective way of doing it. I have had personal experience of the effectiveness of circulating such notices to residents in an area through the Lims Hotel case. The Planning Authority's circulation of its proposed draft planning instrument around that area generated a great deal of interest.

The second change that we propose to make is that the public circulation of the draft planning instrument should include a map showing the boundaries of the proposed draft planning instrument, the proposed location and the general location of those boundaries. That is to overcome the problem that many people have in working out exactly where the draft planning instrument applies. I think the current practice is to put in the lot number and perhaps the street number. That, accompanied by a general map, will make it very clear indeed which piece of land is being referred to. Of course, the comment might be that it will impose additional costs. It may to some extent but those costs can be offset against the reduction in costs from the number of advertisements from 4 to 2 that are to be inserted in local newspapers.

Section 67 is another of the government's infamous reversal onus-of-proof clauses. In this case, it is an onus of proof that persons are using land in contravention of a planning instrument. It says, in summary, that an allegation is prima facie evidence of the facts alleged. It does not even say that the originator of the allegation shall be named whether it is somebody official or the malicious neighbour next door. It says: 'An allegation is prima facie evidence of the facts alleged'. That is sufficient grounds on which to take the matter to court.

Mr Speaker, we have consistently opposed the reversal of onus of proof in clauses that have been placed by this present government in a large number of pieces of legislation. We oppose this one too. We realise that the present legislation makes it difficult from time to time for the government, particularly in this area, to prove contravention of zoning requirements. But that, I am afraid, is something that should have to be lived with, because there is a balance between the rights of government and the rights of the individual, and in this case we are firmly for the rights of the individual.

The Chief Minister did not help his case by the example he used in his second-reading speech: 'It is very difficult to get the evidence from backyard caravan parks'. I would have thought that caravans in backyards are fairly obvious and that it would be reasonably easy, by means of that magic thing called the camera, to get evidence of breach of zoning in those particular cases. If we were to look at this matter seriously, we would need much better evidence than has been presented by the Chief Minister so far. As I have said already, we oppose this particular clause.

We also oppose the clause which gives the minister the right to make comments, suggestions and recommendations at the appeal stage. In his second-reading speech, the minister stated that the reason for doing this is so that the determinations of the appeals committee are not inconsistent with stated government policy. We have no objection to that stated principle. We accept that any determination that the appeals committee makes should be consistent with stated government policy but we do not accept that the appropriate way to go about achieving that is for the minister to make comments and suggestions at

the appeal stage. The minister, under section 66A, has the right to determine general planning guidelines, and it is at that stage that the government should make very clear to the appeals board the guidelines within which it operates. It should be a simple task for the government to spell that out very clearly, both under the general planning guidelines and in the legislation and the regulations. It is not necessary to do it at the appeal stage. It is not appropriate for the government to intervene in individual appeal cases. It places intolerable pressure on the appeals committee. The job of that committee should be to examine the grounds of each appeal and to judge them within the terms of the legislation and the general planning guidelines issued by the minister. To go beyond that and give the minister power to make individual submissions at this stage, is to interfere unduly in the legal processes that have been developed to handle these matters.

Mr Speaker, our last concern relates to the environmental assessment procedures that have been taken out of this bill. The government is asking this Assembly to remove environmental assessment procedures from the act on the grounds that they are covered by the regulations under another act. The opposition has consistently expressed its concern that important matters have been taken out of acts and put into regulations. Our concern on this occasion is consistent with that. It cannot be denied that environmental assessment procedures are very important. They are laid out quite clearly in the present act and it is a shame that they have been taken out and put into something called the 'Administrative Procedures of the Environmental Assessment Act'. But in this case, it is even worse because no one on this side of the Assembly has had a chance to see the Administrative Procedures of the Environmental Assessment Act because, I am advised, they are still sitting on the minister's desk.

At this stage, we are being asked to approve the removal of important provisions from the current Crown Lands Act, and the placement of those provisions in the Administrative Procedures of the Environmental Assessment Act, without having sighted those administrative procedures. That is appalling. The government and the minister have been derelict in their duties by not ensuring that this Assembly, through the subordinate legislation committee at least, has had a chance to look at the Administrative Procedures of the Environmental Assessment Act.

Mr Speaker, until we have seen the Administrative Procedures of the Environmental Assessment Act and until we have had the opportunity to have a clear and close look at those procedures, there is no possible way that we can support this section of the bill. In our view, this bill is a mixed blessing.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, I am pleased to rise to speak to this amendment. The planning review people have done an excellent job. Planning, of course, means control of the use of land. Their brief was to simplify, clarify and, above all, streamline the process of rezoning land.

Since being in this job, it has been my experience that people want answers. They hate being kept in suspense. Many of the problems that come to my electorate office revolve around people not being able to get an answer to a particular problem. I find that they prefer a 'no' answer rather than a long, drawn out 'maybe'. That is very important when considering the amendments before us. Any draft planning instrument has people in favour of it and against it. Some are very keen for the rezoning to go ahead. Naturally, they have something in mind. Then there are the people who live nearby. The government's role is to set the rules and to arbitrate. As we well know, it takes a minimum of 7 months, and more often 12 months, to get a rezoning instrument through all the red tape in the system. It is not totally unnecessary because the ordinary

person who is affected by the instrument must have some degree of protection. By the same token, we must balance that against the requirements of the developer who will create jobs and wealth. If it takes too long, the developer may lose interest or financial considerations may make it difficult to carry on with the development proposal.

I welcome the proposals here that will reduce the time taken to process these matters. The first proposal is to scrap the mandatory consultation with councils and with the Secretary of the Department of Lands. I am satisfied with the explanation that, in the preparation of draft planning instruments, meaningful consultation takes place anyway. From the councils' point of view, they have their people on the Planning Authority. In fact, they make up the majority so they have a strong position. Further, individual members from the councils are allowed to put in their objections during the publication period. It would be a strange council indeed if members of it who are also members of the Planning Authority did not report back to the council. I welcome removal of this provision because it serves very little useful purpose. If there is a case where further consultation is required, the minister will have the power to initiate it.

The second proposal reduces the period for which a proposed rezoning must be advertised from 3 months to 1 month. That period can be extended if it is very important and will affect many people. The way human nature is, if people have 3 months in which to do something, they would not do it any better than they would if they have only 1 month. Other things get in the way. Perhaps 3 months is long enough to forget about it completely. If there are only 4 weeks in which to make objections in writing and obtain support for them, then I think it is far better. Most human beings seem to work better when they are under pressure. I think the change to 4 weeks is a very good move. Effectively, it will cut 2 months from the time it takes to have a rezoning application heard. People want to know whether they can get on with the job or not. They do not like being left in suspense for an undue length of time.

I welcome the third proposal that applicants for a rezoning must erect signs on the land affected so that people are made aware of the rezoning proposal. Often public notices are not seen. At times, I have missed public notices which are of interest and importance to the people of my electorate. I have no objection to the general principle of letters being sent to the people in the area affected by the proposed rezoning provided there is no comeback about non-receipt of letters. I do it myself if I want certain people in my electorate to know about some proposal that may affect them.

The next proposition is to remove the requirement for Executive Council approval for a rezoning instrument. Because so many things have to go to Executive Council, it will be of advantage if the minister can make planning instruments and thus avoid a possible bottleneck. No doubt, if it is a very important matter which has widespread implications, the Executive Council will be consulted in an unofficial way and its view will be heard.

I am also very pleased about the compulsory pre-appeal conference. If the parties are brought together in an informal way, there will be an opportunity for them to resolve their differences and come to a satisfactory solution. Of course, it will save considerable expense. There has been some opposition to the minister being present at appeals. I do not really see any great problem. His job is to ensure that the people who are hearing the appeal are quite clear on the government's policy. I note that sections 51 to 58 of the act, relating to acquisition of land, are to be deleted. This seems fair enough as the act relates to planning land use rather than land tenure.

Mr Speaker, there is not much point in having a law that cannot be enforced. If people contravene the Planning Act and act without authorisation, there should be a means to pull them into line. No law should be made unless we feel it is worth while and, if it is worth while, it should be enforceable.

The matter of the onus of proof being placed on the land user has been raised again by a member of this Assembly. My experience is not great but I have heard of situations regarding backyard caravans and, occasionally, people in the caravan industry have complained to me about them. There is more to obtaining a conviction in those cases than just taking a photo. It is a far more complicated business than that. I see good reasons why people who are using land in a particular way should demonstrate why action should not be taken against them. It is reasonable enough, particularly as a considerable amount of taxpayers' money is spent in trying to gain convictions. As pointed out by the honourable minister, South Australia and New South Wales are using the same proposition.

Environmental impact study requirements are removed. They will be covered by the Environmental Assessment Act. If someone is making a subdivision, which is a very big development, he must have an environmental impact study prepared before he applies for a draft planning instrument to have the land rezoned.

Whether people are in favour of a particular rezoning proposal or whether they object to it, they should be able to obtain answers far more quickly. I believe that is far more satisfactory than keeping people in suspense, as happens at the moment. I support the bill.

Mr BELL (MacDonnell): Mr Speaker, I wish to make a few brief comments in support of my colleague, the honourable member for Millner, in relation to this bill. Along with other members of the opposition, for a change I am in happy agreement with the honourable member for Alice Springs. I applaud the idea that rezoning and planning processes generally should be as convenient as possible, taking into consideration divergent viewpoints in the community and hastening, where possible, the development of the Territory.

The 2 specific points I want to make are that I also applaud the idea that persons applying to have land rezoned will be required to erect a sign in a prominent position on that land, indicating that they intend to apply for such rezoning and why such rezoning should take place. I think that there are a number of matters that come within the purview of honourable members as representatives of their electorates. Without a doubt, planning issues rank very highly on the list of matters on which they receive representations. I am no exception to that rule and it would certainly assist all people involved in rezoning matters if such signs were erected to give a clear and visible impression of the development proposals intended.

I came into this job very much a layman in the areas of planning and development proposals. My background is elsewhere. Perhaps I am not on top of it now. However, I have a strong feeling that many of the processes of gazettal of proposed changes are not easy for the layman to understand. This is so not just in the town planning area but also, for example, in the area of mining leases. That is not relevant to this bill but personally I have experienced some difficulty in obtaining specific information about specific proposals because they were couched in very technical terms that were easily understood by people with expertise in these areas. However, that is not the case with the majority of lay persons and I regard myself as one of them.

I wish to echo the sentiments of my colleague, the member for Millner, who raised an objection to the aspect of this bill that deals with environmental

assessment procedures. Very rightly and accurately he described the dilatory behaviour of the government in this regard. Whether it stems from an oversight or contempt for the due processes of legislation within this Assembly, I am not able to judge. Only the honourable minister is in a position to so judge. Being of a charitable frame of mind, I choose to give the former interpretation and say that it is a matter of oversight on the honourable minister's part. As the honourable member for Millner pointed out, this bill will take environmental assessment procedures out of the principal act on the ground that they are covered by regulations to the Environmental Assessment Act which was enacted some time ago in this Assembly. As he pointed out, frequently matters that were dealt with in acts have been put into regulations. We may have reservations about such a process but, when this Assembly has had no opportunity to see such administrative procedures, our doubts rise to the status of outright objection. I trust that the honourable minister is able to provide this side of the Assembly with an adequate explanation of what we are charitably regarding as a mere oversight on his part.

Mr EVERINGHAM (Chief Minister): Mr Speaker, the honourable member for Millner complained that local authorities were not consulted in drafting the amendment which includes the requirement to consult councils when a draft planning instrument is prepared. The situation, as it has been explained to me, is that local authorities were not formally consulted to ascertain their views. However, several Planning Authority members, some of whom are members of at least some local governments, were advised of the contents of the bill. The bill has been available for some 6 weeks for perusal by councils and no adverse comment has reached me from any of the local authorities.

The honourable member for Millner has foreshadowed an amendment to include a map of the area which is subject to a draft planning instrument to be published in the Gazette, in the newspaper in which the rezoning is advertised and on the sign to be erected on the land. I am informed that a map of the affected area is always exhibited in the authority's offices and in the relevant council offices during the exhibition period. To publish a map in the Gazette and the newspapers would add considerably to the costs in the draft planning instrument process and the result may not always be of any use anyway because the scale of the map might be such that it would be impossible to read. The proposal to include a map on the sign which is erected on the land is, in my opinion, totally unnecessary.

The honourable member for Millner is also proposing an amendment that owners of land in the vicinity of the area the subject of a draft planning instrument be notified if the authority believes that they would be affected by the draft planning instrument. I assume the effect would be to ensure that there was no argument as to whether the authority was correct in its belief that everybody in the vicinity - and the definition of 'vicinity' is where we would run into problems - would have to be notified. This would result in an administrative nightmare because people could claim at a later stage that they lived in the vicinity and that they had been overlooked and seek to set aside procedures on that basis. I understand the Town Planning Authority already, unofficially and administratively, takes steps to notify people who are likely to be affected by draft planning instruments. I believe that, rather than trying to enshrine in legislation a very difficult concept that could give rise to unnecessary litigation, it is better left to administrative action by the Department of Lands and the Planning Authority.

The honourable member for Millner also objected to the right of the minister, in effect, to produce evidence in respect of the planning and development objectives of the Territory to the Planning Appeal Committee. All the amendment proposes is that the minister's evidence must be given due consideration by the

Planning Appeal Committee. I understand there have been difficulties with the Planning Appeal Committee in the past where it has been sought to give it advice about government policy objectives. Apparently it has indicated that it is unable to receive evidence of the government's policy unless it is provided with Cabinet submissions and Cabinet decisions. That situation is rather intolerable in the sense that it is quite unusual and extraordinary for Cabinet submissions and actual Cabinet decisions to be furnished to outside bodies.

In relation to the environmental assessment procedures, I think the honourable member for Millner had a better point in that he is concerned that this amending bill will, as it were, wipe out the existing environmental assessment procedures contained in the Planning Act in advance of environmental assessment procedures being brought in under the Environmental Assessment Act. It is a fact that a slip has occurred in relation to the implementation of procedures under the Environmental Assessment Act. I understand they are to come to Cabinet shortly after a considerable period of discussion and gestation between the Department of Lands and the Conservation Commission. I foreshadow an amendment to enable the particular section of this amending bill to be effective from a time when the provisions under the Environmental Assessment Act are in operation. This bill itself already contains a provision for it to come into operation on a date to be proclaimed but I would not want to delay the introduction and the effect of the balance of the bill simply because of the lack of environmental assessment procedures under the Environmental Assessment Act.

Mr Speaker, there was also a suggestion by the honourable member for Millner that the onus of proof had been transferred to the person complained of in clause 18(2), the clause that is designed to give some teeth to the enforcement of planning provisions. I refute the suggestion that there has been a transfer of the onus of proof. The clause makes it quite clear: 'In a prosecution for an offence against this section, an allegation in the complaint that the defendant was, on a particular date or during a particular period, carrying on or permitting to be carried on, on land to which a planning estimate applied, a particular activity, is prima facie evidence of the facts alleged'. That is simply an averment. Averment provisions are in effect in many pieces of legislation and they are all capable of rebuttal. Prima facie evidence is simply evidence if it is not contradicted. People are committed for trial in the Supreme Court every day on the basis of prima facie evidence. A magistrate finds a prima facie case on which a defendant should be sent for trial. That evidence in the lower court is frequently rebutted in the Supreme Court.

Here we have a situation where, in a complaint, it is possible for the complainant - possibly the Director of Planning or the person delegated by the minister to bring a complaint - to say that the defendant was, on a particular date or during a particular period of time, carrying on such and such an activity. That assertion - and that is all it is - is quite easily rebutted by the defendant climbing into the witness box and saying, 'I was not'. Formal proof of the complaint must then be brought. That is the situation; it is certainly not a transfer of the onus or burden of proof.

Hopefully, in the years to come, civil and criminal procedures will become simplified by the parties agreeing on statements of fact. This will obviate the calling of a lot of unnecessary evidence. I would suggest that, where a party disputes the assertion in the complaint, he will be able to inform the complainant that he does so and the complainant will then be on notice that he must call evidence to prove the assertion. I see it as a convenient method of reducing time and saving taxpayers' money. It may well be that many people will admit that they are carrying on a particular activity but the argument will be something else altogether, probably something in relation to the law rather than the facts

of the case. I may have to delay the committee stage until my amendment is ready in relation to introducing this particular piece of legislation in 2 parts but, in substance, I commend it to honourable members.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

DARWIN PORT AUTHORITY BILL
(Serial 328)

Continued from 24 August 1983.

Mr SMITH (Millner): Mr Speaker, the Darwin Port Authority Bill is a new bill which is intended to replace the existing act completely. One of the first changes is that the powers under the bill are limited to the area of the Port of Darwin. I am not quite sure what the government will do if an additional port is ever established but I suspect, at that stage, it will have a Borroloola port bill or whatever.

Under the bill, the Port Authority may act as the agent for the Deputy Secretary for Transport in the Department of Transport and Works, who is responsible for day-to-day administration of the Marine Act, the installation of navigation aids and the prevention of pollution by either oil or water. Additional powers have been given to the Port Authority to allow it to exercise effective security over its property.

Mr Speaker, one of the more controversial elements in the bill is a new provision which enables the Port Authority to levy charges on ships passing through the port and using private berthings and wharf facilities. I am pleased to say that, as I read it, the amendment would allow ships to pass through the port without using facilities exempt from charges. We support that amendment. However, there is still some concern amongst people who have private berthings and private wharf facilities that, under this bill, they may be faced with a situation that vessels using such berthings or wharf facilities may be forced to pay charges. I do not think the principle of vessels being forced to pay charges in this situation is disputed but the current position is that, basically, these private berthings and wharf facilities have been developed by their current or previous owners. In fact, in many cases, the government contribution to them has been minimal. Mr Speaker, in that situation it would be most unfortunate if the government were to impose charges, either large or small. I think a system has to be developed so that, before it imposes charges in these areas, the government is aware of what sort of contribution it has made to the development of those facilities. If there has not been much by way of government contribution, charges should not be imposed. Of course, the provision may well encourage the government to work together with private enterprise firms to develop existing facilities or to establish new facilities. Obviously, that should be encouraged. I do not think that anyone would have an objection to fair and reasonable charges being imposed.

Mr Speaker, the bill also gives the Port Authority power to deal effectively with sunken vessels, obstructions and hazards. This is to be welcomed. The minister also has the power to order the removal of a substandard ship from port where such a ship, because of its condition, constitutes a threat or danger to the port or persons within the vicinity thereof. A question that I would like the minister to address himself to is why, in fact, that power has been reserved for the minister whereas most other powers have been reserved for the port superintendent. For example, as I understand it, the port superintendent is able

to prevent a ship entering the port but, for the removal of a ship from the port, the responsibility lies with the minister. It seems to be inconsistent there.

As it stood, the bill widened the power of the Port Authority to issue licences for the carrying out of private commercial activities in the port. Again, as I read the amendment that has been presented to us, this power has been dropped. Certainly, I would like to indicate that the opposition supports the deletion of that power. Whilst the bill, as it stood, may have had some superficial appeal, in practice it would have been very cumbersome and time-consuming and probably unworkable. We are pleased to see that the provision to issue licences for the carrying out of private commercial activities in the port will be deleted.

In addition, the Port Authority will be able to licence stevedores and exercise some control over the level of charges imposed by a private stevedoring company. I think that is a desirable power to have written into the act. There may well come a stage in the development of the Port of Darwin when more than one stevedoring company is necessary. In that situation, the power will be there for another stevedoring company to develop or, in fact, for the Port Authority to establish itself as a stevedoring company. It does not hurt for the Port Authority to have some control over the level of charges that stevedoring companies operating on the port are able to levy. Particularly when times are tight in the shipping industry and everybody is working hard to promote shipping into Darwin, it is important that, on this vital cost issue, the Port Authority have some form of control.

The Crown land previously handed over to the Port Authority will now be granted to it by way of an estate in fee simple. This will enhance the ability of lessees of such land to secure loan borrowings. Obviously, that is a sensible move.

The last point that I wanted to mention is that the boundary of the port has been changed in Frances Bay to set apart an area of foreshore land down to the low-water mark for the purpose of some future subdivisional development. My question is basically one of interest at this stage: what sort of subdivisional development is proposed there? I may have further comments on that matter after receiving the minister's response.

Mr Speaker, as is clear from those comments, the opposition supports the bill.

Mr HARRIS (Port Darwin): Mr Speaker, I rise to speak in support of the bill and the amendments circulated by the Minister for Transport and Works last week. I know that considerable comment has been received in relation to the bill itself and that many people have been concerned, particularly those with interests in the area. The comments that I have received have been mainly from barge companies and I would like to speak about them now.

I want to make it quite clear to honourable members that I am aware that there are other interested groups but these comments have come to me from the barge companies. One of the first things that they were very quick to point out is that, if there were any increase in the charges or any further impost on the barge companies themselves, it would affect not only people in Darwin but also many people from the NT coastal communities. These coastal communities, in most cases, have their own facilities. They maintain them themselves and it could be seen that those particular areas were subsidising the facilities that we have available in the Port of Darwin. The barge companies wanted to make it quite clear that there would be an effect on many other people, not just the barge companies operating from the Port of Darwin.

There was also concern from the barge companies that it appeared that the government was putting itself in a position where it would be able to interfere unnecessarily with the running of a commercial-type activity in relation to aspects other than safety. Mr Speaker, the way the bill stood, the Port Authority could, in effect, control just about every aspect of barge operations. I refer here to the hours that employees would be required to work inside the barge facilities themselves as well as the movement of the barges and the operation of the barges within their own freehold areas. That was a concern that they had. It did not relate to safety aspects in the Port of Darwin which they support and I support. There was concern that the government would become involved in normal operational activities.

There was also a fear that charges would be able to be placed on just about anything that a barge was carrying, provided it was moving through the port, even to the extent where a charge could be put on the diesel used to run the engines. I am very pleased to see that amendments have been put forward to clarify that. I think it is only natural that, when these types of proposals are being considered, companies put forward their very strong views.

Their main concerns were with paragraphs 17(2)(f) and (g). They took particular exception to the comments made by the honourable minister in his second-reading speech when he said that this would allow port dues to be levied on the barge trade as a contribution towards the port facilities generally. That comment really brought the barge operators out of their shells and received very strong representation from those particular operators.

The barge companies also pointed out that they had, over a period of time, spent a good deal of money in reclaiming and developing areas and building port facilities. Over the years, they have spent some $13m to $20m on facilities which, as I have already said, cater for coastal communities throughout the Northern Territory. They also pointed out that they employ in excess of 100 people and that the money that those people receive in wages goes back into the Territory and the money that the barge companies themselves receive is spent in the Territory. That is not the case with foreign shipping.

They already pay port dues, pilotage - when it is required - and light dues. If they happen to use the Darwin port facilities that are availabe, they pay the relevant charges. They believe that the companies are contributing greatly towards the development of the Northern Territory by providing this facility. What the companies really want is a fair deal. They wanted the government to justify the charges that could be laid on them. They felt that services needed to be provided for any charge that was to be imposed.

In some port areas in Australia, and I refer specifically to Brisbane, there is an ongoing requirement to continually dredge the channel which services the port. That is an extremely expensive operation. Companies using a port where that type of work was carried out would definitely feel that some contribution was required from them. I guess their main concern was that the barge companies themselves would be contributing towards a port facility which they would not be using. They were quite prepared to pay if they used any facilities that were provided by the Darwin Port Authority.

That brings us to the port facility that we have. I think that all of us would agree that it is a wonderful facility. I believe that the government should be congratulated for proceeding with that particular development. One of the beauties of having that development is that, in trying to sell the Port of Darwin, we no longer need to say that we are going to build this or do that; it is already there. We have gained time by having that development completed. We

have spent some $35m on it. I believe it is something that we should be very proud of. It is a facility we can promote.

The only unfortunate aspect is that that particular project will not reach its full potential until there is a rail link between Darwin and the rest of Australia. The former Leader of the Opposition and the member for Sanderson, when we were discussing the constitution of the Port Authority on another occasion, commented on the importance that the rail link would have with the new port facility, a facility that is equal to any in the world as far as containerised shipping is concerned. I believe it is something that we have to support. It is unfortunate that, because of the lack of a rail link, that facility will not be able to reach its full potential at this particular point in time.

Mr Speaker, I also received comment from the barge companies in relation to prescribed substances. I think that all of them realised that there was a need to have provision in the act for the Northern Territory government to receive revenue from certain commodities that pass through the port. I refer specifically to coal which will be used to fire our power-station. Gas and oil are other commodities which the government should be able to receive revenue back from. There is also need to obtain some form of revenue from the yellowcake that is sent out by barge and does not go across the normal port facility. It is unfortunate that that is the only way that the government can receive revenue from that source. Whilst the companies were naturally disappointed that the government would be able to impose a charge on yellowcake as a prescribed substance, I think that they all agreed that there is a need to obtain revenue from this source.

Those were the major concerns that the barge companies had in relation to this bill. Most of those concerns have been addressed in the amendments that have been circulated. The establishment and the constitution of the Port Authority, together with the provisions under the section relating to minsterial control, have been debated at length in this Assembly and I do not wish to canvass those particular issues again.

However, I would like to make some comment in relation to the powers of the Port Authority. I am very pleased to see, as the honourable member for Millner has mentioned, that provision has been made for the Darwin Port Authority to remove vessels, hulls and undesirable substances from the port area. I am also very pleased to see that the bill makes provision for the recovery of costs. I can remember the problems and debates that we had in relation to the Darwin City Council when we were trying to get old cars removed from the streets. It was a crazy situation that an abandoned vehicle left on a street of Darwin could not be removed. These vehicles gradually ended up as shells. I am very pleased to see that that provision has been extended and that areas that could be classed as being outside council control are now able to be cleaned up.

In relation to that, however, there are a couple of grey areas as far as defining the port boundaries is concerned. I will not go through the schedule in the bill but I am sure other members who have looked at it will agree that it is a difficult task to trace the boundary of the port. About 18 lines from the bottom, we are talking about going 'generally northerly'. This is the area in Frances Bay just past the small ships facility. For convenience on the map that outlines the port, that boundary follows the Frances Bay arterial road. My concern is that, along Frances BayDrive towards Stuart Park, there is an area of land on the left which is affected by tidal movement. My interpretation of this schedule would be that that particular area would not be covered under this bill. The definition would then require some reference to 'southerly',

'easterly' etc. After passing through the culverts under Frances Bay Drive, it would be necessary to backtrack and follow the high-water mark around the mangrove swamp in the Dinah Beach area and come back out into the Frances Bay area. I accept that the boundaries of the port will vary from time to time depending on areas that have been reclaimed but I think that we need to clarify this once and for all otherwise people could dump old car bodies and other rubbish in this particular area and we could come back to arguing about whose responsibility it is to remove the rubbish. I would like some clarification from the minister in relation to the definition of the port boundaries in that area.

Mr Speaker, with those comments, I support the Darwin Port Authority Bill. I think it gives the Port Authority the necessary controls. A number of constitutional aspects in the bill before us were included in the previous Ports Act. I support the bill.

Ms LAWRIE (Nightcliff): Mr Speaker, I do not share the confidence of other members that this is necessarily good legislation. In fact, I circulated approximately 16 copies of this bill to interested parties - and I use that phrase deliberately - parties with a direct interest in the proper operation of the wharf. Within a week, they were back to me saying, 'Look, do not worry about it; it will be withdrawn. It is so ghastly that it cannot be amended'. I deliberately asked the minister whether it would proceed at this sittings and he advised me that it would. I passed that advice to the same interested parties and it was greeted with great surprise.

Mr Speaker, the honourable member for Port Darwin will be interested in the reactions of a person concerned with the wharf who is a member of the Communist Party. He is not Brian Manning so members need not jump to that conclusion. When this person studied this legislation and received further advice, he stated within hearing of many people: 'This is the most socialist piece of legislation seen outside a communist party'. He went on to say: 'Bob Hawke would never dare to introduce similar legislation'. So, to all the honourable members opposite who are so happy about this marvellous government initiative, I give that interpretation.

All this bill does is continue the folly perpetrated on 3 March 1981 when this government, in its wisdom, removed the very necessary expertise at Port Authority level from those who had at least a passing knowledge of the operation of the port and an interest in its orderly operation and placed it squarely in the hands of the bureaucrats, many of whom do not have the necessary expertise. Speaking in a similar debate on 3 March 1981, I asked the honourable member for Casuarina, who at the time was the Minister for Transport and Works, how the change in composition of the Port Authority itself would necessarily streamline port activity and act in the best interests of all the users and consumers of port activities. I never received an answer. Having kept a close watch on port activities from that time to this, it is my considered opinion, and that of those who use the port, that the change in the direction of the Port Authority and its hierarchy has not resulted at all in the benefit which was spoken about at the time. Of course, we have had capital improvements in the wharf area. They would have occurred anyway. However, the operation of the Port Authority has not shown a demonstrable improvement. With the further enshrining of a decline in the expertise of Port Authority members in a new bill, many people fear the worst.

Mr Speaker, in the constitution of the Port Authority itself, there has been a narrowing of interest at the top level. We see that the Assistant Secretary of the Department of Transport and Works will be one of the members of the authority. We also have an accountant, who is presently a member of the authority, and I do not challenge his right to be there. I would ask the

honourable minister to tell us in his reply if the third position is vacant at the moment. If so, is the third person to be appointed to the Port Authority in fact a representative of Wyndham Meat which operates a rival port and is he a resident of Sydney? If that is so, I do not really see that this appointment is in line with the minister's second-reading speech where he mentioned the level of expertise and the quality of authority which is to ensue from his bill. It has not been greeted with affection by any users of the port.

On 3 March 1981, I expressed my disapproval and that of community and commercial interests at the way in which this government was applying itself to establishing a Port Authority. I have reiterated those remarks here. I have seen no evidence which would lead me to change them. Industry people have approached me, reinforcing my sentiments and expressing grave fears about the actual composition of the authority.

The bill itself prompts certain questions which must be addressed before the committee stage is taken. In fact, even the definitions themselves have aroused concern in people who have expertise in the operation of ports. Remember now that the Port Authority is to consist of a public servant, an accountant and, one is given to understand, a representative of a meat company operating out of Wyndham.

The definition of 'harbourmaster' on page 2 of the printed bill is 'an employee appointed under section 25 to be the harbourmaster'. Should there not be a qualification specified? The honourable minister will be aware that, at the moment, the harbourmaster holds a master mariner's ticket. All that is suggested is that, either under the definition or in clause 25, there be a reference to the appointment as harbourmaster of a person holding a master mariner's ticket or similar qualification. That same comment holds good for the definition of 'port superintendent': there needs to be a reference to suitable qualifications somewhere in the legislation, either in the definition or in ensuing provisions.

The definition of 'owner' in relation to a vessel includes an owner, part-owner, charterer and an agent of any of them. It has been put to me that the legality of this is at least questionable. Normally, the agent has no standing in law. I would ask the honourable minister to seek clarification of that point before the legislation is passed.

It mentions a quorum and disclosures of interests of the 3 members of the Port Authority. We see under this provision that 2 members shall constitute a quorum. In most circumstances, it shall be the chairman and one other member but there is a provision whereby the chairman may disqualify himself having regard to a disclosure of interest. We see that any other person disclosing an interest shall be disregarded for the purpose of constituting a quorum of the Port Authority in relation to a matter under consideration. With an authority of only 3 members, one of whom apparently is to have an interest in a company exporting meat in another port, the fear is that it will be difficult in many circumstances to constitute a quorum. Certainly, a widening of the membership of the authority itself, bringing back a level of local expertise, would obviate a problem which could very easily arise.

Let us examine the powers of the Port Authority. The members for Port Darwin and Millner have spoken of the circulated amendment. I was very interested to read in the minister's second-reading speech that he stated that one of the more important new provisions of the bill is contained in paragraph 17(2)(g) - in fact, I think he meant paragraph (f) - which enabled the Port Authority to raise charges on ships passing through the port using private

berthing and wharf facilities. Now, we have a circulated amendment to withdraw this provision and honourable members opposite have given reasons put forward by the barge companies as to why it should be withdrawn. My question is simply: why, if it was an important new provision of the bill at its introduction on Wednesday 24 August, is it now to be withdrawn? Did he receive the wrong advice at that time or have circumstances regarding the operations of barge companies changed dramatically between 24 August and today, 19 October? If his advice was found to be insufficient or incorrect, does that not lend weight to my argument that we should be reducing the bureaucratic control of the wharf and increasing local expertise of qualified people?

Mr Speaker, I have another specific query. There will be a cross-reference here which I hope the minister and his advisers can follow. If we look at the powers of the Port Authority in clause 17(2)(n), it has power to construct within the port or on land under its control wharves, warehouses, tanks, bins, storehouses or port facilities. I have no quarrel with the power of the Port Authority to do that. If we then look at division 3, liability, we see that the Port Authority or an employee is not civilly or criminally liable for '(b) loss or damage arising out of an action or omission in the storage or handling of goods'. I draw to the honourable minister's attention that the authority is being given the wherewithal to provide facilities for the storage of goods and the right to lease them out but then we are saying that, in these circumstances, no liability will accrue to the authority. I understand this may well be contrary to the Warehousemen's Liens Act, a copy of which I have here if the minister wants to hand it to his advisers. It is most certainly contrary to stevedoring practices undertaken in other places.

Mr Speaker, if we look at the liability of owners and masters, perhaps the honourable minister will explain how a provision can be put in this bill stating that 'the owner of a vessel is liable for loss or damage caused by a vessel within the port with or without proof of negligence or intent, and the master is, with proof of negligence or intent, with the owner, jointly and severally so liable'. At least the master is included where there is evidence of negligence or intent. However, a provision stating that the owner of a vessel is liable without proof of negligence or intent needs further examination. I would like to know if this is a provision applying in ports elsewhere in Australia.

Mr Speaker, circulated amendments have dramatically altered the references to what the Port Authority shall do when issuing various licences. In fact, it has been reduced to an interest in the stevedoring area. I will be speaking about this in committee and asking, for example - and I hope the minister is listening - if a person wishes to establish a commercial enterprise within the area controlled by the Port Authority, such as a fast food outlet, to whom he will apply for such permission and who will issue the relevant licence because all references, other than to stevedoring, have been withdrawn.

Mr Speaker, the honourable member for Port Darwin again espoused good socialist principles when he said that it was the role of government to exercise a control and interest in the restraint of stevedoring charges. I think it is fascinating that this free-enterprise government is taking such a strong line, in the public interest, in what is normally considered a purely commercial transaction. I would ask the honourable minister to advise me if the raising of charges by way of licensing for stevedores is unique or, if it is practised in other parts of the country and, if so, where? Again, my advise is that this is most unusual but I do not have the resources of government. I have had to rely on the replies I have received to letters and other local advice. But I think that we deserve to know whether this is unique and a departure from policy

followed elsewhere. It was put to me that, if the government wished this to be a fund-raising exercise, it would have been more honest to say so and show it as a budget provision.

Clause 32 gives the chairman of the authority, by notice in writing, the power to direct the owner, master or occupier of a vessel which is, in his opinion, in such a condition that it is unsafe or likely to cause damage. He shall give that person 7 days after that notice is served, or such longer time as the chairman, in writing, allows, to comply with the direction. The suggestion I would put to the honourable minister is that it would be wise in these circumstances to insert an amendment stating: 'where, on the advice of the port superintendent or the harbourmaster, in the opinion of the chairman, a vessel etc'. Nobody is disputing the right of the authority to remove dangerous vessels, wrecks or other craft which may be causing concern but it would be nice to have a reference to some expertise in maritime matters which would be adequately covered by a reference to the advice of the port superintendent or the harbourmaster or the persons acting in those positions. I would ask the minister to consider such an amendment in the committee stage.

Mr Speaker, I said that I had received considerable correspondence in response to my circulation of this bill. One letter particularly interested me. It thanked me for my letter of 29 August, the copy of the Darwin Port Authority Bill and the minister's second-reading speech. It stated that the writers had expressed concern to the Chief Minister that certain of the powers and functions proposed for the Port Authority could only lead to increased costs if implemented and summarises those as the powers to undertake stevedoring functions and issue licences for various activities. I do not know whether the Chief Minister passed that advice on to his Minister for Transport and Works but, certainly, that is a statement which has been put to me 4 times in correspondence from interested companies which received a copy of the bill: this legislation, as it stands, will only mean an increase in port charges which, of course, will be passed on to the poor consumers of Darwin who seem to cop it all the time.

Mr Speaker, I have dealt in some detail with provisions of the bill which are causing disturbance to users of the port and other interested parties. I would like now to deal with a question raised by the honourable member for Millner. Interestingly enough, it has also been the subject of correspondence. Why are we limiting this legislation in such a manner as to make it applicable only to the Port of Darwin? It is acknowledged that Nhulunbuy and Groote Eylandt have separate ports which are not governed by this legislation. There is quite a deal of interest in the opening of a port in the McArthur River area and it is the considered opinion of people, including master mariners, that it would have been wise to have introduced a bill to establish a Port Authority act which could be seen to have general application, other than to ports deliberately excluded. The obvious fact has been emphasised. Nhulunbuy and Groote are basically mining ports but, of course, McArthur River, if it were opened, would not remain a mining port for long. It would open up that vast hinterland with what the trade or the profession sees as very exciting possibilities. The limitation of this act to the Port of Darwin, without considering McArthur River and perhaps others, has meant that they do not have any real basis for long-term planning.

Of course, this legislation is a government initiative and it will proceed. However, I ask that the honourable minister take heed of the comments which have been put forward by me on behalf of users of the port, qualified people, master mariners, stevedores and interested parties from other states, all of whom have raised serious doubts as to whether the implementation of this legislation, without amendment, will in fact achieve the desired result.

Debate adjourned.

BAIL (CRIMINAL CODE) AMENDMENT BILL
(Serial 334)
ELECTORAL (CRIMINAL CODE) AMENDMENT BILL
(Serial 336)
EVIDENCE (CRIMINAL CODE) AMENDMENT BILL
(Serial 337)
INTERPRETATION (CRIMINAL CODE) AMENDMENT BILL
(Serial 338)
JURIES (CRIMINAL CODE) AMENDMENT BILL
(Serial 339)
PRISONS (CORRECTIONAL SERVICES) (CRIMINAL CODE) AMENDMENT BILL
(Serial 340)
SUMMARY OFFENCES (EVIDENCE AND PROCEDURE) AMENDMENT BILL
(Serial 341)
SEXUAL OFFENCES (CRIMINAL CODE) AMENDMENT BILL
(Serial 343)
JUSTICES (CRIMINAL CODE) AMENDMENT BILL
(Serial 344)
POISONS AND DANGEROUS DRUGS (CRIMINAL CODE) AMENDMENT BILL
(Serial 346)

Continued from 13 October 1983.

In committee:

Bail (Criminal Code) Amendment Bill (Serial 334):

Clauses 1 to 5 agreed to.

New clause 6:

Mr ROBERTSON: I move amendment 173.1.

Quite clearly, the new clause is designed to remove reference to the Criminal Law Consolidation Act.

New clause 6 agreed to.

Title agreed to.

Electoral (Criminal Code) Amendment Bill (Serial 336):

Bill taken as a whole and agreed to.

Evidence (Criminal Code) Amendment Bill (Serial 337):

Bill taken as a whole and agreed to.

Interpretation (Criminal Code) Amendment Bill (Serial 338):

Bill taken as a whole and agreed to.

Juries (Criminal Code) Amendment Bill (Serial 339):

Bill taken as a whole and agreed to.

Prisons (Correctional Services)(Criminal Code) Amendment Bill (Serial 340):

Bill taken as a whole and agreed to.

Summary Offences (Criminal Code) Amendment Bill (Serial 341):

Clauses 1 to 7 agreed to.

Clause 8:

Mr B. COLLINS: I move amendment 177.1.

This amendment is to retain the principal thrust of the legislation by preventing people who have had property stolen from advertising and offering a reward but allowing people who have genuinely lost property to do so.

Mr ROBERTSON: Mr Chairman, the government is more than happy to accept the opposition's amendment.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9 agreed to.

Clause 10:

Mr ROBERTSON: I move amendment 171.1.

The penalty of 3 months is clearly more consistent with the thrust of the remainder of the legislation. Having regard to the fact that this covers matters which are not otherwise dealt with by specific penalties, 3 months is seen to be more appropriate than 12.

Amendment agreed to.

Clause 10, as amended, agreed to.

Remainder of bill taken as a whole and agreed to.

Sexual Offences (Evidence and Procedure) Bill (Serial 343):

Bill taken as a whole and agreed to.

Justices (Criminal Code) Amendment Bill (Serial 344):

Clauses 1 to 6 agreed to.

Clause 7:

Mr ROBERTSON: I move amendment 172.1.

The amendment is to cover false or inaccurate references to the Criminal Code. Of course, they deal primarily with bodily harm and the aggravated assault provisions.

Amendment agreed to.

Clause 7, as amended, agreed to.

Title agreed to.

Poisons and Dangerous Drugs (Criminal Code) Amendment Bill (Serial 346):

Bill taken as a whole and agreed to.

Bills reported; report adopted.

Bills read a third time.

CRIMINAL LAW (REGULATORY OFFENCES) BILL
(Serial 335)

In committee:

Clauses 1 and 2 agreed to.

Heading to part II:

Mr ROBERTSON: Mr Chairman, I move amendment 174.1.

This will alter the heading to mining and industrial safety and associated matters. It is merely a correction.

Amendment agreed to.

Heading to part II, as amended, agreed to.

Clause 3 agreed to.

Clause 4 negatived.

New clause 4:

Mr ROBERTSON: Mr Chairman, I move amendment 174.2.

This clarifies that section 63(3) of the Energy Pipelines Act relates to a regulatory offence. Subject, of course, entirely to the will of the committee, there would seem to be no point in repeating the words I have just used another 50 or 60 times. If it is the will of the committee, I will just make the point that that is the explanation. It clarifies the particular offence as being a regulatory offence throughout the amendment schedule.

Mr CHAIRMAN: There is no objection.

New clause 4 agreed to.

Clauses 5 and 6 agreed to.

Clause 7 negatived.

New clause 7:

Mr ROBERTSON: Mr Chairman, I move amendment 174.3.

New clause 7 agreed to.

Clauses 8 and 9 agreed to.

Clause 10 negatived.

New clause 10:

Mr ROBERTSON: Mr Chairman, I move amendment 174.4.

New clause 10 agreed to.

Clauses 11 to 16 agreed to.

Clause 17 negatived.

New clause 17:

Mr ROBERTSON: Mr Chairman, I move amendment 174.5 relating to the Containers for Hazardous Substances Act.

New clause 17 agreed to.

Clauses 18 to 22 agreed to.

Clause 23 negatived.

New clause 23:

Mr ROBERTSON: Mr Chairman, I move amendment 174.6 relating to the Nursing Act.

New clause 23 agreed to.

Clauses 24 to 36 agreed to.

New clauses 37 to 141:

Mr ROBERTSON: Mr Chairman, I move amendment 174.7.

As would be obvious to the committee, Mr Chairman, this picks up a wide range of regulatory offences scattered across the full breadth of legislation in the Northern Territory. As I indicated as an aside to the prepared second-reading speech, it was obvious that the time between the presentation of the bill to the Assembly and the committee stage would reveal significant additional matters to which the Assembly should address itself. I would not say by any means, Mr Chairman, that this is the end of the matter. Certainly, other offences will be found. As I indicated at that time, I also hope many will be found that can be deleted in due course as being irrelevant in the 1980s.

Amendment agreed to.

New clauses 37 to 141 agreed to.

Title agreed to.

Bill passed remaining stages without debate.

COMMUNITY WELFARE BILL
(Serial 351)

Continued from 13 October 1983.

Mr TUXWORTH (Community Development): Mr Speaker, I would like to run through

some of the points that honourable members raised during the debate. I trust that I will canvass them all. If honourable members would like additional information during the committee stage, I would be happy to try to provide it. I will start with the first clause of the bill that was referred to and go through it for the benefit of honourable members.

The member for Victoria River raised a concern with clause 11. He said that it is not appropriate for a member of the Police Force to have the power to take into custody a child whom he considers to be in need of care because police officers are not trained in welfare matters. Mr Speaker, it is necessary that police have this function because they are located in remote areas of the Territory where welfare officers are not located. By the time a welfare officer based in a regional centre arrives on the scene, the child may have come to serious harm.

The second point raised in relation to clause 11 was why mention is made of an 'authorised person'. Should this not be a welfare officer? This was raised by the honourable member for Victoria River. The response is that an 'authorised person' is not restricted to welfare officers, but can include other persons authorised by the minister to perform functions or duties under the act. For example, it may be appropriate to give authorisation to a member of a community council to perform certain duties. I think you could add to that, Mr Speaker, that it might involve health workers, social workers, police or other people who happen to fill a need in a respective community.

The honourable member for Fannie Bay raised her concern with clause 11. She said that it needs to be specified in clause 11(3)(a) that a place of safety should not be a police cell. It is the government's intention that cells not be used under any circumstances and it is considered out of the question that this would occur. For this reason, it is considered unnecessary to legislate to exclude that possibility.

Under clause 13, the member for Victoria River raised his concern by saying that it is not appropriate that police officers have the power to investigate maltreatment. It is necessary that police have this power because they are located in remote areas of the Territory where welfare authorities are not located. As I said earlier, by the time we get welfare people to the scene of a matter of concern, serious harm may have come to a child.

Under clause 14, the member for Victoria River expressed his concern that a penalty of $500 for failure to report apparent maltreatment of a child was excessive and it should depend on the degree of maltreatment. If no penalty were imposed, there would be no means of enforcing the requirement. To link the amount of penalty to the degree of maltreatment would be extremely difficult to administer and would result in arbitrary and inconsistent penalties. Therefore, it is preferable to have a standard penalty.

The member for Victoria River also raised his concern that, while there are indemnity provisions for reporters, there is no protection for those persons who are the subject of vindictive reports. I make the point that, where a report is based on vindictiveness and not made in good faith, the reported person is able to seek redress by taking civil action against the reporter.

Under clause 16 of the bill, the member for Victoria River said that, in this clause, the words 'as soon as practicable' should be replaced by the word 'immediately' when referring to investigation of maltreatment. I would make the point that the present wording should not be altered because 'as soon as possible' means as soon as the investigation can be reasonably done. The term

'immediately' does not allow for constraints such as travelling time or where the family may not be at home etc. In a sense, the 2 expressions mean the same thing. It is the matter of applying it in a legal sense that becomes difficult.

Mr Speaker, under clause 22, the member for Fannie Bay raised her concern that Child Protection Teams should be given express powers to report to the Family Matters Court. The functions of the Child Protection Teams are to examine every reported case of maltreatment and review ongoing action, where required, in consultation with relevant departments and agencies. It is believed to be inappropriate that it report to the Family Matters Court of its own volition. However, if it wished, under clause 45, the court could request that a Child Protection Team furnish a report on a child.

In respect to part IV, the Family Matters Court, the member for Nightcliff said that there is nothing in this part of the bill which requires the minister to ensure that the child have independent legal representation. I have no objection to having a provision included regarding independent legal representation for the child along the lines of the provision in the Family Law Court Act. I would make the point that this provision exists in the Juvenile Justice Act. I have taken the liberty of having a form of words drafted that we can insert as an amendment when we get to that stage of the bill in committee.

Under clause 35, the member for Fannie Bay said that the decision to initiate care proceedings should be made by someone independent of those responsible for the delivery of welfare services. As the minister is the statutory authority with the primary responsibility for children in need of care, it is appropriate that he initiate such applications to the court. However, there is provision for any other person who is not satisfied with the decision of the minister to initiate court action on behalf of the child. A Child Protection Team may also recommend to the minister that an application to the court be initiated in respect of a child.

The member for Fannie Bay also raised her concern about clause 35 and proposed a youth advocate, an independent person to consider the interests of the child and advise the court. The proposal for a youth advocate is fine in a state such as the ACT, where the population is concentrated in a small area. However, in the Northern Territory, where the population is dispersed over a wide area, a youth advocate would not be able to give proper coverage. Nowhere outside of Darwin and Alice Springs would the population sustain the use of one person to perform the functions of the youth advocate. Also there are dangers that the creation of the office of a youth advocate would have the effect of creating a special prosecution unit operating outside the general welfare system. It is believed that its perspective could very easily become distorted in favour of initiating court action in cases where it was not really appropriate. On balance, a better perspective is likely to be ensured by having the agency, whose responsibility it is to provide and deliver welfare services to families and children, also make decisions about the initiation of court proceedings.

Under clause 43, the honourable member for Nightcliff said that concern was expressed about the requirement that the court consider the desirability of maintaining the continuity of living in the child's usual ethnic and social environment when some practices which have the approval of particular ethnic communities are considered to be quite barbaric by the wider society. This requirement should not be considered in isolation but read in conjunction with other provisions contained in clause 43(1). The first and most important consideration of the court is the need to safeguard the welfare and development of the child. On that, we do have agreement, with emphasis being on the word 'need', Mr Speaker. On the other hand, the provision referring to the child's

ethnic and social environment refers to 'desirability', which is a less forceful term.

Under clause 57, the honourable member for Nightcliff said that a system of review should be set up for all children deemed to be at risk whether or not they have been removed from the care of the parents. The provisions under this clause apply to all children under the joint or sole guardianship of the minister. The requirement is for 3-monthly reviews and these are to be conducted in all cases whether or not the child has been removed from the care of the parents.

Under clauses 58 and 59, the honourable member for Nightcliff said that there should be reciprocity between the states regarding custody orders made by courts other than the Family Law Court. Community welfare authorities do not have responsibility for administering orders where the custody of a child rests with one or other of the parents. Therefore, the issue of reciprocity cannot be dealt with under this legislation.

Under clause 64, the honourable member for Fannie Bay said that there needs to be provision to ensure that foster parents are appropriately prepared for their role. This clause requires that the minister, before registering foster parents, be satisfied as to their capabilities, skills and knowledge. The ways in which the minister can ensure that foster parents are suitable include assessment interviews, references and a variety of training and orientation courses but it is not considered appropriate to list these in the legislation. The issue is more appropriately dealt with as a policy matter.

Under clause 65, the honourable member for Fannie Bay said that there should be a provision to require the minister to review regularly cases where children are in foster care. Children can be placed in foster care by the minister only when he has joint or sole guardianship of the child or when a parent has signed a temporary custody agreement under clause 63. The provisions in clause 57 refer to all children under the minister's sole or joint guardianship who are therefore in foster care and already covered by these provisions and subject to 3-monthly reviews.

Under clause 69, the honourable member for Fannie Bay suggested that legislation should take into account the formation of Aboriginal child care agencies. There are Aboriginal organisations and communities besides the Aboriginal child care agencies which promote the welfare of Aboriginal families and children. Therefore, it is preferable that the provisions refer to Aboriginal organisations and communities in general rather than to any specific organisation.

The member for Fannie Bay also suggested that the passage of the bill should be delayed pending deliberations of the Institute of Family Studies on community-based services for children and families. The purpose of the seminar being run is to examine and discuss future policy directions in the development of services for children and families. There is no need to delay the passage of the bill because the provisions in this clause actually refer to the minister providing support and assistance to Aboriginal organisations and communities and the development of community-based welfare services for Aboriginal children and families. The legislation will enable the development of such services to occur.

Regarding clause 70, the honourable member for Nightcliff said that, in the case of a young Aboriginal woman under the age of 18, who does not wish to enter into a tribal marriage, it would be unreasonable for the minister to decide that she should be placed back in that community where she could come to harm. Mr Speaker, where placement in the child's own community would endanger the welfare of the child, the minister, under clause 70, is required to have regard to the

best interests and welfare of the child. When considering an alternative placement for the child, the minister must take into consideration the following points: preference for custody by suitable Aboriginal persons; geographical proximity to the immediate family or other relatives; and undertakings by the persons having custody to encourage contact with the child's kin and culture. However, the overriding consideration, as I said earlier, is the best interests of the welfare of the child.

The last point that was raised by the honourable member for Nightcliff concerned the provisions in clause 93 which do not take into account the situation of children whose parents are working in the rural industry. The provisions of the bill apply to the employment of children and not to those situations where children are not employed, in the strict sense of the term, but are assisting their parents either in the home or on their farm. It is not intended that that should be changed.

Mr Speaker, I thank the honourable members for their comments on the bill. I hope that I have covered all of the points that were raised by honourable members. If there are others, I will be happy to address them. I foreshadow a couple of amendments that I will be proposing. It is not likely that we will be supporting the amendments of the opposition. I will have explanations.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mrs O'NEIL: I move amendment 189.1.

The purpose of this amendment is to make sure that a police prison would not be used as a place of safety for a child taken into care. The honourable Minister for Community Development said that this was the policy of the government and that no child taken into care would be placed even temporarily in a police cell. We are very pleased to hear that. Nevertheless, it is the view of the opposition that the legislation should reflect that policy. Since the government has no objection, in principle, and indeed supports it, we believe that it should be in the legislation.

Mr TUXWORTH: Mr Chairman, the government will not be supporting this. As I said a few moments ago, the government's attitude and policy on this is well known. It is intended that it will remain that way and we see no need to have it carved in stone.

Amendment negatived.

Clause 4 agreed to.

Clauses 5 to 20 agreed to.

Clause 21:

Mrs O'NEIL: Mr Chairman, I move amendment 189.2.

The purpose of this amendment is to allow the Child Protection Team, where it deems it appropriate, to report to the Family Matters Court in relation to a

child suspected of being maltreated. This was in accordance with a recommendation of the Law Reform Commission of Australia which commented to the government and the opposition in respect to the provisions of this bill. It was the view of these well-qualified people that such a provision could be useful in assisting the court to have information that it may not otherwise have access to. We believe that it would enhance the bill.

Mr TUXWORTH: Mr Chairman, I said during my second-reading reply that the government would not support this. We believe that the Child Protection Team should work in concert with all the agencies involved in providing protection and support to the family and the child. This is not a role that we would wish to see the Child Protection Team taking up by itself.

Ms LAWRIE: Mr Chairman, I wish to support this amendment and would ask the minister to reconsider. We are only stating that, where the Child Protection Team feels that it is appropriate to do so, the chairman shall furnish certain information to the court. It is not required in every circumstance, and the whole point of having the Family Matters Court is for judgments to be made on the evidence placed before it. One would hope that would be the widest possible evidence.

Mr Chairman, experience overseas indicates that various agencies do not necessarily talk to each other and pass on relevant information all the time. Their intention, of course, is to do so. The minister's intention is that the widest protection be given to the child. A court should have access to all the relevant facts. It is pretty clear that, in certain circumstances, a Child Protection Team could have knowledge of events affecting a child's life which would be relevant to the court and which it could be of benefit for the court to see a report on. If the chairman sends a copy of that report to the court, it is quite clear again that, in certain circumstances, the court may wish to call for further evidence from the Child Protection Team which may have first-hand information. Mr Chairman, there is nothing like first-hand information. Every time information is relayed to a third person, facts become distorted - through no ill intent at all - and may not have the same relevance to the court's finding. I think this is a perfectly proper amendment which could result in a great deal of benefit to a child as a result of first-hand evidence being given.

Amendment negatived.

Clause 21 agreed to.

Clauses 22 to 38 agreed to.

Clause 39:

Mr TUXWORTH: Mr Chairman, I move amendment 195.1.

Mr Chairman, the honourable member for Nightcliff raised the possible need for somebody to determine that a child needed legal counsel or advice and, while that provision is in the Juvenile Justice Bill, it is not in this one. I am more than happy to see it go in. I think that the words on the circulated amendment might satisfy the honourable member in this aim and recommend to the committee that it be adopted.

Amendment agreed to.

Clause 39, as amended, agreed to.

Clauses 40 to 52 agreed to.

Clause 53:

Mr TUXWORTH: Mr Chairman, I invite defeat of clause 53.

The clause makes it an offence to remove a child without the prior permission of the minister. However, the provisions contained in this clause are also in clause 97. Thus, clause 53 is superfluous.

Clause 53 negatived.

Clauses 54 to 57 agreed to.

Clause 58:

Ms LAWRIE: Mr Chairman, this deals with the care of children from another state. I wish to clear up a misunderstanding which has arisen between myself and the minister. I appreciate that, under this particular bill, reciprocity cannot be enforced. The whole point of my raising the matter was that, in meetings of community welfare ministers and Attorneys-General, I would like attention to be paid to the necessity for reciprocity between states where custody orders are made regarding children; that is, other than by the Family Law Courts whose orders are applicable across Australia. But custody orders made under the various state acts are not enforceable across state boundaries and this is causing considerable distress. In fact, my primary school has the unenviable reputation of having the highest number of child snatchings in the Northern Territory.

Mr TUXWORTH: Mr Chairman, let me say to the honourable member that I too share her frustration about the reciprocity and the exchange arrangements that exist between the states. They are most unsatisfactory and I can speak from an experience with medical patients, people held under legislation covering mentally-defective persons, people held in normal prison environments and the exchange of children in the social welfare and juvenile justice system. I can say that this frustration is a very sore point amongst all ministers. At every meeting that I have ever been to, it has been raised in some form or other. I might make the point that the first time that I heard it raised in the social welfare field was in about 1976 when I attended a conference in Canberra. It is still on the agenda in a different way. I can assure the honourable member that this concern is felt all over the country. The problem is a very vexed and difficult legal one and there is a commitment by people to solve it. What I cannot say to the honourable member is that it is going to happen in her or my lifetime.

Clause 58 agreed to.

Clauses 59 to 64:

Mrs O'NEIL: While we are speaking to these clauses, I wish to correct an inaccuracy. The minister suggested in his second-reading reply that it was my desire to have inserted in clause 64 qualifications for foster parents. That is not my view. It was not what I proposed in relation to the bill. I believe that the minister agrees that adequate training and backup for foster parents should be available and that people need the assurance that this trend will continue.

Clauses 59 to 64 agreed to.

Clause 65:

Mrs O'NEIL: I move amendment 189.3.

The purpose of this amendment is to ensure that, when children are placed in foster care, the arrangements are reviewed 3-monthly. It is the view of the minister that this is covered in clause 57 which provides for a 3-monthly review of children in guardianship circumstances. My advice was that clause 57 did not cover all the cases of foster care that might exist under clause 65, which refers to a child for whose welfare the minister is responsible. That is a little different from a child who is actually in the guardianship of the minister. It is perhaps a question of legal interpretation but my advice is that clause 57 does not cover all the foster care cases.

Mr TUXWORTH: Mr Chairman, I will be seeking the defeat of this amendment. It is a case where mere mortals like the honourable member and myself are relying on the legal advice of others. However, I would give an undertaking that, if the honourable member is prepared to give me a copy of her advice so that I can have it looked at by the draftsman, and there are any problems that we can identify, we will address them. If it is proven to be right the way it is, then we will leave it as it is. My understanding is that the proposal being put by the honourable member for Fannie Bay is irrelevant because reassessment every 3 months is already provided for in the legislation.

Ms LAWRIE: Mr Chairman, I would like the minister to reconsider. I am speaking in support of this proposed insertion in the clause. Clause 65 is quite clear. Let us consider someone who is taking a child into foster care or who is reading through the legislation and wants to know what are the obligations and the ramifications of the bill. Quite clearly, clause 65 deals with foster care. The honourable member for Fannie Bay is saying that, in consideration of foster care, in the placement of a child under subclause (1), the minister shall ensure that there is a 3-monthly review.

The honourable minister has said that it is covered under clause 57. Clause 57 refers to an order under clause 43(4). If we go back to clause 43(4), we see where a court may do certain things, on the hearing of an application, including placing a child under the guardianship of the minister or in residence with other persons. As I understand it, the only objection the minister has to this amendment is that the matter is already covered. But he referred to clause 57 which then goes back to clause 43(4). I think that, for the purpose of a clear understanding of what will happen under foster care, it would do no harm at all to insert the same provision in clause 65. All we are stating is that, where foster care is applicable, there should be a review as happens under other parts of the bill. The need to refer back twice will be too much for some people to follow.

Secondly, as clause 65(2) stands, it says the situation is subject to review by the minister at such periods as he thinks fit. If it is already covered by these previous provisions, why have any reference at all? The fact that there is a subclause saying that it is subject to review by the minister, after such period as the minister thinks fit, gives the indication that that relates directly to foster care and is not necessarily covered by any other clause. Therefore, if the minister agrees that a 3-monthly review is wise, and it appears from his remarks that he does, why not state so under the foster care provisions without having 2 cross-references.

Mr TUXWORTH: Mr Chairman, I am not sure whether the honourable member for Nightcliff was in the chamber when I addressed this matter in the second-reading debate. I will just go through it again.

Children can only be placed in foster care by the minister when he has joint or sole guardianship of them or when a parent has signed a temporary custody agreement under clause 63. The provisions in clause 57 refer to all children under the minister's sole or joint guardianship and, therefore, children in foster care are already covered by the provisions and are subject to 3-monthly review. I think that will dispel the honourable member's concern.

Amendment negatived.

Clause 65 agreed to.

Clauses 66 to 73 agreed to.

Clause 74:

Mr TUXWORTH: Mr Chairman, I move amendment 178.1.

This is a formal amendment to provide for the period of a licence to be for 3 years rather than 12 months.

Mrs O'NEIL: Mr Chairman, the opposition does not support this amendment which extends the licence period for a children's home from 1 year to 3 years. We feel that the annual review is desirable. It is not too onerous a burden to place on persons involved in the administration of children's homes. We feel that the licence should be reviewed annually as are so many other licences of much less importance which persons require in the Northern Territory for one reason or another. To extend that licence period to 3 years is quite unwarranted.

Ms LAWRIE: Mr Chairman, I support the honourable member for Fannie Bay. If it is good enough to be required to have your car inspected once every 12 months, surely it is not too onerous on the government to have children's homes inspected once every 12 months. If we are looking at costs and the number of personnel engaged in such inquiries, surely the time spent by the community and government in vehicle inspection would multiply a thousand times what would be necessary to conduct a survey and inspection of a licensed children's home.

Mr Chairman, there is another worry about extending the period to 3 years. When granting the original licence, the minister must have regard to the qualifications and experience of the person or persons who will be conducting, managing or employed in a children's home. One would imagine that, if the licence holder relinquished the licence or left the Territory, there would be a review to see whether that licence should continue in another person's name. The minister must accept that it is unlikely that people will remain employed there for a period of 3 years. Staff come and go. I think that, by extending the period to 3 years, he may be causing himself more trouble than he realises. An annual review would accommodate normal staff changes without the need for extraordinary reviews.

Mr TUXWORTH: Mr Chairman, I might have a bit of a problem with this one in that I cannot relate the inspection of a motor vehicle every 12 months to the licensing of a children's home. I would make the point that a children's home is likely to be involved continually with officers of the department throughout the life of its operation. This may not be on a regular inspectorial basis, but there is no doubt in my mind that the activities of any home in Darwin would pretty soon come to the notice of staff of the department if things were not as they should be. The provision in clause 79 allows for entry and inspection of homes by the minister's delegates if that is deemed necessary. That probably would happen whether the licence was annual, biannual or triannual.

Ms Lawrie: Why alter it?

Mr TUXWORTH: I cannot accept the proposition.

Amendment agreed to.

Clause 74, as amended, agreed to.

Clauses 75 to 83 agreed to.

Clause 84:

Mr TUXWORTH: Mr Chairman, I move amendment 178.2.

Again, this changes the wording from 12 months to 3 years.

Mrs O'NEIL: The opposition opposes this amendment as it did the previous one. It relates to licensing of child-care centres. It is our view that they should be licensed annually. We do not believe that licences should be granted for as long as 3 years without complete review.

I spoke about this with people in the child-care industry and they expressed concern to me about this very substantial expansion of the length of a licence from 1 year to 3 years. There are large numbers of the Territory's children who will be cared for in child-care centres licensed under this bill when it becomes law. I think we have a duty to ensure that licensing of those places, as with children's homes, is not something to be taken lightly.

Mr TUXWORTH: Mr Chairman, I assure the honourable member that the matter is not taken lightly and, in fact, in this particular circumstance, officers of the Department of Community Development are in and out of these centres all the time making checks on what is going on.

Mr B. COLLINS: Mr Chairman, I must say that I am intrigued by the honourable minister's explanation for why these inspections of child-minding centres should not be carried out annually. His rationale is that there is no need to have inspections of child-minding centres carried out every 12 months because officers of his department are going in and out of them all the time.

I have had connection with a child-minding centre. In my view, it was run excellently. I would be interested to know what business takes officers of the Department of Community Development into these centres so often. The reason why I would like an explanation is that, if the inspection must be carried out annually, it places an onus on the government to carry out that inspection which, I must say as a parent, I would find very reassuring indeed. I am not at all happy about a situation where these premises would only be inspected properly once every 3 years. I wonder if the minister can inform me, if these officers are going in and out with such frequency, why it is an onerous responsibility under those circumstances for an inspection to be carried out?

Mr TUXWORTH: Let me just turn it around, Mr Chairman, and ask, why, with the amount of contact officers of the department have with the centres, it should be done every 12 months instead of every 3 years?

Mrs O'NEIL: If we take the minister's argument to its logical conclusion, we will not bother to register these institutions at all because officers of the department are popping in and out of them all the time. They do not need registration. Why 3 years and not 10 years if officers are popping in and out all the time? He is not being consistent.

The other point I would like to make is that, in my experience, while it would be highly desirable for officers of the department to pop in and out of child-care centres all the time, the fact is that that does not happen. There are large numbers of child-care centres in the Northern Territory and their numbers will inevitably increase. The department has had very few officers. At one stage, it only had one officer whose duty it was to be involved in child-care matters. While other officers of the department might involve themselves in these tasks when necessary, the fact is that the department has not had large numbers of officers doing this job. Certainly, they are not popping in and out of child-care centres all the time.

Amendment agreed to.

Clause 84, as amended, agreed to.

Clauses 85 to 96 agreed to.

Clause 97:

Mr TUXWORTH: Mr Chairman, I invite defeat of clause 97.

This clause makes it an offence to remove, without lawful excuse, a child who is subject to this bill. I would foreshadow that a new clause will be inserted.

Clause 97 negatived.

New clause 97:

Mr TUXWORTH: Mr Chairman, I move amendment 178.3.

This new clause has the effect that a person is not considered to have lawful excuse unless he has had the prior permission of the minister to be in possession of the child.

New clause 97 agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

JUVENILE JUSTICE BILL
(Serial 352)

Continued from 12 October 1983.

Mr TUXWORTH (Community Development): Mr Speaker, I would like to address for a few moments matters that honourable members raised in relation to the Juvenile Justice Bill during the second-reading debate.

Mr Speaker, the honourable member for Victoria River asked, concerning the justice approach, on what authority is the claim based that the welfare approach has been to the detriment of offenders and the community alike. Recent literature on this subject documents overwhelmingly the failure of the welfare approach to juvenile crime. An excellent summary of this literature is contained in chapter 5 of the Australian Law Reform Commission's Report No 18 on Child Welfare. Common criticisms are: that the welfare approach has been characterised, in the interests of informality, by a lack of due process and a consequent denial

of basic legal rights including the failure to apply accepted rules of evidence and standards of proof; children being locked up, not because of the seriousness of their offence but for their own good; indeterminate sentences which place inordinate discretionary power in the hands of administrators - for example, committal orders until 17 years which allow the welfare authorities total discretion regarding the length of sentence as well as the power to return to institutional care without the requirement to prove additional offences; and the numerous research programs that have failed to show any benefits from the imposed treatment which this approach entails.

Again, members are invited to look up the Australian Law Reform Commission's report. In fact, there is a widely-held view that the labelling of offenders as pathological and in need of treatment actually increases the likelihood of continued offending as they see themselves as not able to control their actions and therefore not accountable. The overuse of soft, non-punitive options has brought the juvenile justice system into discredit and created a widely-held view among many young people that they are immune from legal sanctions. The most famous judicial indictment of the welfare approach was the 1967 case, re Gault, in which Justice Fortas of the United States Supreme Court highlighted the many inherent injustices of that approach and called for a return to the system of due process of law.

I would ask honourable members to note that the department would be happy to compile a bibliography for any member or any other persons wishing to discuss this topic further.

Mr Speaker, regarding clause 3, the honourable member for Fannie Bay expressed her concern at the age at which young people are to be dealt with by the adult court and suggested it should be 18. At present, 17 is the age at which young people are dealt with by the adult court and, although this is 1 year younger than the age of majority, it is seen as more appropriate. Contrary to the belief that all the privileges and responsibilities of adulthood should be foisted onto people at 17, it is seen by this government as more desirable that the process be a gradual one. Young people, for example, have been able to obtain driving licences at 17 years of age and will soon be able to obtain licences, excluding taxis and bus licences, at the age of 16. All unemployment benefits are available to 18-year-olds, while partial benefits are available to 16 and 17-year-olds.

Under clause 6, the honourable member for Fannie Bay suggested that the Juvenile Justice Review Committee will be dominated by government heavies and that the legislation does not indicate who is to be appointed to the committee. The legislation provides that 4 of the maximum of 9 members of the committee will be individuals representing government departments closely associated with the operation of the juvenile justice system. It is seen as essential that government departments which are closely involved in the operation of the Juvenile Justice Act be represented on the committee.

The honourable member for Millner has suggested that membership of the committee should reflect a broad value base relating to views on the punishment and rehabilitation of juveniles and that persons should not be permitted to serve more than 2 terms of 3 years without standing down. The bill should not limit the composition of the committee any further than is presently provided for. The bill provides for the minister to consider the values of potential appointments that are considered inappropriate. It is not agreed that committee appointments should be limited to 6 years as continuity of membership is seen as desirable in some cases.

Regarding clause 14, the honourable members for Fannie Bay and for MacDonnell asked why the Board of Inquiry's recommendations for children's aid panels were not adopted. Children's aid panels are intended to be a less formal system of dealing with offenders in order to keep them out of the general justice system. This system was rejected for the following reasons: (a) although it is dubbed informal, it involves a form of coercive intervention without the protection of due process or even the need to legally establish guilt; (b) there is no evidence to support claims that this system is effective in reducing recidivism - for example, the South Australian Children's Aid Panels have a similar recidivism rate to the South Australian Children's Court and the Victorian police warning system; (c) the administration of such a system tends to be quite inconsistent with the wide scope for capricious decision-making as to whether an individual child is charged or brought before a children's aid panel; (d) there are strong indications that such a system leads to an increase of juveniles in the system as many who previously would merely have been warned are dealt with before juvenile aid panels; and (e) the cost of setting up a complex panel system such as this to cover the entire Territory would be totally unwarranted, particularly in view of the shortcomings outlined above. Instead of an elaborate diversionary structure of this sort, diversion from the formal justice system can best be achieved by encouraging use of the police warning system and informal voluntary referrals for counselling and other support services.

Mr Speaker, the honourable member for Fannie Bay asked why the word 'juvenile' was used instead of 'children'. This is in line with contemporary terminology in this field. Also, the term 'juvenile' more aptly describes the age group which comes within the jurisdiction of the court.

The honourable member for Fannie Bay proposed the use of a youth advocate, an independent person, to consider the interests of the child and advise the court. It is difficult to imagine the role that this person would play when the juvenile is legally represented. We should uphold the principle that the juvenile's own legal counsel represents his interest.

Under clauses 22 and 23, the members for Fannie Bay and Nightcliff proposed that the court be closed for first offenders in all cases. To implement these provisions, it would be necessary to disclose the juvenile's previous criminal record before the commencement of the trial. It is a fundamental principle of our justice system that details of an accused's previous criminal history are not disclosed until guilt is established to ensure that the verdict is not influenced by such a disclosure. This proposal, while superficially attractive, has not been thought through and is an example of a well-meaning attempt to soften the law in its application to juveniles which would, in fact, have the effect of denying some juveniles the right to a fair and impartial hearing. It would also open the possibility of verdicts being challenged on appeal on the grounds of the court having been unduly influenced by the appellant's past history. Other more practical difficulties associated with this suggestion are: accurate information on previous records is not always available; difficulties would arise with joint offenders where not all are first offenders; and it would mean that a rapist on a first offence would be protected by the closed court provision where a second-time shoplifter could suffer the full dose of publicity. In summary, the courts would have great difficulty in implementing this proposal.

On clause 25, the member for Fannie Bay asked why protections are provided only for juveniles being interviewed in relation to serious offences. To provide the same degree of protection for all offences would not allow the police to deal quickly and effectively with the overwhelming majority of juvenile cases which are of a very minor nature. The utilisation of the full level of

protection would result in the police having to hold juveniles for much longer periods and in a more formal atmosphere for even the most minor questioning; that is, even in regard to why they were walking around late at night on school grounds etc.

In relation to clause 25, the member for Millner raised the problem that a subclause prohibits the attendance of an adult at the interview of a juvenile if the adult has an interest in the outcome of the interview. He asked whether a teacher would be accepted in this case if the investigation was about school vandalism. Common sense, I would suggest, would dictate that the teacher in this case would be seen as having an interest in the outcome of the investigation and may not be an appropriate person to be present.

Regarding clause 32, the honourable member for Fannie Bay raised the problem that the provision that juveniles can be detained in a detention centre or other place approved by the minister allows the minister to send a juvenile to prison. This should not be permitted by the legislation. Although this was clearly not the intention of the provision, the wording does not prohibit the minister from approving a prison for the detention of juveniles under this clause. I can give an assurance though that the clause would not be used in this manner. It can be modified to indicate that 'other place' referred to in this clause excludes a prison. I can give an assurance that I will not be using it to send anybody to jail or into detention.

The honourable member for Nightcliff raised the point that, as juveniles can be sent to prison, the bill should provide that they be kept separate from adults in the prison and while being transported to and from prison. I would make the point again that it is government policy that, wherever possible, juvenile prisoners will be kept separate from adult prisoners. It is not accepted as necessary that the legislation provide explicitly for the separation of juvenile and adult prisoners.

Regarding clause 31, the honourable members for Fannie Bay and for Nightcliff raised the point that the previous draft provided for juveniles to be brought before the court within 4 days. The present draft provides that it will be within 7 days. She said that the previous 4-day limit was more appropriate. I would make the point that the previous draft provided for a limit of 4 sitting days of the court and not just 4 days. As the juvenile court would only sit once a month in some remote communities, this could result in an effective time limit of 4 months. For this reason, it seemed more appropriate to change the time to 7 days.

In relation to clause 36, the honourable member for Alice Springs raised his concern that the offence of murder cannot be dealt with under this bill and is punishable by a mandatory sentence of life imprisonment which is too harsh for juveniles. There is no doubt that the provision of mandatory life imprisonment for a juvenile is too harsh. I think amendments have already been circulated to the effect that we will be giving the court the power to set sentences, for juveniles convicted of murder, up to life and that the matter will be left in its hands.

In relation to clause 40, the members for Fannie Bay and for Nightcliff argued that legal representation should be provided in all cases. This type of provision was not included as it is assumed that the juvenile and his family should have the right to decline legal representation if they so wish.

Regarding clause 42, the honourable member for MacDonnell made the point that forcing parents to attend interviews may exacerbate family problems. For

this reason, the court has a discretion in this regard. However, it is essential that the court have the power to compel parents to appear before it, however sparingly that power may be used. The honourable member's point is not lost. It is appreciated.

Regarding clause 54 of the bill, the honourable member for MacDonnell argued that petrol sniffing should not be dealt with as a misdemeanour and placed before the court. I would make the point that petrol sniffing is not an offence. However, petrol sniffers often break the law whilst intoxicated and may be charged subsequently. It is agreed that community-based preventative programs provide the real answer to the petrol sniffing problem.

In relation to the same clause, the honourable member for Fannie Bay said it was desirable that courts have the option to make adjournments and bonds conditional. The intention is that good behaviour - that is, no further offending - shall be the condition inherent in both of these orders. The placing of further conditions would seem to be more consistent with a probation order which is better suited to providing supervision of those conditions and reporting back to the court if they are not obeyed. However, there is no objection to conditions attaching to good behaviour bonds.

Mr Speaker, the honourable member for Alice Springs also raised the problem that fines are often inappropriate for juveniles as they are paid by parents. The division provides a fines repayment scheme whereby non-working juveniles are provided with casual work to earn money to pay off fines. This scheme currently operates in Darwin and Alice Springs and will be extended to other centres. This makes a fine a viable option for all juveniles and leaves no excuse for non-payment. There must be some means of enforcing fines and, for juveniles who refuse to cooperate with this scheme, detention is probably the only option.

The honourable member for Nightcliff also raised concern that community service should be able to include service to the person whose property was damaged. This is provided for under clause 56(1), dealing with restitution; that is, restitution by way of monetary compensation or performance of service in respect of compensation.

The honourable members for Fannie Bay and Alice Springs have argued that juveniles should not be imprisoned or, alternatively, there should be special restrictions on imprisonment as there are in South Australia. The number of juveniles in Northern Territory prisons has been quite low in recent times. Currently, with the lack of a secure facility in the Top End, it would be unwise to withdraw the imprisonment option. However, once the Darwin centre is operating, it may be possible to amend the act to include provisions similar to those in South Australia to cope with dangerous juveniles who cannot be handled in a juvenile facility. This could be the subject of a later review.

Clause 67 was addressed by the honourable member for Nightcliff. She asked why 'starvation diet' was omitted as a prohibited disciplinary measure. The use of a starvation diet was not deliberately omitted as a prohibited disciplinary measure. It is impossible to provide an exhaustive list of prohibited punishments. Therefore, this clause specifically refers to restrictions on the use of force and disciplinary measures. Denial of food is not considered to be a use of force.

In relation to clause 90, the honourable member for Fannie Bay asked why automatic expungement of convictions does not apply to all offences. Mr Speaker,

it is not considered appropriate that automatic expungement of convictions apply to offences where violence has been used as this would deny the courts important background information about violent offenders and may be prejudicial to the interests of the community.

On clause 98, the honourable member for Fannie Bay asked why the restriction on the liability of the minister is 6 months rather than 2 years. The provisions contained in this clause are the same as those in the current Child Welfare Act. There are no strong feelings on the matter and no obvious reason for a change.

Mr Speaker, I would like to thank honourable members for the interest they have shown and the work they have put in on the bill. I trust that I have addressed every point that was raised in the debate. If there are points that honourable members would like to raise during the committee stage, I will endeavour to satisfy them.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 and 2 agreed to.

Clause 3:

Mrs O'NEIL: Mr Chairman, I move amendment 190.1.

The purpose is to amend the definition of 'juvenile' to cover persons up to the age of 18 years rather than persons up to the age of 17 years as the bill now stands. This amendment would bring this Juvenile Justice Bill into line with the age definition in the Community Welfare Bill which we have just passed. We believe this should be done for the sake of consistency.

In his second-reading reply, the honourable minister said it was the government's view that the acceptance of adult responsibility should happen gradually and not everything should happen at the age of 18. I can certainly remember when I was about 18 and young men of my aquaintance were drafted and sent off to war by a government that they had no chance of voting for. They were 18 and they were not allowed to vote until they were 21. The Australian community came to the view that that was not just. If a person was old enough to fight for his country at 18, he was old enough to vote. I can remember that most clearly, Mr Chairman, because they were young men of my own age at the time. In relation to serious matters, such as sending people to adult prisons, it is hardly fair to compare it with the age of majority in relation to obtaining a driver's licence. For such a serious matter as being sent to an adult prison, the age of 18 is an appropriate one as that is the age at which, in legal matters, one is deemed to attain one's majority.

Mr TUXWORTH: Mr Chairman, the government will be seeking the defeat of the honourable member's proposition. I think it important that we distinguish between the 2 acts. The age of 18 is in one bill for a reason and the age of 17 is in the other bill for a totally distinct reason. In the community welfare legislation that we have just dealt with, children covered under that legislation sometimes have to be the responsibility of the minister and of the department up until the age of 18 which is when the law, under the Ages of Majority Act, gives them the right to do a whole range of things for themselves. There is a need for a responsibility up until the 18th year.

Mr Chairman, this is distinctly different from the age of 17 applying in this bill which relates to the age at which bigger juveniles ought to be put in a confined environment with juveniles of 9 or 10 or 11 in a juvenile justice detention system. What the member for Fannie Bay would be arguing for in the amendment would be for 17-year-olds to be in with the 12 and 14-year-olds.

Mrs O'Neil: No, 17-year-olds.

Mr TUXWORTH: Everybody who has not reached his 18th birthday would be in with the younger children in these centres. There is a very strong view that 18 is a bit old to mix with younger people in these centres. Our present ruling is that 17 is the limit and that there are even times when 17 is a bit old. There is an argument throughout the country that 16 is too old to be putting some of these bigger offenders in with the others. In one state, there is an intermediate group between 17 and 21 which is separated from both the juvenile and the senior systems. It is a matter of balance and one that I am prepared to take advice on from the people who work in the field. The age of 17 has been the practice for some years. It seems to have worked well. We have no instances of concern with it. The government would be proposing to leave the age at 17.

Mr SMITH: Mr Chairman, the honourable minister seems to be introducing a new concept into this argument: a 'sizist' concept. We in the parliamentary Labor Party have been inflicted with 'sizist' arguments from time to time because of all the little people that we have on our side. But it was most unusual to hear the minister seeming to say that some 17-year-olds are worse than others because some are bigger than others. That is a most unusual argument for whether 17-year-olds should be included in this or not. Can I make the point that I agree with him that it is difficult to draw a dividing line on this issue. It is a matter of judgment. But we are saying the matter of judgment should be based on the normal community-accepted standards as to who is an adult and who is not. He is attempting to draw a new line that 17-year-olds, for this purpose, are adults. We are saying that the community judges 18 to be an adult age.

Mr TUXWORTH: I point out to the member for Millner that we are not drawing any new lines or introducing any new concepts. We are continuing to extend the one that has been with us now for 20 years. I am arguing that nobody has presented any evidence which would suggest that 17 should not be the age and that 18 should be. I am not arguing about whether 17 and 18-year-olds are bigger or smaller. There is a whole range of considerations to be taken into account apart from their sizes, including their maturity and their attitude. Let me assure honourable members that we are not introducing a new view but continuing with one that can only be regarded as fairly well tried and proven at this stage.

Mrs O'NEIL: Mr Chairman, the entire community and the Assembly's inquiry into welfare needs have agreed that we are discussing this new legislation because the existing legislation is very poor. It is recognised by everybody as being based on outmoded concepts and having all sorts of problems. Now the minister says we should stick to the age of 17 because it was in the old legislation. We are repealing the old legislation. If it is so good, why are we repealing it? I think the minister himself is a bit confused because he kept referring to his earlier reply about 17-year-olds being too old to hold with younger children. Our amendment refers to people under the age of 18; that is, a person 17 years and under - those under the age of legal responsibility.

Mr BELL: Mr Chairman, I would like to contribute to this debate. I am very firmly of the opinion that the Minister for Community Development ought to accept this amendment. It is neat, logical and within the context of the bill under consideration and the previous bill we passed today. If young people accept those responsibilities at age 18, that is the point at which they should cease to be covered by a juvenile justice system since one is to be introduced. I think it is bloody-minded of the minister to refuse to accept this. Since these 2 bills are so closely related, quite clearly it is something that should be acceptable to all members of this Assembly. I would like to see the honourable minister accept the amendment.

Mr TUXWORTH: Mr Chairman, when it comes to logic, the member for MacDonnell can always manage to floor me. He is arguing that, because the bill we are about to repeal has the age 17, then we should not have the same thing again and because the bill we passed half an hour ago has age 18, we ought to insert that. I am happy to disagree with the logic of the honourable member and leave it at that.

Mr D.W. COLLINS: There is a point that I would like clarified. If a 16-year-old offender is sentenced to 2 years, what is the intention of the government when that person turns 17? Will he be kept in the juvenile centre or taken to an adult prison?

Mr TUXWORTH: The provision in the bill would enable the juvenile who was sentenced to a juvenile centre at 16 to complete his sentence at that centre.

Amendment negatived.

Clause 3 agreed to.

Clauses 4 to 21 agreed to.

Clause 22:

Mrs O'NEIL: Mr Chairman, I move amendment 190.2.

The minister was so kind as to describe my intention as 'well-meaning'. It is to ensure that the first appearance of a juvenile before a court will be in a closed court. The minister sees all sorts of problems with this. I listened most carefully and, quite frankly, I could not see the problems that he saw in it. He felt that it would mean disclosing a person's complete record in later cases. I do not think that that really does justice to the people who run the courts. It is easy enough for them to determine which child offender has had a previous conviction and which one has not. If one has not had a previous conviction, the court could be closed for that hearing. If an offender has a previous conviction, then the court could be open unless otherwise determined in accordance with the provisions of the bill. This would not mean that the nature of any previous offence would need to be divulged and prejudice the case before the court at that time.

Mr TUXWORTH: Mr Chairman, I hear the honourable member for Fannie Bay. I canvassed the issue very thoroughly in reply in the second-reading debate. The power is with the magistrate to close the court if he so wishes and he believes that it is in the interests of the trial to protect the child. There is also a provision for the magistrates to prevent publication of the proceedings. I think the matter is fairly well covered. We will be leaving it as it is.

Amendment negatived.

Clause 22 agreed to.

Clauses 23 and 24 agreed to.

Clause 25:

Mrs O'NEIL: I move amendment 190.3.

The purpose of this amendment is to ensure that, when young persons are interviewed by members of the Police Force, their parents, guardians or other appropriate adult persons are present. The minister in his second-reading reply indicated that he intended to oppose this amendment because he felt that this would cause some inconvenience when police were interviewing young persons in relation to offences of a very minor nature. All I can say is that I disagree with him. Certainly, my advice to all young people - and the advice in the very excellent pamphlet called 'Young People and the Law' which his department prepared - is not to have interviews with members of the Police Force unless one of the parents of the young person is present.

In the case that the minister refers to, the question of an interview relating to something of a very minor nature, I would suggest that the police would see that it would be more appropriate to call at the child's home and interview him or her in the presence of the parents. If a child is somewhere where the police think he should not be, they can certainly say, 'Off you go lad'. But that is not an interview. If they want to interview the child in relation to being on school grounds after dark, it is our view that an independent adult should be present and that those otherwise excellent provisions in clause 25 relating to police interviews should cover those circumstances as well as interviews in relation to more serious offences.

Mr TUXWORTH: Mr Chairman, as the honourable member said, this matter was canvassed fairly heavily. I just do not share her view on it.

Amendment negatived.

Ms LAWRIE: Mr Chairman, in discussing clause 25 and the amendment which has been defeated, and because he will undertake the review of this legislation, I would like the minister to consider that, when a policeman is interviewing a child because of the suspected commission of an offence punishable by less than 12 months if the child were an adult, he may well, in the course of his investigation, receive information which leads him to wish to pursue a matter which is of a more serious nature. This happens very often when interviewing young people. They are picked up for what is a seemingly trivial offence and, in the course of interview, admit to all kinds of horrendous things. Because the honourable member's amendment was defeated, in the middle of such an investigation the policeman will be bound to abandon the interview and start again at a later date in the presence of other witnesses. I can assure the honourable member that that does not lead to orderly investigation through interviews with juveniles.

Clause 25 agreed to.

Clauses 26 to 31 agreed to.

Clause 32:

Mrs O'NEIL: Mr Chairman, I move amendment 190.5.

The purpose of this amendment is to ensure that, when a juvenile is charged with an offence and not admitted to bail but detained, possibly in a jail, then that juvenile shall be kept apart from adult persons and detained only with other juveniles.

Mr TUXWORTH: Mr Chairman, the government seeks the defeat of this amendment. As I said earlier, it is a well-established policy that is put into practice daily and we do not see any need to carve it in stone.

Mrs O'NEIL: Mr Chairman, like the honourable minister, I have been around the Territory for quite a while and, in my experience, it is not true that juveniles have been kept, at all times, separate from adults. If it is, indeed, the government's policy, as the minister says, I see no reason for his objection to its includion in the bill as a statement of that policy. Governments come and go and all sorts of ministers will undoubtedly fill the shoes of the honourable minister as years go by. He should see the desirability of including what he recognises as a good thing in the legislation for the benefit of persons working under it in the future.

Amendment negatived.

Clause 32 agreed to.

Clause 33:

Mrs O'NEIL: Mr Chairman, I move amendment 190.6.

This amendment is to ensure that arrested juveniles will be brought before a court within 4 days of arrest when they have not been released from custody previously. I have had discussions with those of my colleagues who represent large, remote areas of the Territory as well as with other persons with a good knowledge of the working of the criminal justice system as it applies to persons in remote areas. It is the advice of persons well qualified to give it that 4 days is ample time to allow for a juvenile to come before the court. Indeed, it is the view of some people that 4 days is too long. We believe that 4 days is a reasonable compromise and that 7 days is seen by many people as an excessive length of time to keep a juvenile in custody before he or she appears before a court.

Mr BELL: Mr Chairman, I support the sentiments of the honourable member for Fannie Bay. I represent a very large electorate. It is somewhere near the size of Victoria. It requires a day's travel one way or another. I am fairly well acquainted with the operations of police stations at various points in my electorate and I heartily agree that there should be a reduction in the period within which juveniles should be brought before the court. I really cannot accept the argument that isolation justifies this extended period. I think that I have probably spent far more time than the honourable minister in travelling on rough roads over vast distances and I know that there is nowhere within my electorate that would justify such a lengthy period before such people could be brought before a court. I earnestly encourage the honourable minister to accede to this particular amendment.

Mr TUXWORTH: Mr Chairman, I believe the opposition's proposal stems from a misunderstanding in the first place. The 4 days to which the honourable members are referring are 4 sitting days of the juvenile court.

In some places that could span 4 weeks or 4 months depending on the activity of the court circuit. What we are saying is that we do not want to use the words

'sitting days' which were in the original draft. We want to say a plain '7 days' and be done with it. In my view, the honourable member extended that to assume that juveniles would be automatically in custody for 7 days. As the honourable member and I know, in the remote areas that is not the case. They might go into court on the fourth or the fifth day but they will be at home before they go in. They are not necessarily detained. I think the honourable member's concern is unfounded.

Amendment negatived.

Clause 33 agreed to.

Clauses 34 to 38 agreed to.

Clause 39:

Mr TUXWORTH: I move amendment 191.1.

Mr Chairman, this matter related to the sentencing of juveniles for committing murder. This amendment will add at the end of clause 39 the following: 'Without limiting its power under subsection (1)(b), where a juvenile is found guilty before the Supreme Court of the offence of murder, the Supreme Court may, notwithstanding section 167 of the Criminal Code, sentence the juvenile to life imprisonment or such shorter period of imprisonment as it thinks fit'. I think that form of words satisfies honourable members.

Amendment agreed to.

Clause 39, as amended, agreed to.

Clause 40:

Mrs O'NEIL: I move amendment 190.7.

The purpose of this amendment is to ensure that juveniles appearing before the juvenile court are assured of legal representation. The minister has indicated that he feels that this amendment will cause difficulties in cases where the child refuses such representation. My reading of the wording would not suggest that. Obviously, if the person charged does not cooperate with the legal assistance provided, then nothing much is going to happen. But we believe that legal representation should be available in all cases and the intention of the amendment is to ensure that.

Mr BELL: Mr Chairman, I would like to support the honourable member for Fannie Bay in her amendment to clause 40. I find it absolutely unconscionable that we hear the honourable minister refer to his preference for due processes of law when it comes to crimes committed by juveniles and then leave it as a discretionary requirement that they should have legal representation. I would again put it to the minister that he should accede to this particular amendment. He has made a great deal of legal process as opposed to a welfare process. At least he has a responsibility to be consistent. There should not be the discretion that the clause allows for at the moment: 'The Supreme Court may make such provision for the legal representation of the juvenile as it thinks fit'. I believe that it is a responsibility on the minister to accede to this amendment and make it a right for a juvenile to receive legal representation in the terms outlined by my honourable colleague.

Mr TUXWORTH: Mr Chairman, I heard the honourable member and I regret that

I have incurred his wrath in this matter. The reality is that some people may not wish to have legal representation. Let me give an example. If my son did something naughty and he wanted to go through the process and appear in court and take the punishment that was due and we did not want legal representation, we are free citizens. If we want to make that choice, it is a matter for us. What the honourable member is implying is that, whether I want it or not, I must have it. I accept his position and I would ask him to accept mine.

Mrs O'NEIL: Well, Mr Chairman, I accept the honourable minister's position but I point out to him that, in my view, the wording of my amendment does not mean that he and his child would be forced to have legal representation if they did not desire to have it. It would read: 'The court shall make such provision for the legal representation of the juvenile as it thinks fit'. Clearly, if the defendant and the juvenile's parents indicated that that was not necessary, the court would not think it fit that legal representation would have to be provided. I would think that 'as it thinks fit' are the relevant words and the problem is not as the minister sees it.

Amendment negatived.

Clause 40 agreed to.

Clauses 41 to 44 agreed to.

Clause 45:

Mr TUXWORTH: Mr Chairman, I invite defeat of clause 45.

This clause requires that these reports be available to all parties to the proceedings and that the person furnishing the report may be called as a witness. The provisions in this clause have been included in clause 50.

Clause 45 negatived.

Clause 46 agreed to.

Clause 47:

Mrs O'NEIL: Mr Chairman, I move amendment 190.8.

This is a most important amendment to a most important clause. The effect of the amendment is to ensure that juveniles shall not be held in jails. The minister said that he supports the principle that, where possible, juveniles should not be in jails. He referred to the South Australian arrangement which I had also referred to. It is true that the number of juveniles being held in jails in the Northern Territory is decreasing and I welcome that. Certainly, I think the time has come when we do not need to be making provisions, except in exceptional circumstances for which there are further amendments similar to the South Australian provisions. Therefore, I would seek the support of all honourable members for this amendment.

Mr TUXWORTH: Mr Chairman, I seek defeat of the amendment. The honourable member has said her piece 3 times and I have said my piece 3 times. I will leave it at that.

Amendment negatived.

Clause 47 agreed to.

Clauses 48 and 49 agreed to.

Clause 50:

Mr TUXWORTH: Mr Chairman, I move amendment 179.1.

It is to omit from subclause (1) all the words before 'shall be furnished' and insert in their stead 'subject to this section, a copy of every report received by the court in the proceedings before it'.

Amendment agreed to.

Mr TUXWORTH: I move amendment 179.2.

Amendment agreed to.

Mr TUXWORTH: I move amendment 179.3.

Amendment agreed to.

Mrs O'NEIL: I move amendment 190.9.

This is to add a new subclause (4) at the end of clause 50. The effect of this subclause is to ensure that, when a report is presented to the court in accordance with other provisions in clause 50, it is circulated 48 hours before it is due to be considered by the court. This is clearly designed as a practical provision to ensure that, when a report is being considered by the court, everybody who should have a copy has been given one and has had adequate time to consider it. It was suggested to us by legal practitioners and others as a practical method to ensure that the report is able to be discussed sensibly and reasonably by all relevant parties in the court.

Mr TUXWORTH: Mr Chairman, this amendment is not supported as in many cases the court would have to make a decision as to which persons should receive a copy and it would not be possible to provide the reports 48 hours before the court had the opportunity to decide who should get them. Also, in those cases where a juvenile is remanded, this amendment could result in the remand period being lengthened as remand periods are sometimes set for the minimal time required to obtain a report. In the case of this amendment, the minimal time would always be 48 hours, longer than is actually required to produce the report. It is not a matter of being bloody-minded. It would appear that, in a practical sense, it is not easy to achieve.

Amendment negatived.

Clause 50, as amended, agreed to.

Clauses 51 to 53 agreed to.

Clause 54:

Mrs O'NEIL: I move amendment 190.11.

It relates to situations where a juvenile has been fined in accordance with clause 54. This amendment seeks to ensure that, if the fine is not paid, then the juvenile comes back to the court to ensure that an appropriate, but not greater penalty, is imposed.

Mr TUXWORTH: Mr Chairman, I am afraid I have lost my thread and need to take advice.

Further consideration of clause 54 postoned.

Clauses 55 to 91 agreed to.

Clause 92 agreed to.

Clauses 93 to 97 agreed to.

Clause 98:

Mrs O'NEIL: Mr Chairman, I move amendment 190.16.

The effect of this amendment is to extend from 6 months to 2 years the period during which actions relating to the liability of a minister, in accordance with this bill, can be proceeded with. The minister has said that 6 months is the period stipulated in the existing act. I have said before that the existing act is deficient in many ways. In our view, this is one of them and 6 months is really not a very long time for people to collect evidence if they wish to take action in relation to something that has been done under the act. We consider that 2 years is a reasonable time in the circumstances.

Mr BELL: Mr Chairman, I would like to support the sentiments of the honourable member for Fannie Bay and I would add that the justification for allowing the 7-day period before bringing a juvenile to court was on the basis that, in isolated sections of the Northern Territory, such a period was necessary. Using exactly the same argument, it is not unreasonable to suggest that 6 months is far too short a time for people who have a grievance in terms of this clause to bring an action. Given the difficulties of communication in isolated areas of the Territory, 2 years is certainly acceptable.

Mr TUXWORTH: That is what I call drawing a pretty long bow. I cannot accept the honourable member's proposition.

Mr Bell: It is not laughable; it is put forward quite seriously.

Mr TUXWORTH: I do not mean to laugh at the honourable member, but he makes it pretty hard. I do not think there is any comparison between the 2 things. The proposition that 6 months is long enough is quite reasonable so far as I am concerned. Nobody has presented any good reason why it should be any longer other than that it would suit some people's personal beliefs. We do not have any reason to change it.

Mrs O'NEIL: Mr Chairman, if my memory serves me correctly, in his second-reading reply, the minister said he had no objection to this extension to 2 years. Quite frankly, any honourable member who knows anything about legal proceedings knows it takes a long time to reach a situation where a person might be ready to proceed with an action as serious as one of these actions might be. Six months is really not a very long time at all. While I cannot say that I am very familiar with other legislation of a similar nature, I am pretty sure that, in other circumstances, a period considerably longer than 6 months is allowed before liability expires. I think 6 months is a most unreasonable time and I ask the minister to refer again to his second-reading notes because my recollection is that he had no objection to the amendment.

Mr TUXWORTH: Mr Chairman, I would say to the honourable member again that

it is not my intention to change the present proposal. We will review this legislation within 18 months. If the honourable member has a reasonable proposition to put, then we will take it on board.

Mr ROBERTSON: Mr Chairman, I would draw the committee's attention to the fact that we are speaking to clause 98 and that it relates to the commencement of the action. I would submit to the committee that that is adequate time. If it said that no action could be continued after 6 months, I would agree entirely with the opposition.

Amendment negatived.

Clause 98 agreed to.

Clauses 99 and 100 agreed to.

Postponed clause 54:

Mr TUXWORTH: Mr Chairman, the issue of imprisoning someone who refused to pay a fine is really the last resort that is available to the people trying to run an orderly system. I do not see what else we can do if we are going to be bothered to follow up the collection of fines or punish people who fail to pay. The system will just break down. I am not advocating that we would necessarily be sending people to jail for not paying a fine but we need to be able to say to people who have refused to pay a fine and refused to make any effort that there is another penalty. In my view, the fine is a reasonable intermediate penalty. Nobody wants to send the person to jail if something else can be done. That is really what it is all about. If the honourable member has another proposition to put, I would be pleased to hear it.

Mrs O'NEIL: The honourable minister and I agree. This is why I am moving 190.11 which allows for something to be done when a juvenile fails to pay a fine. The failure would not be ignored. The juvenile would be brought back before the court in order to revise the penalty.

Mr TUXWORTH: I have no problem with the revision of the penalty, Mr Chairman, but the reality is that there are some very difficult, intransigent and, as the honourable member for MacDonnell would say, bloody-minded people, and juveniles are not excepted from that. They can be very difficult. There comes a point where you have to say to these young people: 'Look, you had a penalty and it was a fine. There are some options to negotiate if you want to but, if you refuse to take this course, then it is jail or detention'. You just cannot say: 'Well, if you refuse to meet your obligations and pay your fine, or do your work experience or whatever, you can just go free'. That is not a realistic proposition and such a system could not function.

Amendment negatived.

Mrs O'NEIL: Mr Chairman, I will not be moving amendments 190.12 and 190.13 because of the provisions that have been dealt with. However, just for the sake of it, or perhaps I should say 'just to be bloody-minded', I move amendment 190.14 in order that I may speak to it.

The intention of this amendment, which I am sure will be defeated, is to allow the Attorney-General, when he thinks fit, to apply to the Supreme Court to imprison a juvenile in a place other than a detention centre when nothing else seems possible. Clearly, this amendment follows on from my earlier amendments, which were defeated and which were intended to ensure that juveniles

would not otherwise be imprisoned in Northern Territory jails. Mr Chairman, I think that this provision, which comes from a South Australian precedent and which the minister has said he finds reasonably attractive, ought to be included in the bill. I am sure now that it will be defeated. The minister has said that he will review the legislation in a year or so. Perhaps when we get a juvenile detention facility built in Darwin, things will be different. I know that children from the Top End already go to the detention centre in Alice Springs. I really do not think that that should be the determining factor in this case.

I am pleased that the minister will review this legislation. Certainly, I will review it. However, the minister gave me that assurance in relation to the Mental Health Act 3 years ago, or even more, and we have not seen any amendments in this Assembly although some are clearly needed. Quite earnestly, I recommend this option to all members of the Assembly, if not now, then at some stage. The effect would be to say that juveniles do not go to prison but, in the case of a particularly intractable or difficult juvenile, there would be a provision whereby the Attorney-General could apply to the Supreme Court to allow it.

Mr TUXWORTH: Mr Chairman, the honourable member for Fannie Bay is right. The proposal will be defeated.

Mr Bell: That is a shocking admission.

Mr TUXWORTH: I don't know if it is a shocking admission; it is a reality. As the honourable member for Fannie Bay would know, with every piece of legislation I have brought in here, I have always endeavoured to have a review within 12 to 18 months because none of us is perfect and we leave loopholes that can make the administration of legislation difficult. It is no big humble-pie job to come back in a year's time and look at how things are going. So far as the Mental Health Act is concerned, I advertised in the paper for submissions on any defects in the Mental Health Act. I did not get a submission and I certainly did not get a phone call from the honourable member either. Not one group in the community bothered to make a submission on the Mental Health Act. However, if the honourable member has a problem with the Mental Health Act, I am sure my colleague would be only too pleased to help.

Mrs O'NEIL: If the former honourable Minister for Health or the current Minister for Health wants to see my views on the Mental Health Act, he has only to read the debates in the Assembly from 3 or 4 years ago. There is no need for me to ring him up again. He can read it. I have made my submission on the Mental Health Act in this Assembly and it stands.

Mr TUXWORTH: Mr Chairman, I can only say that I am pleased that the honourable member is such a gracious loser.

Amendment negatived.

Clause 54 agreed to.

Title agreed to.

Bill passed remaining stages without debate.

POLICE ADMINISTRATION BILL
(Serial 345)

Continued from 13 October 1983.

In committee:

Clauses 1 to 7 agreed to.

Clause 8:

Mr LEO: Mr Chairman, as indicated in the second-reading debate, the opposition will be moving for the omission of proposed clause 17A. Proposed clause 17A gives the Police Commissioner the power to set certain allowances depending upon skill and experience. In his second-reading speech in reply, the Chief Minister indicated to the Assembly that the commissioner needs this power in order to employ people with skills who are not at present employed within the Northern Territory Police Force. He suggested to the Assembly that, to expedite this, the commissioner should be given the power to set wage rates as he sees fit.

As I said, the opposition is opposed to the Police Commissioner having these discretionary powers. Indeed, I have since spoken to the Police Association. Its secretary has assured me that, if the Police Commissioner were to go to the arbitral tribunal with a list of claims for award increases for certain skills, the association would not hinder him but would assist the passage of any movement of the relevant awards. I would suggest that the commissioner could go to the arbitral tribunal and seek margins for anything from camel trainers right through to jumbo pilots. The Police Association would assist in the expedition of the matter. It is not concerned, as the Chief Minister said in his second-reading speech, with a sergeant being paid less than perhaps a person who has just recently joined the force. What it is concerned with is the increase in discretionary powers being given to the Police Commissioner and the abrogation of normal industrial undertakings. These normal industrial procedures need to be followed and I would ask all members to support this amendment.

Mr EVERINGHAM: Mr Chairman, I have checked into some facts on this matter since it was adjourned last week. It transpires that the Public Service Commissioner already has the power to award allowances in the manner contemplated in proposed new section 17A and has had this power under the Public Service Act for some years. I understand also that the Teaching Service Commissioner has similar powers. Therefore, it seems that it is not such a foreign practice to industrial relations as the honourable member for Nhulunbuy would have us believe. I have also spoken again to the Police Association. Whilst it certainly could not be said that it likes the provision, nevertheless, I understand that it now appreciates that it exists in other areas. In view of the fact that the honourable member for Nhulunbuy has not come forward with any alternative, reasonable and practicable proposal, although we adjourned the matter last week to enable him to do so, I would propose that the committee approve the clause.

Mr LEO: Mr Chairman, the Chief Minister did indicate that perhaps I should come forward with some alternative practicable proposal but there is no need to do so. The provisions in relation to the arbitral tribunal are very clear. Under part III of the Police Administration Act, the commissioner can go to the arbitral tribunal at any time and seek the passage of allowances for special skills. The Police Association would not oppose any application by the commissioner for an increase in allowances. To allow the disposal of these industrial procedures by legislation is to the detriment of this Assembly.

Amendment negatived.

Clause 8 agreed to.

Clause 9 agreed to.

Clause 10 negatived.

New clause 10:

Mr EVERINGHAM: I move amendment 184.1.

I am advised that this clause is regarded as a better legal drafting of the situation.

New clause 10 agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

PLUMBERS AND DRAINERS LICENSING AMENDMENT BILL
(Serial 364)

Continued from 13 October 1983.

Mr SPEAKER: Honourable members, in pursuance of a request from the honourable Chief Minister, and pursuant to Standing Order 153, I declare this to be an urgent bill in that it could create hardship if it were not passed immediately.

Mr LEO (Nhulunbuy): Mr Speaker, as the sponsor of this bill, the honourable Minister for Transport and Works, indicated, it results from certain representations he received from plumbers after the passage of the Plumbers and Drainers Licensing Bill some time ago. I, too, have made representations to the minister. I commend him for the speed with which he has acted on this matter. The opposition supports this bill.

Ms LAWRIE (Nightcliff): Mr Speaker, I have received more representations over what looks to be, on the face of it, an innocuous bill. The representations relate to 3 areas. One is from the licensed plumbers and drainers who see this as a proposed lowering of standards. Secondly, there were representations from persons who fear that consumers may be disadvantaged because, if they do not know about this legislation and its import, they will not realise that a person putting himself forward as a licensed plumber and drainer or a journeyman may only have an endorsement for the Territory. Consumers ought to know about that. Thirdly, I have received representation from people who want the bill passed as soon as possible.

Mr Speaker, having had fairly exhaustive conversations with people on the issue, it is my considered opinion that the minister is trying to be all things to all people and will probably satisfy none of them. Really, we are looking at a provision for people who have been practising for 5 years to apply for registration as journeymen and then for those who have been practising for 10 years also to apply for a journeyman's registration. We see that the holder of a journeyman's endorsed registration card, on submitting to the board proof of his completion of an approved trade practice and management course, may apply for the advanced tradesman's licence. This relates to the person who, for a continuous period of 10 years immediately before September of this year, had been practising the trade of plumbing or draining and is now seeking endorsed

registration as a journeyman in one or both of those trades. A very real concern is people wanting a precise definition of what an 'approved trade practices and management course' implies so that a person who has been working in the trade, without ever having acquired anything other than purely practical skills, will not be liable to be registered without having completed a course in plumbing and draining through the community college, which it would normally be expected plumbers and drainers would have undertaken. I was going to ask the honourable minister in question time this morning to give details as to what will constitute this 'approved course'. The crux of the bill seems to rest in clause 52(6), endorsed registration, where we are looking at a journeyman submitting to the board evidence of completion of an 'approved trade practices and management course'. A lot of the concern stems from the word 'management'. People would like to be reassured that such a course will have heavy emphasis on the real aspects of plumbing and draining.

Mr Speaker, it is not really surprising that there has been such intense interest in this legislation. Unlike the member for Alice Springs, the vast majority of people consider the trade of plumbing and draining to be one of the most vital, particularly in the tropics. In it rests the health of the community. Drains wrongly laid and plumbing badly done can cause problems which affect not only the person paying for shoddy workmanship, but entire communities. I would not like the honourable minister to be under any illusion as to a possible lack of concern in this area or lack of interest in what I think many members may have thought was a simple bill relating only to a few people in the industry. As it turned out, community interest in this has surprised me. As I said, I have had representations from licensed plumbers and drainers, from those who would like to be licensed and have exhibited good work for a number of years and from extremely concerned citizens who want to know, when they are paying a plumber and drainer, that his qualifications are of the highest order.

Mr D.W. COLLINS (Alice Springs): Mr Speaker, I would like to assure the honourable member for Nightcliff that what we are dealing with here is the ability to give a person the very humble title of journeyman and the right to upgrade his registration by completing certain trade courses. If a person continues practising for 10 years, he can qualify for a journeyman's certificate. According to the bill, a journeyman's work is checked by an advanced tradesman who is the contractor for the jobs. We do not even trust the advanced tradesman. We get the inspector to come in. As I said before, I do not give a darn who glued the pipes together. Provided it has been done in the correct manner, and the inspector does his job properly, the consumer will be protected. I think all the worries that have been suggested by the honourable member for Nightcliff really amount to nothing.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 4 agreed to.

Clause 5:

Mr STEELE: Mr Chairman, I move amendment 187.1.

In clause 52(6), the word 'advanced' was inadvertently omitted between the words 'approved' and 'trade'. This advice is given to us by the Master Builders Association. The clause should read 'approved advanced trade'. This amendment brings the terminology into line with the existing clause 18 and removes the possibility of difference in terminology being interpreted as establishing

different course requirements. The intention of the clause is unchanged but clarified by the insertion of the word 'advanced'.

The honourable member for Nightcliff dealt with this clause in her second-reading remarks and I am advised that the trade course that she mentioned, which I understand stipulates that such journeymen need only complete the trade practices and management course before applying for licence, applies to all journeymen wishing to upgrade a licence.

Ms LAWRIE: Mr Deputy Chairman, the honourable minister has not grasped the import of all my remarks. Many people see this as having a fairly serious effect on apprentices who are going through fairly onerous apprenticeships. Plumbing and draining is not an unskilled occupation. They have had to attend various courses throughout their apprenticeship. It has been put to me that someone who may have been working more as an unskilled labourer, or even a skilled labourer, and who has not needed to attend trade courses may, because of his 10 years' experience, apply for registration as a journeyman and attend a course. Finally, he would be fully-licensed as a plumber and drainer. These concerns are genuine. People want to know what is the nature of the course that these people will have to attend.

The honourable minister will be aware that, when a person undergoes an apprenticeship, the trade courses at the college are spread throughout the apprenticeship. In some trades, it is block release and in some it is day release, where an apprentice will attend a trade course one day a week. Either way, a fairly significant amount of the apprentice's time is spent doing an approved course which complements his on-the-job training. The reassurance sought is that persons entering the trade in this manner do a comparably difficult course of study, undertaken to augment and supplement their on-the-job training.

Mr EVERINGHAM: I do not know whether I have it right but I will try to satisfy the honourable member for Nightcliff's query. The minister is in a bit of difficulty satisfying the query because he was not at Cabinet at the time we discussed this matter with the Chairman of the Vocational Training Commission amongst others. As I understand it, if the people who carry on as journeymen after 10 years of practical work in the area want to better their status, they will have to attend whatever the normal course is. That is how I understand it. The board will be able to confer better status on them as a result of the passage of this bill. The ones who have been around the ridges for 5 years will have to attend a course at the community college. I do not know the nature of that course but we were told that it lasts 2 years and requires attendance on 2 nights each week at the community college. That is all I know.

Amendment agreed to.

Clause 5, as amended, agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill reported; report adopted.

Mr STEELE (Transport and Works): Mr Speaker, the honourable member for Nightcliff raised a few matters in the second-reading concerning representations that she has received on possible lowering of standards and the fact that consumers ought to know that a Territory licence exists over and above what could be considered as national acceptance. Mr Speaker, I promise to keep in mind

that the industry should be given publicity. To ensure that everybody knows, we will take any commonsense procedure that needs to be undertaken.

Bill read a third time.

ELECTRICAL WORKERS AND CONTRACTORS AMENDMENT BILL
(Serial 331)

Continued from 11 October 1983.

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

Motion agreed to; bill read a third time.

PLANNING AMENDMENT BILL
(Serial 350)

Continued from page 1331.

In committee:

Clause 1 agreed to.

Clause 2:

Mr EVERINGHAM: I invite defeat of clause 2.

Mr SMITH: Mr Chairman, I understand why the defeat of clause 2 is invited but, in my view, it does not really overcome the objection that I put forward this morning that we are expected to discuss certain clauses of this bill without having seen the administrative procedures of the Environmental Assessment Act. As I read it, this clause does not address that problem at all. It does not provide this Assembly with the opportunity to look at the administrative procedures of the Environmental Assessment Act and assess whether this Assembly should determine that these procedures are adequate for the purposes of environmental impact statements and whether this Assembly would support changes to the bill. As far as I can see, we still do not have that opportunity under proposed new clause 2. Unless the minister can convince me that we will have the opportunity to look at those administrative procedures before we pass certain parts of this bill, I am not happy with it and will oppose it.

Mr EVERINGHAM: Mr Chairman, apparently the honourable member for Millner wishes to oppose my proposal which is that, if clause 2, as it stands, is defeated and the proposed new clause 2 inserted in the bill, it will provide a mechanism whereby sections of the bill can be implemented progressively as the different stages of readiness occur. I give credit to the honourable member for Millner for bringing to our attention this morning the fact that the Assembly has not seen the proposed new environmental guidelines to be proclaimed under the Environmental Assessment Act. For that matter, neither have I and neither has Cabinet. I understand Cabinet is to see them shortly. My amendment will enable the existing protection to be retained within the legislation until such time as the new environmental protections are brought into force, at the very least.

If it can be arranged, I will see that the subordinate legislation committee has a look at the proposed new environmental assessment guidelines - if they are

subordinate legislation. I am not sure. I assume they are regulations so I would guess there would be every chance that they will go to the subordinate legislation committee. Frankly, in the light of all that, I cannot understand the honourable member's opposition. If we proceed with existing clause 2, the present protections will be swept away when the bill is proclaimed.

Mr SMITH: Mr Chairman, I state again that it is a very unusual way of doing business and I hope that it is not a precedent that the government expects us to comment on legislation when we do not have the full story and pass it away as a slip of the hand or a slip of the tongue. I do not think it is good enough. I would ask the minister to give us a categorical assurance that the subordinate legislation committee will see the administrative procedures of the Environmental Assessment Act before those procedures are enacted.

Mr EVERINGHAM: Mr Chairman, I will not give a categorical assurance. I will repeat my earlier statement that I will do everything reasonably possible to see that it happens.

Ms D'ROZARIO: Mr Chairman, this amendment provides us with quite a difficult decision to make. What the honourable member for Millner is saying is that, notwithstanding this amendment, we are already committed to accepting the administrative procedures under the Environmental Assessment Act even though we have not seen them. The only thing that this amendment does is say that we will not bring them into force until the Cabinet and subsequently the Subordinate Legislation and Tabled Papers Committee have seen them. I have a lot of difficulty with doing it that way. Whilst the Chief Minister has tried to overcome the problem that was raised by the honourable member for Millner, we are still in the position of having to accept a set of guidelines which no one in this legislature has seen. We were under the impression that the minister had seen them because the honourable member for Millner said that, when he made inquiries, he was informed that they were on the minister's desk. We have just heard from the minister responsible for this bill that even he has not seen them. We are all asked to accept this on trust. The only thing that the amendment will do is determine the date at which those provisions will come into force. I think that is a most unsatisfactory way of transacting the business of this committee.

Ms LAWRIE: Mr Chairman, honourable members will be aware that there is another small difficulty. If environmental protective provisions must be placed in regulations rather than in the body of acts, the Subordinate Legislation and Tabled Papers Committee can fulminate all it likes but its terms of reference have been seen by this Assembly to be fairly restrictive. As long as the provisions are in accordance with the enabling section of some other act, there is very little the committee can do about it. In fact, the provisions may not be in the best interestsof orderly town planning but the subordinate legislation may refer to another act altogether, and may not necessarily be simply related to this act. I have voiced my objection from time to time about fairly serious provisions being taken out of principal acts and done by way of regulation.

Mr EVERINGHAM: Mr Chairman, what the honourable members are saying is that the new regulations are being foisted on them sight unseen. In fact, the purpose of this clause is to keep current and maintain the standing of the existing environmental protection provisions of the Planning Act. If honourable members opposite cannot see their way clear to support that, the government will carry the amendment in any event. I am surprised they want to cut off their noses to spite their faces. They want to retain the existing clause which, as soon as the legislation is proclaimed, will wipe out the environmental protection sections of the Planning Act. What I am proposing is that, under the proposed

new clause 2, we can progressively proclaim the Planning Act as and when the new provisions are ready.

Ms D'ROZARIO: Mr Chairman, that was a most strange interpretation of what we are trying to achieve. If what the Chief Minister says is correct, we should simply not proceed with those clauses which relate to the scrapping of the existing environmental protection provisions and their replacement by the clause which says that they are to be related to the administrative procedures under the Environmental Assessment Act. What the Chief Minister is saying is really quite incorrect. Despite this clause, we are committed to that new provision. The only thing this will do is to allow some time before it comes into effect. It will not prevent its coming into effect unless the Chief Minister wants to tell us that he will arrange for it not be to brought into operation by the publication of a notice in the Gazette. It is as simple as that. The way around it was to have withheld that particular clause rather than to do it in this rather clumsy fashion which will still commit this legislature to accepting those regulations sight unseen.

I have a concern that is also shared by the honourable member for Nightcliff. We are taking out significant provisions in the principal act, putting them into a regulation-making power and thereby reducing the scrutiny that this legilsature should have. I do not reflect upon the Subordinate Legislation and Tabled Papers Committee for a moment but members are aware that the committee has some limitations upon its functions, as the member for Nightcliff has pointed out. When the environmental protection provisions were inserted in the Planning Act, it was commended as being a very progressive move. It was commended as being the sort of thing that all modern planning legislation should have. What we are doing now is taking it out and relegating it to the status of a regulation, a regulation of which we have no knowledge. I cannot agree with the interpretation given by the Chief Minister. I think that perhaps this clause ought to be recommitted.

Mr EVERINGHAM: Mr Chairman, there are none so blind as those who choose not to see. If the member for Sanderson were to read the proposed new clause 2, she would see that the government has approached the matter in a subtle fashion. It reads: 'The several sections of this act shall come into operation on such dates as are respectively fixed by the Administrator by notice in the Gazette'. That is so that we can save the operation of the environmental protection provisions until such time as the new provisions are ready and in effect.

Clause 2 negatived.

New clause 2:

Mr EVERINGHAM: I move amendment 194.1.

I have given plenty of reasons for this.

New clause 2 agreed to.

Clauses 3 to 9 agreed to.

Clause 10:

Mr SMITH: Mr Chairman, I move amendment 188.1.

This would have the effect of ensuring that notices of exhibition of a draft planning instrument would be accompanied by a map showing the location of

boundaries of the land to which the instrument relates. We have already heard the Chief Minister's views on this matter. It is put forward in an attempt to develop a package of conditions which would best meet the sometimes conflicting needs of those who are proposing draft planning instruments and those who have an interest in them. We have accepted a number of amendments today which will expedite the procedure that has to be undertaken to get a planning instrument. We support them because we think it is appropriate and we think that people should be delayed as little as possible. On the other hand, we believe that, if the speeding-up process is adopted, it is necessary to take other steps to ensure that all the people concerned are aware that the process is being undertaken. In our view, insertion in the Gazette and newspapers of a map which shows the location and boundaries of the land will bring it much more clearly to the view of the public than the present system where there are no maps. People who do not have our expertise and experience in these matters would find it quite difficult to understand a number of the draft planning instruments that are presently placed in the Northern Territory News. They find it difficult to understand that these may relate to an area which is quite near to them. The reason is that only a lot number or street number is given and there is no map. It is interesting to note that the practice I am suggesting is already followed in advertising mining leases. Each week in the Gazette, when a mining lease is advertised, a map accompanies it showing the boundaries of the proposed lease. Many more people will be interested in the location and boundaries of draft planning instruments than with most mining leases. It is only reasonable and appropriate that the same facilities be offered to people who have an interest in draft planning instruments.

Mr EVERINGHAM: Mr Chairman, all mining leases relate to areas of land or water and they are not in the boondocks usually. So it is generally not a bad thing that there is a map attached to the advertisement. Of course, the honourable member for Millner's amendment assumes that every draft planning instrument takes the form of a rezoning of land which can be shown graphically. That is just not the case. Quite often a draft planning instrument is prepared to amend or add clauses to the text of the various town plans. Where feasible, the requirements of the amendment have been catered for administratively for quite a long time because, where land is proposed to be rezoned, a map is always exhibited at the offices of both the local council and the Planning Authority. The general thrust of this legislation is to make it more readily noticeable to people that a rezoning or change is going to take place. For that reason, for the first time we are putting a provision for signs to be erected on the land affected. Most interested people will head off to the office of the Planning Authority to find out exactly what is going on. I see no point in the proposal of the honourable member for Millner. I do not consider it feasible and I see it adding considerable cost to people in terms of advertising.

Amendment negatived.

Mr SMITH: I move amendment 188.2.

This is to formalise and put into the act an existing practice of the Planning Authority; that is, to notify owners of land in the vicinity of a draft planning instrument that such a thing is taking place. I would like to place on record my congratulations to the Planning Authority for taking this step. I think it is a fairly new step which has been taken as a result of some reasonably unpleasant experiences in the not too distant past. I think that the obvious next step is to formalise it so that the Planning Authority will do it as a matter of course in the future and it will not depend on the goodwill and the composition of any particular planning authority from time to time.

Mr EVERINGHAM: It is a clause that is fraught with danger, and a tremendous clause for lawyers. I ought to support it. It is more or less drawn up in the interests of people who want to take out prerogative writs against the determinations of planning authorities. 'Where the authority believes' is the first thing the lawyers will attack - that the belief of the authority was genuine, bona fide or formed on reasonable grounds. Next it talks about the owners of land 'in the vicinity of land'. How do you define 'in the vicinity of land'? A court could define it differently in every particular case. It is great stuff for the lawyers. Perhaps it could be recast in some way to remove much of the uncertainty. One thing that could have been said was 'owners of adjoining land'. There is some reasonable certainty to that. As it is, it would be a nightmare for anyone wanting to get a planning instrument through for which there is a heap of objectors, especially if they are well-heeled objectors. This is the sort of clause that well-heeled objectors can use to take the matter through the courts and kill the proposal by sheer weight of money.

Amendment negatived.

Clause 10 agreed to.

Clauses 11 to 18 agreed to.

Clause 19:

Mr EVERINGHAM: I move amendments 180.1, 180.2 and 180.3.

This first amendment is consequential on the omission of subclause (2). The explanation for amendment 180.2 is that this clause would mean that broad policy objectives could only be formulated if they were consistent with the detailed policies that are contained in the planning instrument. The correct order should be to establish the broad policy objectives as a framework for formulating more detailed policies. In relation to amendment 180.3, the word 'authority' has been replaced with the words 'consent authority' because either the minister or the Planning Authority may be the consent authority.

Ms LAWRIE: Mr Chairman, a lot of people in the community are looking forward to the publication by the minister, in such manner as he sees fit, of what in his opinion the planning and development objective of the inner-city area of Darwin should be. I am using the debate on these clauses quite deliberately to bring that to his attention. What people do not want is a series of crises and spot developments in applications for rezoning proposals, particularly within the Darwin central business district, which normally are considered in isolation. What the community wants now is the publication of an overall plan for the city of Darwin which will stop spot rezoning proposals and show the community in a clear and concise way how this government views the central business district of Darwin. In particular, it should show what should be kept and what is liable for rezoning, either immediately or in the future. Perhaps the honourable Chief Minister would care to comment?

Mr EVERINGHAM: My only comment is that it would be nice if we were not dealing with human beings. While the world is the way it is, there will be applications for rezoning. No one can stop people making applications for rezoning whatever the town plan says.

Amendment agreed to.

Clause 19, as amended, agreed to.

New clause 19A:

MR EVERINGHAM: I move amendment 180.4.

This clause is necessary as a consequence of the new Licensed Surveyors Act.

New clause 19A agreed to.

Clauses 20 to 24 agreed to.

New clause 24A:

Mr EVERINGHAM: I move amendment 180.5.

The explanations are quite lengthy. Subclause (1) provides that the Territory and local authorities of the Territory or Commonwealth are authorities for the purpose of this clause. Subclause (2) provides that, on the deposit and registration of a plan of survey of a private freehold subdivision under the Real Property Act, all roads, reserves and parks shown on the survey plan vest in the service authority free of all mortgages, encumbrances and so on. Regulations to the Licensed Surveyors Act will require all parties such as mortgagees and people who are affected by the vesting to indicate their consent to vesting on the plan of subdivision. These consents will be required before the plan can be lodged with the Registrar-General. It should also be noted that the clause requires that a survey plan of the private subdivision must be approved pursuant to the Licensed Surveyors Act before being deposited with the Registrar-General.

Subclause (3) requires that, on the registration of the plan of survey, the Registrar-General will make entries in the register book, which records that the survey has been deposited and registered with the vestings indicated on the plan. This mechanism will remove the need for the persons lodging the subdivision being required to lodge a multitude of instruments to create easements and individually reduce the area of the mortgage security held by the mortgagee in the subdivision where his security has been reduced by the vesting of roads and parks.

Subclause (4) makes the roads subject to the Control of Roads Act. Subclause (5) provides that all land vested under subclause (2) shall be deemed to be reserved under section 103 of the Crown Lands Act for purposes indicated in the plan of survey.

Subclause (6) enables land to be reserved for present and future easements. Subclause (7) overcomes the common law problem that every easement must have a dominant tenement and also provides that that easement shall be for the use and benefit of the service authority and its agents and workmen, giving them all the powers specified in relation to the easement. The rights attaching to these easements are specified in the schedule to the act.

Subclause (8) provides that, where the land is subject to an easement, the Registrar-General shall make such entries in the register book as he thinks fit to evidence the easement. Subclause (9) provides that proprietors of land have no legal ownership over fixtures constructed on an easement by a service authority. Subclause (10) provides automatic right of entry onto an easement and prevents the proprietor of the land obstructing or hindering work on the easement.

New clause 24A agreed to.

Clauses 25 to 32 agreed to.

Clause 33:

Mr EVERINGHAM: I move amendment 180.6.

This is to correct a typographical error replacing 'applicant' with 'appellant'.

Amendment agreed to.

Mr EVERINGHAM: I move amendment 180.7.

It is considered that the chairman will have sufficient grounds to dispense with the preliminary conference by relying on the provisions of this clause alone. Paragraph (b) referred to some other reason which could give the chairman too much discretion to dispense with the conference.

Amendment agreed to.

Clause 33, as amended, agreed to.

Clauses 34 to 37 agreed to.

Clause 38:

Mr EVERINGHAM: I move amendment 180.8.

This clause enables new types of easements to be prescribed under section 99.

Amendment agreed to.

Clause 38, as amended, agreed to.

Clause 39 agreed to.

New clause 39A.

Mr EVERINGHAM: Mr Chairman, I move amendment 180.9.

This new schedule relates to the proposed amendments to section 99 and defines the legal rights of each service authority to enter on the land to repair or replace services installed therein. The reference to, and description of, an energy supply easement has been included to deal with future requirements for the supply of such services as natural gas and cable television.

New clause 39A agreed to.

Clause 40 negatived.

New clause 40:

Mr EVERINGHAM: I move amendment 196.1.

This is to insert a new transitional clause which is consequential on the new commencement clause 2 and will enable the protection of existing applications for as long as is needed.

New clause 40 agreed to.

Title agreed to.

Bill reported; report adopted.

Mr SMITH (Millner): Mr Speaker, I want to comment on some of the honourable minister's comments in his second-reading speech dealing with clause 18, compliance with the planning instrument. He made some response to comments that I had made about onus of proof. I must admit that I operate under some disadvantage in this legal area. However, it seems to me that there is quite a distinct difference between the present provisions of clause 63 and the proposed provisions of clause 63 as a result of this amendment. At present, clause 63 reads: 'Subject to this act, land to which a planning instrument applies shall not be used or developed otherwise than in accordance with that instrument'. Clause 64 reads: 'The authority may take proceedings for or with respect to enforcing or securing the observance of any provision made by or under this act in its own name'.

From that, I take it that, where a planning instrument is used otherwise than in accordance with the details of that instrument, the authority would take such action by drawing up a charge to take to the court. When the case came up, it would be required to present evidence to support the charge or charges. At that stage, the person charged would have the opportunity to defend himself or herself against those charges.

However, the amendment is different. The amendment reads: 'In a prosecution for an offence against this section, an allegation in the complaint that the defendant was, on a particular date or during a particular period, carrying on or permitting to be carried on, on land to which a planning instrument applied, a particular activity, is prima facie evidence of the facts alleged'. As I understand it, the situation that would apply if this were passed is that the charges would be pressed by the authority as prima facie evidence to the court. If no evidence were submitted to the court by the person charged, the magistrate would then have no option but to accept the charge and impose a penalty as provided under section 63. Conversely, the person charged would have the option of presenting evidence to the contrary. It is at that stage that the Planning Authority or its agent would be forced to provide very real evidence as to why it had brought the charge forward.

In a sense this is a short cut, Mr Speaker, and I think it was described in those words by the minister this morning. It is a short cut which has been inserted to save the Planning Authority some time and I have a little bit of sympathy with that point of view. Unfortunately, it again works on the supposition that everybody knows the law as well as we do and that everybody is as well read on those matters. I do not believe that that is the case. There is a very real danger that, if this is passed, people will miss out on their basic rights.

Imagine the situation where a person owning a normal R1 block has 1 or 2 caravans in the backyard and is served with a summons that the government has laid before a magistrate evidence that amounts to prima facie evidence that he is in contravention of his planning instrument. There is a very real danger that many people would not know what to do. They would have the desire to protest against it and say, for example, that members of the family live in the caravan, but they would not have the knowledge or the wherewithall to go to the court and mount an effective protest. Under this new clause, if they do not go to the court, the Planning Authority or its agent does not have to mount any proof whatsoever because its prima facie evidence has not been contested.

I believe that that is a dangerous thing. We should be very careful in this Assembly about passing that clause because there are a number of people who could be disadvantaged in that respect. It is a further example of the diminution of legal rights that has been carried out by the government over the last few years. I am not putting it into the same category nor expressing the same concern that we expressed over some of the proposals in the Criminal Code but I believe that, despite the government's good intentions in this matter, it contains dangers that have not been realised fully.

Mr EVERINGHAM (Chief Minister): I suppose, Mr Speaker, that I have to respond to what the honourable member for Millner has said. It is very pleasing to hear that he is not putting this matter in the same basket as some other matters relating to the Criminal Code. I can assure him that he is as wrong here as he was in relation to the Criminal Code. We are being careful in passing this legislation. After all, it has been subjected to the scintillating scrutiny of the member for Millner who has had his say about it. What he said was that we must be careful because, if people do not go to court when they get this summons, in all probability the court will proceed to record a verdict against them. What do you think a court will do now if they do not go near it? It will not change the situation one iota. Any court will scrutinise the matter as best it can. I am sure a Northern Territory prosecutor will only put before the court facts that should be properly adduced. If you do not go to court and you think you are being hard done by, then you have no one to blame but yourself. Short cuts or no short cuts, in all probability, the court will make an ex parte finding against you whatever the case may be. Whilst you are not presumed to admit your guilt by staying away, you certainly do not do yourself any service.

Bill read a third time.

ADJOURNMENT

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

Mr B. COLLINS (Opposition Leader): Mr Speaker, during the course of this week's debates, we have heard what we have come to expect from the honourable Minister for Primary Production. During the 6 years that I have been here - and I know the member for Nightcliff will bear this out because she has commented on it on numerous occasions over the past years - the honourable minister has specialised in saying, 'All you have to do is ring me up or drop me a line and we will sort it out privately between the 2 of us and no one else need know about it'. As I remember, during one debate, the member for Nightcliff rendered the minister absolutely speechless by producing evidence that she had in fact written to him and had had various other forms of communications with him but had completely failed to get any kind of response at all. Unfortunately, I have to say that that is the great hole in that particular stand of the honourable minister because it is a fact that, even after waiting for a prolonged period of time, one fails to get any answers from him.

It is a favourite line of the honourable minister and one only has to refer back to the last sittings to find it. During the last sittings of the Assembly, I raised, as a matter of public importance, the problems of ADMA. During the debate, the minister said in his response - and it will not come as any surprise to any honourable members to read it in Hansard: 'If you would like to phone me or write to me, I will give you the information that you seek'. I raised this as a matter of public importance at the last sittings. That was 1 September. Now it is 19 October. He promised to get an answer back to me on the detail of what I put to him. Indeed, the honourable member for Fannie Bay also put a

number of matters to him. He did not respond to any of them during the debate itself but he did say that he would provide the answers. He said that he would undertake to compile for me a written reply to the points that I had raised. He said: 'If the honourable member has genuine concerns, he knows that he only has to ring me or write to me'. Mr Speaker, I have to put on record, as the honourable member for Nightcliff has done in the past, the pointlessness of that particular procedure.

We have been consistent supporters of the development of agriculture in the Territory because of the important role we see it playing in the future of this region, particularly in expanding our narrow economic base and providing a diversification of our population. We had received expressions of concern from many people within the agricultural industry, at the grower level right through to the end-users. We thought it important that the issue be discussed and the problems aired and hoped that solutions would be found. I think the honourable minister would concede now, as he did during his response in the debate, that we put forward those concerns in a very reasonable manner indeed. We were seeking answers, that is all.

Mr Speaker, in that debate we presented the minister with what information we had. We were seeking more. We informed the minister of the concerns that we had and the concerns of other people with respect to the progress made by ADMA, in particular, and the agricultural sector in general. In that debate, both I and the honourable member for Fannie Bay put to the minister several questions we considered needed answers and needed answers quickly.

I asked the minister for details about ADMA's progress in capturing vital Northern Territory grain markets both in the 1982 season and the 1983 season. It is of great concern. We do not consider the minister or the government has a any magic answer to it but it is of great concern that substantial end-users of grain in the Northern Territory are purchasing their grain from Western Australia because they are getting it at cheaper prices. When you are in business, and times are tight, you must look to every penny. It is a matter of great concern that end-users of this particular product, which is grown in the Territory, are currently purchasing their supplies from Kununurra because they can get it for a much cheaper price. We raised that question and we know from recent inquiries that it is still the situation. We asked the minister about that.

Mr Speaker, obviously this is a key area with regard to the future viability of the Territory grain industry. We cannot even pretend to have a future capacity to service an export market for a product if we cannot even capture the domestic market in the Northern Territory. I do not think that one would have to be too clever to work that out.

I also asked the minister for details about how interest incurred on loans undertaken by ADMA was paid and by whom. I further wanted to know why there was no stockfeed mill operating in the Territory, given the government claim to have been looking closely at such a development since the end of 1979. This issue of the stockfeed mill was further clouded by the action of the Territory government in causing the Adelaide River Co-op to close and along with it the stockfeed mill operation at Adelaide River. I understand that, since the issue of the need for a stockfeed mill was raised in debate in September by us. Mr Neville Walker has undertaken to install a feed mill at Lowan farm.

The honourable member for Fannie Bay also put questions to the Minister for Primary Production relating to the underwriting facilities, which are part of the agreement between the Douglas-Daly farmers and the Agricultural Development and Marketing Authority. She asked how the underwriting system worked and how much

had been paid out by the government through this system, both in the 1982 season and the 1983 season. I can remember expanding on this during the debate and pointing out that considerable sums of money had been paid to underwrite these crops. There were huge disparities - and I am not suggesting that there was anything improper about them - in the amounts of money paid to one grower as compared with the amounts paid to other growers. It is a reasonable expectation that the Minister for Primary Production should provide those answers here in the Assembly both for our benefit and for the benefit of the growers who are interested in this information.

It is a matter of continuing concern to me that this government continues to talk and attempt to convince people about the great export potential of agriculture in the Northern Territory but has currently failed to even capture the Northern Territory domestic market. I know that these end-users are still buying sorghum in Kununurra because it is cheaper there than it is in the Northern Territory.

Mr Speaker, I waited 27 days after that debate. I would remind the honourable minister, who is so keen to say, 'just pick the phone up and it will be all right', that he failed to answer any of the questions raised in the debate at the last sittings, despite the fact that he told me he would give me a detailed response. One would have expected not to need to write or phone, having laid all those specific questions before him in the Assembly and been promised an answer. I waited 27 days after that debate and got nothing. I wrote to him on 27 September, 27 days after those questions were put, again seeking answers to those questions.

Obviously, the urgency with respect to this issue relates to the fact that we are entering the next agricultural season in the Northern Territory. Preparation of the ground for planting is currently under way and these issues need to be resolved. Questions need to be answered and, hopefully, some solutions found to problems to ensure that the 1984 season is better than the 1983 season. One would have thought that that was an endeavour in which we could both be joined.

Mr Speaker, I am still waiting for those answers despite the letter and despite the fact that I have now waited 48 days after all of these questions were put in the last sittings of the Legislative Assembly. I was not going to condemn him. I thought that, since he failed to answer the questions last month, and to respond to the letter I sent on 27 September, he would be making a ministerial statement in the Legislative Assembly during these sittings or somehow answer these questions in detail as he promised he would. I have waited now for 5 of the 6 sitting days but have received no answers whatever from the minister. We cannot wait any longer. We only have one day of the sittings left. He knows that the appropriate place to answer questions we asked at the last sittings is here. It is a house of debate. That is why we are here. He has failed to do so. We have only one sitting day left.

Mr Speaker, the Minister for Primary Production consistently says in this Assembly that, if anybody wants information, he has simply to pick up the phone or write to him and ask him and he will deliver. I pointed out before the fallibility of that consistent statement of the minister.

Here we have a situation where vital questions about a vital industry were put to the minister in the Assembly, an industry of which the minister and the government consistently say they are very keen on, supportive of and anxious to see succeed. Hopefully, we will all see it succeed to the point where we are exporting produce from the Northern Territory. I am now in the position of

asking him for the answers. I am now faced with the position of having once again to remind the minister. It is the second last day of the sittings. We asked questions 48 days ago.

One could be forgiven for having the impression that the Minister for Primary Production has little or no interest in the future of Northern Territory agriculture. On the evidence before me, one could be convinced that, having made his off-the-top-of-the-head statement about ringing or writing, he promptly forgot all about the matter. He obviously has very little interest in this particular portfolio. If he is approached to seek solutions to problems currently facing the ADMA program, problems which, during the debate, he was happy to acknowledge existed, he has indicated that he cannot supply any answers. I do not think that it is a very impressive performance at all. I would ask the minister to make good the undertaking he gave 48 days ago that he would give me a detailed response. I ask him to do so in the 24 hours that are left of this sittings of the Legislative Assembly.

Mr LEO (Nhulunbuy): Mr Speaker, I would like to address some remarks to the honourable Minister for Mines and Energy. I hope that, if he is in another part of this place, he can provide me with some response either tomorrow or perhaps in writing at some other time.

This morning, I asked the honourable minister if the provisions of the Construction Safety Act which relate to safety procedures for rigging and scaffolding apply in Nhulunbuy? I do not think I would be misquoting the minister if I said that he said those provisions could be found in the Inspection of Machinery Act. I would not accuse the honourable minister of misleading me or in some way giving me incorrect information. I would ask him, though, if he could go through the Inspection of Machinery Act and find any provisions in that act relating to scaffolding and rigging. I have been through the Inspection of Machinery Act. I appreciate that I do not have as firm a grasp of legislation, and perhaps of the Inspection of Machinery Act, as the honourable minister would have. However, I simply cannot find any reference to scaffolding or rigging within it.

As I have said before in this Assembly, industrial safety is an extremely important subject to me. Perhaps the largest single industrial complex in the Northern Territory operates in my electorate and industrial safety is a matter of extreme concern to me. I will just go through the provisions I referred to this morning and on which I think there needs to be some response. In the Construction Safety Act, requirements with regard to rigging, scaffolding and directing a crane, section 21 reads:

(1) A contractor shall not cause or permit a worker to be engaged in work to which this act applies involving the erection or dismantling of structural steel plant or equipment, other than scaffolding, unless a person who holds a licence as a rigger in respect of that class of work is in charge of the work;

(2) a contractor shall not cause or permit a worker to be engaged in work to which this act applies involving the erection or dismantling of scaffolding unless a person who holds a licence as a scaffolder is in charge of the work;

(3) a contractor shall not cause or permit a worker to be engaged in work to which this act applies involving the slinging of loads unless a person who holds a licence as a dogman, rigger or crane chaser is in charge of the work; and

(4) a constructor shall not cause or permit a worker to be engaged in work to which this act applies involving the direction of the movement of loads by a crane where those loads are not at all times in the full view of the driver of the crane unless the worker holds a licence as a dogman.

It goes on and on, Mr Speaker. The provisions under the Construction Safety Act relating to basic construction safety and the requirements on persons working in construction safety are very clear indeed. Unfortunately, for 2 sittings now, the minister has been unable to tell me that those provisions in the Construction Safety Act relating to rigging and scaffolding apply in the Nabalco plant at Nhulunbuy. As I said, Mr Speaker, I would not accuse the honourable minister of deliberately misleading me but I would ask him to check out whoever is sending him his mail. Obviously, he is receiving incorrect information or I am misreading the act. I am perfectly prepared to admit that I may have missed something but, after reading the entire Inspection of Machinery Act, I cannot find any provisions at all which relate to those jobs as described in the Construction Safety Act. I ask the honourable minister to respond to the very genuine request I have made in the interests of a number of my constituents who work in very hazardous situations. I would like him to respond before these sittings finish or by mail in the near future.

Mr STEELE (Transport and Works): Mr Deputy Speaker, several matters have been raised during question time by honourable members. The first matter I would like to refer to tonight is the Darwin performing arts centre. This is a project of $9.6m. The developer is Burgundy Royale. At this stage, we have paid $1.77m to the contractor. As I indicated, Jennings has not been making satisfactory progress on the project and is well behind schedule. I indicated this morning that the most recent response was a telex received from the Managing Director of Jennings assuring me that further actions were being taken to increase staff and materials on the site.

Construction contracts normally involve substantial claims by contractors and this contract is no exception. A number of claims are being considered by Burgundy Royale and these claims and the contractor's and superintendent's views are being considered by consultant, John Connell, who will provide a recommendation to Burgundy Royale on their validity. The Northern Territory government's interests are protected by a development agreement which makes allowances for recovery in the event of improper or inappropriate actions by Burgundy Royale. To ensure the government is not disadvantaged, reviews of Burgundy Royale's activities relevant to the Darwin Performing Arts Centre are carried out.

I would like to return now to the question of chlorination of sewerage stations raised by the honourable member for Millner. Study of the most cost-effective chlorination level required to control odours emanating from the sewers receiving flows from the Tiwi, Rapid Creek and Lakeside Drive pumping stations was completed several months back. Odour problems generally occur from these stations in the dry season and were particularly bad in the 1982 dry season. From the application of the chlorine program through the investigation period and since, odours have been greatly minimised and complaints are not being received. Further studies are continuing on the Coconut Grove pumping station and Ludmilla treatment plant with a view to eliminating the odour problem as soon as possible.

The honourable member for Victoria River asked whether agreements concerning supply of water in the Darwin rural area have been sent to all rural landholders or whether this exercise has been confined only to residents of the Bees Creek

area. His question followed on from remarks he made on the subject during yesterday's adjournment debate. Supply agreements arise from section 19 of the Water Supply and Sewerage Act. In the case of the Darwin rural area, supply agreements are being applied to those landholders who are connected directly to Manton pipeline and are not within a properly-designed reticulated area which in turn is gazetted and treated as a water supply area under section 13 of the Water Supply and Sewerage Act. This will include the areas within Howard Springs and Humpty Doo, taking into account both ground water and surface water sources. All landholders whose position is embraced by the position described in this item, including landholders in the Bees Creek area and other areas, are being asked to sign supply agreements. To date, 186 supply agreements have been sent, 105 have been returned signed, 4 have requested that the water be disconnected and 22 have been returned to sender. These are being followed up.

When these agreements were dispatched, a covering letter invited recipients who wanted further information to contact Ms Sue Lee or Mrs Carol Thomas, which obviously the honourable member for Victoria River has done. It was also advised that the Minister for Transport and Works had agreed to waive the $50 fee, required under the Water Supply and Sewerage Act, in those cases where connection had been made to the Manton pipeline prior to 1 July 1983. The need to improve the water supply, particularly as it relates to pressure fluctuations arising from supply from the Manton pipeline, has been recognised. My department has called tenders, which close on 20 October, for the installation of additional bore supplies to Howard Springs. The estimated cost is around $63 000. It is expected that these works will assist to alleviate some of the supply problems being experienced in the rural area.

Finally, Mr Deputy Speaker, the honourable member for Millner asked if it was a fact that the Rippon report on the Darwin Bus Service stated that contract services might reasonably be expected to cost more than in-house operations. He also asked if it was true that the government intended to replace the contract service in Palmerston with in-house operations. The situation is that Mr Rippon, in a report on the Darwin Bus Service, pointed out that the use of contract services within Palmerston and contract feeder and truck services to Palmerston from the rural area could save the Darwin Bus Service money. He also said that, in the projected future situation - and I emphasise that - this would merely represent a shift in who pays any subsidy and contract services might reasonably be expected to cost more. This is one of the considerations in the current bus service review but his comments have to be read in the context of the scope for savings identified in the report.

It is clear at the moment that there is considerable scope for savings but the major cost is in labour. The major scope for improvement within any given level of service is in the drivers' shift provisions. Any changes to these requires consultation with the bus service's employees and the unions. This process is under way and any final decisions on Palmerston will be affected by the outcome of those consultations.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, there is a commonly-held notion in this community that public servants may get away with whatever they choose to get away with. However, this is certainly not the experience of some of my constituents, many of whom are public servants. In recent months, I have had discussions with various constituents, in my capacity as their elected representative, on various matters relating to disciplinary procedures under the Public Service Act. The matters have covered a wide range of offences. I do not for a moment condone any of these offences but, by way of example, I will mention some that have come to my knowledge.

Mr Deputy Speaker, they include failure to attend at a medical examination, petty theft, conversion of departmental purchase orders for private use, interference in departmental tendering processes and failure to accept transfer to another location. I do not for a moment say that the persons who admitted these offences should be afforded any sympathy whatsoever but, on reading through the transcript of evidence that has been tendered in some of these cases, I must say that I find the penalties to be extremely harsh in at least 1 or 2 cases. In the particular case where a constituent of mine, amongst his other petty offences, had failed to attend a medical examination, the upshot was that he was dismissed from the Public Service.

Members would know that a range of penalties is available to chief executive officers and the disciplinary tribunals that are constituted under the Public Service Act and that dismissal is the most severe one. The other options are to fine the offending member or to demote him or transfer him. Whilst I do not for a moment condone the behaviour of any of these constituents of mine, in some cases, I have been surprised by the severity of the penalty. Nevertheless, these people have available to them all sorts of appeal procedures. No doubt, they will avail themselves of them. It seems that misdemeanours committed by some people are pursued with vigour whereas others are not.

From an examination of the circumstances surrounding those involved in the Litchfield Corporation, it appears that a serious breach of the Public Service Act has occurred by virtue of their non-compliance with the general order.

I directed a few questions this morning to various honourable ministers concerning compliance with a particular general order, section 4, under the Public Service Act. I asked the honourable Minister for Primary Production, who was formerly the Minister for Mines and Energy, whether he had any knowledge of the relationship between certain officers in the department and the merchant bank known as Litchfield Corporation Limited. In answer to my question, the minister said that he did not know of it and that, throughout the time of his ministry, he had no knowledge of this affair. I accept that advice from the honourable minister. I mentioned the processes whereby officers are required to declare certain things to their chief executive officers who in turn are to declare the advice to the minister. As I say, I accept what the honourable minister said but it puzzled me somewhat because the Companies Office records reveal that this company was incorporated on 4 June 1982. The minister to whom I directed the question was in fact the relevant minister until 1 December 1982.

It is clear that, somewhere along this chain of declarations, the minister was not advised. I would say that 6 months was a very long time indeed for people to defer declaration of their interests as required by the general order, section 4. Fully 6 months had elapsed by the time the changeover of ministers had taken place.

There are 3 possible explanations for this event. The first is that the officers concerned did not make the necessary declarations as required under the general order. The second explanation is that the officers may have made their declarations but that the chief executive officer did not inform the minister. The third explanation could be that the officers made the declaration, the chief executive officer informed the minister but the minister took no action. I am inclined to discount the third explanation because I have put the question to the minister and he has said that he had no knowledge of it during the time of his ministry. I accept that because I consider it absolutely inconceivable that the minister would have allowed the situation to persist had he known of the interest and the potential conflict that it could cause.

The second explanation is that the officers could have made the declaration but that the chief executive officer did not inform his minister as he was required to do. I consider that this explanation is also most unlikely, given the attitude of the then secretary of the department, Mr Mike Purcell, who expressed his views in a circular to his staff dated 6 June 1980 in which he instructed his officers to comply with the general order, section 4. He even went so far as to say that they were working in a sensitive area and that they should adhere to the instruction in order to protect themselves against any further allegation or suspicion. Mr Purcell resigned on 24 September 1982. He had been the secretary of the department for little more than 3 months. I would have thought that, in that time, those officers concerned would have made their declarations.

A strong suspicion is growing in my mind that the first explanation is the one that applies; that is, that the officers concerned did not make the declaration as they were required to under the general order. My suspicion is backed up by a statement made to the Assembly by the present Minister for Mines and Energy on 2 June this year. On that day, the minister was responding to an article which appeared on the front page of the NT News. At that stage, he had been minister for 6 months and the company had been in existence for 12 months. The honourable minister said, and I am quoting from the Hansard of the day at page 679: 'It was brought to my attention today that 5 other officers of that department are also directors of Litchfield Corporation Limited'. It appears that the minister only found out about this particular involvement on 2 June. Although he said in answer to a question from me this morning that he had become aware of this involvement through disclosures made under the Public Service Act, his statement of 2 June indicates quite clearly - and it is there to be read - that he became aware on 2 June only as a result of a front page article in the NT News. Mr Deputy Speaker, the point I am making is that fully 12 months had elapsed since the company had been incorporated and the minister knew nothing about it during that period. This situation is intolerable. It is absolutely intolerable that a minister should become aware of this through a front page article in the NT News when, in fact, the Public Service Act provides that members of the service shall declare their interests and that eventually those interests shall be declared to the minister. The Public Service Act provides this mechanism to avoid conflicts of interest and the minister is left in the situation where he learns of this as a result of some other scandal which is brewing, namely, the relationship of Dr Blake and the Kunwinjku Association via the front page of the NT News. It is highly likely, and the statements of the minister are quite consistent, that those declarations, if they were made at all, were made on 1 or 2 June, 12 months after the incorporation of the company which, I remind honourable ministers, was incorporated on 4 June 1982.

Mr Deputy Speaker, section 4 of the Public Service General Orders contains a statement concerning breach of duty. I have already made some reference to it but I will read it again for the benefit of honourable members. It was published, of course, by the then Public Service Commissioner, Mr Norm Campbell, and clearly says: 'Failure by an employee to notify a pecuniary or other interest in breach of this general order will be regarded as a failure to fulfil duty as defined in part VIII of the Public Service Act'. Mr Deputy Speaker, the point I am making is that, very clearly, these officers did not comply with that general order yet it seems that the people on the lower rungs of the public service are pursued with some vigour. I am not criticising the chief executive officers of the respective departments but it seems to me that people in the higher ranges of the public service are able to ignore these advices and still no action is taken against them.

The Chief Minister said that I should make available to the Public Service Commissioner the facts that I have. I find that a most encouraging invitation

but I do not see why I should have to undertake the investigation on behalf of the Public Service Commissioner. The facts available to me are also available to him and I will outline them. The relevant facts, as I have put them here, are that the company was incorporated on 4 June 1982. This information is available from documents which may be searched publicly at the Companies Office. It does not require me to convey this to the Public Service Commissioner. A further fact is that 3 of the directors, who were employees of the Department of Mines and Energy - Joseph Maxwell Smith, Christopher Paul Smith and Brian Ross Farrow - were appointed as directors on incorporation of the company. This information also is available from the Companies Office. I have a copy of it here and I am sure that the Public Service Commissioner could obtain a copy. A further fact, which is related to the actions which may have been taken by the chief executive officer at the time, is that Mr Purcell resigned on 24 September 1982. Mr Deputy Speaker, one would think that, at such levels of the public service, the 3 officers I have just named would have found 3 months quite sufficient time in which to inform their chief executive officer. Any suggestion that, because Mr Purcell left, the information left with him must be disregarded. The date of Mr Purcell's resignation is available from records held by the Public Service Commissioner. It hardly falls to me to supply him with it.

The new minister was appointed on 1 December 1982. This information is freely available. It was published in the Gazette and was widely publicised in the press. I found the precise date by looking at the back of the Northern Territory Government Directory which gives the administrative arrangements order and also a copy of the Gazette notice printed in the name of His Honour, the Administrator. Again, I would have thought this essential information to the points that I am making would be available to the Public Service Commissioner. The allegations concerning the involvement of these people with an Aboriginal association was printed on the front page of the NT News on 1 June 1983. How does it serve my purpose to make this available to the Public Service Commissioner? I presume he, too, can read a newspaper. The minister's statement that he became aware of it only on 2 June 1983 appears in Hansard of that day. That is freely available to the Public Service Commissioner as it is to me.

I am attempting, Mr Deputy Speaker, to point out the time scaleswhich are relevant to the general gripe that I have. Is the Public Service Commissioner so in need of my assistance when all this information is as readily available to him as it is to me? The point I am making is that some members of the public service are pursued with extraordinary zeal for offences committed under the Public Service Act. I do not condone those offences and I think it is correct for those public service officers to be charged. What I am hoping is that the Public Service Commissioner and his executive officers will bring the same zeal to bear when it comes to pursuing those people who occupy very senior positions in the public service.

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

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, the honourable member for Millner in effect suggested today that a certain member of this Assembly had let his rhetoric run away with him. It was not the only thing that got away in this Assembly this morning. I refer to a certain interjection which came after my question to the honourable Minister for Education regarding the rejection of strike action by some teachers in the Darwin area. The interjection was heard very clearly on this side of the Assembly and outside the Assembly as well. In fact, since we were on 8 TOP FM, we may well have been picked up by people outside. I quote from the poem called 'The Priest and the Mulberry Tree': 'All that may be thought cannot be wisely said'. I would not mention the word except that it was used wrongly. The word 'scab' applies to people who break strike

action after it has been voted on and approved by the majority of the membership. 'Scabs' as a term does not apply to people who reject strike action proposed by union leadership.

Mr TUXWORTH (Community Development): Mr Deputy Speaker, I rise to place on record tonight a response to the points concerning ADMA raised by the Leader of the Opposition in the last sittings. I had intended to make these comments tomorrow morning but I will do it tonight and get it out of the way. I notice with interest the honourable member's reference to the fact that I never respond to whatever he says. The last 2 times that I returned the honourable member's phone call, he could not remember why he rang me. The other day, he sent me a letter asking for information on the primary production budget which was hand delivered to him here and he lost it.

Mr B. Collins: No, I still have it here.

Mr TUXWORTH: Well, his staff thought it was lost. Will he tell them it was not our fault but his?

During the last sittings, the honourable Leader of the Opposition and the member for Fannie Bay questioned the marketing performance of ADMA and the provision of underwriting for the ADMA project farmers. The issues raised were: the share of the local market enjoyed by Northern Territory farmers; the disposal of the 1981-82 and 1982-83 harvests; interest charged to the farmers; pricing of maize to Territory customers; prices received by the farmers; sales and handling of mung beans; the Northern Territory agricultural newsletter; and underwriting provisions between ADMA and the project farmers.

Mr Deputy Speaker, I turn to the first of these issues, the Northern Territory stockfeed market and the Northern Territory farmers' market share. Surveys by the Department of Primary Production in 1981 and 1982 confirmed that the Territory stockfeed market was of the order of 13 000 t per annum. These surveys indicate that about 8000 t to 8500 t comprises feedgrain and pulses.

The harvest is completed around May each year and therefore the sales year is one year after the crop year. One cannot always complete the disposal of the crop to the best advantage by December each year. The authority must keep stocks available to suit customers' delivery requirements where this is the sale strategy which maximises revenue to the farmer. One cannot necessarily expect customers to take all the Northern Territory production in 6 months. The authority would lose the continuity of dealing with its clients if such a policy were imposed.

Deliveries from the 1981-82 crop were sold in 1982-83. The authority achieved a market share of 23% of the Northern Territory's stockfeed grain market in 1982-83, the first full sales year for the authority. It is expected that the market share in 1983-84 will increase to 35% of the Northern Territory's stockfeed grain market. These results show a very satisfactory penetration into the local market by ADMA on behalf of Territory farmers and a significant growth in sales tonnage and market share. It is quite unrealistic to expect a higher market share in these early years. It is not unreasonable for local customers to continue some supply diversification while farm production is being consolidated.

As farmers demonstrate that they can maintain a reliable supply to local farmers, so market share will improve. Some grain users in Darwin are integrated with farming operations on the Ord River irrigation area and, in aggregate, these transfers approach 40% of the cereal grain used in stockfeed in the Territory. This fact needs to be kept in mind when assessing the market share enjoyed by

Territory farmers through the authority. It should also be remembered that the Alice Springs and Barkly regions comprise 15% of the Northern Territory stockfeed market. Territory farmers must compete against South Australian and Queensland suppliers for sales in these areas.

The authority has given active encouragement for the establishment of a mill in Darwin by offering guaranteed supply and quality, storage service and spread of deliveries, at prices which are competitive with imported commodities. In this way, the authority has encouraged the expansion of local industry while maintaining its responsibility to the farmers. Sales of pulse crops - for example, soya beans and mung bean offals - have been limited by the very small tonnage produced. Most mung bean offals from the 1981-82 and 1982-83 deliveries have been sold on the local market. Deliveries of soya beans in 1982-83 have been reserved for seed supplies at this stage.

I come to sales of cereal grains and pulses from the 1981-82 and 1982-83 harvests. When the sales of each year's harvest are examined, the following picture emerges. Receivals from the 1981-82 season comprise: 622 t maize, 2658 t sorghum and 74 t mung beans. All of the maize and 55% of the sorghum was sold to the Territory's stockfeed market. Almost all of the mung beans went to Territory growers for seed for the 1982-83 planting. All stocks from the 1981-82 season were cleared by 30 June 1983. At the end of December 1982, all but 263 t of the 1981-82 sorghum crop was sold or committed.

Sales of sorghum from 1981-82 pools as at 31 December 1982 were: receivals 2658 t; contracted sales 2299 t; drawn stocks 1861 t; committed balance 438 t; cash sales 96 t; uncommitted balance 263 t; and tonnage delivered 1957 t. It is interesting to note that the uncommitted balance is for cash sales and carry-over stock. Receivals from the 1982-83 harvest up to 30 September 1983 comprise: 1676 t maize, 3543 t sorghum, 227 t soya beans and 675 t mung beans. 73% of maize receivals have been sold or committed under contract. Therefore, it is anticipated that 40% of the maize deliveries will be sold to the Territory's stockfeed market which represents a 4% increase in the tonnage compared with the previous year's deliveries.

It should be noted that the use of maize in stockfeed rations in Australia is generally limited to the poultry and egg industry. The tonnage of maize placed on the local market from 1982-83 deliveries was greater than the tonnage from the 1981-82 deliveries but, as has been shown, the 1982-83 deliveries were more than 2½ times greater. 88% of sorghum receivals from the 1982-83 harvest have been sold or committed under contract. It is anticipated that 55% of the sorghum deliveries will be sold to the Territory feed market and this represents a 33% increase in tonnage compared with the deliveries of the 1981-82 harvest. It can therefore be seen that 63% of the cereal grain receivals by ADMA from the 1981-82 harvest have been sold to Territory feedgrain users. The 1982-83 cereal harvest was 60% greater than the previous year. It is expected that half of this harvest will be sold on the Territory market. This represents an increase of 500 t or 24% above sales to the local market from the previous harvest.

Soya bean receivals from the 1982-83 harvest are being held to provide farmers with seed supplies for the 1983-84 crop. Only 227 t was delivered to ADMA storages. The yield of cleaned and graded mung beans received from the 1982-83 harvest was 416 t of which 86% has been sold or committed under contract to interstate buyers and 14% to local buyers.

This product is destined for human consumption and is therefore sold to advantage outside the Territory. It is anticipated that the majority of mung bean offals will be sold to the Territory's stockfeed market. It is also

anticipated that the carry-over of grains and pulses at 30 June 1984 will amount to approximately 350 t from the 1982-83 crop. All of the 1981-82 crop has been sold.

I come to interest on funds borrowed by ADMA. A grower has claimed that interest paid on the money borrowed by ADMA to pay the first advance to growers accumulates until the pool is closed and the final payment is made. This is not correct. Interest accumulates on the borrowings until such time as receipts from sales are sufficient to liquidate the borrowings and pay the accumulated interest. Further receipts into the pool are then used to make second and third advance payments to growers over and above the value of the first advances. This is a standard practice followed by other grain marketing authorities in Australia.

I turn to pricing of maize to Territory stockfeed customers. Maize from the 1982-83 harvest was offered to local end-users at an average price of $218.54 per tonne. Pricing of the feed was calculated on a monthly basis from May 1983 to April 1984 and is on an upwards sliding scale which is designed to recover storage and other costs incurred by the authority. The May 1983 price was $210.40 per tonne and the May 1984 price will be determined by the Northern Territory Grain Marketing Board in the light of market indicators. The October price is $217.67 per tonne for Katherine or Douglas-Daly for cash sales. These were the prices offered to all customers locally and interstate. At no time was a price of $240 asked. A contract was negotiated with a local miller on 15 September for maize which reflects the ability of the authority to negotiate a position in the market and meet the demands as well as showing the best possible returns to growers.

Mr Deputy Speaker, I seek leave of the Assembly to have a copy of the ADMA price schedules for maize and sorghum from the 1981-82 and 1982-83 pools incorporated in Hansard.

Leave granted.

NT FEED MAIZE PRICES 1981/82 POOL

MONTH	FOR SELLING PRICE
1	$190.58 + Freight
2	$192.17 "
3	$193.78 "
4	$195.41 "
5	$197.07 "
6	$198.75 "
7	$200.45 "
8	$202.19 "
9	$203.93 "
10	$205.69 "
11	$207.47 "
12	$209.28 "

AVERAGE PRICE = $199.73

FREIGHT TO DARWIN = $23.50

NT FEED MAIZE PRICES 1982/83 POOL

MONTH		FOT SELLING PRICE
1	May 1983	$210.40 + Freight
2	June 1983	$211.82 "
3	July 1983	$213.26 "
4	August 1983	$214.71 "
5	September 1983	$216.18 "
6	October 1983	$217.67 "
7	November 1983	$219.18 "
8	December 1983	$220.71 "
9	January 1984	$222.26 "
10	February 1984	$223.83 "
11	March 1984	$225.42 "
12	April 1984	$227.03 "

AVERAGE PRICE = $218.54

NT FEED SORGHUM PRICES 1981/82 POOL

MONTH	FOT SELLING PRICE
1	$139.44 + Freight
2	$140.59 "
3	$141.76 "
4	$142.94 "
5	$144.14 "
6	$145.35 "
7	$146.58 "
8	$147.82 "
9	$149.08 "
10	$150.35 "
11	$151.64 "
12	$152.94 "

AVERAGE PRICE = $146.05

FREIGHT TO DARWIN = $23.50

NT FEED SORGHUM PRICES 1982/83 POOL

MONTH		FOT SELLING PRICE
1	May 1983	$149.13 + Freight
2	June 1983	$149.97 "
3	July 1983	$150.82 "
4	August 1983	$151.68 "
5	September 1983	$152.55 "
6	October 1983	$153.43 "
7	November 1983	$154.33 "
8	December 1983	$155.24 "
9	January 1984	$156.16 "
10	February 1984	$157.09 "
11	March 1984	$158.03 "
12	April 1984	$158.98 "

AVERAGE PRICE = $153.95

Mr TUXWORTH: I turn to prices received by farmers. Farmers who delivered maize to the 1981-82 pool received a final price of $201.24 per tonne. Farmers delivering sorghum to the 1981-82 pool received a final price of $128.65 per tonne. The 4 growers who delivered mung beans to the authority from the 1981-82 harvest averaged $265.84 per tonne for each tonne they delivered. Prices received by those farmers for the 1982-83 harvest are not yet available because the pools are not yet finalised. Preliminary estimates indicate a price of around $135 for maize and $125 for sorghum. It has been shown that the cereal grain harvest in 1982-83 was 60% greater than 1981-82. Sales to the Territory grain market from the 1982-83 cereal harvest are 500 t or 24% above sales from the 1981-82 harvest and share of the local market is expected to increase to 36% in 1983-84.

The disposal of additional receivals of maize into the South Australian market has lowered the average return. All of the small 1981-82 maize crop was sold locally. Returns to growers from the 1982-83 sorghum crop have been maintained despite the crop being 33% greater than in 1981-82.

Turning to sales of mung beans from the 1981-82 harvest, by the end of December 1982, 73.905 t of mung beans were delivered to the authority by 4 growers. All growers were paid a first advance within 14 days. These lines were cleaned and graded and disposed of by sale. In the case of 3 growers, the quality of the beans could not command a price high enough to redeem the first advance. One grower had beans of sufficient quality to meet the specifications for seed. The seed beans were then offered to growers and the final advance was made to that grower on 1 February 1983 when funds had been collected from farmers and the authority had borrowed funds to purchase the balance. The sales of poor quality mung beans took place before December with the better quality mung beans receiving a premium price over the planting period. The price received for the seed quality beans received a premium of $250 per tonne over and above the market price of sprouting beans.

Both farmers and grain handling staff experienced practical difficulties in obtaining representative samples from parcels of grain or pulse crops. This is particularly evident with mung beans when conventional drum harvesters have been used to take the crop. Trash and splits can be a major problem and often are not evenly distributed throughout the parcel. Therefore, one cannot use sample results for uncleaned mung beans other than as a guide.

I turn now to the handling of the 1982-83 mung bean crop. From the 1982-83 harvest, 677.712 t of mung beans were received and processed on account of 19 growers. On completion of cleaning, there were 416.325 t of saleable lines with 261.387 t of screenings to be sold as stockfeed. With respect to the physical handling of these mung beans, every endeavour has been made at the Katherine facility to ensure a high yield and quality control of the commodity. This has been achieved by the installation of equipment designed for soft handling of bean crops and includes hydralift conveyors, bucket elevators, bean ladders in silos, neoprene drag conveyors and belt conveyors. Although the authority experienced some teething problems with the new plant, the program of cleaning was delayed until such problems were rectified so as to ensure that no damage occurred.

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

Mr TUXWORTH: Mr Deputy Speaker, I seek leave of the Assembly to have the balance of this statement incorporated in Hansard.

Leave granted.

The main problem experienced in processing the beans was that the majority of crops were harvested below 13% moisture content which caused increased splitting of beans. It should be noted that the majority of beans were delivered at less than 9% moisture. Coupled with the dryness of the beans, a problem of husking was experienced due to the late wet season at harvest. The husk on the seed would roll off easily as the seed had been swollen then contracted several times as it became successively wet then dry. The authority is endeavouring to assist farmers further with handling at farm level where the majority of mechanical damage occurs.

The marketing of mung beans was undertaken after considerable market development and as lines became available. Samples of cleaned lines were dispatched to 32 end-users, exporters and merchants. The terms of sale were taken on an ex-Katherine basis for the highest price to grower. The prices ranged from $200 per tonne to $650 per tonne depending on quality. The overall quality was not to the required standard and the prices obtained were only achieved through consistent market penetration by the authority. It should be noted that all lines have been sold on an individual grower basis and the price reflects quality in each case. Every effort to maximise grower returns has been undertaken by the authority.

The Northern Territory Agricultural Newsletter.

The article in the August 1983 newsletter with the title 'Grain Price Quotes' was in response to grower queries about price quotations in southern and eastern media and not to the indicative prices for commodities produced in the Northern Territory. The prices of Northern Territory commodities are released in the form of indicative prices prior to planting. These prices are released to assist farmers

particularly in determining the first advance which is normally 70% of the indicative price. These prices are neither minimum, maximum nor guaranteed and are calculated by using market information at the time to give some indication of possible future markets at the time of harvest.

It should be remembered that commodity prices change daily and this creates a problem in accurately determining precise indications. Factors like the value of the Australian dollar, weather conditions, world markets, intensive industry expansion or reduction, all change weekly which in turn affects prices. The purpose of the newsletter is to keep people informed of these changes. Every endeavour is made to ensure that the facts are accurate and relevant.

The newsletter must be able to report changing circumstances, otherwise it will not achieve the objective of keeping farmers informed about their industry. It has been shown that the majority of the 1981-82 harvest was sold to local end-users. The circumstances reported in the October 1982 issue are, therefore, quite consistent with the role of the newsletter as well as with statements about this harvest in the 1981-82 annual report of the authority.

Mr SMITH (Millner): Mr Deputy Speaker, when the Territory government announced that there would be an inquiry into freight and related costs, it was welcomed by all of us. Mr Deputy Speaker, you may also recall that previously the member for Sanderson and then I had both called for such an inquiry to be undertaken. When the government announced the terms of reference, I for one was satisfied that the committee to inquire into freight costs had been given guidelines that would enable it to establish exactly how freight and other costs affected the end prices paid by Territory consumers. In my capacity as shadow minister for transport, I made a submission to that inquiry. In that submission, I pointed to key areas that I considered that the committee should look at to enable it to draw reasonable conclusions about freight and other costs in the Northern Territory. I told the committee of inquiry that it was my understanding that the level of a company's distribution costs was affected by the nature of the goods that it sold, packaging requirements and type of transport employed, as well as the actual location of the market for the goods.

It is obvious that transport is the most important segment in the overall distribution function and, in turn, can be broken into components that either relate to time or distance. But I also pointed out to the inquiry that both ordering and inventory costs or the costs of holding stocks of goods must ultimately impact on the final price of the goods and I put it to the committee that the channels through which goods are distributed in the Territory is another area that requires thorough investigation. It would appear obvious that the production, distribution, wholesale and retail networks that operate with respect to the Territory must impact both on costs and sales and, therefore, represent further key aspects in the construction of the overall distribution cost of goods.

Mr Deputy Speaker, I pointed out another important aspect of distribution costs which is the standard of service that is required by, or provided to, the Territory consumer and the extra costs that might be associated with that service. I told the committee that there were other costs that were not directly associated with the distribution of goods but certainly had a bearing on the final price of them. One obvious example is the cost associated with the marketing of the goods. There are in fact 2 areas of activity that are associated with marketing costs which are costs incurred when obtaining orders

and costs associated with the actual filling of those orders. There would be further costs associated with the provision of credit by a company to its customers. That must impact in some way on the price of the goods.

Mr Deputy Speaker, for some considerable time, there have been complaints from the Territory community about the high cost of goods and services. Part of the blame for these high costs has been placed on what have been described as 'excessive freight rates'. However, given the complex structure of the overall cost of getting goods from the point of manufacture into the hands of the consumer, this blame may well have been misdirected. There is a need for the inquiry to consider this overall cost structure to establish exactly where the Territory consumer is being overcharged, if this is, in fact, the case. Without going into the 9 areas that I urged the inquiry to look at, it is reasonable to say those 9 areas are a summary of the points that I have just made.

Mr Deputy Speaker, as the committee is established under the Inquiries Act, it is able to subpoena people if they prove reluctant to appear before the committee. However, I have found recent reports most disturbing, particularly the report on Territory Tracks on Monday night on the progress being made by this committee. I am gravely concerned that an opportunity to investigate these costs fully in the Northern Territory is about to be lost. I was concerned at statements made by Mr Williams, the Chairman of the Committee of Inquiry into Freight Costs, on Monday night on Territory Tracks. Mr Williams told the ABC that he was not in any way prejudging the situation with respect to transport costs but that he considered the fact that, since 1 July, several transport operators have left the industry or been amalgamated into larger operations would suggest that there is no overcharging by the transport industry in the Territory.

I was also concerned by statements made by a committee member, Mr Graetz, when he told Territory Tracks that he had spoken to interstate transport operators in Brisbane, Adelaide and Perth and had found that rates were very competitive. When Mr Graetz was asked whether he was stating that transport companies were charging as much as they needed simply to make a profit, his response was that that was what he was stating. Mr Deputy Speaker, I would suggest that the only way that an accurate conclusion can be drawn with respect to whether transport operators into and out of the Northern Territory are costing their freight rates accurately is to investigate the structure of costs in the industry. I would submit that those simplistic statements from Mr Williams and Mr Graetz indicate very graphically that they have not come to grips with the fact that they need to investigate the structure of costs in the industry in the broadest possible sense.

Several other people were interviewed on the Territory Tracks program and provided evidence that would suggest there was considerable overcharging with respect to freight rates or evidence of excessive charges being incorrectly linked with the cost of freight. I would suggest that this clearly illustrates a need for this committee to widen its area of investigation to establish exactly where excessive costs are being incurred. An interview with a local businessman also highlighted the need to investigate the channels of distribution that operate into the Northern Territory. His complaint was that the cost of getting goods to the Territory was inflated because of the number of phone calls required to establish exactly where the goods are.

The inquiry must aim to balance the interests of the Territory consumer, the Territory wholesaler and retailer and the transport industry operating in the Territory. It cannot simply look at the cost of transport and assume that, if it can show that the cost of transport is not excessive, then its job is done.

Mr Deputy Speaker, I was also concerned at a further statement made by the chairman of the committee on Territory Tracks in which he said he would like it to be known that the committee had received 100% cooperation in every area that it had visited and in respect of every question it had asked. I find that a little strange as one of the questions he asked me was what authority his committee had to compel people to provide evidence to it. That tended to suggest to me that the committee, at that stage, was having some problems. I am also aware that, in its submission, the Master Builders Association made a very clear statement that it had quite a bit of resistance from some of its members over the provision of evidence to the inquiry.

Mr Deputy Speaker, as I said, this is an important inquiry. My concern is that the job will not be done properly if the committee continues on its present lines. Therefore, I would ask that the inquiry broaden its area of investigation and seek detailed information from the transport industry, the supply industry and the wholesale and retail sectors with respect to their cost structures so that a true picture can be painted on just how the final price paid by the Territory customer is reached.

Mr BELL (MacDonnell): Mr Deputy Speaker, the term 'vandalism' is clearly one that excites the emotions on the other side of the Assembly. I notice that tonight the honourable Leader of the House is already back in here. I think it actually brought him back in here last night from points to the north-west. However, this evening I would like to continue my comments about the National Trust of Australia report. I trust that I can do so without exciting emotions of any sort whatsoever. I trust that people will have a clear ear.

Mr Everingham interjecting.

Mr BELL: At least I have woken up the Chief Minister. That is excellent. I did not think even my most persuasive rhetoric would be able to do that.

I mentioned last night that, while on one hand some excellent work was being done by the National Trust, there was an area that I felt worthy of more consideration. I cited a couple of paragraphs in the trust report that was tabled yesterday. I quoted from a paragraph on page 9 which said that the trust council had adopted a multi-cultural heritage policy which would have significant consequences in regard to its assessment of all sites of heritage significance in the Territory, and went on to say this policy meant that the trust would need to consider the role of all racial and cultural groups, not just Europeans, in its documentation and interpretation of sites. I am sure all honourable members will agree that that is a laudable aim. It is a shame that the paragraph above it suggested that perhaps the trust's consideration of the role of all racial and cultural groups was not all that it might be because the trust declined to express any opinion when its views were sought on the controversy surrounding what was termed the 'Todd River Aboriginal Sacred Site' at Alice Springs. Evidently, the executive committee referred this to the southern regional committee which resolved that the matter was of such a divisive nature that any trust involvement would be most unwise. Clearly, the National Trust had some justification for that resolution on the basis of the very emotions which stirred in the breasts of the government members who were leaping up and down at various stages last night.

I would hate, however, for that valuable point to be missed. I think that the trust has an important role to play in ensuring that heritage, in its total universal sense, which includes all racial and cultural groups, is taken into consideration. I would offer as a constructive suggestion that the walk-and-drive brochures the trust organises should be extended in scope to include, for example,

the areas in the vicinity of Alice Springs of significance to Aboriginal people. Those are ideal for inclusion in such brochures. I am quite sure that there are many people working in Alice Springs who would be very happy to see such brochures developed in order that both the residents of Alice Springs and visitors to the town may enjoy, at a deeper level than is now possible, the whole range of heritage interests in the Centre.

There is one other subject that I wish to raise tonight. The issue concerns what is evidently an exchange of correspondence between the honourable Chief Minister and the federal Minister for Aboriginal Affairs. It relates to the special purposes leases in the vicinity of Alice Springs. Some time ago, in a September issue of the Centralian Advocate, we were confronted with a headline which said, 'Chief makes a call for more land'. I think it is worth pointing out to honourable members some of the figuring that went on to force arguments from the Chief Minister. In this particular article, the Chief Minister is quoted as saying that the existing leases would take up almost a quarter of the town's developed residential land but catered for just over 3% of the population. It went on to suggest that the Chief Minister was alleging that the overall population density for the general community was about 6 times greater than that of the Aboriginal leases.

Let us just examine this because I suggest that this depends on just how you do your sums. In order to assist the Chief Minister to understand this, I have prepared a few quotients. The first is the Everingham quotient and the second is a reasonable quotient. I am sorry for the shaking of the head from the honourable member for Stuart. I just say that a quotient is a result of dividing one number by another. I am sorry. In order to explain this, I am interested in 3 figures. Let us say that L equals the area of leases with the municipal boundary, D equals what the Chief Minister refers to as 'developed residential land' and AS is the area within the municipal boundary of Alice Springs. Here I adduce the Everingham quotient: L over D. He has managed to bring that out at 23%, 23.3% to be exact. He has done that by dividing the area of those special purposes leases by the area, it would appear, that is occupied by houses and so on in Alice Springs. That is distinctly dishonest. A far more reasonable quotient is the quotient of the area of those leases over the area within the municipal boundary of Alice Springs. I therefore adduce the reasonable quotient L over AS which is 3%. I spell it out like this because, if the Chief Minister is prepared to put garbage like this to newspaper reporters in Alice Springs, it cannot be spelt out too carefully for him.

I can already hear them screaming out over there: 'He is including in the area the hills within the municipal boundary of Alice Springs'. Now let us just look at this for a minute. It would be quite possible to build on the hills in Alice Springs. It is, interestingly enough, one of the universally-accepted parameters of development in Alice Springs that we do not build on the hills. Black and white alike agree that that is not desirable but that is no reason for not including it within the town boundary of Alice Springs. I think I have made my point as far as the numbers are concerned.

To return to the general argument, the letter from the federal Minister for Aboriginal Affairs suggested that there was a likelihood that social disharmony would result from Aboriginal groups with different cultural and linguistic backgrounds being forced to cohabit on the same lease: 'This is a situation I am sure you would wish to avoid. I urge you to re-examine your policy not to process further applications for special purposes leases'. The Chief Minister's response to this was a flat refusal followed by the absurd figuring I have already described. I think that is a dreadful shame. The federal Minister for Aboriginal Affairs said, as I have said time after time in this Assembly, that a decent response to those sorts of issues is absolutely essential.

The Chief Minister contents himself with the bald statement that he does not consider that adequate, rational use has been made of all the special purposes leases in Alice Springs. What he does not do is consider the needs of the people who are living on those leases. When he talks about the rational use of those areas, he does not even give us the courtesy of defining what he means by 'rational use'. I do not mind if he does not do it tonight because it is getting pretty late, but at some time I would like to hear from him what, in quantifiable terms - and he is fairly good at number crunching or getting somebody in his department to number crunch for him - he thinks is acceptable in as far as 'rational use' of those areas is concerned. I would like to hear it in terms of numbers because the numbers he has come up with so far are absolute nonsense. There is an old saying, Mr Deputy Speaker, that figures can lie and liars can figure. If the Chief Minister wants to avoid that kind of smear, I suggest that he do his homework.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I thought I would bring to the notice of honourable members a couple of matters that I might have made ministerial statements about but I did not really feel they warranted going that far. Nevertheless, they are matters of interest.

Firstly, in relation to the inquiry into an Alice Springs recreation lake held in May this year, the Commonwealth and Territory governments agreed to establish an independent board of inquiry to consider all possible sites for a recreation lake in Alice Springs including the site previously chosen by the Territory government near the Old Telegraph Station. Since then, the 2 governments have agreed on terms of reference for the inquiry and on its membership. The chairman will be Mr Robert Lloyd, a senior civil engineer with the firm Gutteridge Haskins and Davey. Mr Lloyd is now resident in Brisbane but previously lived in the Territory for some years as manager of the company's Darwin office. The other 2 members will be Professor Fay Gale of Adelaide University and Mrs Minna Sitzler of Alice Springs. Professor Gale has worked previously with Aboriginal women, studied their problems and published material on this subject. Whilst this work has mostly been in South Australia, she has also visited the Territory. Professor Gale's appointment has been endorsed specifically by Aboriginal traditional owners of the Alice Springs area. Mrs Minna Sitzler is a long-time resident of Alice Springs and was born at Hermannsburg. Previously a teacher, she is now a housewife but has been involved in a number of community activities including the Crafts Council. She is the Territory government nominee to the inquiry. The setting of a firm date for the beginning of the inquiry is now in the hands of the chairman and his co-members but it is expected to commence in November. The public will be notified of its hearings and proceedings and will be invited to make written or personal submissions.

The second matter, Mr Deputy Speaker, relates to the role of the Northern Territory Ombudsman in respect of complaints against the police. I think it is appropriate that I bring to the notice of the Assembly changed arrangements with the Ombudsman in relation to such complaints. When the post of Ombudsman was introduced into the Northern Territory in 1978, by virtue of the Ombudsman (Northern Territory) Act, any person who had a complaint against the police was required to lodge it with a member of the Police Force rather than the Ombudsman. The person concerned could require, in due course, the Commissioner of Police to refer the complaint to the Ombudsman but often this was less than satisfactory from a complainant's point of view. Because of that, discussions took place between the Ombudsman, the Commissioner of Police and the Department of Law to establish an administrative arrangement between the Ombudsman and the Commissioner of Police in relation to these complaints. Indeed, the administrative arrangements arrived at were such as to introduce an independent

element for the handling of complaints against police with the Commissioner of Police referring all complaints to the Ombudsman immediately on their receipt and, in effect, allowing for an overview of the quality of investigation.

In 1981, the act was amended to effect an important change in relation to complaints against members of the Police Force. Members of the public could lodge complaints directly with the Ombudsman where there was any hesitancy to lodge complaints with a police officer. The Ombudsman, however, was still required to forward such complaints to the commissioner for investigation as if the complaint had been lodged directly with the police. The Ombudsman (Northern Territory) Act makes provision for the complainant or the member complained about to require the Commissioner of Police to refer the complaint to the Ombudsman after the expiration of a period of 6 weeks from the date of receipt by the police of the complaint if he is not satisfied with the action that has been taken in relation to the complaint. Thus, there is proper opportunity for a complainant or a member of the Police Force to remove the complaint from the Commissioner of Police should he be dissatisfied with the action taken in relation to it.

Within the Northern Territory Police Force, there is an inspectorate which reports to the office of the commissioner and is responsible for the overview of all complaints against police. As a general policy, the inspectorate does not exercise direct control over an investigation but the results are reviewed by the inspectorate and an additional investigation requested if necessary. I am aware that the commissioner holds firmly to the view that complaints against the police must be thoroughly investigated for the purposes of maintaining public confidence. If this has an adverse effect on police morale, then that is a price that has to be paid.

Having regard to the amendment to the act which provided for complaints to be made to the Ombudsman in the first instance, and having allowed sufficient time to test the legislation, Cabinet recently rescinded the administrative arrangements between the Ombudsman and the police, whereby all investigations and complaints against the police were reviewed by the Ombudsman. The new arrangements are that complaints made to the police in the first instance will be investigated as in the past. Upon completion of the inquiries, the complainant will be advised. If he or she is not satisfied with the results, the matter may be referred to the Ombudsman.

On those occasions where the initial complaint is made to the Ombudsman, the matter will be investigated by the police and the final report referred back to the Ombudsman. It should be emphasised that the act further provides that, at any time, the Commissioner of Police may, of his own volition, refer a complaint against the police to the Ombudsman. It also provides that, where the Ombudsman deems it desirable, he may conduct an investigation on his own motion without an approach by the complainant.

In conclusion, Mr Deputy Speaker, I stress that the new policy is not in any sense a departure from the existing strict requirement that complaints against the police must be competently and thoroughly investigated but it does ratify an effective procedure which accords with the amended legislation.

Mr VALE (Stuart): Mr Deputy Speaker, there are a couple of things that I would like to raise tonight. The first concerns the electoral rolls and deaths that occurred during the break between reprints. The new electoral rolls jogged my memory.

I believe that some of the administrative arrangements could be made by the Registrar of Births, Deaths and Marriages. He could be required, either by

administrative arrangement or by an act of the Assembly, to notify the Electoral Office, in writing, of any deaths which occurred during the non-printing period of the roll so that, when reprints occur, those names can be taken off the roll. When elections occur and electoral information is mailed out, more accuracy will be obtained. There are 2 reasons for doing this. The first, of course, is to obtain accuracy in actual enrolment numbers. The second is to avoid embarrassment because, as you would know, Mr Deputy Speaker, in the past when automatic postal votes have gone out, on a number of occasions the relatives of people who had died were served with postal votes or, after elections were held, asked by the Electoral Office why that particular person, who was deceased, had not voted. I think it is a very simple and inexpensive method of making our rolls more accurate and removing any embarrassment which may exist.

Mr Deputy Speaker, for the information of the honourable member for MacDonnell and others, over 20 years ago, an organisation called the Cross-cultural Group got together in Alice Springs. If my memory is correct, it used to meet frequently where the Institute of Aboriginal Development now is. Amongst other things that it came up with was a proposal that, at the northern and the southern edges of Alice Springs, 2 camps should be established for Aboriginal communities visiting Alice Springs for overnight stays, to go to the hospital, for shopping etc so that these people could have somewhere to camp where toilet and other facilities were available to them. It is interesting to note that, from those 2 camp proposals which were put forward 20 years ago, we have reached the stage where 26% of the land zoned for residential purposes in Alice Springs is now occupied by special Aboriginal camps from the northern edge of Alice Springs right through to Heavitree Gap and beyond.

Mr Deputy Speaker, during the last sittings, I paid tribute during adjournment debates to the organisers and others connected with the Yuendumu Sports Weekend. I paid particular tribute to the National Aboriginal Sports Foundation for its financial and physical assistance and its advice to the Yuendumu organisers, the athletes and other sportsmen who competed at the sports weekend. I paid tribute to 2 hard-working members of the National Aboriginal Sports Foundation, Sid Jackson and John Bell, who, for the last 2 or 3 years, have visited the Yuendumu Sports Weekend. As well as the finance the National Aboriginal Sports Foundation has provided, those 2 men have given invaluable assistance and advice to the athletes. The National Aboriginal Sports Foundation is one Aboriginal organisation which I believe is doing an excellent job amongst Aboriginal sportsmen and women Australia-wide but particularly in central Australia.

I was advised a few days ago that the foundation, which up until recent times has been independent and autonomous, has now been placed under the administrative wing of the Aboriginal Development Commission. I believe this is a retrograde step. It will inhibit the freedom of movement of the National Aboriginal Sports Foundation. I know a number of other people who have telegraphed me and the Minister for Aboriginal Affairs, Mr Holding, requesting that he review that ruling. I know a number of petitions are being organised in central Australia and, I gather, in other parts of Australia, that will be presented to the Minister for Aboriginal Affairs. I would hope that both the Minister for Aboriginal Affairs, Mr Holding, and the Chairman of the Aboriginal Development Commission, Mr Perkins - who, I believe, was one of those responsible for the administrative move - will review this situation because, if there is one organisation that is doing a tremendous amount of good for Aboriginal sportsmen and women Australia-wide, it is the National Aboriginal Sports Foundation.

Motion agreed to; the Assembly adjourned.

Mr MacFarlane took the Chair at 10 am.

DISTINGUISHED VISITOR
His Excellency Francisco Utray

Mr SPEAKER: Honourable members, I draw your attention to the presence in the gallery of His Excellency Mr Francisco Utray, Ambassador for Spain in Australia. On behalf of honourable members, I extend a warm welcome to Mr Utray and hope that his stay in the Northern Territory will be a pleasant one.

Members: Hear, hear!

MINISTERIAL STATEMENT
Employment of School Leavers

Mr EVERINGHAM (Chief Minister)(by leave): Mr Speaker, the government has established a task force to advise on a comprehensive range of measures to help school leavers in 1984 and beyond. These measures will ensure that Northern Territory school leavers are provided with adequate opportunities for employment, continuing education and training and work experience combined with appropriate skills training. The school leavers task force is made up of a representative of the Department of the Chief Minister, the Department of Education, the Vocational Training Commission and the Northern Territory Public Service Commissioner's Office. The members of the task force, during the next few weeks, will be setting up working groups to develop the details of proposals which I am about to outline.

It is the government's firm objective not only to ensure that adequate opportunities are provided for students wishing to leave school in 1983 but also to make an impact upon the number of unemployed in both urban and rural areas in the 15 to 19 age group. During September, members of the task force surveyed all Year 10, 11 and 12 students in the Northern Territory to determine their educational and employment aspirations. At the same time, employers in both the public and private sector were approached to determine what employment projects are available and what their skills training needs are for 1984 and beyond.

In addition, the Department of Education is reviewing the assistance schemes which the Northern Territory government provides to both secondary and tertiary students. Mr Speaker, while our package of student assistance schemes is already the best in Australia, we want to determine whether it is possible through further incentives to encourage more parents to support their children through upper secondary and tertiary study and thereby greatly improve their employment prospects.

The task force is now working on a comprehensive package of initiatives which I expect to be able to announce in detail at the end of November. That package will include 2 initiatives which have been announced in recent months. I am pleased to be able to announce that the introduction of the new Year 12 senior secondary certificate, SSC courses, which the Minister for Education announced in the budget sittings, has been well accepted by Year 11 students. The enrolment for Year 12 in 1984 is expected to be almost double that of 1983. The anticipated enrolment in Year 12 next year, for the first time, will bring the Northern Territory retention rate up to par with other Australian states. Again, I wish to stress that students studying SSC courses in 1984 will be better prepared for employment. They may also seek entry into appropriate technical and further education certificate courses or advanced education

diploma courses.

Mr Speaker, the first meeting of the previously-announced Aboriginal Employment and Training Advisory Committee was held last week. This committee's major task is to improve coordination between departments to ensure that Aboriginal people have improved access to training and employment opportunities. A regional and community-based network is being established to enhance the ability of departments to respond to employment and training needs. The Vocational Training Commission and the Department of Education are currently investigating a range of initiatives including the provision of specific training programs for Aboriginal people who are seeking to enter the rural industry.

The Northern Territory already leads Australia in increasing the number of apprenticeships available. The government has now decided to move in an even more progressive and positive manner to ensure that we retain the leading position. Consultation between senior industry and government officers has taken place and a consensus of opinion has been reached. In future, successful tenderers for government construction and maintenance contracts will be required to employ a specific number of apprentices. While this requirement will apply only to major contractors and nominated subcontractors, the successful tenderers will have the option of utilising apprentices from apprentice pools. This is expected to result eventually in up to 50 additional apprenticeships being offered throughout the Territory. This number is on top of approximately 300 new apprenticeships already expected to be available from January next year. The scheme will require tenderers for government contracts of $100 000 or more to indicate that they are prepared to employ the prescribed number of apprentices within 30 days of winning the contract. The scheme will be based on the value of contracts held by the tenderer at the time of tendering and will apply to housing and general construction contracts, specialist contracts such as electrical and mechanical installations, and civil contracts. Depending on the nature of the work involved, the number of apprentices contractors will be required to employ will range from at least 1 apprentice per contract value between $100 000 and $500 000 to up to 4 apprentices for contracts valued at $3m and above. This initiative is a positive step in offering additional employment opportunities to our youth.

I now turn to some new proposals which the task force has under consideration. Investigations to date reveal that the Northern Territory recruits from interstate each year several hundred employees whose occupations require either high level TAFE certificates or advanced education diplomas. In most cases, the relevant courses to obtain these qualifications are available in the Northern Territory yet, in some cases, these courses are undersubscribed. The jobs concerned are amongst the best paid in the Territory. In other words, there are many good jobs going begging to which present Year 10 and 11 students could aspire provided they choose the right matriculation or SSC subjects at the end of this year and so prepare themselves for the courses which will lead to these jobs.

To help these students, the government is considering a range of attractive incentives to encourage them to undertake tertiary study in the Territory in those areas which are certain to lead to employment in the Northern Territory public or private sectors. The incentives include a guaranteed employment scheme, competitive scholarships and cadetships and a Northern Territory Public Service job preservation scheme. Under the guaranteed employment scheme, subject to initial interview by the employer concerned and successful completion of the course requirements, the employer would undertake

to employ the student at the end of the course. This scheme has operated successfully now for 3 years in the Department of Education and has been largely responsible for increasing the number of locally-trained teachers. The government is considering a range of scholarships and cadetships to be offered by relevant government departments or authorities and which would also lead to guaranteed employment on completion. These scholarships will be in the range of $2000 to $3000 per year for full-time study for 3 or 4-year courses at Northern Territory educational institutions.

In relation to the Northern Territory Public Service job preservation scheme, last year the Northern Territory Public Service Commissioner reserved for school leavers 100 job vacancies created by normal turnover within the government sector. As a result, employment offers were made to all those who were eligible. The government now intends to continue with this scheme in 1984. The government believes that it will not be sufficient simply to make this information available to young Territorians. To keep a teenage student at school in Years 11 and 12 or at a post-secondary institution is a financial burden which is daunting for some parents. As I mentioned a moment ago, the Department of Education is reviewing the government student assistance schemes to see whether it is possible to help parents with some of the more difficult financial burdens they have to bear. For example, we already provide $350 a year to parents whose children are forced to study full-time tertiary courses interstate to assist them with textbook purchases and other costs. The government now intends to make this assistance available to Territory parents who are supporting students attending full-time courses at Northern Territory post-school institutions.

Mr Speaker, I turn to the 2 most difficult problem areas: assisting unemployed youth whose skills do not match the requirements of the labour market and employment generation. The Vocational Training Commission is completing a detailed study of the Territory labour market. This information, which will be available at the end of this month, will identify employment opportunities and skills requirements so that training and work experience can be arranged to improve the employability of Territory school leavers and unemployed youth. On the second matter, employment generation, the government is working closely with Commonwealth authorities to ensure that maximum use is made of their programs. An invitation has been sent today to the local director of the Department of Employment and Industrial Relations to join the school leavers task force so that its resources can be fully utilised to assist school leavers.

The community employment program is the major program aimed at employment generation. It is a jointly-sponsored Commonwealth-NT program. It is designed to create additional employment opportunities for unemployed persons through the funding of labour-intensive projects of social and economic benefit to a community. The CEP is directed at those unemployed persons who are particularly disadvantaged in the labour market and who are consequently least likely to benefit from improved economic activity, particularly the longer term unemployed and those suffering from emotional and other disadvantages. A condition of the program is that equal access is to be provided for men and women for employment opportunities. In some instances, this may necessitate special measures to ensure that women receive an equal share of the jobs created.

The NT Consultative Committee is at present being formed to consider grants and to facilitate the development of worthwhile projects in the Northern Territory. It is anticipated that the committee will be in a position to consider applications by the end of October. The government will also be taking

action to ensure that Territorians gain maximum benefit from the whole range of Commonwealth labour force programs including skills training, trade training, youth training, community-based youth support and special training programs.

Finally, Mr Speaker, to ensure that students and parents are aware of the new opportunities available, a public information campaign will be launched early in December in cooperation with the Commonwealth Employment Service. Students and their parents will be provided with full details of the schemes I have just outlined. I firmly believe that these schemes will help to place our school leavers in a relatively stronger position, so far as job opportunities or further training are concerned, than their counterparts almost anywhere in Australia.

Mr Speaker, I move that the Assembly take note of the statement.

Ms LAWRIE (Nightcliff): Mr Speaker, it gives me considerable pleasure to speak to the statement of the Chief Minister and indicate my support for the initiatives outlined. It was on 12 October 1982 that I first raised in this Assembly the idea of a government preferential tendering system which would give an advantage to those tenderers who employed apprentices. At the time, the Minister for Transport and Works, who is now the Minister for Health, poured scorn on the idea but the Chief Minister in a press release later proved to be a little more receptive. I have raised this issue several times since in the Assembly, as has the member for Millner, and we see in this statement just released by the Chief Minister that it would appear on the face of it that his scheme goes even further and, in fact, states that people being awarded government contracts must, within 30 days, indicate that they will take on a certain number of apprentices. The ratio is outlined in this statement.

Mr Speaker, I am delighted that the government is acting, although the suggestion was made 12 months ago, in time for an effect to be felt by school leavers entering the workforce at the end of this school year. The statement from the Chief Minister about the number of people being recruited to the Territory for specific skills areas was illuminating. He said that there are many good jobs going begging in the Territory to which present Year 10 and 11 students could aspire provided they chose the right matriculation or SSC subjects at the end of this year. I would be interested in receiving further information from the Chief Minister as to the areas to which he has alluded and the courses being offered within the Northern Territory which would train people to fill those vacancies which are presently being filled by southern recruits.

I have a word of advice for the Minister for Education: Years 10 and 11 could well be far too late for students to receive advice as to the courses of study they should be undertaking in high school. High school counsellors do a marvellous job in advising students as to the necessary requirements for entry into various areas of the workforce but, sometimes, as early as Years 9 and 10, students are advised that, if their maths is not up to scratch, they should drop a subject and concentrate on other subjects. The point of my remark is that, once the qualifications for further studies are established, and one assumes they already have been, I would suggest that information be given as a matter of some urgency to high schools to be disseminated to the faculty heads so that students, from the time of their entry into high school, can be made aware of the exact requirements necessary in secondary education for progression to these further studies which may be trade courses or a variety of skills as outlined by the Chief Minister. Certainly, the earliest possible advice in the secondary school system would be welcome.

In his concluding remarks, the Chief Minister spoke of a public information campaign to be launched early in December in cooperation with the Commonwealth Employment Service whereby students and their parents will be provided with full details of the schemes he has just outlined. I am sure that would have the unreserved support of all members of this Assembly. May I suggest, Mr Speaker, that the Chief Minister include specific information to be sent to all honourable members' electorate offices. I must assume that other members receive the same requests for advice as I do. Certainly, towards the beginning of the second half of the second semester, I receive many requests from high school students, who either attend the Nightcliff High School or reside in my electorate and attend other high schools, seeking my advice as to their suitability for employment, information on employers who may be looking for the skills they believe they possess and a variety of other information. Quite often, if I have known them for some time, they ask me to write a reference for them.

Mr Speaker, members of the Assembly are seen by high school students as sources of information. It would be beneficial to all parties if the Chief Minister provided full information to honourable members for dissemination from their electorate offices as they seem to be a focal point for inquiries from secondary students who become very disillusioned if they leave school and are unable to find either further training opportunities or job employment opportunities within the first few months. The bewilderment and despair that is often to be seen on the faces of these prospective employees is not pleasant at all. I support the initiatives taken by the government and hope that the information which is to be made available in December will be distributed as I have requested.

Mr BELL (MacDonnell): Mr Speaker, I rise to indicate my general support for this statement. I am pleased that the Chief Minister has chosen to make this statement about prospects for school leavers. It is generally recognised that the process of rolling readjustment that has characterised the economies of most developed countries in the last 10 years has given rise to increasingly high levels of unemployment. Recently, there has been some good news on that front. The generally high levels of unemployment have been of significant disadvantage to young people because they have become a particularly high proportion of that unemployment. For that reason, any attention that any government can give in this area is most welcome. I want to comment on 2 particular areas in relation to this statement. The first is employment strategies as they relate to Aboriginal communities and the second is the question of retention rates at secondary schools in the Northern Territory.

In his statement, the Chief Minister referred to the impact upon the number of unemployed people in the 15 to 19 age group in both urban and rural areas. I think that I am on record in the Assembly as having expressed my concern in that regard. Further on in the statement, the Chief Minister referred to the community employment program which, as he said, is a major program aimed at employment generation. He said that the CEP was directed at those unemployed persons who are particularly disadvantaged in the labour market and who are, consequently, least likely to benefit from improved economic activity. He mentioned the longer-term unemployed and those suffering from social and other disadvantages.

I do not think it is very difficult to establish that the majority of people who live on Aboriginal communities would fit into that particular category. Within the majority of Aboriginal communities with which I am familiar, there are extremely high levels of unemployment. Unemployment generally runs at the level of 10%. I am not sure of the exact figures but it

is of that order. In Aboriginal communities, I think the unemployment rates vary between 50% and 80%. I mentioned earlier this sittings the particular problems of one community in my electorate in this regard. At Mt Ebenezer, I believe that employment strategies that come within the purview of the honourable minister could be given more consideration. I believe that the community development employment projects which are administered by the Department of Aboriginal Affairs are worth taking into consideration in this context. The Chief Minister mentioned that the government was also taking action to ensure that Territorians gain maximum benefit from the whole range of Commonwealth labour force programs. Unfortunately, he did not mention the Community Development Employment Program which would clearly come within this category. The basic idea of the CDEP is that what is currently paid over by way of social security benefits is put together and perhaps topped up, and work is provided within those communities using funds in that way. I have not had the opportunity to visit communities that operate under those programs because none of the projects is actually in use in my electorate at the moment. I have received representations from places within my electorate that such programs should be used. I would urge on the Chief Minister to use his best offices to encourage the development of such programs.

I was a little concerned at the statement in relation to the provision of specific training programs for Aboriginal people who are seeking to enter the rural industry. I am not very sure what the Chief Minister meant in this regard. I am not sure what the rural industry is. Does he refer to the pastoral industry or to the mining industry or what?

Mr Speaker, the Chief Minister said in the statement that the enrolment for Year 12 in 1984 is expected to be almost double that in 1983. He went on to say that he anticipated enrolment in Year 12 next year will bring the Northern Territory retention rate for the first time up to par with that in the Australian states. It seems to me that there are many questions raised by that. Initially, one is forced to ask why retention rates in the Northern Territory were lower than retention rates elsewhere. I think that is a question the Chief Minister should address. I am aware in this context that the honourable Minister for Education has made statements to this Assembly saying that senior secondary courses would be introduced and that these would increase the range of options for students at that level. I am sure all honourable members would be aware of the statement by the Commonwealth Minister for Education that it was a fact that Australian retention rates in formal education, both at senior secondary and tertiary level, were lower than those of other OECD countries and it was to be hoped that strategies could be developed to increase the number of people in formal education in those secondary and tertiary years.

However, I would make this caveat: the retention rates are not to be improved at the expense of quality of education. I am concerned that there will be a great temptation to offer an ever-broadening number of soft options either in the name of progressive education or in the name of improving retention rates. I believe that is a matter of concern. I believe that, as a statement of principle, it is important that we pursue the aim of quality and excellence in education. Let me be quite clear about this. When I say that we should be aiming for excellence and for quality of education, I am not saying that this should be restricted to the few. We should be ensuring that every child who goes through our education system receives skills and understanding to the maximum level of his or her potential. The Territory needs it and the kids need it as well. I am deeply concerned that the pressure to increase retention rates will lead to an increase in the number of soft options.

I am also concerned that the introduction of core curriculum has militated severely against all children achieving to the best of their ability. That needs to be taken into consideration.

Currently, core curriculum addresses the problem of ensuring that all children attain to a certain level in the Territory, but at least as important an objective is ensuring that children achieve to the maximum level of which they are capable. I am talking about the whole array of educational achievements, whether it is with head, hand or heart. I believe that there is a great deal more that can be done in that area. I will not go on any longer today, suffice to say I could speak for a considerable time on the areas which I see as problems in secondary school curriculums. I have already done it in one area in these sittings.

To return to the statement that the minister made, it would be potentially very damaging to the future of the Northern Territory and to the future of its young people if pushing up retention rates is done by increasing the number of soft options which do not provide the skills the Territory needs or provide the children with the skills that they need to contribute to the development of the Territory.

I turn to a third point which I did not announce in my introduction. This has already been raised by the honourable member for Nightcliff. I refer to apprentice training and the encouragement that has been given for apprentices. The Chief Minister mentioned that there is to be a process whereby successful tenderers for government construction and maintenance contracts will be required to employ a specific number of apprentices. I welcome that. As you would be aware, Mr Deputy Speaker, the opposition has raised exactly this as a possible strategy. In the context of increasing the number of apprentices, I mention in passing the current scheme being run by the Master Builders Association in Alice Springs. I think the Minister for Housing, the member for Alice Springs and the member for Stuart were present at the opening of a house in Alice Springs that had been constructed by this pool of apprentices who have been indentured by the Master Builders Association which then farms them out to various firms in the town which would not be able to retain apprentices themselves. This provides continuity of training for the apprentices which enables them to obtain the sort of employment that they sorely need.

To sum up, in broad terms, I welcome the statement from the Chief Minister and emphasise those 3 points. I certainly welcome the interest being taken by the government in the encouragement of apprenticeship training. I would issue those 2 warnings to the Chief Minister and ask that he give consideration to the increase in retention rates in the secondary schools in the Territory. Finally, I would urge him to investigate employment strategies in Aboriginal communities, particularly those which have indicated an interest in community development employment projects.

Motion agreed to; paper noted.

MINISTERIAL STATEMENT
School-based Funding and Subsidy Schemes

Mr PERRON (Education)(by leave): Mr Speaker, yesterday in answer to a question from the Leader of the Opposition, I undertook to give detailed information to the Assembly on the $1-for-$1 subsidy scheme for schools. In his question, the Leader of the Opposition referred to the Programs North Newsletter No 12 which went out to schools this week. In that letter, it was

stated that some modifications had been made to accommodate the $2-for-$1 scheme and to eliminate some weaknesses. The Leader of the Opposition has misinterpreted the purpose of the newsletter's statement. It is true that the notional initial maximum for schools last year was $5000. On the assumption that most schools wish to use the $2-for-$1 subsidy to purchase micro-computer hardware and software and that a significant portion of school-raised funds will be reserved by schools for that purpose, we have set the notional maximum for the normal $1-for-$1 at $3000 for the current financial year.

This does not mean that individual schools cannot receive any more than $3000. On the contrary, if they purchase computer resources under the $2-for-$1 scheme, they can receive well in excess of $5000. The figure of $3000 is the notional initial maximum amount. It has been set to ensure that, in the first run of applications, all schools if they wish to can receive up to that amount. In practice, what happens is that many schools, for various reasons, do not wish to use this subsidy to that level and, in consequence, the surplus funds can be used by other schools who want a higher subsidy.

It is interesting to note that, in 1982-83, the subsidies ranged from $100 to $15 000 and the bulk of schools received between $1000 and $7500. While it is impossible to justify such a claim from the facts, I would suggest to members that the use of the scheme relates mainly to the initiatives taken by individual school communities rather than to size or affluence. For example, out of the 170 schools and pre-schools in the Northern Territory, some relatively small schools and 5 Aboriginal schools figured in the 21 schools benefiting most. On the other hand, some large schools from relatively affluent areas featured among the 21 benefiting least.

I now turn to the Leader of the Opposition's claim that some areas of funding are exempted from the $1-for-$1 scheme. It has always been the case that voluntary school contributions of fees levied by school councils or parent-teacher committees have not been eligible for the scheme. The reference in the Programs North Newsletters refers to fees, levies or charges which parents are expected to make. I would stress that the expectation referred to is an expectation on the part of local school councils and or parent-teacher organisations. It was simply intended to make clear that it was not acceptable to change the name from 'fee' or 'levy' to 'donation'. Genuine donations for specific fund-raising activities are still eligible for the $1-for-$1 subsidy.

In order to fully explain the part $1-for-$1 subsidies play in overall education funding, it is necessary to explain in general terms the structure of the department's budget. General departmental funding items include salaries, capital items, travel and other administrative costs such as those associated with curriculum development, in-service education, special education, contracts, administration etc. Also included are the funds required to support functions such as student assistance schemes. School-based funding includes per capita allocation to cover materials, equipment purchase and maintenance, textbooks, library materials, excursions and furniture. Provision is also made on the basis of proven needs for services such as water, electricity, garbage collection etc. That is all under school-based funding. Special purpose funding caters for the funding of specific areas such as priority schools, country areas, multi-cultural education etc. Then we have the $1-for-$1 subsidy scheme. This scheme was an initiative introduced by this government and has operated very successfully for a number of years. It was established to give recognition and encouragement to specific traditional fund-raising activities of school councils, such as fetes, raffles, etc. This government firmly believes in helping those who are prepared to help themselves.

This year the government is placing emphasis on computer education and, apart from the changes to the $1-for-$1 guidelines to allow for a $2-for-$1 subsidy for approved computer purchases, I would like to stress that there will be a basic free issue of computer hardware to schools. We wish to encourage school communities to give computer education a prominent place in their efforts this year.

Mr Speaker, the allocation for the $1-for-$1 subsidy scheme in 1982-83 was $500 000. An additional $57 000 has been provided in 1983-84 to cater for the expected increased usage of the scheme because the purchase of computers will attract a higher rate of subsidy in 1983-84. It has been estimated, as is indicated on page 41 of Budget Paper No 4, that $227 000 of the $557 000 will be required for the $2-for-$1 subsidy on computer resources. The figure of $227 000 was an estimate based on expenditure trends on computers within the normal $1-for-$1 scheme during 1982-83. Surveys conducted on the purchase of micro-computers show that schools had purchased a total of 56 micro-computers before May 1982. However, during the following 12 months to May 1983, schools purchased a further 225 micro-computers, an increase of 400%. The results of these surveys have been distributed to all schools. It is clear that schools themselves have made a decision to give priority to the purchase of micro-computer resources. The government is providing additional support to encourage this trend through the $2-for-$1 scheme and through the basic free issue. It is trying also to ensure that every school has the basic essentials.

Mr Speaker, a departmental circular will be distributed in the last week in October detailing the total computer education package being made available to primary and secondary schools. The government wished to have this circular ready much earlier. In fact, we had a draft on the subject in April this year. However, the department has been unable to finalise this because of the continuing variation in the proposed Commonwealth contributions and the conditions attached thereto. Final advice from the Commonwealth unfortunately did not arrive until yesterday.

The Northern Territory circular will indicate desirable targets for computer acquisition for the next 3 years which, if achieved, will enable schools to reach nationally-agreed, desirable objectives. Members need to understand that each school has different computer holdings and, therefore, a limit on the $2-for-$1 subsidy cannot be specified. It will depend on each individual school's current computer holdings and how much it will require to reach its target. It is stressed that the higher $2-for-$1 subsidy only applies to the purchase of micro-computer resources within each annual target. If a school wishes to purchase in excess of that target, then the normal $1-for-$1 will apply. The reason for this restriction is to discourage schools from purchasing hardware out of phase with other elements of the total package. The other essential elements of the package are intensive in-service education of teachers and the availability of appropriate software.

In summary, as far as computers are concerned, schools can use: firstly, their normal government allocated school-based funding for the purchase of equipment; secondly, their basic free issue of essential computer equipment regardless of their existing resources; thirdly, the $2-for-$1 subsidy for which $227 000 has been notionally provided, based on an estimate of known computer holdings in schools, past expenditure trends and the desirable acquisition target for 1983-84; fourthly, the normal $1-for-$1 scheme; and, finally, voluntary contributions levied by school councils.

A hypothetical example of how a school council might make use of the

$1-for-$1 scheme to purchase computers and other items is as follows. The school council serves a high school of approximately 700 pupils. Let us assume that it does not wish to use funds from its normal school-based funding grant of $200 000 - although it could if it wished - or from direct voluntary parent contributions raised of $30 000 because it has other plans for these funds. First, it has its basic free issue which will enable it to buy 2 Apple 2E computers - approximately $4000 worth. It then applies for, say, $4500 to match the $2250 it has raised under the $2-for-$1 scheme to meet its target. The school then applies for its notional maximum $3000 to match $3000 it has raised for non-computer items using the normal $1-for-$1 scheme. Looking at the subsidy element, that school has received a total of $7500 for its contribution of $5250. Last year, it would have received only $5250 for its $5250.

It should also be clear that this school council has received, apart from centrally-paid items, such as salaries etc, the following: school-based funding - $200 000; basic free issue - approximately $4000; and $1-for-$1 subsidy - $7500. In addition, the school has raised some $30 000 in voluntary contributions and $5250 in special fund raising which attracted subsidy. Because it was classified under the priority school program of the Commonwealth Schools Commission, it receives an additional $55 000 for special needs. In addition, it has recourse to other sources of funds provided by this government to meet special needs. All that pertains to a theoretical high school of 700 students.

Mr Speaker, 3 other points need to be made to put the situation into perspective. First, the Northern Territory government's per capita expenditure in education is almost twice the national average. Secondly, within that overall expenditure, the Northern Territory government's provision for school-based funding and support of community fund raising is again almost twice the national average and well ahead of any state. Thirdly, it is the government's intention to continue the $1-for-$1 scheme. It has proved very popular indeed and has given schools an incentive to take initiatives and therefore provide facilities and programs for their students which otherwise they might not have attempted.

Since its inception, the scheme has been responsible for the injection of over $2m into Territory schools and great benefit has accrued to students. It has also assisted in achieving the government's objective of promoting community involvement in education. The government recognises the rights and responsibilities of parents and other members of the community to ensure that the educational programs being offered to their children are appropriate and the best available and firmly believes that the $1-for-$1 scheme assists in the fulfilment of those rights and responsibilities.

In conclusion, I stress that there has been no reduction in the subsidies available to schools but rather, as part of the total package, there has been a substantial increase. Secondly, there has been no increase or expansion of areas of funding exempted or removed from the $1-for-$1 scheme, as the Leader of the Opposition implied. Rather, the article to which he referred simply put in print the answers given to queries from schools over the years.

MINISTERIAL STATEMENT
Australia's Role as a Uranium Supplier

Mr ROBERTSON (Attorney-General)(by leave): Mr Speaker, since the federal government is presently being forced by various pressure groups to review

Australia's position as a supplier of uranium to the world market, it is time for an area as vitally affected as the Northern Territory to examine the impact of Australia's possible withdrawal from that market. Such an examination must be free from the misinformation, the emotion, the ignorance and the mischievous intent often injected into the debates on the subject by its opponents.

Mr Speaker, the Northern Territory government has made repeated efforts to ensure that the Prime Minister, the federal Minister for Resources and Energy and, in fact, all members of both sides of the federal parliament in both houses are aware of the losses the Territory will suffer in terms of billions of dollars and thousands of jobs should Jabiluka and Koongarra, and their expected service industries, not proceed. I stress that those losses are based only on 2 mines which are ready to proceed now. They do not take into account the suspected reserves in other parts of the Territory which are yet to be subjected to intensive exploration. Mr Speaker, it is not this government's intention to play down or denigrate the fears which are expressed by those who genuinely believe that Australians stand to suffer through this country's continuing involvement in the global nuclear fuel cycle. Rather, we wish to address those fears and to make plain statements of fact.

It is a fact that Australia, as a supplier of uranium oxide to a number of countries since 1977, applies a range of conditions on the sale of the nuclear fuel. These conditions are the most stringent in the world. It is their intention to ensure that no Australian-sourced fuel will be used for the fabrication of any explosive or military device. The conditions also apply strict control procedures whereby, as suppliers, we may be assured that, at all stages of its processing and disposal, every gramme of material supplied by us has been attested as being used for the purposes permitted under its conditions of sale.

It is also true that, through maintenance of these highest of international standards, Australia is well regarded for its concern for the peaceful and environmentally-safe use of nuclear power. In fact, its safeguarding regulations have formed the model for similarly strict conditions now applied by Canada to the sale of its own uranium. It has been largely through application of the present world safeguards regime that the spread of technology and materials suitable for the making of nuclear weapons has been contained. It was only after India successfully detonated a nuclear device in 1974 that the world was prompted to take a stronger stand, although not uniform, in the supply and use of nuclear materials. The subsequent Australian initiative for bilateral control agreements was viewed with considerable respect by other uranium supplying nations.

The question must arise then of what effect Australia's withdrawal from the list of uranium suppliers would have on international safeguards and their aim of non-proliferation of nuclear weapons. Mr Speaker, it has already been demonstrated that, should Australia withhold supplies of uranium from world markets, other suppliers would quickly step in to assume our contracts. I have already said that, with the exception of Canada, no other country applies such stringent conditions to the sale of nuclear fuel. Therefore, it is reasonable to assume that, rather than restricting the use of nuclear energy, any decision by Australia to abandon the marketplace would result in a slackening of the safeguards which presently apply.

We have 2 clear examples of what will happen if we renege on undertakings to supply uranium. This year, the federal government, in response to pressures which I suspect were largely ill-informed, demurred over whether to permit the

export of uranium oxide from Jabiluka to Britain. That country depends on nuclear generation plants for a substantial proportion of its electricity. The energy thus produced lights homes, pumps water and drives hospital equipment. It does not produce bombs, missiles or other military hardware. Yet, the federal government, through its procrastination, denied an Australian mine a lucrative contract which was promptly snapped up by South African interests. Again, this year, the Prime Minister condemned France for continuing atmospheric testing of nuclear weapons in the Pacific. I am sure that his fears and concerns were shared by a large number of Australian and Pacific peoples. Yet, for him to assume that not supplying France with Australian uranium until at least late 1984 could have any significant effect on that country's nuclear program is nothing but self-delusion. Australia contributes only 2% of France's nuclear fuel needs, a percentage that could easily be satisfied by other suppliers.

Whilst I am not saying that Australia should continue supplying nuclear fuel to countries following policies regarded as potentially harmful to the environment and to man, it is nevertheless a fact that it is only through involvement in the world market that Australia can continue to exert any influence over such policies. At present, there are few countries in the world which process uranium into plutonium, the essential element of nuclear weapons. Plutonium is, however, also the essential ingredient in what are called fast-breeder reactors. Although production of domestic power for such reactors would be more complex, it would, nonetheless, be highly efficient. It is thus conceivable that many countries devoid of alternative methods of generation may be forced to use such facilities should they be unable to procure reliable, long-term supplies of uranium.

Remembering that, at Jabiluka and Roxby Downs, we possess the largest known reserves of uranium in the world, we face the paradox whereby any well-intentioned withdrawal of Australia from the supply of uranium would effectively force the extension of the technology and the hardware necessary to produce essential material suitable for inclusion in the nuclear arms program. When considering this question, we should not forget that there is a lead time of at least 5 years between the approval for a mine to proceed and the first delivery of enriched material to the power plant. Potential customers for Australian uranium have reason to wonder about the dependability of our supply and would need early reassurance that major supplies, once contracted for, would in fact be forthcoming. It is not enough to wait until the client nations are desperate for supplies of nuclear fuel for clearly domestic and peaceful purposes. It is not reasonable to expect that Australia would continue to export other commodities essential to our balance of trade whilst withholding a substance vital to those nations' very existence.

While there is evidence that, even now, Territory mines as yet undeveloped would be assured of contracts for uranium sales were such contractual agreements to receive federal sanction, there is international agreement that, by the year 1990, the production of existing mines will be inadequate to meet demands. Let me stress that, to wait until 1990 to approve negotiations of contracts to allow projects such as Jabiluka and Koongarra to proceed, would be too late. There would be a period of not less than 5 years during which Australia would simply not supply its market since the mines would not be operative. It would be a very bold or very stupid company which, without guarantee of government approval for contracts to export, would spend hundreds of millions of dollars to commission a mine and treatment plant for the extraction of uranium oxide.

Considerable public concern has been expressed about the safe disposal

of radioactive wastes. Depending on the relative lifetime of radioactive products for nuclear power-stations, wastes are classified as being high, intermediate or low level. Containment and disposal methods vary according to the materials' categorisation. Although only small quantities of this material are involved, they remain radioactive from a few hours after completion of their tasks or may emit levels of radiation deemed hazardous for geological times. This long half-life of high-level waste has been dramatised in the most sensational manner and has raised fears that nuclear waste will permanently contaminate the environment or even achieve critical mass and destroy the world. Whilst there is no doubt that nuclear waste, as with the natural substance from which it is derived, must be handled with extreme care at all times, its handling, storage and disposal has been the subject of intensive research and commercial development.

Australia, once again, has been deeply involved in the search for the safest method of handling high-level wastes in particular. At present, the most effective method has been the procedure developed in France of melting high-level, radioactive concentrates into small blocks of borosilicate- a glass-like material- which are then encapsulated in stainless steel. In this form, high-level waste can be safely stored in a surprisingly small space while awaiting long-term disposal, usually in remote and geologically secure locations.

An alternative second generation system for safe containment of high-level waste is currently under commercial investigation in Australia. Aimed at developing a substance in which treated wastes will be even more stable, the synroc process provides a granite-like vitrification medium. The major proportion of nuclear waste falls into the intermediate and low categories whilst handling, storage and disposal present fewer hazards both in the short and long term. For example, the half-life of some low-level wastes may only be a few hours although safe storage of even these wastes errs on the side of safety. In France, material whose radioactivity will have decayed to a safe level in 10 years is given secure storage for a couple of centuries.

On the subject of waste products from power generation, it is estimated that, during one year, the per capita consumption of electricity is sufficient to produce 2 g of waste where the generating medium is nuclear, compared to a fifth of a tonne of sulphur dioxide and 6 t of carbon dioxide where the medium is black coal as it occurs in Australia. Where the medium is brown coal, as used in Victoria, while the emission of harmful gases and wastes are reduced, the environment must accommodate over half a tonne of ash each year for every person. Such figures help to place in perspective the question of nuclear waste disposal compared with the quantities of toxicity and wastes from alternative forms of power generation, including those widely used in Australia.

The matter of Australia's continuing involvement in the nuclear fuel market is again of importance since intentions by countries like the United Kingdom and Japan to dump low-level waste at sea have been deferred while this and alternative methods of storage have been under investigation. I do not intend to enter the argument about the relative merits of the various methods of disposal currently available, but to underline the positive effect of Australia's high international stature in the field of safeguards and containment procedures.

Mr Speaker, there is a cogent argument why Australia should remain a supplier of uranium: so that it may exert its influence for the non-proliferation

of weapon-producing technologies, the peaceful use of the energy for mankind's undisputed benefit and for reasonable disposal of nuclear wastes. This said, it is illogical for the federal government then to deny Territory mines the right to mine and export uranium on economic grounds.

The giant Roxby Downs deposit is combined with massive reserves of copper, an element facing already depressed world prices and the prospect of 2 huge overseas mines gearing up for production. Tennant Creek residents, I am sure, will speak with eloquence and bitterness about the copper prices and their impact on the operation of Peko Mine, a mere stripling compared with Roxby Downs. Yet the Jabiluka deposit, halted by the federal government because of some altruistic concern that it might not be economically viable, combines it not with copper but with gold. It is also managed by a company which has clearly asserted that it was assured of gaining contracts for the sale of its uranium at the minimum floor price specified by the federal government. The notion that Australia can afford to wait until Roxby Downs uranium is ready to export is commercially illogical. Markets exist now. The true nature of the uranium market is that customers are not interchangeable between suppliers. For example, Koongarra's immediate market opportunities will not be offered to an alternative Australian supplier or even to a current producer. Dependence on Roxby Downs as a possible producer in the 1990s to the exclusion of mines such as Jabiluka and Koongarra will result in irretrievable loss to Australia'a market position and its stand for the cause of non-proliferation safeguards.

Mr Speaker, it is not only the Territory which has much to lose from the federal policy denying the development of known uranium reserves; the credibility of Australia as an exporter, as a contractor and as an ally is at stake. Further, our opportunity to exert considerable compassionate pressure on the nuclear energy industry will be negated if we turn our backs and walk away from the fulfilment of the immense needs of a number of countries and a process which is viewed as a solution to the accelerating depletion of an environmental desolation by other forms of power generation. I am drawn to the parallel between the current campaign against the peaceful application of nuclear energy and those who derided Galileo's efforts to convince the world that the earth was not the centre of the universe. The question of whether or not his pronouncements were factual was to his inquisitors secondary to their threat to the established teachings. To protect the sanctity of those teachings, Galileo was publicly forced to abandon his writings and remained under house arrest until the end of his life.

The international nuclear energy industry is a fact of life in the same way as the earth revolves around the sun. Australia cannot afford to abandon its place in the development of the most efficient energy source yet discovered by man. The Northern Territory government recognises the multi-faceted role of Australia in the international nuclear fuel cycle. If, like Galileo's inquisitors, blinkered opponents of the safe development of nuclear energy like Senator Don Chipp and the executive of the Victorian Parliamentary Labor Party are aligned by history with members of the Flat Earth Society, let it be to their eternal derision. But let all honourable members and all thinking Australian people consider all aspects of the nuclear energy question rather than endorsing the lopsided pronouncement of the most strident pressure groups.

MINISTERIAL STATEMENT
Wildman River Station

Mr TUXWORTH (Primary Production)(by leave): Mr Speaker, members will recall that, in October 1982, the Conservation Land Corporation successfully tendered for the purchase of Wildman River Station, pastoral lease 766. Since then, the station covering 480 km^2 east of Darwin and bordering on stage 2 of Kakadu National Park, has been managed by the Conservation Commission. The main reason for the Land Corporation buying the property was to protect conservation values as it contains areas of great interest and also to ensure reasonable access to those areas by the public, including amateur fishermen.

The Northern Territory government is aware that the station has a wide range of land resources. The area has been frequented by numerous visitors, fishermen and campers and at least one tourist operator has become established by agreement with the previous owners. Public access to the Mary River system and the scenic areas around it has become more restricted at a time when the Darwin population has been expanding and seeking further outlets for recreation. At the same time, overgrazing and poor land management practices badly degraded some of the better recreational land at other locations.

Firmly believing that it is not wasted country but country wasted, the purchase of Wildman River and its management by the Conservation Commission should go a long way to reversing the trend. Because of its belief in the potential of the land, the government commissioned a working party from government departments and statutory authorities, including the Tourist Commission, to prepare an evaluation. The report said that the station generally had poor potential for animal production based on native pastures. There is some potential for integrated cropping and animal production based on improved pastures but preferred sites conflict with conservation and recreation values. Furthermore, such development would be dependent on future rises in cattle and buffalo prices. The report noted that some soil types with the potential to support horticulture occurred over a relatively large area which had some of the properties suitable for consideration for large-scale, tree crop production. Cashews and mangoes could be considered as current conditions indicate prospects for investment in these areas. Vegetable production is not considered viable at present because of the distance from markets.

The northern and western parts of the station, including the Mary River system and numerous billabongs, are seen to have very high conservation values. Recreational fishing and tourism based on seeing wildlife have been, and will continue to be, important considerations. These parts of the lease contain varied and colourful flora and fauna; for example, important refuge and breeding sites for crocodiles and waterfowl have been found. The location of the property and the access support the view that at least part of it has prime potential to meet the particular needs of recreational and tourist industries.

The government has sent the report to the Conservation Land Corporation and has asked it to consider further uses of the property which will ensure protection of key conservation areas and to determine reasonable access by the public and to achieve the best economic use of the remaining land. A possible plan for subdivision that seems likely to bring about a balance is shown in the concept distributed to members. This plan will no doubt be modified to some extent after the Land Corporation has given some thought to the information that has been given. However, it does illustrate what appears to be a proper balance in the use of the land resources of the Wildman River property which is likely to ensure sustainable uses of resources. The

arrangements to make arable land available for horticulture will need to be considered by government following the reaction from the Conservation Land Corporation in the future.

MINISTERIAL STATEMENT
BTB Eradication

Mr TUXWORTH (Primary Production)(by leave): Mr Speaker, in the August sittings debate on the 1983-84 federal budget, I stated that the federal government had failed to honour its pre-election commitment to finance the accelerated BTB program. This failure is heightened by the Labor government's clear rejection of the support given to the disease eradication plan by the Australian Agricultural Council in February last. At this meeting of the Agricultural Council, the Labor states all supported the need to make additional funds available to ensure that northern Australia meets the target of 1992 to achieve freedom from the disease. The northern cattle industry, in particular that component in the Territory, has been clearly classified by the federal government as being expendable. It is beyond my comprehension that a government that purports to have as its principal objective the management of the Australian economy and the reduction of unemployment can adopt a position that would jeopardise employment and overseas trade prospects in our fourth largest export industry.

Mr Speaker, I would like to trace the recent history of the national disease eradication program so that the full impact of the federal government's broken promise can be appreciated. The initial objective of eradicating brucellosis and tuberculosis from our cattle herds was aimed at reducing the risk of spreading both diseases to the human population. In the 1940s and 1950s most states introduced programs of disease eradication in dairy herds. The early results in Tasmania and Victoria demonstrated that disease freedom was an achievable objective. In the 1960s, it was realised that overseas countries which import beef and dairy products from Australia were moving towards freedom from both brucellosis and tuberculosis. As a result, a nationally coordinated plan commenced in 1970. In 1973, the Whitlam government introduced a slaughter levy to finance what now represents 70% of the administration and campaign operating expenses. The industry contribution to the national scheme has grown from $172 000 in 1970-71 to an estimated $20.8m in 1983-84. Industry has contributed in excess of $20m annually for the past 5 years representing over 60% of the total national expenditure in those years. The Commonwealth has contributed funds in variable proportions as the base of the funding has been changed. Initially, the Commonwealth contribution was around 60% of the total national expenditure. But this was reduced after the introduction of the slaughter levy in 1973. The state governments have contributed around 30% each year since 1970-71, as has the Territory government since 1978.

There are benefits to the cattle producer from the campaign in the form of reduced losses, improved productivity and freedom of movement of livestock within Australia. There are also significant national benefits. A major potential threat is perceived to be the loss of overseas markets for livestock and meat worth in excess of $1000m annually due to the presence of infected cattle and buffalo in Australia. Eradication of the diseases eliminates the potential danger to human health as well as giving the opportunity to safely reduce the intensity of meat inspection services with a consequent cost-saving to the community. The previous Liberal government realised the national importance of the campaign and had planned to increase Commonwealth assistance but the present Labor government seems determined to follow the pattern set by the Whitlam government which reduced Commonwealth expenditure on the national campaign.

Since the establishment of the national scheme, governments and industry have invested in excess of $250m. Results in southern and eastern Australia have been good with large areas either being completely free or provisionally free of both diseases. It would therefore be irresponsible for the federal government to abandon the cattle industry and the state and Territory governments after so much effort and expenditure. To do so would be to place in jeopardy the past investments in testing livestock free of the disease and would run the risk of a severe outbreak in susceptible clean herds in the south.

As the campaign has progressed, it has become clear that there are special problems with disease eradication in northern Australia, related mainly to the extensive nature of the cattle industry. A northern Australian planning sub-group was formed and this body was directed by the Australian Agricultural Council to prepare a comprehensive operational and administrative plan for the eradication of tuberculosis and brucellosis in northern Australia. Mr Speaker, all members of the Assembly, including the opposition, have seen this plan and have given it support.

The planning group's findings and recommendations can be summarised as follows: (1) that 1992 be adopted as the target date for eradication subject to implementation of additional assistance measures; (2) in remote areas, additional assistance be provided for on-property working expenses, loans to finance capital improvements and grants to offset freight costs incurred in restocking; (3) that the Commonwealth and the states and the Territory adopt an agreement detailing these arrangements; (4) that these measures be implemented from 1 March 1983 and be funded 25% by the Northern Territory and 75% by the Commonwealth; (5) that the Commonwealth assistance also be extended to eradicate tuberculosis from buffalo; (6) that the increased Commonwealth contribution of 75% as compensation for tuberculosis be brought forward in line with brucellosis as a matter of urgency; (7) that support be given to research to develop a more effective crush side test for tuberculosis; and (8) that the application of taxation provision 75C of the Income Assessment Act be extended to include boundary fences and fences bordering roads, stock routes and rights of way to 1992.

Mr Speaker, the Northern Territory developed a detailed plan for the eradication of brucellosis and tuberculosis from both cattle and buffalo by 1992. This plan forecast the expenditure of $105m over 9 years extending to 30 June 1992, including a total of $15m on buffalo. This plan was based on a detailed analysis of requirements for eradicating the diseases from each station as well as other land holdings in the Territory. The Territory plan formed part of the Northern and National Planning Groups' reports which were endorsed by the Australian Agricultural Council in February 1983. It has been estimated that the total cost of the campaign on the mainland of Australia is $721m of government administered expenditure in 1982-83 dollars. The relative cost of the campaign in each of the mainland states and the Territory can be assessed by comparing percentage of total cost of the campaign with the percentage of the national cattle herd in each state and the cattle and buffalo herds in the Territory. The states and the Territory may be ranked according to the relative cost of the campaign and this ranking compared with the herd prevalences for brucellosis and tuberculosis in 1976. The analysis demonstrates that the lower relative total cost is associated with lower herd prevalences. It also demonstrates that the relative total cost in the Territory is in line with costs in other states when herd prevalences are taken into account.

Mr Speaker, forward estimates of administration in campaign-operating expenses in the Territory for the 9 years ending 30 June 1992 total $39.5m and

the Territory government acknowledges the implied support from all cattle and buffalo producers in the provision of 70% of these funds. Forward estimates of compensation total $23m over the same period and the increase in the Commonwealth contribution of 75% of the value of the tuberculosis-affected animals is most welcome.

Unfortunately, the same cannot be said about the 3 new asistance measures - the property working expenses, loans on capital improvements and the restocking freight rebate - which were endorsed by the Australian Agricultural Council for implementation in the 1983 cattle season. Forward estimates of costs of these 3 measures total $30m over the 9 years with $11.8m planned for 1983-84. Despite a pre-election promise by the Labor Party to support these measures, the new government has refused to respond to representation from the cattle industry and from the Northern Territory government on the basis that it would consider additional assistance in the 1983-84 budgetary context. This meant that the northern cattle industry has largely lost the 1983 season and the implementation of the accelerated BTEC program has been delayed.

Mr Speaker, when the federal budget was handed down on 23 August, the long-awaited assistance measures were there as a token only. $1.65m was allocated to the Territory in the federal budget for 1983-84 - only 19% of the planned expenditure on these measures by the Commonwealth. However, it was not until 13 September that full details of the Commonwealth's proposal were made available. It was then quite clear that the Commonwealth was not prepared to honour the principles previously endorsed. The federal government has now demanded 50-50 funding of the new assistance measures, thus forcing a greater proportion of funding on the Northern Territory government. Not a word of this was mentioned before the election. Labor policy is, however, quite clear: to implement the recommendations of the review committee which recommended the 75% Commonwealth and 25% Territory funding. As members have seen recently, there have been other instances where the federal Labor government has attempted to force funding arrangements on the Territory which are quite beyond our ability to pay. It is fair to say that the Commonwealth did find more money and increased the offer to $2.4m from $1.665m but even this is far short of what had been planned.

Mr Speaker, in setting aside the recommendations of the Northern and National Planning Groups and delaying the announcement of the additional assistance measures, the Labor government has effectively deferred their impact until the 1984 cattle season. The paltry amounts made available to the Territory in the proposed scheme severely restrict the flexibility of the program to provide assistance to the producers in the most balanced and cost-effective manner. The federal Minister for Primary Industry, Mr John Kerin, will be visiting the Territory shortly. I intend to put to him a funding proposal which, in the Territory's view, will maintain the appropriate balance in funding responsibility. If the recommended basis of funding is adhered to, then the split would be 75% Commonwealth and 25% Territory. The Territory's contribution would therefore be $800 000 and we propose to honour our commitments. If the Commonwealth would only provide a matching contribution, then $1.6m only would be available for these 3 measures; that is, the property working expenses, cattle improvements and restocking freight for 1983-84.

To maintain the overall funding share, which had been agreed previously, the Commonwealth should accept the responsibility to fully fund the buffalo program in the Territory from its own resources without a matching Territory contribution. For the total Northern Territory program for 9 years ending

30 June 1992, the Commonwealth's contribution would therefore be $46.7m, the Territory's contribution would be $31.8m and the cattle producer's contribution, through levy, would be $26.9m, making a total of $105.4m. One of the most important measures in the early years will be funds for capital improvements on stations to enable the control of cattle for disease eradication purposes. The National Planning Group recognised the importance of pre-commitment of assistance for the orderly provision of funds, especially for capital improvements. It is essential that the Labor government recognise this need for the 1984 cattle season so that detailed planning can proceed. Mr Speaker, I will be placing before Mr Kerin the need to pre-commit $6.6m of Commonwealth funds in the 1984-85 season for capital improvements on Territory stations otherwise another year will be lost to the program.

Mr Speaker, the federal Labor government has given no commitment to continue the program to 1992. As well as this commitment, I shall be seeking from Mr Kerin the adoption of an agreement to formalise this commitment as soon as possible. It should be noted that the Commonwealth has contributed the minor amount to the campaign in the Territory over the past 4 years: 48% of the total costs over the past 4 years were funded by the cattle producers levy, 30% by the Northern Territory government and only 22% by the Commonwealth.

I seek leave of the Assembly, Mr Speaker, to have a copy of sources of funds for the BTB eradication campaign in the Northern Territory and a comparison of relative total costs of the campaign with 1976 herd prevalences incorporated into Hansard.

Leave granted.

NORTHERN TERRITORY OF AUSTRALIA

SOURCES OF FUNDS FOR THE BRUCELLOSIS AND TUBERCULOSIS ERADICATION CAMPAIGN IN THE NORTHERN TERRITORY

	NT	Commonwealth	Producer Levy	Total
	$	$	$	$
1979-80	572 369	282 976	1 017 942	1 873 287
1980-81	648 541	173 392	1 206 609	2 028 542
1981-82	857 650	251 821	1 725 754	2 835 225
1982-83	1 816 120	2 163 024	2 348 979	6 328 123
Total for past 4 years	3 894 680	2 871 213	6 299 284	13 065 177
	%	%	%	%
1979-80	31	15	54	100
1980-81	32	9	59	100
1981-82	30	9	61	100
1982-83	29	34	37	100
Total for past 4 years	30	22	48	100

BRUCELLOSIS AND TUBERCULOSIS ERADICATION CAMPAIGN

COMPARISON OF THE RELATIVE TOTAL COST WITH 1976 HERD PREVALENCES

	% Estimated National Cattle & Buffalo Herd 30.6.82	% Estimated National Campaign Cost 1970-71 to 1991-92	Herd Prevalences 1976	
			Brucellosis	Tuberculosis
	%	%	%	%
Queensland	40.5	23.8	10.30	0.97
Western Australia	9.0	6.4	1.38	0.30
New South Wales	24.7	23.8	29.50	0.10
Victoria	13.4	20.4	40.00	0.05
South Australia	4.3	7.1	12.00	1.50
Northern Territory	8.1	18.5	17.10	76.70

Mr TUXWORTH: Mr Speaker, members will be aware that the federal Labor government has ignored totally the question of uncontrolled buffalo, despite the detailed recommendations in both the Northern and National Planning Groups' reports. The northern group found that, as long as buffalo have tuberculosis, it will be difficult to convince overseas buyers of the disease-free status of Northern Territory cattle. Tuberculosis in buffalo is a serious threat to the northern campaign and the future of our cattle industry. The planning group recommended that the Commonwealth and the Northern Territory adopt an agreement incorporating tuberculosis eradication in buffalo. The Territory is ready to conclude negotiations for an agreement on equitable terms, and we have a detailed plan to implement as soon as funding measures can be agreed with the Commonwealth.

Mr Speaker, I have proposed that the Commonwealth alone should fund the buffalo program in the Northern Territory. The balance of the Territory allocation in 1983-84, namely $1.7m, should be committed to this program in this year without a Territory contribution to this measure. This will enable essential facilities to be established at once and for the program of industry development and destocking to commence immediately. If the balance of the funds offered, namely $1.6m, is contributed by the Commonwealth for the previously-endorsed disease eradication program in buffalo, 3 objectives will be achieved: the Commonwealth will be partly meeting a pre-election promise; it will be acknowledging there is a special eradication problem in the buffalo herd; and it will be giving tangible support to the 1984 eradication program in buffalo.

Mr Speaker, it has been suggested that, if the 1992 target date is not met, the northern areas would be placed in a zone that may prevent cattle from these areas being processed for the high-placed Japanese and north American

markets. Zoning is totally unacceptable to the Territory government as it would have the effect of de-commercialising the industry in that zone. This sorry state of affairs has been brought about by the extreme short-sightedness of the Commonwealth which has chosen to ignore advice from all states, industry leaders and meat exporters and, as a result, must bear the full responsibility for the decision. The Department of Primary Production will continue with testing, destocking programs and movement controls but will be forced to review its rate of testing in those areas that require additional fencing yards and bores to achieve stock control. When the federal Minister for Primary Industry, Mr Kerin, visits the Territory, I propose to make him fully aware of the consequences of his decision. Hopefully, the Commonwealth will review its position and adopt these suggestions for 1983-84 and subsequent years.

I would like to read into Hansard a telex that has been sent to the honourable Minister for Primary Industry today:

On 13 September 1983, you telexed an offer to the Northern Territory government giving details of the $4m of additional funding assistance for BTEC to the states and Territory for the 1983-84 period. This offer fell well short of the level of funding determined essential by the North Australian Planning Sub-group and endorsed by the February 1983 meeting of the Australian Agricultural Council. The plan compiled by this group was also supported by the ALP prior to the 1983 federal election. The failure of your government to consider additional assistance prior to the 1983-84 federal budget has resulted in the cattle industry losing the first year of the accelerated program. I am therefore seeking a pre-commitment from you for $6.6m of Commonwealth funds for the 1984-85 season for capital improvements on Territory stations, otherwise another year will be lost to the program. I notice the offer of $2.41m contained in your telex of the 13/9/83 is conditional upon the Northern Territory matching this amount. It is quite outside the resources of the Northern Territory government to secure this level of funding at such short notice by the Commonwealth. We will, however, adhere to our part of the agreement and provide $800 000 as previously agreed on the 75%:25% formula. If your government fails to honour that formula, then that is a matter for you. I would specifically request that, if you are not prepared to honour the 75%:25% agreement, the $1.6m that would be left in the Commonwealth coffers after the Northern Territory funds have been met should be set aside specifically for the eradication of disease in buffalo. I make this request because I am particularly concerned that the Commonwealth has not committed any funds to this program whatsoever and this, in the eyes of the Northern Territory government, is a very serious matter. I have been advised that officers of the Bureau of Animal Health have reviewed the interpretation of the agreement between the Commonwealth and the Territory and have advised officers of the Department of Primary Production that there should be no distinction between buffalo and cattle, particularly in relation to the payment of compensation and eligibility for additional assistance measures. This interpretation is at variance with your earlier interpretation that you have always treated buffalo separately. I would appreciate clarification on this matter as a matter of urgency.

Signed: Ian Tuxworth, Minister for Primary Production.

Mr Speaker, I move that the Assembly take note of the statement.

Mr B. COLLINS (Opposition Leader): Mr Speaker, I intend to dispose of this matter immediately. The reason I asked the minister to move that the statement be noted is simply so that I can make once again a statement about procedural matters rather than on the substance of what has been said. I have no intention of responding to either the statement on Wildman River or the statement on BTB. I hardly see how anyone could be expected to do so considering the detail in both statements. We received no notice of either of them. This statement was not on my desk when I left the Assembly. I found it when I returned. There is no standing order that requires ministers to give us notice but some ministers consistently do it and the honourable Chief Minister is one. I would point out that the statement on education was circulated. The Chief Minister normally circulates his statements in envelopes marked 'Confidential' before he makes them. That gives us the opportunity to debate them immediately so that they are not cluttering up the notice papers for 3 months until the next sittings. It achieves the result of making this Assembly the house of debate that it is supposed to be. The issues can be debated when they are topical. I would point out to all honourable ministers that it would make the debates more rational, relevant and topical if some notice, even a morning's notice, could be given of statements. Some honourable ministers do this as a matter of course. Perhaps all ministers could do it.

Motion agreed to; paper noted.

NORTHERN TERRITORY DEVELOPMENT LAND CORPORATION (VESTING OF LAND) BILL
(Serial 365)

Bill presented and read a first time.

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

When the Minister for Aboriginal Affairs announced that he intended to request Mr Justice Toohey to undertake a review of the operations of the Land Rights Act and the conflict between it and the Self-Government Act, I thought that he would be giving the Territory an opportunity to put its case in relation to exclusion of public purpose lands from the operation of the Land Rights Act. One might be expected to believe, depending on the outcome of that review, that the minister would not take steps along the path to granting title over public purpose land which has been claimed. Unfortunately, such was not the case. I was informed of the proposed review by Justice Toohey at about the end of June.

The minister announced on 8 September that he was recommending a grant of title in regard to claims in the Tennant Creek area which includes land from which the town of Tennant Creek may well have to draw its water supply in the future. On 22 September, the minister announced that he intended to recommend the granting of title to a land trust in respect of the Roper Bar claim, including a stock route. In passing, I note that the Aboriginal Land Commissioner had found that Mr Fryer, a pastoralist in the area, would suffer considerable detriment if he were deprived of access to the stock route.

Despite assurances by both the Minister for Aboriginal Affairs and the honourable Leader of the Opposition in this Assembly that Mr Fryer would not suffer detriment, as of this date no agreement has been reached between Mr Fryer

and the Northern Land Council on the use of the stock route nor have any proposals been put to him for its use. The minister appears to be pre-empting the outcome of Mr Justice Toohey's review. His decision also pre-empts the judgment of the High Court in matters argued before it recently, including whether or not public purpose lands in the Territory set aside under Territory legislation are protected from claim under the act. It is hard to imagine a more provocative action on the part of the Commonwealth minister. The government therefore now has no option other than this proposed legislation with a view to protecting these public purpose lands in the interests of the whole community.

Enactment of this bill will have the effect of vesting the public purpose lands described in the schedule as estates in fee simple in the Northern Territory Development Land Corporation. By so doing, those lands will be removed from the category of land over which claims may be made under the Aboriginal Land Rights (Northern Territory) Act. If the same land had been set aside under Commonwealth legislation, it would not be open to claim. Such a situation is untenable. The care, control and management of the land will be vested in the Territory Development Corporation not the Northern Territory Development Land Corporation and the minister will direct the development corporation as to how the land will be managed.

Honourable members are well aware that, if a land claim is successful, a grant of fee simple may be made by the Governor-General in favour of an Aboriginal land trust. As one consequence the Territory is, by force of the Commonwealth act, forever denied the right to apply for any such land. Such a restriction is not imposed on itself by the Commonwealth. All through the Land Rights Act the Territory is denied the usual attributes of government.

It was my government's earnest hope that this legislation would not be necessary. Negotiations over a considerable period with land councils and the Commonwealth failed to resolve this and other issues. I have given previous notice of the government's position in relation to protecting public purpose land for the continuing use of the whole community. In the lead-up time to the Warumungu Land Claim, being largely vacant Crown Land to the east of Tennant Creek, the Central Land Council provocatively, I believe, added to the original claim a number of areas of land, including stock routes, stock reserves and other small reserved areas which were within adjacent pastoral leases. Leases over these areas were issued to the Territory Development Land Corporation which led in part to the matter before the High Court which I have mentioned.

On 14 October 1982, in answer to a question without notice from the Leader of the Opposition, I said: 'The position is untenable so far as the Northern Territory government is concerned and I have instructed officials to put in train necessary action to ensure that these stock routes can be alienated. They must retain their present status in the interests of the Northern Territory and its people'. In addition, the government introduced a bill which proposed to alienate by statute those parcels of land previously mentioned in case the earlier action taken was found to be invalid. As I pointed out to this Assembly on 24 November 1982, that bill does not seek to defeat the reasonable expectations of the Aboriginal claimants in that public purpose lands comprise only a very small portion of the total area of the claim.

I then said: 'The claim to the vast majority, I believe 95% of the land, can proceed in the normal way. Similarly, the total area of public purpose land included in the schedule is only a very small percentage of the land under Aboriginal land claims which have yet to be or is in the process of being heard.

The schedule describes stock routes and associated reserves, the Kidman Springs Research Station, the Darwin River and Manton Dams, Katherine Rural Education College, Bond Springs airstrip, trucking yards, bore reserves, Daly River, Cutta Cutta Caves, Douglas Hot Springs, nature parks and portions of the Adelaide River and its banks, amongst other areas of significance to the public.

The government's concern for the legitimate aspirations of Aboriginal groups living on pastoral leases was the subject of a ministerial statement to the Assembly on 30 August last. The introduction of the proposed legislation was deferred at the express request of the Minister for Aboriginal Affairs and was to be the subject of part of Mr Justice Toohey's review. The Territory government has demonstrated its willingness to try to cooperate with the Commonwealth minister with regard to the inquiry and by deferring its excisions proposal at his request.

I now find that, given the present circumstances and the disclosed attitude of the federal government, there is absolutely no sense in delaying the introduction of legislation which will allow for living areas for Aboriginals and this will be the subject of a separate bill which I hope to be able to introduce later today. It is unfortunate that the minister has not been prepared to defer action which he well knows is highly contentious. He has thereby encouraged claims to be made and pursued in respect of land which my government has consistently and rightly sought to preserve in the interests of good government of the Northern Territory and in the interests of the people of the Northern Territory as a whole. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

REAL PROPERTY AMENDMENT BILL
(Serial 366)

Bill presented and read a first time.

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

Mr Speaker, as members will be aware, the Territory's provision for registration of land titles under the Real Property Act is in common with other Australian jurisdictions, known as the Torrens System. A principal feature of the system is that titles registered under the Real Property Act are said to be indefeasible. There has been much judicial, legal and academic debate as to the precise limits of indefeasibility. However, the concept can be summarised by 2 words: 'Territory guaranteed'. In short, if the Territory, by registering an estate or interest in land, deprives any other person of an estate or interest in the relevant land, the person so deprived will be entitled to compensation from the Territory. The extent of this government guarantee includes both the tenure and boundaries of the registered land. The act includes provisions to deal with situations where boundaries are misdescribed in a certified title. However, this inclusion into indefeasibility is very severely limited by the fact that errors and misdescriptions cannot be corrected if they are not discovered before a subsequent sale of the land title to a purchaser who acts in good faith. The Territory must bear the cost of compensation in such cases under its guarantee of title. As a consequence, the Registrar-General, before issuing a certificate of title under the act, is required to satisfy himself that the boundaries of the particular land to be dealt with are described with absolute precision. The lack of precise

descriptions of boundaries can lead to refusal to register the land titles under the Real Property Act. Often, there will be substantial delays before a proper survey of boundaries can be undertaken.

Mr Speaker, the purpose of this bill is to permit the Registrar-General to issue a qualified certificate of title in circumstances where he is not satisfied that the description of the land is sufficiently accurate for the purposes of the act. The concept of qualified certificates of titles exists in Tasmania, New South Wales and New Zealand for various purposes. While the nature of the qualification may vary, in all cases the purpose is to provide secure title for property until such time as it is possible to remove the qualification - in the present case by, for example, the completion of a proper survey of boundaries. The present bill, if enacted, will assist in the early issue of title in a number of important areas. It is particularly necessary in the case of the land granted under the Aboriginal Land Rights Act where, almost invariably, boundaries of land have not been surveyed and yet registration presently provides a government guarantee of their accuracy. The precision required in prescribing boundaries for freehold land or perpetual leases is necessarily greater than that acceptable for leases of fixed duration. In the absence of the current bill, there would be substantial delays in the grant of perpetual leases until such surveys could be completed. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

YULARA TOURIST VILLAGE MANAGEMENT BILL
(Serial 360)

Bill presented and read a first time.

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

Mr Speaker, this bill aims to provide for municipal functions at the resort to be carried out by the Yulara Corporation Pty Ltd and easements for common services to be constructed within the complex. While the proposing of legislation to support the management company is novel, the powers and functions of the corporation have precedent in the Northern Territory and they are enjoyed by local councils, the Nhulunbuy Corporation and the Jabiru Town Development Authority.

The development agreement for Yulara, which was tabled in the Assembly on 26 May 1982, required the Yulara Development Company to arrange for the formation of a resort management company as a wholly-owned subsidiary to carry out such functions in relation to managing the resort as the Conservation Commission of the Northern Territory may approve. The management company was incorporated under the Companies Act on 18 May 1983 as the Yulara Corporation Pty Ltd. The memorandum and articles of association for the company required it to operate on a no-profit no-loss basis and to carry out functions including the operation of the water and sewerage systems, garbage collection and disposal, administration of commercial agreements on behalf of the development company and maintenance of public areas.

Alternatives to this approach, including the creation of a council under the Local Government Act or a statutory body by new legislation, were assessed and found to be unsuitable for a combination of reasons. The very small

permanent population, the nature of the development as a resort rather than a regional township and the requirement to control operating costs were major considerations. It should be noted, however, that an advisory board to the corporation will be established before completion of the project to represent community interests.

Mr Speaker, in many respects, the operations of Yulara by a company mirrors the management of Nhulunbuy. However, in the case of Yulara, the availability of freehold title to facilitate the eventual sale of the resort components gives rise to the need for supporting legislation. Honourable members will note the provisions relating to easements and other proposed controls over certain lands in the township. These are included to support existing provisions of the law relating to property planning and take care of particular circumstances unique to Yulara. The Yulara Corporation is required to meet the costs associated with the operation of the resort and there are no financial implications to the Northern Territory associated with this legislation. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

DARWIN PORT AUTHORITY BILL
(Serial 328)

Continued from 19 October 1983.

Mr STEELE (Transport and Works): Mr Speaker, I would like to thank honourable members for their contribution in this debate. The honourable member for Nightcliff in particular dwelt on quite an extensive range of questions that need addressing. The opposition spokesman, the honourable member for Millner, spoke at length about the amendments which have been circulated and he asked a couple of questions in relation to the change in the port boundary. I believe that the Chief Minister addressed himself this morning to possible development further up Sadgroves Creek. I understand these plans are a long way off but the possibility does exist.

He also spoke about private berthing and the wharf facilities used by private ships. I understand that minimum fees are already paid and will take into account his remarks in respect of the need for other fees to be paid to people who have provided their own facilities.

Mr Speaker, under section 33, the honourable member for Millner asked specifically why the power to remove a vessel is with the minister and not with the port superintendent. The power has been placed with the minister because of the potentially serious implications that could be involved, say, in directing a foreign ship to the outer limits of the port. Australia's obligations under international treaty may need to be observed. For example, every ship has the right of a safe haven and the safety of crew and passengers could be involved. Close liaison with federal government departments, such as foreign affairs, customs etc may be involved.

The honourable member for Port Darwin was concerned about the representation which he received from various users of the port and, in particular, he asked a question concerning the technical description of the port boundary limits. He requested confirmation that the port boundary limits in Frances Bay, as described in schedule 1, excluded the area to the west of the Frances Bay access road, an area subject to tidal influence. That is correct. The area in question is outside the port boundary and, therefore, does not fall within the

jurisdiction of the Port Authority either under the Ports Act or the bill before the Assembly. The schedule 1 technical description indicates that the boundary in Frances Bay follows along the highwater mark in a northerly direction on the eastern side of the Frances Bay access road. The boundary line does not cross over the roadway. However, the Frances Bay arterial and the railway reserve occupy the area that the honourable member refers to.

The honourable member for Nightcliff raised queries on quite a few matters. She spoke about the quality of the management under the new administration of a chairman and 2 board members. She referred to a representative of Wyndham Meat, which operates a rival port, and asked if he is a resident of Sydney. Mr Speaker, the new appointment for the position on the Port Authority Board is Mr Ron Ibbotson. He has not taken up his appointment at this point. Mr Ron Ibbotson lives in Sydney. He is the Managing Director of Norwest Beef Pty Ltd which operates Katherine Meatworks and Wyndham Meatworks. He has been described by the Deputy Chairman of the Hooker Corporation as the best beef marketer in Australia. Mr Speaker, the present situation with meat exports for the financial year out of Darwin is 63 t on the ANL service and 715 t on the Bank Line. Meat exports for the financial year 1982-83 going out of Wyndham were 15 092 t. Mr Speaker, the rationale for the appointment of Mr Ibbotson is his expertise in marketing. I would venture to say that this port has a lot of marketing to do to get itself into a competitive position. I believe that it is desirable to have a marketing person on the board of the Port Authority.

Mr Speaker, the honourable member for Nightcliff dwelt on the definition of 'harbourmaster'. For example, in the Port of Darwin it is common practice for both the harbourmaster and assistant harbourmaster to be appointed pilots for the pilotage of all types of ships arriving at the port. A person cannot be appointed as a pilot unless he has the necessary qualifications, skills and experiences under the Marine Act. The appointment provisions for the harbourmaster contained in the existing Ports Act for the last 20 years do not specify particular qualifications requirements. Even so, to my knowledge, there has never been a harbourmaster appointed for the Port of Darwin who was not qualified as a master mariner. I am sure that the management of the Port Authority would not go outside the requirements that have been understood over the last period.

The honourable member for Nightcliff raised a question about disclosure of interest and she spoke about the quorum. I am led to understand that there has been no difficulty in respect of disclosure of interest at this present point. In the conversations that I have had, none that could arise has been pointed out to me. I am prepared to accept that, if a difficulty does arise, obviously the government will have to have a look at it. None has been envisaged or put to me as a possibility at this point. I would add that the same applies in respect of the quorum.

A question was raised about the power to license a stevedore in clause 17(2)(p). The power to license stevedores is not unique to this bill. I am advised that the following are ports which license stevedores either by direct licence or by permit or agreement - they have ability to license stevedores incorporated in their acts: Brisbane, Townsville, Gladstone, Rockhampton, Cairns, Bundaberg, Mackay, Sydney, Melbourne, Geelong, Westenport, Port Welshpool and Fremantle. There is a provision to license stevedores also in the Queensland Harbours Act 1956.

In answer to the second part of the question, licensing of stevedores as

proposed in this bill is not intended to be used as a revenue-raising device. Licensing in that sense is not based on economic considerations but is simply regulatory in nature in which case licence fees will not be high. By means of licensing a stevedore, the Port Authority will be placed in a position of having some say in the handling of cargo in the port. This is not the case at present. As the situation stands, the one stevedore operating in the port has almost absolute control over practically all cargo handling. The stevedore employs all labour and operates most of the machinery and equipment.

Mr Speaker, the honourable member for Nightcliff asked what is happening with regard to the possible development of future ports elsewhere in the Northern Territory. Within the lifespan of the present act, there have been no new ports created other than private ports such as Gove and Groote. Whilst there is a possibility of some such new development in the future, it is likely that any such port development will be part of an overall development package either of a purely private nature or as some joint private and government arrangement. That could of course require special legislation at that time. It is considered preferable to limit this act to the control and management of the Port of Darwin and consider any other requirements separately when the need arises. I understand that the ports outside of Darwin, the Port of Groote Eylandt and the one at Gove, both operate under the Marine Act. The Ports Act is for the administration of a port on its own.

Another question which was asked referred to the importance of section 17(2)(f) which enables charges to be levied on ships passing through the port. A particular part of this subsection is to be amended to take away this power. The question was why there is to be a change, given the emphasis placed upon this previously. The intention was to allow dues to be levied on the barge trade as a contribution towards the upkeep of port facilities. After discussions with the barge companies, the government agreed to the argument that port dues should only be levied in respect of services provided by the Port Authority, and to a large extent this was already being done with the collection of port dues every 6 months. However, it was pointed out during discussions that the government may have to examine its options to propose some charges on barge companies under the Marine Act.

On the question of licensing of commercial activities in the port, the proposal only covers licensing of stevedores. The question was asked about to whom a fast-food vendor applies for a licence to set up a business within the port area. The present act does not provide for any licensing of this nature and it does not appear to have caused a problem. It would be normal to seek permission from the Port Authority but no specific licence would be required or provided.

In respect of clause 32, the honourable member for Nightcliff suggested that the notice given in that clause be on the advice of the port superintendent or the harbourmaster. My advice is that the chairman would be acting on the best advice available to him in the port. It would not seem necessary to include it in the bill.

In response to the honourable member's question as to whether clause 41(b) is in fact contrary to the Warehousemen's Liens Act, my advice is that it is not contrary to the act. The Warehousemen's Liens Act is silent as to the liability of warehousemen for the storage of goods. It is true that clause 41(b) does provide and extend protection to the Port Authority, both in common law and in statute law. Where it has lien over goods in storage, the Port

Authority does have certain obligations under the Warehousemen's Liens Act, particularly before it exercises a power of sale in respect of those goods. Clause 41(b), however, deals with liability for storage and, in that sense, it is not, to my knowledge, in conflict with any provision expressly set out in the Warehousemen's Liens Act. However, it is realised that the Port Authority does have certain obligations under this act in performing the function of a warehouseman. In the past, the Port Authority has experienced extreme difficulty in dealing with, and having to remove, goods that have been left in storage for long periods, where the owner failed or refused to remove such goods or take responsibility for them. The Port Authority needs the availability of protection in these instances as provided for in clause 41.

In answer to the second part of the question, I have not been able to confirm whether or not a similar provision exists in other Ports Acts. However, I am assured that the problem is common to all ports and liability protection is a common feature of port legislation.

On clause 42, I was asked how an owner can be held to be liable with or without proof of negligence or intent. Mr Speaker, I point out that this provision has been taken from section 27(b) of the existing Ports Act which has been in operation in the Northern Territory since 1963. It is designed to assist the port in recovery of damages against the owner even though the Port Authority may not be able to prove negligence. The common law recognises that there are instances where a person may be held to be strictly liable - that is, without proof of negligence - and therefore it cannot be said that this provision is contrary to those common law principles. An owner may be held to be liable where he allows oil to flow from his ship into the port and that oil causes damage to the port. This may be a case where the owner is held to be strictly liable without proof of negligence.

Ms Lawrie: There was the question of 'agent' under the definition of owner. It is important.

Mr STEELE: Mr Speaker, there is another question somewhere and I will deal with it when we get further along with the bill. I commend the legislation.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 4 agreed to.

Clause 5:

Ms LAWRIE: Mr Deputy Chairman, I have the distinct feeling that I should speak as slowly as possible in order to allow the minister time to get his briefing notes. I will repeat the query that I had in the second-reading debate regarding the definition of 'owner'. That definition, in relation to a vessel, includes an owner, part owner and charterer and an agent of any of them. The advice I have received from those commenting on the bill is that they have queried the legality of this. Normally, the agent has no standing in law and they feel that some elucidation on this point is necessary. I am dreadfully sorry for the honourable minister but this was put to me several times and, clearly, I would like to know if it has been checked with the Department of Law. If it is unique and introduces a new concept, I hope the honourable minister can allay the fears expressed by various members of the community who have studied this bill in some depth.

Mr PERRON: Mr Deputy Chairman, I would be interested in hearing from the member for Nightcliff what problems are envisaged by the persons who commented on this clause. While she has asked whether it is usual or common elsewhere, she has not told us why there could be a problem, as far as this bill is concerned, in having an agent come under the definition of 'owner'. Vessels, of course, can be owned or part owned by distant companies in the bottom of the harbour or the Panama Canal and goodness knows where. Of course, just about all notice-serving, official documents, exchanges of money and bills of lading are handled by agents in a port for the vessel's owner or owners. I would be interested to hear from the member for Nightcliff what specific problems are envisaged regarding an 'agent' and the 'owner' for the purposes of this bill.

Ms LAWRIE: For example, under the liabilities provisions, the owner of a vessel is liable for loss or damage caused by a vessel within the port, with or without proof of negligence or intent. The honourable Treasurer can continue to split hairs and require further information, but I can assure him that agents within the Northern Territory are fairly concerned about this. It was quite deliberately raised by me in the second reading to allow the minister time overnight to seek advice on the point and to respond during the committee stage today. In fact, I was expecting him to respond in the third reading. The minister appears to agree with me that he had prepared a response. None of the comments I made on this bill were made out of mischief or a wish to delay the passage of the legislation. They were made on the advice of those who received copies and who want to have these points clarified. I think that that is the least they deserve.

Mr EVERINGHAM: Mr Deputy Speaker, certainly it is a fact that I have been approached by shipping agents in relation to this bill. They have raised concern over the bill with me, principally in relation to the Port Authority undertaking stevedoring work. None of them has raised the problem over this agency provision or their potential liability. The honourable member for Nightcliff mentioned that they can be held liable even if it is without negligence or intent. I think that that is a jolly sound thing too when you consider that, without any negligence or intent on the part of the master of a vessel, the wind or the tide could blow it against the wharf and cause $100 000 damage to the wharf as well as the vessel in the twinkling of an eye. If the agent were not held responsible for that, and the vessel came, as the Treasurer said, from Panama, Liberia, Hong Kong or any of these ports of convenience, there is no way in most cases that you would have any hope of recovery.

Most vessels are the subject of incredibly complicated legal arrangements. The true ownership of many vessels is hard to ascertain. For that matter, often the true owners in a vessel, when you get down to bedrock, are in one straw company that has been formed specially for the purpose of owning that vessel. Even when they are owned by so-called shipping lines, this is for income tax and other reasons, including avoiding liability. I believe that, if someone embarks on the highly complex business of being a shipping agent, he ought to have sufficient forethought to require his clients to post a bond or take out sufficient security to cover themselves in the event of this sort of accident occurring where they may be held liable. I do not see it as being any responsibility of the Port Authority to make indemnity arrangements for the agents. For that matter, indemnity arrangements might vary from case to case and client to client. I believe that it is necessary in the interests of the Northern Territory taxpayer that we be able to hold the agents responsible for damage that may be caused.

Mr B. COLLINS: Mr Deputy Chairman, I wish to raise a procedural matter. The honourable member for Nightcliff asked this question in the second reading. The minister obviously acted upon this and obtained legal advice from the draftsman. Because of this prolonged debate, as a member of this committee, I am now interested enough to want to hear what that is. Surely it is not unreasonable to expect the minister, in response to a legitimate question from a member of the committee, to supply that legal answer so that we can all be satisfied. Is it such an impossible job to have whoever supplied the original answer to do it again? Can we obtain a copy of the advice?

Mr STEELE: I understand the Deputy Chairman has been negotiating with the advisers to obtain a copy. I do not think that there is any smokescreen being drawn in front of members so that they would not be able to see me when I produce the answer.

My advisers have some appreciation of the question. The concern seems to be that the agent becomes liable under the act and the Chief Minister indicated that he thought it was a good thing that the agent does become liable, as do the owner and others under the definition. My advice is that the agency seeks to be indemnified by the owner so he passes the liability on. If he does not wish to accept liability, then he does not accept the agency. That is the explanation for the definition.

Clause 5 agreed to.

Clauses 6 to 16 agreed to.

Clause 17:

Mr STEELE: I move amendment 185.1.

This overcomes objections raised by barge operators in Darwin who do not want to pay additional charges to the Port Authority for the right of passing through the post as they already pay port dues as a contribution to facilities such as navigational aids and channel markers.

Ms LAWRIE: In the second reading, I put the proposition to the honourable minister that, since he had specifically alluded to this important new provision in the bill, either his advice was wrong at the time or something had happened in the operation of barge enterprises meanwhile which made him change his mind. I would like the honourable minister to tell whether he did not know at the time he issued drafting instructions that large operators had put amounts of capital into constructing their own facilities. Was he not advised by his department? As I said quite specifically, other people have read this legislation. If the minister was not so advised, it reinforces their suspicion, which is all I can call it, that the Department of Transport and Works is not necessarily the best group of people to be offering advice to the minister. That was all said in the second reading.

Mr STEELE: I understood what the honourable member had to say in the second reading. When the bill came up, it was circulated for comment and possible amendment. This is what has happened. I spoke to barge operators and I was satisfied with the argument that they put to me that they did not want to pay charges for a service that was not being provided. I gave an undertaking that I would produce an amendment to that effect.

Amendment agreed to.

Mr STEELE: Mr Deputy Chairman, I move amendment 185.2.

This restricts licensing to stevedoring only and no other commercial activity. A power to license stevedoring is common to most ports, as I indicated in the second reading.

Amendment agreed to.

Mr STEELE: Mr Deputy Chairman, I move amendment 185.3.

This amendment is consequential on the previous amendment.

Ms LAWRIE: Mr Deputy Chairman, we see now a specific reference to the fee for the issue of the licence to be a stevedore, and for the renewal of such a licence. I listened carefully to the honourable minister's reply in the second reading. I ask him if it is the intention to levy a fee for the issue of the licence. It is apparent that, in some places, licences are issued with little or no fee being required. If so, has he determined the level of fee to be charged?

Mr STEELE: I am advised that the fee would be prescribed in a bylaw and would be approximately $10.

Amendment agreed to.

Clause 17, as amended, agreed to.

Clauses 18 to 24 agreed to.

Clause 25:

Ms LAWRIE: I received the assurance of the honourable minister that the positions of port superintendent and harbourmaster would be filled by people with suitable qualifications. In fact, he mentioned a master mariner's ticket. From memory, he related that to the port superintendent and to the harbourmaster. I know all about pilotage and people who are empowered to undertake those duties, Mr Deputy Chairman. In the event of the harbourmaster being absent, is it the policy of the Port Authority that an acting harbourmaster will have the same qualifications?

Mr STEELE: Mr Deputy Chairman, I would assume that an acting harbourmaster would need particular qualifications in respect of other requirements under the Marine Act. For an acting appointment for several weeks, I would not expect that that requirement would be necessary.

Clause 25 agreed to.

Clauses 26 to 31 agreed to.

Clause 32:

Ms LAWRIE: Mr Deputy Chairman, I asked a specific question on this clause. I asked the minister to consider the insertion of 'on the advice of the port superintendent or harbourmaster' when the chairman is to do certain things. His powers are very wide indeed. One must remember that the authority is now to be constituted as 3 people who have no maritime service whatsoever. It would be true for the minister to say that that has been the position since 1981.

It was not the position before 1981. There has been a degree of concern expressed to me by master mariners that they would like to see a reference to particular expertise before the chairman makes a decision. The honourable minister has said that the chairman will always act on proper advice. We are not legislating for the good offices of the present minister or the present chairman. We are passing legislation which is binding on their successors too. I appreciate the minister is not prepared to entertain this suggestion at the moment. I would ask him to appreciate the very real concern of master mariners and pilots and to consult with them to consider whether an amendment should be considered at a very close future sittings.

Clause 32 agreed to.

Clauses 33 to 37 agreed to.

Clause 38:

Mr STEELE: Mr Deputy Chairman, I move amendment 185.4.

Again, the intention is to restrict licensing for the purpose of stevedoring only and, as a result, all other commercial-type activities set out in paragraphs 38(1)(a) to 38(1)(b) are to be withdrawn.

Ms LAWRIE: I do not see this serving the Port Authority's interests to any great extent at all. If the clause had not been amended, it would have given the authority the right to issue licences, from time to time, for a variety of applications which cannot be foreseen. The honourable minister said that, if one looked at a business such as a fast food outlet or the establishment of a red phone or anything else, a person could simply apply to the authority for permission. I would have thought that the original provision was the better one. It would have given the Port Authority more power to control activities within its precincts which, apparently, is what the bill is all about. I do not oppose the amendment. I am just surprised by it, given the tenor of the rest of the bill.

Amendment agreed to.

Clause 38, as amended, agreed to.

Clause 39 agreed to.

Clause 40:

Mr STEELE: Mr Deputy Chairman, I move amendment 185.5.

The penalty clause now applies only to stevedoring as all other types of commercial business activities have been withdrawn. Without the provision of a penalty, there would be no point in pursuing licensing.

Ms Lawrie: My further comments stand.

Amendment agreed to.

Clause 40, as amended, agreed to.

Clauses 41 to 47 agreed to.

Clause 48 negatived.

New clause 48:

Mr STEELE: Mr Deputy Chairman, I move amendment 185.6.

This new clause lists in some detail in paragraphs (a) through (zd) matters on which bylaws may be made by the Port Authority. The amendment deletes the previous paragraphs (r), (s), (t) and (u) which dealt with licensing of commercial activities in the port.

Ms LAWRIE: Mr Deputy Chairman, I only wish to draw the attention of the committee to the penalty in (zd) on page 4 of the circulated amendment. It is the same as in the bill, which is the imposition of penalties not exceeding a fine of $10 000 for a contravention of or failure to comply with the bylaws. I am only saying that that is a whopping penalty. Having regard to some of the sentences handed down, one is better off to commit rape than to contravene the port bylaws.

New clause agreed to.

Remainder of the bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

STATUTE LAW REVISION BILL

(Serial 347)

Continued from 18 October 1983.

In committee:

Clauses 1 and 2 agreed to.

New clause 3:

Mr EVERINGHAM: I move amendment 186.1.

This inserts after clause 2 the amendment in relation to the places of public entertainment regulations.

New clause 3 agreed to.

Schedule:

Mr B. COLLINS: Mr Deputy Chairman, I move amendment 197.1.

This corrects the anomaly that existed in the act but preserves the right of organisations to withdraw people they nominate should they decide to do so.

Amendment agreed to.

Schedule, as amended, agreed to.

Title agreed to.

Bill passed remaining stages without debate.

ABORIGINAL COMMUNITY LIVING AREAS BILL
(Serial 367)

Bill presented and read a first time.

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

For some time, the Territory government has wished to provide a means by which Aboriginal people could obtain their own land in pastoral areas. After much discussion on this topic with land councils and pastoralist associations, the government decided in July 1983 that it would introduce legislation to this effect. The present Minister for Aboriginal Affairs strongly opposed our intentions. In this Assembly, on 30 August 1983, I made a ministerial statement which explained to honourable members what the Territory government had intended to do, Mr Holding's opposition to it and my reluctant agreement to accede to his wishes.

Since then, several developments have made it apparent that the Territory government should at least introduce an Aboriginal Community Living Areas Bill. The transfer of ownership of some pastoral properties, the proposed break-up of others into smaller properties - for instance, Victoria River Downs - and continued requests from Aboriginal groups living in pastoral areas for their own land have combined to make legislation at this time more pressing than ever. The actions of the present minister have also obliged the Territory government to change its stance. The Minister for Aboriginal Affairs persuaded me in July that nothing should be done in the field of land rights, at least in the Northern Territory, until Mr Justice Toohey had completed his review of the Aboriginal Land Rights Act. Having said that, the minister proceeded to grant 3 land claims in September, all of which included land reserved and set aside for public purposes which the Territory had sought to have excluded and all of which involved issues presently before the High Court. Apparently, Mr Holding's comments about not taking any initiatives or setting precedents under the Land Rights Act were only intended to apply to us and not him.

As honourable members will know, one of the original justifications employed by land councils for their claims to public purpose lands was that, in the absence of any excision legislation, this was the only land which Aboriginal communities in pastoral areas could possibly obtain. Although the Territory government has opposed claims to public purpose lands, it has always recognised that Aboriginal people on cattle stations have indeed largely missed out in the lands rights process. The Minister for Aboriginal Affairs recognises this too which is presumably why he is happy to grant stock routes, water conservation reserves and so on to them. For this reason, the Territory government must provide an alternative mechanism for cattle station groups to obtain living areas for themselves.

The Territory government has made a lengthy and comprehensive submission to Justice Toohey about the Land Rights Act. We have also given him a draft of the legislation that we proposed to introduce in August with an explanation of our intentions so far as living areas on pastoral properties are concerned. More recently, I discussed this matter with the judge when he visited Darwin. In introducing this legislation, it is the Territory government's intention not to proceed to debate it until after Mr Justice Toohey has presented his report to the Minister for Aboriginal Affairs. A copy will be made available to the Territory government, and we may then amend the bill in the light of his recommendations.

Mr Speaker, the purpose of the bill is to establish a means whereby Aboriginal people now living, or living until recently, on pastoral properties can obtain title to community living areas. It is intended that the title will be freehold. There is no suggestion that applications for land under the bill can or should be treated as Aboriginal land claims to be granted Aboriginal title of the kind granted under the Land Rights Act. This is a wholly inappropriate form of title as indeed Mr Justice Woodward recognised in a report which he wrote which led to the first land rights legislation. We are talking about land in fee simple under Territory title.

Eligible Aboriginals will be able to apply for areas of land to be excised from pastoral leases. There has been a good argument about what ought to constitute eligibility. After careful consideration, the government has decided that it should mean an Aboriginal who was resident on the land in question on 1 July 1983 or any Aboriginal resident of the Territory with the consent of the pastoral lessee or any other Aboriginal whom the minister thinks fit. In determining this third category of eligibility, the government feels it is desirable to establish clear criteria for the minister to follow. To do this, we must also be clear about our objectives. As I have said, the government is not creating a new land claim mechanism, nor are we intending to excise land from pastoral leases for people who have had no connection with the property for many decades or generations or who wish to obtain land but have not the slightest intention of living there. I repeat that we are trying to meet the legitimate social and economic needs for land by Aboriginal people, not create a further class of absentee landlords.

In determining eligibility, the minister must therefore refer to official records which provide evidence of past associations of the applicants with the land they seek. Such records would include the now defunct register of wards set up under the old Welfare Ordinance, government census records or reports and any other contemporary documents which help to establish a person's previous connection with the land in question. That is all set out in the definition section.

Having received an application, the minister could agree to grant it forthwith. This will usually be the case where all parties, including the pastoralist, agree to it. If this is not the case, the minister may bring the various parties together before him or his nominated representative to see if an agreement can be negotiated. Whatever happens, if the minister has not approved of an application within 90 days, it must be referred to the tribunal to be established by the bill. This tribunal consists of a chairman who must be the Chief Justice of the Supreme Court or a judge nominated by him, one member who should be nominated by the relevant land council and another member who should be nominated by a prescribed organisation which, for these purposes, shall be a body representing the interests of pastoralists. Thus, the first prescribed organisation in the Northern Territory is a pastoralists' organisation.

This bill sets out the various functions of the tribunal and its procedures. In short, the tribunal will consider the application, listen to all parties and then report to the minister with a recommendation as to whether or not the land applied for, or any other land within the lease, should be granted. It is of course for the minister to decide whether he will accept the recommendation of the tribunal, just as it is for the federal minister to decide on the Aboriginal Land Commissioner's report under the Land Rights Act. The tribunal must have regard to the economic and social needs of the Aboriginal applicants and their historical association with the area, the length of time they have lived on the

land, the benefits that will come to them if land is granted, the costs involved in establishing a community living area on the land, their interests in other lands already granted to them and the extent to which the economic viability of the pastoral property will be affected by an excision. These matters are not exclusive and the tribunal can also consider any other matter that it thinks fit.

If the minister approves an application, the land must be acquired. Fair compensation must be paid and it will be necessary for the Territory and Commonwealth governments to reach agreement on payments for compensation, survey costs and so on. The Territory government cannot be expected to bear these costs itself.

Any land granted under this bill will be held by a land trust. The bill prevents the trust from alienating the land by selling it or leasing it without the approval of the minister. However, the trust can lease the land to an Aboriginal for a period not exceeding 5 years without the minister's consent. Honourable members will note that there is a similar provision in the Land Rights Act. The government believes that this is the fairest way to meet the needs of Aboriginal people for land in pastoral areas while bearing in mind the interests of other people in the community including station owners. The title that tribal Aboriginal people will gain is as secure as it reasonably can be and no limits are placed on the size of areas which might be excised. Normal Territory law will of course apply to land excised under this bill.

My officers will seek the view of the land councils and pastoral organisations on the bill before any further steps are taken to bring it on here for debate. I commend the bill to honourable members.

Debate adjourned.

AUDITOR-GENERAL'S ANNUAL REPORT 1982-83

Continued from 11 October 1983.

Ms D'ROZARIO (Sanderson): Mr Speaker, I rise to make a few remarks about the report of the Auditor-General. Many of the questions that have been raised by the Auditor-General have already been addressed in various other debates of this session including the committe stage of the Appropriation Bill. There are not many questions which remain to be answered but, nevertheless, I thought I would take this opportunity to make a few remarks on 4 areas in particular and to obtain further information.

The first point that I would like to raise is a matter which has already been spoken about a couple of times. I have part of the answer from the honourable Minister for Mines and Energy. It relates to the borrowing program of the Northern Territory Electricity Commission. We have heard the minister's explanation for some of the comments made by the Auditor-General on pages 24 and 25 of his report. Nevertheless, I think that the Auditor-General has quite rightly pointed out that the methods by which the borrowing needs of the Northern Territory Electricity Commission are forecast ought to be improved. The reason that he suggested this was because a cost was incurred to the Territory taxpayer by failing to draw down the funds which were arranged through the Treasury's borrowing program. The Auditor-General pointed out in his report that the funds were raised by means of Territory Loan No 7 on which

interest rates to lenders were paid at 14.6% to 14.8% whereas the average rate earned on the funds which were not drawn down the by the Northern Territory Electricity Commission was only 12.8%. He has pointed out that, because of the inability of NTEC to draw down its funds, there was a cost to the Territory. It is not always a simple matter to forecast one's borrowing requirements, especially for these statutory corporations. Nevertheless, I think this problem will be overcome in future because a large part of the construction program has already been committed and the costs are known as they are related to constant prices in, I think, 1981 dollars. I am speaking particularly of the Channel Island power-station.

I would like to make a few comments about the Treasurer's advance. On page 26 of his report, the Auditor-General drew to our attention that, in his opinion, section 13 of the Financial Administration and Audit Act was breached by the transfer of funds to the Treasurer's advance. In the Auditor-General's opinion, these funds could not be exchanged to an extent greater than that which had been appropriated and he pointed out that the appropriation was for $2.5m and that this sum had been exceeded. The Auditor-General gave his view that section 13 of the act had been breached. Subsequently, he sought legal advice and it confirmed his view.

I notice that the Treasurer's advance in this year's budget is about $21.7m. I ask the Treasurer, if he wishes for these funds to be exchanged as was done for the financial year to 30 June 1983, whether an amendment to the Financial Administration and Audit Act ought to be considered. If he considers that it is necessary to have this ability for the sake of flexibility, perhaps he could signify his views so that we too could give some attention to our attitude to a prospective change to the Financial Administration and Audit Act.

Mr Speaker, the Auditor-General also made some interesting comments with respect to the Department of Health. The comments which interested me particularly related to the collection of charges from those attending at the hospital, especially from those who may be entitled to health care cards. It is quite clear that, when this new system for charging for health services was introduced, a number of people who attended at the hospital did not have health care cards although they should have been eligible to receive them. I do not necessarily blame the Department of Health over this because health care cards are issued through the Department of Social Security. However, instead of some public advice being sent out to people that they should obtain these cards, charges were raised against these people. The Auditor-General pointed out that there is very little hope of recovery of these charges and these people should have been given free care as a result of their eligibility for health care cards. I imagine that this question will have been resolved by now because the current system of charging for health services has been in operation for some time. The Auditor-General has noted that some staff, particularly the Aboriginal Liaison Officers, have gone to some lengths to ensure that patients who are eligible to hold health care cards apply for them and will be exempt from charges.

Mr Speaker, another matter relates to departmental trust accounts. These are given in the back of the Auditor-General's report. Unfortunately, there is no explanation as to the size of these accounts nor to the charges in them. Two questions particularly interested me. In the trust account relating to the Department of Treasury, in its loan-raisings trust account, I notice that the balance as at 1 July 1982 was about $50 000 and the closing balance for the end of the financial year was $16.7m. No explanation is given for this extraordinary change in the balance. Perhaps there is some explanation that the Treasurer

could supply. I would be grateful if he would do so at some later time. Similarly, looking at another statutory corporation balance, again relating to the trust account, I notice that on page 66 the Auditor-General has informed us that the opening balance as at 1 July 1982 in the Northern Territory Electricity Commission trust account was about $140 000 and that the closing balance at the end of the financial year 30 June 1983 has risen to about $1.9m. That is quite a large increase in the balance with no explanation as to the origin of these funds or for what purpose they are held in the trust account. I do not expect that the honourable Treasurer can supply the answers to these questions to me in this debate but I would be grateful if he could afford me an explanation at some later time.

The only other comment which I would like to make in closing is that the Auditor-General has noted that the system that has been instituted of using private auditors to perform the audit of departmental accounts is working well and is an efficient system. I know that, when the system was first mooted, there was some disquiet in the community, particularly in the public service, as to whether there would be any advantage to the community by doing it. I am satisfied, certainly from the report that we have from the Auditor-General, that the system is working very well indeed.

Mrs O'NEIL (Fannie Bay): Mr Speaker, I wish to refer briefly to a comment by the Auditor-General in relation to the Department of Health. The honourable member for Sanderson has already alluded to the problems of debts due to Darwin Hospital which drew the attention of the Auditor-General. I will not go over the reasons why this has occurred but I am intrigued by some of the references to the ledger systems at the hospital and the lack of computers. I am stretching my memory somewhat but I do recall that 3 or maybe even 4 years ago the Department of Health received government approval to purchase substantial computer equipment. I understand that it was subsequently purchased. The initial concept was referred to as a 'patient-care package'. There was to be a linkage to hospitals throughout the Territory so that it was not just available at Darwin Hospital. After this computer was purchased by the Health Department, I understand a subsequent decision was made to attach it to the government's principal computer in Treasury. That happened about 2 years ago.

Therefore, I find it very curious to see in the Auditor-General's report that the hospital ledger system has continued to be a manual one which is, in his words, bulky and unmanageable. This has caused some of the problems in debt management. Two years has been taken, without completion, to try to develop a debtor ledger program with the Wang mini-computer. There is a further reference to a submission to purchase computer equipment which will be used for debtor management in the hospital and some other application. I wonder if one of the ministers can inform me what happened to the original computer purchase of the Health Department which should have been available to do this work. Was the equipment divested by the Health Department? If so, what is the reason? Clearly, there was use for it. If it is still owned by the Health Department, why was it not used and why is more equipment now being purchased?

Mr PERRON (Treasurer): Mr Speaker, I do not have before me information in response to the questions asked by the honourable members for Sanderson and for Fannie Bay. However, I will undertake to get answers to those points and will write to them in the near future with an explanation. In response to 2 points raised by the honourable member for Sanderson, we will have a look at the Financial Administration and Audit Act to see whether there is a need for amendments as a result of the Auditor-General's comments. If there is a need

for change, we will certainly propose one.

In response to her queries about the opening and closing balances of trust accounts, and without specific information, I just say that some of the trust accounts operated by government departments and authorities do have fairly large transactions through them, particularly at what is generally called 'wash-up' time nearing the end of the financial year when payments are made. The ones that come to mind specifically are to the Commonwealth government. Very substantial payments are made to it as part of our obligations to pay the Commonwealth loan funds etc that we owe to it. These are paid usually towards the end of the year. Also, the Commonwealth sends us funds within the last day or 2 of the financial year. This happens during the Commonwealth's 'wash-up' of its accounting system. This is not an unusual practice and results in possible large fluctuations from year to year in trust accounts. I will obtain more details of the 2 examples raised by the honourable member for Sanderson and provide them to her.

Mr Speaker, I found that, by and large, the Auditor-General's report did not highlight any specific items of great criticism of government accounting procedures during the course of the year. There were quite a number of small matters, all of which deserve attention. This is not an unusual thing. Indeed, probably every Auditor-General's report will raise a number of inconsistencies that his officers come across during the course of the year or practices which are not quite in accordance with the necessary manuals. What normally happens, of course, is that departments and authorities, as soon as these are pointed out to them, take steps to correct the situation. That is a normal part of the system's operation. These factors are noted and departments and authorities react to such comments and disclosures. I am sure we will never see tabled in the Assembly a report that, in every conceivable inspection undertaken, matters were satisfactory in all regards because the people operating the system are only human. Hopefully, everything will become a bit more accurate as we move further into the computerised accounting systems that we are adopting. I will undertake to have written responses to the honourable members on the details they have raised in the course of this debate.

Mr DONDAS (Health): Mr Speaker, on examining the Auditor-General's report and picking up some of the comments made by the honourable members for Fannie Bay and Sanderson, the Auditor-General certainly highlighted a lack of management reports and the timely follow-up of outstanding Darwin Hospital debts. We can report that management now provides a break-up of outstanding debts into patient category, former and current years' debt and an age analysis of health fund debt. The department is presently developing a computer solution to handle all debtors' transactions. It is expected to be in operation by early January 1984. The computer-based system will provide a full range of management reports that will overcome the difficulties encountered with the manual system and will also accommodate the requirements of the Medicare system. Under Medicare, the hospital will also assume the responsibility for all accounting functions generated by the Darwin Hospital private practitioners scheme.

The honourable member for Fannie Bay also mentioned the fact that she was under the impression that the Department of Health was to have a computer a couple of years ago. In fact, at that particular time, arrangements were made for the department to tie into a main-body computer system at the Public Service Commissioner's Office. As far as the ledger was concerned, I understand - I am not 100% sure but I will find it out for the honourable member - that that was not tied into that particular system because of the way the registrations had to be done. They had to be on file and they could not be

placed on the main central computer. If somebody walked in with a particular problem, they needed to get a file straight away. If they waited for the computer, it could take half an hour or an hour. I believe that they were trying to set up their own computer operation. At that time, the government decided that each department should not have its own computer section until such time as a full evaluation was carried out and a recommendation made on which particular type of computer should be used. I think the Department of Health stayed on its manual operation.

In respect of the debt write-off, the debt collection arrangement is currently under review to determine its effectiveness. Since the introduction of the user-pays scheme on 1 September 1981, a total of 768 115 outstanding debts have been submitted for write-off. A significant percentage of this debt is attributed to Aboriginal patients who are considered to be eligible for health care card cover but who could not produce the health care card. The department has been concerned with the Aboriginal 'possible exempt' accounts for some considerable time and discussions with the Commonwealth Departments of Social Security and Aboriginal Affairs have not provided a solution. The Department of Health and Aboriginal Liaison officers have been trying to develop a system but, with the advent of Medicare early next year, that particular problem should resolve itself.

Another point the Auditor-General raised concerned the Darwin Hospital private practitioners trust fund. In September 1982, the department engaged J.P. Young and Associates to examine the operations of the Darwin Hospital private specialists trust fund. The hospital specialists subsequently agreed to sign a new agreement coinciding with the introduction of Medicare but the situation covering the period from 1 July 1979 to date has not been fully resolved. I have written to the federal Treasurer asking him for some guidance in the matter with regard to the trust fund. The only acknowledgement I have had so far is that he is having a look at it.

Another point raised by the Auditor-General was in relation to salaries administration. The Auditor-General expressed concern that the department was not complying with the Treasurer's directions in respect to completion and verification of payee reconciliation transactions and audit reports. These checks are undertaken as part of the department's normal procedures but officers have failed to record that the checks were done. This aspect has been corrected.

Another item raised was the capital items expenditure. The Auditor-General was concerned about the checking of claims following payments by way of Treasury cheques. Accounts staff now check the accuracy of all payments made through the Treasury system.

Mr EVERINGHAM (Chief Minister): Mr Speaker, there is not a great deal to say in reply. By and large, the Auditor-General's report for this year could be regarded as satisfactory. I am very pleased with the way the new Auditor-General and his staff have performed. It has been possible to work with them in a way that was not possible with the Commonwealth Auditor-General so that, whilst I was sorry that that arrangement had to be broken, nevertheless, there are some advantages in the new one.

As I see the role of the Auditor-General, he is not just a person who brings down a report every 12 months to the Assembly. The role of Auditor-General is an on-going one in terms of correcting the practices, procedures and techniques of different areas of government. Where the Auditor-General comes

across any area that requires attention, I am anxious that rectification take place as quickly as possible, if not immediately. As minister responsible for the Auditor-General, I have managed to come to an arrangement that, where he finds that it is difficult to secure spontaneous or swift action in any area, he bring it to my attention. I take the matter in hand and institute corrective action and hope it is carried out. I think perhaps some of that at least might be showing up in the fact that this report, at least to me, shows only one really unfortunate example which occurred not through bad management so much as through bad judgment and even bad luck in terms of the loan draw down.

Mr Speaker, I hope that, next year, the Auditor-General's report will become even slimmer. I wish to make it clear that, although this debate on the report is terminated, it is still possible for members to ask questions of ministers throughout the year to find out what is happening in pursuance of various recommendations made by the Auditor-General in his report to us. Certainly, I would welcome the follow-ups of this nature because it does not hurt to be kept on the ball in this area.

Motion agreed to.

SPECIAL ADJOURNMENT

Mr ROBERTSON (Attorney-General): Mr Speaker, I move that the Assembly, at its rising, do adjourn until Tuesday 15 November 1983 at 10.00 am or such other time and date as notified to members in writing by Mr Speaker.

Motion agreed to.

ADJOURNMENT

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

Mr B. COLLINS (Opposition Leader): Mr Speaker, the orderly transition of power to the Hawke Labor government was only the second time in 50 years that a national government has been changed in what could be termed a conventional fashion. In 1941, the Menzies government had been defeated on the floor of the House of Representatives. In December 1972, Whitlam rushed to power in a duumvirate, which I am sure all honourable members will remember, with Barnard. In November 1975, the Governor-General overthrew the government and installed a minority caretaker administration. Only in 1949 was there the constitutionally usual type of orderly transfer between parties reversing their previous roles of government and opposition.

Mr Speaker, the Labor Party is well aware of the dangers of rushing to power unprepared or of trying too quickly to achieve a program. We realise fully that the problem of designing an orderly transition to government requires careful planning and wide community consultation. That is why the Labor Party has appointed a transition-to-government committee. This committee is led by my colleague, the deputy leader and member for Fannie Bay, and comprises also the member for Millner and Dr Brian Reid, a former officer of the Northern Territory Department of Health. It is in all respects a senior committee. The committee has in fact already begun its work. It will consult broadly with trade unions, and business and community organisations. It has already enlisted assistance from some nationally prominent academics. In fact, one in particular is the only acknowledged academic in this area of transition to government.

This process of consultation with community organisations is essential for us to consider the widespread community dissatisfaction with current government structures. Even more essential is for the transition-to-government committee to consult with the administrative organs of the government over which we may assume control. An incoming government has been given a mandate by the electorate to carry out its electoral manifesto. But, any sensible, cautious incoming government should be well aware that the administration of public policy is a complex and sensitive activity.

The Labor Party, before assuming office, needs to be aware of the range of the various departments' functions and structures in a detailed manner. We will need to be aware of how those functions and structures will need to be altered, hopefully, as minimally as possible, in order for us to be in a position to manage the achievement of our policy objectives. Even more importantly, we should be aware of the bureaucracy's attitudes to our ambitions for change and reform. Unnecessary tensions and misunderstandings should be avoided for the ultimate benefit of all concerned with good government irrespective of any party political advantage. We on the opposition side of this Assembly are fully aware that there are conventions that govern the procedures that enable the orderly transfer of an electorally victorious opposition to government. There have been a number of those around Australia in the last 12 months to 2 years.

Mr Speaker, this morning, I wrote a letter to the Chief Minister reminding him of the powerful precedent that has codified these proceedings. I refer of course to the Royal Commission on Government Administration, commonly known as the Coombs Commission. This commission presented its report to the federal parliament in 1976. The report was tabled by the then Prime Minister, Malcolm Fraser, on 9 December of that year. Mr Speaker, among other things, the commission recognised the conventions governing access by the opposition to the public service before each election. Prime Minister Fraser tabled these as reported in the House of RepresentativesHansard of 9 December 1976 at page 3591. I will take the liberty of rephrasing these simply to make them directly applicable to the Northern Territory.

These guidelines contain 6 strictures. Firstly, the pre-election period is to date from 3 months prior to the expiry of the Legislative Assembly or the date of announcement of the Assembly election whichever date comes first. Secondly, that, under the special arrangement, shadow ministersmay be given approval to have discussions with appropriate officials of government departments. Party leaders may have other members of the Assembly or their staff members present. A departmental head may have other officials present. Thirdly, the procedure will be initiated by the Leader of the Opposition making a request to the Chief Minister specifying the departments involved. If he agrees, the Chief Minister will then put arrangements in hand. Fourthly, the discussions will be at the initiative of the Leader of the Opposition, not officials. Officials will inform their ministers when the discussions are taking place. Fifthly, officials will not be authorised to discuss government policies or to give opinions on matters of a party political nature. The subject matter for discussions would relate to the machinery of government administration. The discussions may include the administrative and technical practicabilities and procedures involved in the implementation of the policies proposed by the opposition. If opposition representatives were to raise matters which, in the judgment of the officials, sought information on government policies or sought expressions of opinion on alternative policies, the officials would suggest that the matter be raised with the minister. Finally, the detailed substance of the discussions would be confidential but ministers would be

entitled to seek from officials general information on whether the discussions were kept within the agreed purposes.

Mr Speaker, these guidelines were instituted by a non-Labor Prime Minister of this country. The Territory ALP accepts them as authoritative and would hope and expect that the Chief Minister will do so as well. I would call on the Chief Minister, on receipt of this letter, to agree to my request for briefings via the transition-to-government committe by officials of the Northern Territory Public Service.

Mr LEO (Nhulunbuy): Mr Speaker, in the Assembly in February 1981, I asked about tariff charges for electricity being levied in Nhulunbuy. I will read from Hansard so that there can be no doubt as to what the Chief Minister said. It is fairly lengthy so he will have to bear with me:

I would ask the member for Nhulunbuy to take these things into account before he attempts to slight the Northern Territory government for weighing in with more money to subsidise the operations of the Nhulunbuy Town Board which is a fully-owned subsidiary of Nabalco. We also heard that the price of electricity had risen over there a year or so ago by 17%. It is to comply with the requirements of the Electricity Commission Act that there be a standard charge for electricity throughout the Northern Territory approximating to the situation in north Queensland. If the company wants to subsidise electricity charges for its employees, there is nothing at all to stop it because it still runs the electricity operation over there. If it does anything at all, it just sells electricity to NTEC.

I certainly agree with those fine words. That was in 1981. On 23 August 1983, I received a letter from the now Minister for Mines and Energy. I will read the entire letter to the Assembly so that it can be very clear on what the minister's attitude was on 23 August 1983. This is in reply to a question that I asked in the Assembly. I had written to the minister asking him for a response. He could not respond in the Assembly because it was a fairly difficult question. It reads:

I refer to your request during the last sittings for information on what subsidy, if any, existed in Nhulunbuy in relation to electricity generation. While I regret the delay in replying to your request, I am sure that you are already aware that the question has no simple answer. The short answer is yes. Both private and government power consumers benefit from an electricity subsidy in the same manner as do all centres serviced by the Northern Territory Electricity Commission. The scheme operates in 2 ways. Firstly, government officers in Nhulunbuy pay electricity accounts to Nabalco under that company's licence to sell electricity. In respect to their buildings and domestic power consumption by government employees, this power is charged at the same rate as the NTEC Territory-wide tariff but the Northern Territory government pays to Nabalco the difference between the tariff rate and the actual costs of power generation. In the case of the general public in Nhulunbuy, Nabalco, through the town corporation, charges consumers at the applicable NTEC tariff rate and then claims the difference between that rate and the actual generation costs from NTEC.

Subsequent to your inquiry, the Electricity Commission Board

met to discuss the fact that, although Nhulunbuy consumers continue to pay the same tariff rates as other Territorians, no claim has been made on NTEC for the deficit between the production and sale of power since 1982. It would appear that, for reasons not known to NTEC, Nabalco believes that the subsidy arrangement has been terminated. This is not so.

That is quite categorical, Mr Speaker: 'This is not so'.

It is true that, on 11 May 1982, NTEC queried some aspects of Nabalco's claimed generation costs used in reaching their claim for subsidisation. To this date, Nabalco has made no further claim.

No, they do not like people going through their books, Mr Speaker.

But Nhulunbuy electricity consumers are not being disadvantaged since they continue to be charged at the same tariff rates as people elsewhere in the Northern Territory. I believe the matter of claiming the subsidy is a question to be resolved between Nabalco and NTEC.

In the meantime, you may be assured that the interests of your constituents are being fully considered.

Those were lovely words from the Minister for Mines and Energy 2 months ago. This morning in question time I put 2 questions to the honourable Minister for Mines and Energy. Instead of giving answers to those 2 questions, the minister was prepared to play politics with my constituents. He accused me of trotting out red herrings but he was prepared to run through the red herring of federal government tariffs on oil. It has nothing to do with federal government tariffs on oil. Either NTEC subsidises the power rates in Nhulunbuy or it does not. If it did 2 months ago and if that agreement has since been changed, I would have expected to have been warned. I would have expected this Assembly to have been warned of it. I expect that my constituents, the residents of Nhulunbuy, to be warned of it. But no, in an answer to a Dorothy Dixer from the 'mouth from the south', we had this blast in the Assembly yesterday accusing me of all sorts of things.

The Minister for Mines and Energy this morning was given an opportunity at least to recognise his letter of 23 August. What did he do? He did not answer it. He stood up and he lambasted the federal government. It has nothing to do with the federal government's tariff charges. It has to do with whether or not NTEC consumers throughout the Northern Territory pay the same rates, no matter where they live. If the minister wants to go back on that agreement, I will go to the federal minister; I will get some damn agreement. Obviously this minister cannot or he is too scared to do it.

Mr DONDAS (Housing): Mr Speaker, during the week, the honourable member for Fannie Bay raised a couple of questions in regard to the extent of subsidies. She asked for a comparison of facilities that are receiving financial assistance by way of grants-in-aid from the Northern Territory government. One question was: what is the extent of the subsidy to the Old Timer's Home in Alice Springs which similarly accommodates nursing home patients? This was in relation to the $0.5m for the Chan Park Nursing Home this financial year. The Old Timer's Home in Alice Springs receives full deficit funding from the Commonwealth Department of Health. The Northern Territory government funded the upgrading of hostel beds to nursing home beds and the Commonwealth assumed its

responsibility for the deficit funding of the whole complex. If my memory serves me correctly, at that particular time, I think we gave the Old Timer's Home some $80 000 to upgrade.

The other question was: what is the subsidy paid to other institutions in the Northern Territory which accommodate multi-handicapped children? For Somerville Homes, payment from the Northern Territory for 1983-84 will be $160 500 for 7 residents at a cost per resident of some $22 930. For Bindi Centre, it is $34 000 for 5 residents at a cost of $6800 each. For Blue Cottage, St Mary's Village, it is $65 000 for 3 residents at $21 667 per resident. In comparison, the Chan Park Nursing Home is to receive an annual payment from the Northern Territory government of some $500 000 for 40 beds at an annual cost of some $12 500 per bed.

Mr Speaker, the Chan Park operation cost level was arrived at by agreement with the operator and the Commonwealth government. The fees set can be determined and varied for any agreed reasons throughout the year. For Chan Park, the Commonwealth provides a nursing home benefit identical to that provided to South Australia. Commonwealth legislation requires patients to contribute 87.5% of a single pension towards operating costs plus any other benefits received. In the case of Chan Park, total operating costs per day per patient are about $80. To cover this figure, patient contribution is about $10 with equal payments from the Territory and Commonwealth of about $35 each. Hence the Territory's contribution of $500 000 for this financial year to the Chan Park Nursing Home.

Another question raised by the honourable members for Sanderson and MacDonnell related to Budget Paper No 2. In Budget Paper No 2, a figure of $200 000 had been shown for the 1983-84 financial year, with a nil allocation for 1982-83. The honourable member for MacDonnell asked whether $100 000 or $200 000 would be made available for crisis accommodation. Mr Speaker, as I understand it, the figure for 1982-83 was nil and for 1983-84 is $200 000. This was due to the fact that the funds from the Commonwealth for 1982-83 which were drawn down by the Housing Commission in June 1983 were not in fact received by the Northern Territory government until 4 July. That is the reason why Budget Paper No 2 showed $200 000. If my memory serves me correctly, $100 000 would be made available for crisis accommodation. I understand that $100 000 will be used to provide respite care for people in real need.

Ms D'ROZARIO (Sanderson): Mr Deputy Speaker, it is quite clear that the question of electricity charges, if I might be pardoned the pun, generates a great deal of heat. Since the Minister for Mines and Energy said, in answer to a question from the member for Nhulunbuy this morning, that there would now be an absolute compulsion placed on NTEC to increase its charges by at least 6.2% from 1 January next year, I thought I would go through the calculations and see where the minister obtained that figure. In fact, it has been a most interesting exercise indeed. If I might go through some of the figures, it is quite clear that the minister's advisers have either miscalculated or the minister himself is being deliberately misleading in attempting to explain this increase in charges.

The electricity subsidy from the Commonwealth government in 1982-83 was $57.1m. At the budget of 1983-84 rate of inflation, that subsidy, if its value were to be maintained, should have risen to $61.6m. The subsidy from the Commonwealth is predicated on a load growth of 4.6% in generating demand and this has been built into the current agreement. By taking that into account, we get the current 1983-84 Commonwealth subsidy, as notified in Budget Paper No 2, of $64.7m. This is a total rise of about 13%. To put it into terms that consumers can understand, it is approximately $3000 per electricity

consumer in Darwin. This particular arrangement with the Commonwealth is designed only to cover the cost of fuel oil. It does not cover other maintenance costs, distribution costs, wages of employees or the servicing of capital. Even under the current arrangement, which was negotiated with the Fraser government, tariff charges would only cover the cost of power-generating fuel.

What has occurred is quite unconnected with the Northern Territory Electricity Commission. We are the innocent victims of tax cheating that is occurring in other parts of Australia. The excise on distillate was imposed in order to flush out tax cheats because there was widespread evasion of this excise in other parts of Australia. NTEC has been caught up in a measure that has been taken for completely different reasons. We have this excise imposed in the 1983-84 budget and it will cost NTEC $3.3m. There is no doubt that this reduces the value of the subsidy from the Commonwealth. The reduced value of the subsidy can be calculated to be $60.7m. This figure is about $800 000 less than that which would be required to maintain the value of the 1982-83 subsidy.

Mr Deputy-Speaker, we are told on page 32 of NTEC's 1981-82 annual report that fuel costs are about 44% of total NTEC expenditure. If we take that fact, coupled with the one that I have outlined - that the Commonwealth subsidy really only covers the cost of fuel oil - then tariffs in 1983-84 would have to rise by 0.57% to maintain the real value of the 1982-83 subsidy. But, we have to take into account a further factor which is also built into the formula and that is the 4.6% growth rate in the generating load. If we take that factor into account as well, in order to maintain the real value of the subsidy, we would have to increase tariffs by 2.2% and not the 6.2% that the Minister for Mines and Energy spoke about. He announced a tariff rise of 6.2% and this means that 4% of the rise, or about two-thirds of it, is completely unaccounted for by the factor to which the minister attributes it. He attributes the rise to the cost of fuel oil. I invite the minister to perform a recalculation and he will find that the cost attributable to that factor is 2.2% not 6.2%. I can only conclude that either the minister has miscalculated or he is relating this particular increase in charges to some other cost increases which are unrelated to the excise.

Mr Deputy Speaker, I have examined the 1983-84 NTEC budget paper, as I imagine that most members have. Certainly, it has been the subject of considerable discussion during this sittings. I refer the minister especially to the explanations to the budget 1983-84 of NTEC's paper itself at page 3. This particular document, which we discussed at great length in committee, reveals that NTEC expected to pay $49.348m for fuel in 1983-84. I invite the minister to check this. The federal budget's excise adds $3.3m or approximately 6.3% to NTEC's fuel bill. That is the source of the 6.3% increase. It is not the increase relating to fuel oil, as I have just demonstrated. It appears that this is the source of the minister's announced increase in charges. It appears to ignore completely the fact that the non-fuel element of NTEC's costs is about 56% of its budget, or so we are told in its annual report.

I know that the minister has said something about the contents of annual reports and what should go into them. He has said that the contents of the explanatory documents should be more stringent than those in annual reports. Nevertheless, I am working from the published figures of NTEC and I invite the minister to perform this calculation in the same manner that I have done. The conclusion we can reach is that the Territory government is trying to sneak in a price increase, unrelated to the federal budget's fuel excise, and this has not been explained. It is more than a coincidence that the 6.2% increase

announced by the minister also happens to be the precise proportion of $3.3m over $49.348m.

Mr Deputy Speaker, if you look at the calculations that I have gone through, the correct increase should be 2.2%. If, for some reason known only to himself, the honourable minister wants to sneak another 3 percentage points into that, he should give an explanation as to why that should be done. There may well be other factors.

Mr Robertson: What you are saying is absolutely and completely wrong. You do not understand the basics of it.

Ms D'ROZARIO: There may well be other figures. We understand the basics of it very well indeed. The minister has miscalculated; that is what happened. Mr Deputy Speaker, we have heard the minister interject and we have heard him refer to the fact that the honourable member for Nhulunbuy wishes his government to pick up the impost of the federal government. But all of this completely ignores the fact that this arrangement was struck with the former federal government. I will come to that in a minute, Mr Deputy Speaker.

To go on with the point that I am making, by my calculation, the fuel excise will add 2.2% to the tariff, not 6.2%.

Mr Robertson: You had better get yourself another set of beads.

Ms D'ROZARIO: He had better get his first set, Mr Deputy Speaker.

As I say, there may be other reasons for this: the fact that the wage pause has come to an end and inflation is expected to continue.

Mr Robertson: It is purely the excise.

Ms D'ROZARIO: The excise alone should contribute 2.2% only.

Mr DEPUTY SPEAKER: I would ask the honourable member to address the Chair and I would ask other members to cease their interjections please.

Ms D'ROZARIO: Mr Deputy Speaker, as I mentioned earlier, the distillate excise was introduced for a reason unconnected with Territory conditions and we just happen to have been caught up in it. The real fault does not lie with the present Labor government, but with the Fraser government with which this subsidy arrangement was made. To support this view, I can do no more than quote from documents supplied by the Chairman of NTEC to the Federated Engine Drivers Association. Mr Armstrong is the chairman of the commission and this information is from a document supplied by him. Discussions with the Commonwealth took place in 1981-82 and 1982-83 on the subsidy arrangements to apply after 1981-82 and these were completed shortly before the recent change of federal government. The old arrangement was designed on the principle of filling the gap between NTEC's operating costs and its revenues. The proposed new arrangement does not do this. Instead, it provides for the subsidy to be calculated according to a formula. If the formula produces a subsidy amount sufficient to meet NTEC's operating deficit, well and good. If the subsidy is insufficient, then NTEC or the government have to make good the difference.

Mr Deputy Speaker, the formula is based on the subsidy paid in 1980-81 and that has been escalated by cost increases and increases in load growth - a 4.6% factor. The fuel cost increases are escalated by various indexes of fuel

prices but these are based on costs free-on-board in Singapore and not cif in Darwin. If the fuel cost had been indexed cif in Darwin, prices of NTEC's fuel budget would have been insulated against any excises the Commonwealth chose to introduce.

I emphasise that this arrangement has been inherited by the present federal government from the previous federal government and I ask who negotiated it. The former Fraser government and the present Everingham government negotiated this particular arrangement and the Minister for Mines and Energy is now trying to disguise a 6.2% increase in charges by reference to the fuel excise. All I can say is that the minister had better do some recalculations.

There was another matter which I wished to raise but, since I was cut off in question time, I was unable to ask the question. I am reminded of it strongly this afternoon because of the weather outside. It relates to the condition of Wulagi school. I had reported to me, and I conveyed this information to the minister's office, that as a result of recent rains some quite extensive water damage has occurred at Wulagi school. From recollection, 3 learning areas have been affected as well as 2 other areas and it is calculated that about 60% of the school's records have been damaged by water. I am not sure what can be done to alleviate this problem because I believe that a report was to be sought from the Department of Transport and Works to advise what engineering solution could be undertaken. I gather that it is a matter relating to the roof run-off. It seems that the drainage channels are inadequate to cope with the run-off and therefore some severe flooding has occurred. Nevertheless, the school has been in operation now for several years, certainly since 1978. I do not imagine that this problem will have occurred for the first time this year. It was brought to my attention last year because the same thing happened. I ask on behalf of constituents of mine who attend that school, particularly those constituents whose records have been destroyed, whether the minister would inform me as to what action has been taken as a result of these reports that have been conveyed to his office and what action has been taken to alleviate the damage and rectify the problems that have been caused by minor flooding, in the case of the water damage, and major flooding, in the case of the flooding of the learning areas.

Mr TUXWORTH (Conservation): Mr Deputy Speaker, I will be brief. It is with some concern that I rise to speak at all. It is with a feeling of great unhappiness that I inform the Assembly this evening that native trees that have been observed to be dying in the Nhulunbuy area over recent years are mostly being destroyed by the root pathogen, Phytopthora cinnamomi. This pathogen is one of the conditions that has been identified in other Australian states as being responsible for rural tree decline on a scale that is giving communities and governments increasing concern. The problem has many causes. It is doubly unfortunate that the Territory, which has escaped the general effects of this problem that has been caused by man's activities in other states, such as massive clearing for agriculture, should now find that dieback has taken hold in one of the more remote areas of the Territory.

Mr Deputy Speaker, dieback is usually caused by a combination of factors over a long period. Interference with the natural environment may have contributed to the establishment of dieback in the Nhulunbuy area. We may have nature on our side controlling the outbreak because there are great areas of pristine forest between that place and other developed areas in the Territory. However, what has happened to Nhulunbuy could happen elsewhere and notice must be taken of that possibility. The main task obviously is to develop a strategy to contain the outbreak at Nhulunbuy and I will address that

in a moment.

First, it may be worth while speculating how the pathogen may have become established at Nhulunbuy. It might have arrived in soil on the undersides of vehicles and it might have arrived with nursery stock brought in from interstate. Indeed, in 1980, Phytopthora cinnamomi was found in the Darwin area associated with avocado plants brought in from Queensland. It is not known if the pathogen has established around Darwin but there is no reason to think that it has. That is a proposition that must now be checked. However, dieback arrived at Nhulunbuy and it was some time before its identification was positive and the potential extent of the problem was realised.

In July 1980, Nabalco first advised of the problem that appeared in natural stands of eucalyptus around the town. Members will understand the seriousness of the situation when I mention that this species is the main tree being used in the rehabilitation of mined out areas. However, to date, the infection has not reached the mine site. In the event, following a number of attempts to isolate the cause of the problem, an interstate expert, Dr G. West, was commissioned to try to identify the cause. By late 1982, a positive identification had been made and recent monitoring has confirmed that the outbreak is not contained and is spreading.

It is my intention to establish a group of senior officers with appropriate qualifications to develop a strategy to contain and reduce the Nhulunbuy outbreak. It is a matter of urgency. I will move immediately to obtain the best expert assistance from other states, probably Queensland or Western Australia, so we can have the benefit of the many years of experience already gained in controlling dieback. I would like to assure members that the government is fully aware of the serious nature of the appearance of dieback in the Territory and to state that everything possible will be done to limit and reduce the infection and to ensure that further outbreaks do not occur.

Mr DOOLAN (Victoria River): Mr Deputy Speaker, in the adjournment debate on Tuesday last, the honourable member for Elsey remarked that I could have included Oolloo when I wrote my article in the NT News about land rights. Incidentally, I did not head that article; it was done by the editor of the paper. The honourable member for Elsey said that one of the reasons Oolloo was acquired was because the vacant Crown land across the river had been frozen by the Land Rights Act in 1976 and the government really wanted vacant Crown land but could not acquire it because of the land claim so it was literally forced to take Oolloo from the poor old Rixons. If the honourable member really believes that, I think he must surely still believe in Santa Claus.

There are thousands of square miles of good country, probably better than Oolloo, around that area. Apart from the Fish River and the part of the Douglas that the government wanted and took, there are stations like Jindare, Dorisvale, Claravale and Florina in particular. That country is ideal. The fact is the government knew that a fairly impecunious couple of private owners, like the Rixons, without the backing of South-east Asian or American millions, presented the line of least resistance to a government who well knew that, in the final analysis, the Rixons would be forced to buckle under the pressures which were being exerted on them.

The Chief Minister in giving a short history of the acquisition of Oolloo on 11 October certainly did not mention at any stage that the government was interested in the vacant Crown land under claim by an Aboriginal group. The

Chief Minister made it more than clear that the decision to acquire Oolloo came from the Agricultural Development and Marketing Authority. I quote from what he called his short history: 'At that time when the ADMA determined that it would require to acquire Oolloo in order to expand the project farms in the Douglas-Daly area, a number of senior government officials attempted to set up negotiations with Mr and Mrs Rixon'.

The Chief Minister went on to say that a personal visit was made to Oolloo by the then Minister for Primary Production, Mr Roger Steele, without success and his visit was followed by a visit by himself and the honourable Speaker of the Assembly, again without success. Mr and Mrs Rixon declined to negotiate and indicated that they wanted to fight the matter right through the courts. The Chief Minister showed a degree of affront at the Rixon's temerity in so doing. He said that the Rixons showed him the door and would not even name their price when asked to do so. He then went on to tell the Assembly with some surprise, and this time bewilderment, that it would appear that the Rixons were not really interested in money at all and that 'as I understand it, their court proceedings are on the footing that they want to set the acquisition aside in its entirety'.

Mr Deputy Speaker, as we all realise, neither the Chief Minister nor the honourable Treasurer can ever understand people who would rather have their land than be rich. They are rendered totally sightless by the dollar signs continually flashing before their eyes. The mighty dollar must take precedence over all other considerations. It is beyond their comprehension that land might have intrinsic value rather than monetary value. Both of these gentlemen have proven over and over again when debates on Aboriginal land rights have taken place in this Assembly that they are totally incapable of comprehending that land may have value other than as a saleable commodity.

This is what happened with Bob and Pam Rixon. They do not want to become millionaires; they just want to sit down on a cattle property which they have got through years and years of hard work and they want to keep it as their land. Their land is of the utmost importance to the Rixons, not all the money they could receive from the government which wants to acquire it, with or without their consent. The Chief Minister said with a note of surprise and wonder in his voice: 'I asked them to name their price and they would not even do that'. He also said: 'They want to set the acquisition aside'. What is so surprising about people valuing their land more than any amount of money and wanting to keep it at all costs?

When the matter of the acquisition of land by ADMA first came up for debate, I well remember a remark made by the honourable Treasurer that I had not even spoken in the debate despite the fact that Oolloo was in the heart of my electorate. I make no apologies for not having spoken during that debate as the matter had been fully and adequately covered by my colleagues and anything further which I might have said would have been superfluous. Nevertheless, I had spoken about it earlier in this Assembly on at least 3 occasions prior to the acquisition. The first time I spoke of Oolloo was in a debate in early 1979 concerning roadworks and bridging of the road into that station. The second was in 1979 again, when I spoke in regard to Mr Rixon's shabby treatment at the hands of the Primary Producer's Board. The third time followed the receipt of the letter from the Ombudsman detailing his findings over Mr Rixon's complaint on various matters in relation to covenants on NT pastoral properties which were to be met by the late 1980s.

The Rixons are ordinary people who lead fairly ordinary lives. They are

battlers who have lived their lives in the bush and who finally achieved their life's ambition of securing a property of their own which they could leave to their family when they retire. I have known them as friends for very many years. I knew Pam Rixon before she was married. She was Pam Fawcett and her mother had the Adelaide River Hotel. I know her brothers, Jim and Tommy, very well. I still know her aunt, Mrs Eileen Fitzer, and I stayed with her famous uncle, Tas Fitzer, at Daly River when he was a policeman there. The inference drawn by the honourable Treasurer that I perhaps lacked the courage or had some ulterior motive for not speaking during the acquisition debate is too ridiculous for further comment. One does not forget the friends of a lifetime.

In his closing remarks, when referring to the likely decision of the court hearing the Rixons have instituted, the Chief Minister said that he would not like to make a book on the result and neither would I. It is a foregone conclusion that Oolloo will be acquired. Nevertheless, it is a fact that ordinary people of this country always admire guts and people who are battling despite all odds. This is precisely what the Rixons are trying to do. I think that their determination should be applauded and not spoken of in a disparaging and offhand manner with no thought to the human aspect as was adopted by the honourable Chief Minister.

Mr SMITH (Millner): Mr Deputy Speaker, I rise to defend the freight inquiry from the government. It appears to me that the government's decision as announced today, to encourage the Confederation of Industry and Commerce to undertake a study of the distribution of grocery lines in the Northern Territory, has had the effect of seriously undermining the work of the freight inquiry. The government's action in doing this has revealed significant differences between the attitude of the government and that of the opposition to the work of the freight inquiry. It is becoming quite clear that the government is after what might be called a 'fairy floss' inquiry or what some might call a 'politically sexy' inquiry, one which is not interested in getting down to the causes of the additional freight and other costs that we bear in the Northern Territory.

The position of the ALP on this inquiry has always been that, basically, it should be an investigation into the structure of the Territory's transport system. The ALP's submission to the freight inquiry was aimed at pointing out the elements in that structure. It asked the freight inquiry to investigate those elements, to determine the contribution that they made to the overall costs and, further, to try to determine whether, by a different structuring of individual elements or a combination of those elements, it is possible to save costs. Mr Deputy Speaker, that was what our submission was all about. In the course of that, we provided examples, particularly in my oral evidence to the inquiry, of where people thought things were going wrong at present. However, that was not the basis of our submission. We were more intent on getting to the structure of the inquiry.

Within that context, very clearly, it was our submission that the distribution of grocery lines in the Northern Territory fitted very well into the terms of the inquiry. Certainly, we argued that way. In our view, there is no need to set up a separate inquiry under the heading of the Confederation of Industry and Commerce to examine this matter. It weakens the authority of the freight inquiry to do so. The Confederation of Industry and Commerce will not have the same ability to get to the bottom of the issue because it is not set up under the Inquiries Act. I believe it is most unfortunate that this has taken place. Of course, there is obviously a political element involved

in this decision. We all know that the Executive Officer of the Confederation of Industry and Commerce is now the CLP candidate for Nightcliff. I think it is relevant that the confederation has been so interested in questions of freight in the Northern Territory that it has not even bothered to make either a formal written or an oral submission to the freight inquiry to this day. As I understand it, it was given an appointment time to present an oral submission and then did not meet that appointment. The freight inquiry has not had the opportunity to hear the views of the confederation. Clearly, it has not been sufficiently interested in freight questions to present evidence to this inquiry and yet now it is to be asked by the Chief Minister to undertake a study that should have been part of the preview of the committe of inquiry.

Mr Deputy Speaker, there is one other matter that I want to speak about. It concerns the letting of the air-conditioning contract for Leanyer and Karama schools. I think everybody welcomed the announcement by the Chief Minister, at the official opening of the Leanyer school, that the classrooms in those 2 schools would be air-conditioned. The approach of the Department of Transport and Works to the subject of the air-conditioning systems was to purchase the units, by separate tender, and to call a contract for the supply of ducting and installation. Because of the time constraints, it did not undertake the normal open tendering process for the calling of this contract; the department invited 3 companies to tender. The fact that it did not go to open tender and instead invited a selected number of companies is not something that we disagree with in principle - it is commonly called the nominated subcontractor system. I support it. It has a very valid place.

The concern in the industry at this stage is that the number of companies who were invited to tender was not wide enough and that, out of the 3 companies that did tender, there was basically only one that could have done the job. Another one, as I understand it, did not have the resources, particularly in the personnel area, to carry out the task. The third contractor who was invited to tender was basically a supplier of materials rather than an installer of materials. As I understand it, he supplied the materials to the successful contractor. There are in Darwin a number of other quite large contractors who had the capacity both to supply and install the ducting, yet they were not invited to tender. As I said, that has created quite considerable concern.

I am concerned about it too because it leads to rumours in the industry that something is not quite right. I am not suggesting that something is not quite right in this case. I know that the Department of Transport and Works was operating under a very tight timetable. But I would suggest to it and to the government that, in this case, it has been most unwise and that, in future cases where it uses the nominated subcontractor principle, which again I say we support, it is very important that a sufficiently wide range of firms be invited to tender so that a fair result does ensue.

Mr D.W. COLLINS (Alice Springs): Mr Deputy Speaker, earlier in this sittings, I spoke about 'Red over Black' and told a story about how an editor would not publish the name of the book. It has been pointed out to me that I have been quite wrong about the title of this particular fellow. He is not an editor; I have given him undue promotion. In fact, he is really just a jack of all trades, but he does go under the rather lofty title of chief of staff. I make that apology to the actual editor of the paper concerned.

Mr EVERINGHAM (Chief Minister): Mr Deputy Speaker, I just thought I would take the opportunity to respond to a few matters that have been raised this

afternoon.

First of all, obviously the same contractor who has been to the honourable member for Millner also came to me, dissatisfied that his name had not been included in the list of selected tenderers for the air-conditioning job at the Leanyer and Karama schools. It is unfortunate that this happens, but there are always dissatisfied contractors. They are dissatisfied in the area of selective tendering which the Master Builders Association has encouraged the government to introduce. In the area of contracting generally, they are unhappy if they do not win the tender. In the building industry, I think rumour is as rife as it is anywhere else, perhaps a little more so. I am afraid that we will never be able to stop rumours whatever we do.

I assume that the honourable member for Millner is saying that some officers in the Department of Transport and Works who selected the 3 companies, which one would have thought in the circumstances would have brought a reasonable spread of competition, are either incompetent or venal. If he is suggesting that, why does he not say so and stop beating around the bush? If he brings to this Assembly every complaint that he gets from a dissatisfied contractor who was not included in a list for selective tendering, then we will be here for a very long time.

There is also the matter of the allegations he has made about the Confederation of Industry and Commerce's recent arrangement with the government in respect of researching - that is all it is - the prospect of establishing a gross redistribution organisation, probably a cooperative amongst grocers themselves, in the Northern Territory. What this has to do, except in a very peripheral way, with the freight inquiry, I would not know. It is an initiative brought to the government by the Confederation of Industry and Commerce of which the honourable member for Millner is extremely jealous. He is very angry of course that he did not think of it first. The reason it was brought to the government by the confederation is that people have become aware that a very large interstate wholesale grocery distributor, with enormous purchasing power, is making overtures to various manufacturers. The firm is saying to manufacturers: 'Unless you put your lines for distribution in the Northern Territory through us, and we take our cut' - which will add to the cost to the Northern Territory consumer - 'then we will not handle your lines in our state'. Such is its massive purchasing power that manufacturers have to take notice of it.

For that reason, a very great service has been done to the Northern Territory public and the consumers by the confederation. It brought this information to the government as soon as it heard of it with the suggestion that, to circumvent the machinations of this giant organisation, the Northern Territory look at establishing a grocery distribution outfit of its own. The Northern Territory already has Hickman Distributors for instance. But I understand that Hickman Distributors could be sold shortly. I hope that this grocery distribution study leads to the establishment of a cooperative along the lines of some that exist in the states. I think that it is an extremely commendable effort. It may well result in more work, more jobs, more money and savings for Territorians.

The honourable member for Victoria River had a slice of the Treasurer and myself about the Oolloo acquisition. I do not want to say anything more about that other than that Oolloo was the logical next place that ADMA could move to in terms of acquisition because Oolloo was the closest piece of agriculturally-suitable land to its then existing farms which it had acquired from Douglas

River Station. The honourable member for Victoria River said - and I do not seek to say anything from the point of view of the honourable Treasurer - that the Treasurer and I jump pretty high when dollar signs appear before our eyes. Mr Deputy Speaker, if it were dollar signs that motivated me, I would get out of this place pretty fast and go and make some real money.

Regarding the comments of the member for Sanderson, may I read this letter from the Prime Minister, dated 13 October, which I received on Monday. It relates to the recent fuel excise increases:

I refer to your letter of 15 September 1983 concerning the recent fuel excise increases and their effect on the cost of electricity generation in the Northern Territory. In my letter of 9 September 1983, I indicated that the government had already reviewed this matter and had made significant concessions by not proceeding with the proposal to increase the excise on fuel oil, heating oil and kerosene to 9.027c per litre. The excise on these products would be 1.872c per litre. The government does not propose to make further concessions which would reduce the share of excise collections in total budget receipts.

That is all the federal government is concerned about. It is not concerned about people in the Northern Territory having to pay electricity bills; it is concerned about total budget receipts.

The Commonwealth government's confirmation of the in-principle agreement on financial assistance for the Territory public electricity supply conveyed in my letter of 18 August 1983 was given on the basis that the arrangements negotiated with the previous government should stand even though the agreement had not been formally adopted. The government regards the assistance as already quite generous and is not prepared selectively to reopen negotiations on parts of the agreement as you suggest.

In addition, these assistance grants to the Territory have been paid without the agreement being formally adopted. This situation is of concern to my government. I therefore seek your agreement that the grant arrangements already agreed should stand and that the Minister for Resources and Energy should finalise implementation of the agreement with the responsible Northern Territory minister as soon as possible.

It is quite clear from that letter that the Prime Minister and the federal government regard the agreement negotiated between the Territory and the Commonwealth governments as already quite generous and they are not prepared to give us another cent. Any responsibility for increase in electricity tariffs as a result of these oil fuel excises, which, I remind honourable members, are indexed to increase every 6 months, is squarely at the feet of the federal government.

Mr ROBERTSON (Attorney-General): Mr Deputy Speaker, I do not really know that there is a great deal that I can add to what the honourable member for Nhulunbuy had to say except that I find it extraordinary that he would try to shift the burden of the responsibility from the federal government to the Northern Territory government. As the Chief Minister has just pointed out in relation to the general effects of the tariff increases, the increases which

will occur in the Northern Territory - and in this case Nhulunbuy - are solely the result of the Commonwealth fuel levy. Let there be no mistake whatsoever about that.

Mr Deputy Speaker, let me turn to what the honourable member for Sanderson had to say. I interjected that she ought to obtain some more counting beads, unless, of course, she is doing what she falsely accused me of doing: deliberately distorting the basis upon which she does her sums. She must know that the Northern Territory has a subsidy agreement with the Commonwealth. The actual estimate in the federal government's budget is exactly that: an estimate to the Northern Territory. It is based upon the existing formula and the expected growth rate for the year. Whether or not it is less than that amount will depend upon whether or not the growth rate is less. If it is more, that is a matter of some doubt. Certainly, if the growth rate is less than predicted, the actual amount paid will be less. In other words, it does not and cannot anticipate the fuel levy.

Mr Deputy Speaker, the honourable member said 2.5% was sufficient to cover a $3.3m slug from the Hawke Labor government. What she has clearly done - and done inaccurately in mathematical terms - is to take the total operating cost estimate for 1983-84 of $112.6m. She then admitted that the federal slug is $3.3m and asked what $3.3m is as a percentage of that in order to recover it. She came up with 2.4%. In fact, if you did that, the figures should be 2.9%. Upon what basis does the Northern Territory pay the bills? We have the subsidy on the one hand and revenue on the other. Given that the subsidy is fixed - and the Chief Minister has just read the Prime Minister's letter - for the financial year, there is only one source that the extra $3.3m can come from and that is revenue. It can come from no other possible source but revenue. That revenue, having regard to the fact that the subsidy is fixed, must be on sales of electricity.

Let us look back at the documents which the honourable member for her own purposes chose not to use. The fact is that revenue for the same financial year 1983-84 will amount to $52.9m. The Northern Territory government, in order to pay the bills for the fuel that comes across the wharf, has to find another $3.3m. Pure arithmetic will tell us, and there are no tricks about this, that $3.3m as a percentage of a sales base of $52.9m comes to the figure of 6.24%. This government, most reluctantly, must pass on to the consuming public this increase. It cannot be anything but harmful to business and harmful to people's pockets. But we have no choice whatever as a result of this slug. Let me make it quite clear though that not one iota of 1%, in relation to these regrettable increases, is happening as a result of anything else other than the need to recover the necessary revenue to pay this $3.3m slug and put it in an envelope to send to Bob Hawke.

Motion agreed to; the Assembly adjourned.

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