PART III

THE MINUTES OF PROCEEDINGS

THE NORTHERN TERRITORY OF AUSTRALIA

MINUTES OF PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

FIRST SESSION

FIFTH ASSEMBLY

No. 84

Tuesday 21 November 1989

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1. MEETING:
The Assembly met at 10.00 a.m., pursuant to resolution of the Assembly dated 20 October 1989. The Speaker, the Honourable N.M. Dondas, took the Chair.

2. PRAYERS.

3. PETITION:
Mr Finch, by leave, presented a petition together with attachments, not conforming with Standing Orders, from 1174 citizens of Australia requesting a crematorium for Darwin.
Petition read.

4. NOTICES:
The following notices were given:
Mr Coulter: To present the Power and Water Authority Amendment Bill 1989 (Serial 236).
Mr Manzie: To present the Summary Offences Amendment Bill 1989 (Serial 238); the Criminal Code Amendment Bill (No. 3) 1989 (Serial 240); and the Crown Lands Amendment Bill 1989 (Serial 237).

5. QUESTIONS:
Questions were asked of Ministers.
Supplementary answers were given by Ministers.

6. HONG KONG AND CHINA TRADE EXPOSITIONS - MINISTERIAL STATEMENT - STATEMENT NOTED:
The Minister for Industries and Development (Mr Coulter) made a statement relating to the Northern Territory Trade Exhibitions in Hong Kong and China this month.
Papers tabled: Mr Coulter laid on the Table the following Papers -

- Letter, Tom Chan, Manager, Shopping Mall, New World Centre Management Office, Hong Kong Island Development Ltd to Mr Bob Young, Trade Development Zone Authority, dated 14 November 1989;

- Letter, Peter Deacon, Acting Senior Trade Commissioner, Austrade to Hon Barry Coulter, MLA, Deputy Chief Minister, dated 14 November 1989;

- Translation of official opening speech made by Vice-Mayor Zhou of Shenzhen, Northern Territory Expo, Shenzhen, 9 November 1989;

- Translation of speech made by Mr Qu Jin Kui, General Manager of SZ Australia Group, 9 November 1989; and

- Speech and translation made by Hong Ron Mun, Director, Shenzhen Science and Technology Centre, 11 November 1989.

Mr Coulter moved - That the Assembly take note of the Statement.
Debate ensued.

Suspension of sitting: The sitting was suspended between 12.03 p.m. and 2.00 p.m.

Debate continued.
Question - put and passed.

7. MARRIED PERSONS (EQUALITY OF STATUS) BILL 1989 (Serial 227):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Attorney-General (Mr Manzie) the Bill was read a third time and passed to be a proposed law.

8. LEAVE OF ABSENCE:
The Member for Macdonnell (Mr Bell) moved - That leave of absence for this day be granted to the Member for Arnhem (Mr Lanhupuy) on account of a family bereavement.
Question - put and passed.

9. INSTRUMENTS AMENDMENT BILL 1989 (Serial 232):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Attorney-General (Mr Manzie) the Bill was read a third time and passed to be a proposed law.

10. PLANNING AMENDMENT BILL 1989 (Serial 226):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Minister for Lands and Housing (Mr Manzie) the Bill was read a third time and passed to be a proposed law.

11. BUILDING AMENDMENT BILL 1989 (Serial 220):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Minister for Lands and Housing (Mr Manzie) the Bill was read a third time and passed to be a proposed law.

12. FURTHER NOTICE:
The following further notice was given, by leave:
Mr Coulter: To present the Water Supply and Sewerage Amendment Bill 1989 (Serial 241).

13. LAND AND BUSINESS AGENTS AMENDMENT BILL 1989 (Serial 225):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
The Assembly, according to Order, resolved itself into Committee of the Whole for the consideration of the Bill.

In the Committee
(Chairman - Mr Firmin)

Clauses 1 to 4, by leave, taken together and agreed to.
Clause 5 -
On the motion of the Minister for Lands and Housing (Mr Manzie) the following amendments were agreed to -

Insert before subclause (1) the following:

"(1A) Section 50(1) of the Principal Act is amended -

(a) by omitting from the end of paragraph (a) 'and'; and

(b) by omitting paragraph (b) and substituting the following:

'(b) the words "Trust Account"; and

(c) if it is an account in which only security deposits, within the meaning of the *Tenancy Act*, and interest on such deposits, are held, the additional words "Security Deposits".'.".

Insert after proposed section 50(5) the following:

"(6) Subsections (4) and (5) do not apply to or in relation to an account indicated in accordance with subsection (1)(c) as a security deposit account.".

Clause 5, as amended, agreed to.
Remainder of the Bill, by leave, taken as a whole and agreed to.
Bill to be reported with amendments.

The Speaker (Mr Dondas) resumed the Chair; the Chairman (Mr Firmin) reported accordingly; and the report was adopted.

On the motion of the Minister for Lands and Housing (Mr Manzie) the Bill was read a third time and passed to be a proposed law.

14. ADJOURNMENT:

The Minister for Education (Mr Harris) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

The Assembly adjourned at 8.20 pm until tomorrow at 10.00 a.m.

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PAPERS:

The following Papers were deemed to have been presented on 21 November 1989:

Annual Reports:

Building Societies, Years ending 30 June 1987, 1988 and 1989
Darwin Port Authority, 1988-89
Menzies School of Health Research, 1988-89
Public Trustee of the Northern Territory, 1988-89
Registrar of Credit Unions, Years ending 30 June 1987, 1988 and 1989

By-laws:

Amendments of Northern Territory University (Academic Board) By-laws
Amendments of Northern Territory University (Board of Institute of TAFE) By-laws
Northern Territory University (Election of Members of Council) By-laws
Pine Creek Community Government Council (Litter and Flammable and Noxious Weeds &c) By-laws

Determination:

Prison Officers Arbitral Determination No. 10 - Determination T 15 of 1989, dated 1 September 1989

Regulations 1989:
No.29 - Amendments of the Motor Accidents (Compensation) Rates of Benefits Regulations
No.30 - Amendment of the Traffic Regulations
No.31 - Amendments of the Legal Practitioners Regulations
No.32 - Crimes (Forfeiture of Proceeds) Regulations
No.33 - Amendments of the Territory Wildlife Regulations

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ATTENDANCE:
All Members attended the sitting except Mr Lanhupuy (on leave).

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 85

Wednesday 22 November 1989

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1. MEETING:
   The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable N.M. Dondas, took the Chair.

2. PRAYERS.

3. NOTICE:
   The following notice was given:
   Mr Smith: To present the Tenancy Amendment Bill 1989 (Serial 242).

4. QUESTION:
   A question was asked of a Minister.

5. PROPOSED CENSURE OF THE MINISTER FOR EDUCATION - MOTION NEGATIVED:
   The Member for Stuart (Mr Ede), by leave, moved - That this Assembly -

   (1) censure the Minister for Education, Mr Harris:

   (a) for having proved his incapacity to direct and control the Head of his Department in that he has been unable to prevent the Head of his Department from deliberately and openly countermanding Ministerial decisions announced in this Assembly;

   (b) for having failed to exercise the authority vested in him to direct policy; and

   (c) for having failed to defend schools, teachers and parents who are subject to outrageous, ignorant and unjustified public attacks; and

   (2) call on the Minister to resign forthwith.

   Debate ensued.
   Paper tabled: Mr Ede, by leave, laid on the Table the following Paper -

   ° Letter, J.W. Vandenberg, Chairman, Sanderson High School Council Inc, to Hon T. Harris, MLA, Minister for Education, dated 21 November 1989.

   Debate continued.
   The Leader of Government Business (Mr Coulter) moved - That the question be now put.
   Question - That the question be now put - put.
   The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 14	NOES, 11
Mr Coulter	Mr Bailey
Mr Dondas	Mr Bell
Mr Finch	Mr Collins
Mr Firmin	Mr Ede
Mr Harris	Mr Floreani
Mr Hatton	Mr Lanhupuy
Mr McCarthy	Mr Leo
Mr Manzie	Mrs Padgham-Purich
Mr Palmer	Mr Smith
Mr Perron	Mr Tipiloura
Mr Poole	Mr Tuxworth
Mr Reed	
Mr Setter	
Mr Vale	

And so it was resolved in the affirmative.
Question - That the motion be agreed to - put.
The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 7	NOES, 18
Mr Bailey	Mr Collins
Mr Bell	Mr Coulter
Mr Ede	Mr Dondas
Mr Lanhupuy	Mr Finch
Mr Leo	Mr Firmin
Mr Smith	Mr Floreani
Mr Tipiloura	Mr Harris
	Mr Hatton
	Mr McCarthy
	Mr Manzie
	Mrs Padgham-Purich
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Tuxworth
	Mr Vale

And so it was resolved in the negative.

6. COMMONWEALTH STATE HOUSING AGREEMENT - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:
The Chief Minister (Mr Perron) made a statement relating to the new arrangements which the Commonwealth proposed under the Commonwealth State Housing Agreement.
Mr Perron moved - That the Assembly take note of the Statement.
Debate ensued.

Suspension of sitting: The sitting was suspended between 11.53 a.m. and 2.00 p.m.

Debate continued.

On the motion of the Member for Jingili (Mr Setter) debate was adjourned.

7. ROADS AND ROAD FUNDING - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:
The Minister for Transport and Works (Mr Finch) made a statement relating to roads and road funding in the Northern Territory.

Mr Finch moved - That the Assembly take note of the Statement.

Debate ensued.

On the motion of the Leader of Government Business (Mr Coulter) debate was adjourned.

8. BUSINESS POSTPONED:
The Leader of Government Business (Mr Coulter) moved - That Government Business, Orders of the Day No. 2, relating to the Hire Purchase Amendment Bill 1989 (Serial 231); No. 4, relating to the Registration of Interests in Motor Vehicles and Other Goods Bill 1989 (Serial 224); No. 5, relating to the Companies and Securities Legislation Bill 1989 (Serial 212); and No. 6, relating to the Crimes Compensation Amendment Bill 1989 (Serial 206) and the Criminal Law (Conditional Release of Offenders) Amendment Bill (No. 2) 1989 (Serial 207), be postponed until the next sitting day.

Question - put and passed.

9. SUSPENSION OF STANDING ORDERS - TAKE TWO BILLS TOGETHER:
The Minister for Mines and Energy (Mr Coulter) moved - That so much of Standing Orders be suspended as would prevent two Bills, namely the Power and Water Authority Amendment Bill 1989 (Serial 236) and the Water Supply and Sewerage Amendment Bill 1989 (Serial 241) -

(a) being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the Committee's report stage, and the third readings of the Bills together; and

(b) the consideration of the Bills separately in the Committee of the Whole.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

10. POWER AND WATER AUTHORITY AMENDMENT BILL 1989 (Serial 236); and WATER SUPPLY AND SEWERAGE AMENDMENT BILL 1989 (Serial 241):
The Minister for Mines and Energy (Mr Coulter), pursuant to notice and resolution, presented a Bill for an Act to amend the *Power and Water Authority Act* and a Bill for an Act to amend the *Water Supply and Sewerage Act*.

Bills read a first time.

Mr Coulter moved - That the Bills be now read a second time.

On the motion of the Member for Stuart (Mr Ede) debate was adjourned.

11. SUMMARY OFFENCES AMENDMENT BILL 1989 (Serial 238):
The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Summary Offences Act*.

Bill read a first time.

Mr Manzie moved - That the Bill be now read a second time.

On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.

12. CRIMINAL CODE AMENDMENT BILL (No. 3) 1989 (Serial 240):
The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Criminal Code Act*.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.

13. CROWN LANDS AMENDMENT BILL 1989 (Serial 237):
The Minister for Lands and Housing (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Crown Lands Act*.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time.
On the motion of the Member for Stuart (Mr Ede) debate was adjourned.

14. COMMUNITY WELFARE AMENDMENT BILL 1989 (Serial 228); and SEXUAL OFFENCES (EVIDENCE AND PROCEDURE) AMENDMENT BILL 1989 (Serial 229):
The order of the day having been read for the resumption of the debate on the question - That the Bills be now read a second time -
Debate resumed.
Question - put and passed.
Bills read a second time.
Leave granted for a motion for the third readings of the Bills to be moved forthwith.
On the motion of the Minister for Health and Community Services (Mr Hatton) the Bills were read a third time and passed to be proposed laws.

15. PROSTITUTION - MINISTERIAL STATEMENT - STATEMENT NOTED:
The order of the day having been read for the resumption of the debate on the motion of the Attorney-General (Mr Manzie) (31 August 1989) - That the Assembly take note of the Statement -
Debate resumed.
Question - put and passed.

16. ADJOURNMENT:
The Minister for Health and Community Services (Mr Hatton) moved - That the Assembly do now adjourn.
Debate ensued.
The Assembly adjourned at 7.13 p.m. until tomorrow at 10.00 a.m.

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ATTENDANCE:
All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 86

Thursday 23 November 1989

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1. MEETING:
The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable N.M. Dondas, took the Chair.

2. PRAYERS.

3. QUESTIONS:
Questions were asked of Ministers.
Papers tabled: The Minister for Lands and Housing (Mr Manzie) laid on the Table the following Papers -

° Letter, Hon Tom Harris to Hon Peter Staples, MP, Federal Minister for Housing and Aged Care, dated 11 September 1989; and

° Letter, Hon Daryl Manzie to Hon Peter Staples, MP, Federal Minister for Housing and Aged Care, dated 19 October 1989.

Further questions were asked of Ministers.

4. PERSONAL EXPLANATION:
The Member for Macdonnell (Mr Bell), pursuant to Standing Order 54, made an explanation of comments made during Question Time by the Minister for Lands and Housing (Mr Manzie) which related to a radio interview given by Mr Bell on the Morning Program this day.

5. WORK HEALTH AUTHORITY - MINISTERIAL STATEMENT - STATEMENT NOTED:
The Minister for Labour, Administrative Services and Local Government (Mr McCarthy) made a statement relating to the achievements of the Work Health Authority.
Paper tabled: Mr McCarthy laid on the Table the following Paper -

° Schedule - Premium Rate Reductions by Job Classification.

Mr McCarthy moved - That the Assembly take note of the Statement.
Debate ensued.

Suspension of sitting: The sitting was suspended between 12 noon and 2.00 p.m.

Debate continued.
Question - put and passed.

6. TENANCY AMENDMENT BILL 1989 (Serial 242) - LEAVE DENIED:
The Leader of the Opposition (Mr Smith) asked leave to move a motion to call on General Business, Notice of Motion No. 2 standing in his name to present the Tenancy Amendment Bill 1989 (Serial 242).
Objection being raised, leave not granted.

7. SUSPENSION OF STANDING ORDERS - TENANCY AMENDMENT BILL 1989 (Serial 242): The Leader of the Opposition (Mr Smith) moved - That so much of Standing Orders be suspended as would prevent him moving a motion to have General Business, Notice No. 2 standing in his name for the presentation of the Tenancy Amendment Bill 1989 (Serial 242) called on forthwith.

Debate ensued.

The Leader of Government Business (Mr Coulter) moved - That the question be now put.

Question - That the question be now put - put.

The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 16	NOES, 7
Mr Collins	Mr Bailey
Mr Coulter	Mr Bell
Mr Dondas	Mr Ede
Mr Finch	Mr Lanhupuy
Mr Firmin	Mr Leo
Mr Floreani	Mr Smith
Mr Harris	Mr Tipiloura
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Vale	

And so it was resolved in the affirmative.

Question - That the motion be agreed to - put.

The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 7	NOES, 16
Mr Bailey	Mr Collins
Mr Bell	Mr Coulter
Mr Ede	Mr Dondas
Mr Lanhupuy	Mr Finch
Mr Leo	Mr Firmin
Mr Smith	Mr Floreani
Mr Tipiloura	Mr Harris
	Mr Hatton
	Mr McCarthy
	Mr Manzie
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

And so it was resolved in the negative.

8. REGIONAL LAND COUNCILS - MOTION AGREED TO:
The order of the day having been read for the resumption of the debate on the motion moved by the Chief Minister (Mr Perron) (19 October 1989) and on the amendment moved thereto by the Member for Stuart (Mr Ede) (19 October 1989) -
Debate resumed.
Question - That the amendment moved by Mr Ede be agreed to - put.
The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 7	NOES, 16
Mr Bailey	Mr Collins
Mr Bell	Mr Coulter
Mr Ede	Mr Dondas
Mr Lanhupuy	Mr Finch
Mr Leo	Mr Firmin
Mr Smith	Mr Floreani
Mr Tipiloura	Mr Harris
	Mr Hatton
	Mr McCarthy
	Mr Manzie
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

Amendment negatived accordingly.
The Minister for Lands and Housing (Mr Manzie), by leave, moved the following amendments -

(1) Omit the words "regional land councils" from paragraph (1)(a) and insert in their stead the words "independent land councils";

(2) Omit from paragraphs (1)(c), (d), (e) and (g) the words "regional land councils" and insert in their stead the words "additional independent land councils"; and

(3) Omit from paragraph (1)(f) the words "new land councils" and insert in their stead the words "additional independent land councils".

Debate ensued.
Personal explanation: The Member for Jingili (Mr Setter), pursuant to Standing Order 54, made a personal explanation relating to comments made earlier in this debate.
Question - That the amendment proposed by Mr Manzie be agreed to - put and passed.
Question - That the motion, as amended, be agreed to -
Debate ensued.
Question - put and passed.

9. ALTERATION TO ORDER OF BUSINESS:
The Leader of Government Business (Mr Coulter) moved - That General Business, Order of the Day No. 1, relating to the proposed Select Committee on Use of Alcohol by the Community be called on forthwith.
Question - put and passed.

10. SESSIONAL COMMITTEE ON USE AND ABUSE OF ALCOHOL BY THE COMMUNITY - MOTION TO APPOINT, AGREED TO AS AMENDED:
The order of the day having been read for the resumption of the debate on the motion of the Member for Macdonnell (Mr Bell) (18 October 1989) -
The Minister for Racing and Gaming (Mr Finch) moved the following amendment -

Omit all words after "That" and insert in their stead:

", during the present session of the Assembly -

(1) a Committee to be known as the Sessional Committee on Use and Abuse of Alcohol by the Community, consisting of five Members of the Assembly, be appointed and that Members be appointed to the Committee by subsequent resolution;

(2) the Committee be empowered, unless otherwise ordered, to inquire into and from time to time report on:

(a) current trends in alcohol consumption in the Northern Territory and, as far as possible, differences in consumption patterns based on regions, age, sex, other demographic characteristics and ethnic factors;

(b) the social and economic consequences of current patterns of alcohol consumption with special reference to the well-being of individuals and communities and to the demands placed upon Government and non-government services;

(c) the services currently available within the Northern Territory by both Government and non-government agencies to deal with issues directly or indirectly related to alcohol consumption;

(d) factors which directly affect the level and nature of alcohol consumption in the Northern Territory community or parts of that community, including, without limiting the generality of the foregoing:

(i) the accessibility/availability of alcohol within communities including the number of outlets, nature of licences and proximity of geographic location;

(ii) the demographic, ethnic and industry structure of the Northern Territory; and

(iii) the correlation between socioeconomic conditions and alcohol consumption; and

(e) appropriate policies and services for the prevention and treatment of alcohol problems in the Northern Territory;

(3) the Committee be empowered to send for persons, papers and records, to sit in public or in private session notwithstanding any adjournment of the Assembly, to adjourn from place to place and have leave to report from time to time its proceedings and the evidence taken and make such interim recommendations as it may deem fit, and to publish information pertaining to its activities from time to time: the Committee shall make an annual report to the Assembly of its activities;

(4) the Committee be empowered to publish from day to day such papers and evidence as may be ordered by it, and, unless otherwise ordered by the Committee, a daily **Hansard** be published of such proceedings as take place in public; and

(5) the foregoing provisions of the Resolution, so far as they are inconsistent with Standing Orders, have effect notwithstanding anything contained in the Standing Orders.".

Debate ensued.
Question - That the amendment be agreed to - put and passed.
Question - That the motion, as amended, be agreed to - put and passed.

11. SESSIONAL COMMITTEE ON USE AND ABUSE OF ALCOHOL BY THE COMMUNITY - APPOINTMENT OF MEMBERS:
The Minister for Health and Community Services (Mr Hatton), by leave, moved - That the Member for Karama (Mr Palmer); the Member for Araluen (Mr Poole); the Minister for Racing and Gaming (Mr Finch); the Member for Macdonnell (Mr Bell); and the Member for Arnhem (Mr Lanhupuy) be appointed as Members of the Sessional Committee on Use and Abuse of Alcohol by the Community.
Question - put and passed.

12. ALTERATION OF ORDER OF BUSINESS:
The Leader of Government Business (Mr Coulter) moved - That Government Business, Order of the Day No. 4, relating to the Stock Diseases Amendment Bill 1989 (Serial 233) be called on forthwith.
Question - put and passed.

13. STOCK DISEASES AMENDMENT BILL 1989 (Serial 233):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Paper tabled: The Member for Stuart (Mr Ede) laid on the Table the following Paper -

° Letter, Mr Warren Snowdon, MHR, to Hon John Kerin, MP, Minister for Primary Industries and Energy, dated 13 November 1989.

On the motion of the Member for Karama (Mr Palmer) debate was adjourned.

14. ADJOURNMENT:
The Minister for Primary Industry and Fisheries (Mr Reed) moved - That the Assembly do now adjourn.
Debate ensued.
Question - put and passed.
The Assembly adjourned at 8.05 p.m. until Tuesday 28 November 1989 at 10.00 a.m.

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PAPERS:
The following Papers were deemed to have been presented on 23 November 1989:

Annual Reports:
Conservation Commission of the Northern Territory, 1988-89

Hospital Management Board:
Tennant Creek Hospital, 1987-88

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ATTENDANCE:
All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 87

Tuesday 28 November 1989

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1. MEETING:
The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable N.M. Dondas, took the Chair.

2. PRAYERS.

3. NOTICES:
The following notices were given:
Mr Perron: To present the Legislative Assembly (Powers and Privileges) Amendment Bill (No. 2) 1989 (Serial 245).
Mr Manzie: To present the Supreme Court Amendment Bill 1989 (Serial 247); and the Crime Victims Advisory Committee Bill 1989 (Serial 243).

4. QUESTIONS:
Questions were asked of Ministers.

5. RECRUITMENT AND RETENTION OF NORTHERN TERRITORY PUBLIC SERVANTS - MINISTERIAL STATEMENT - STATEMENT NOTED:
The Chief Minister (Mr Perron) made a statement relating to recruitment and retention in the Northern Territory Public Service.
Mr Perron moved - That the Assembly take note of the Statement.
Debate ensued.

Suspension of sitting: The sitting was suspended between 12.07 p.m. and 2.00 p.m.

Debate continued.
Paper tabled: The Minister for Education (Mr Harris) laid upon the Table the following Paper -

° Teaching in Tomorrow's Territory, A Proposal for Award Restructuring and the Teaching Profession in the Northern Territory, Northern Territory Department of Education, November 1989.

Debate continued.
Distinguished visitor - Ms J. D'Rozario: The Speaker informed the Assembly that Ms June D'Rozario, former Member for Sanderson, was present in the Gallery. The Speaker extended a warm welcome to Ms D'Rozario.
Debate continued.
Question - put and passed.

6. DRAFT HERITAGE CONSERVATION BILL - MINISTERIAL STATEMENT - PAPER TABLED - PAPER NOTED:
The Minister for Conservation (Mr Hatton) laid on the Table a draft Bill entitled Heritage Conservation Bill 1989 and made a statement relating thereto.
Mr Hatton moved - That the Assembly take note of the Paper.
Debate ensued.
Question - put and passed.

7. FURTHER NOTICE:
The following further notice was given, by leave:
Mr Reed: To present the Criminal Law (Conditional Release of Offenders) Amendment Bill (No. 3) 1989 (Serial 235).

8. SUSPENSION OF STANDING ORDERS - PASS BILLS THROUGH ALL STAGES:
The Leader of Government Business (Mr Coulter) moved - That so much of Standing Orders be suspended as would prevent the Power and Water Authority Amendment Bill 1989 (Serial 236); the Water Supply and Sewerage Amendment Bill 1989 (Serial 241); the Criminal Code Amendment Bill (No. 3) 1989 (Serial 240); and the Crown Lands Amendment Bill 1989 (Serial 237) passing through all stages at these sittings.
Question - put and passed.

9. POWER AND WATER AUTHORITY AMENDMENT BILL 1989 (Serial 236); and WATER SUPPLY AND SEWERAGE AMENDMENT BILL 1989 (Serial 241):
The order of the day having been read for the resumption of the debate on the question - That the Bills be now read a second time -
Debate resumed.
Question - put and passed.
Bills read a second time.
Leave granted for a motion for the third readings of the Bills to be moved forthwith.
On the motion of the Minister for Mines and Energy (Mr Coulter) the Bills were read a third time and passed to be proposed laws.

10. CRIMINAL CODE AMENDMENT BILL (No. 3) 1989 (Serial 240):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Attorney-General (Mr Manzie) the Bill was read a third time and passed to be a proposed law.

11. CROWN LANDS AMENDMENT BILL 1989 (Serial 237):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Minister for Lands and Housing (Mr Manzie) the Bill was read a third time and passed to be a proposed law.

12. STOCK DISEASES AMENDMENT BILL 1989 (Serial 233):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Papers tabled: The Minister for Primary Industry and Fisheries (Mr Reed) laid on the Table the following Papers -

- Letter, Minister for Primary Industry and Fisheries, Hon M.A. Reed, MLA to Hon John Kerin MP, Minister for Primary Industries and Energy, dated 24 November 1989;

- Letter, Minister for Primary Industry and Fisheries, Hon M.A. Reed, MLA to Mr Warren Snowdon, MP, dated 24 November 1989;

- Letter, Minister for Primary Industry and Fisheries, Hon M.A. Reed, MLA to pastoralists, dated 24 November 1989; and

- Letter, Mr Warren Snowdon, MP to Hon M.A. Reed, Minister for Primary Industry and Fisheries, dated 23 November 1989.

Question - put and passed.
Bill read a second time.
The Assembly, according to Order, resolved itself into Committee of the Whole for the consideration of the Bill.

In the Committee
(Chairman - Mr Firmin)

Clauses 1 to 3, by leave, taken together and agreed to.
Clause 4 read -
The Member for Stuart (Mr Ede) moved the following amendment -

Omit proposed section 34B.

Amendment agreed to.
Clause 4, as amended, agreed to.
Clauses 5 to 7, by leave, taken together and agreed to.
New clause -
Mr Ede moved - That the following new clause be inserted in the Bill -

"7A. NEW SECTION

The Principal Act is amended by inserting after section 47 the following:

'47A. ACQUISITION TO BE ON JUST TERMS

'Where the application of a provision of this Act (whether enacted before or after the commencement of the *Northern Territory (Self-Government) Act 1978* of the Commonwealth) would, but for this section, result in an acquisition of property otherwise than on just terms, the person from whom the property is acquired shall be entitled to receive just compensation for the acquisition and a court of competent jurisdiction may determine the amount of the compensation or make such order as, in its opinion, is necessary to ensure that the acquisition is on just terms.'.".

Proposed new clause agreed to.
Remainder of the Bill, by leave, taken as a whole and agreed to.
Bill to be reported with amendments.

The Speaker (Mr Dondas) resumed the Chair; the Chairman (Mr Firmin) reported accordingly; and the report was adopted.

On the motion of the Minister for Primary Industry and Fisheries (Mr Reed) the Bill was read a third time and passed to be a proposed law.

12. ADJOURNMENT:

The Minister for Primary Industry and Fisheries (Mr Reed) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

The Assembly adjourned at 8.38 p.m. until tomorrow at 10.00 a.m.

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PAPERS:

The following papers were deemed to have been presented on 28 November 1989:

Annual Reports:

Darwin Institute of Technology, 1987-88
Department of Health and Community Services, 1988-89
Department of Lands and Housing, 1988-89
Northern Territory Housing Commission, 1988-89
Northern Territory Totalizator Administration Board, 1988-89 (Fourth)
The Surveyors Board of the Northern Territory, 1988-89

Financial Statement:

Darwin Bus Service, 1988-89

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ATTENDANCE:

All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 88

Wednesday 29 November 1989

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1. MEETING:
The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable N.M. Dondas, took the Chair.

2. PRAYERS.

3. PETITIONS:
Mr Coulter presented a petition from 37 citizens of the Northern Territory requesting that the Assembly disallow the subdivision proposed for Lot No. 3262 Lagoon Road.
Petition read.
Mr Firmin presented a petition from 2356 citizens of the Northern Territory requesting that the Assembly declare the Mary River System a flora, fauna and recreational fishing reserve.
Petition read.

4. NOTICES:
The following notices were given:
Mr Perron: To present the Police Administration Amendment Bill (No. 4) 1989 (Serial 239).
Mr Reed: To present the Brands Amendment Bill (No. 2) 1989 (Serial 246); the Stock Diseases Amendment Bill (No. 2) 1989 (Serial 248); the Abattoirs and Slaughtering Amendment Bill 1989 (Serial 249); the Brands Amendment Bill 1989 (Serial 250); the Exotic Diseases (Animals) Compensation Amendment Bill 1989 (Serial 251); the Pet Meat Amendment Bill 1989 (Serial 252); the Stock (Artificial Breeding) Amendment Bill 1989 (Serial 253); and the Stock Routes and Travelling Stock Amendment Bill 1989 (Serial 254).
Mr Finch: To present the Lotteries and Gaming Amendment Bill 1989 (Serial 244).
Mr Palmer: To move - That -

(1) the following matter be referred to the Publications Committee for inquiry and report:

(a) the numbers of copies of annual reports printed by Government departments and statutory authorities and their distribution; and

(b) the availability of such reports and the potential savings which could accrue to the Government by the utilisation of electronic distribution; and

(2) for the purpose of the inquiry the Committee have power to move from place to place.

5. QUESTIONS:
Questions were asked of Ministers.
Supplementary answers were given by Ministers.

6. ALTERATION OF ORDER OF BUSINESS:
The Leader of the Opposition (Mr Smith), by leave, moved - That General Business Notice No. 2 standing in his name for the presentation of the Tenancy Amendment Bill 1989 (Serial 242) be called on forthwith.

The Leader of Government Business (Mr Coulter) moved - That the question be now put.

Question - That the question be now put - put.

The Assembly divided (the Speaker, Mr N.M. Dondas in the Chair) -

AYES, 15	NOES, 8
Mr Collins	Mr Bailey
Mr Coulter	Mr Bell
Mr Dondas	Mr Ede
Mr Finch	Mr Lanhupuy
Mr Firmin	Mr Leo
Mr Harris	Mrs Padgham-Purich
Mr Hatton	Mr Smith
Mr McCarthy	Mr Tipiloura
Mr Manzie	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Vale	

And so it was resolved in the affirmative.

Question - That the motion be agreed to - put.

The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 8	NOES, 15
Mr Bailey	Mr Collins
Mr Bell	Mr Coulter
Mr Ede	Mr Dondas
Mr Lanhupuy	Mr Finch
Mr Leo	Mr Firmin
Mrs Padgham-Purich	Mr Harris
Mr Smith	Mr Hatton
Mr Tipiloura	Mr McCarthy
	Mr Manzie
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

And so it was resolved in the negative.

7. CONSERVATION STRATEGY - PAPER TABLED - PAPER NOTED:

The Minister for Conservation (Mr Hatton) laid upon the Table a discussion paper entitled "On Balance - Towards a Conservation Strategy for the Northern Territory".

Mr Hatton moved - That the Assembly take note of the Paper.

Suspension of sitting: The sitting was suspended between 12 noon and 2.00 p.m.

Debate ensued.
The Member for Wanguri (Mr Bailey) moved the following amendment -

> Omit all words after "That" and insert in their stead:
>
> "this Government stands condemned for its cynical, politically-motivated and recently acquired concern about environmental issues.".

The Minister for Lands and Housing (Mr Manzie) moved - That the question be now put.
Question - That the question be now put - put.
The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 18	NOES, 6
Mr Collins	Mr Bailey
Mr Coulter	Mr Bell
Mr Dondas	Mr Ede
Mr Finch	Mr Lanhupuy
Mr Firmin	Mr Leo
Mr Floreani	Mr Smith
Mr Harris	
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mrs Padgham-Purich	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Tuxworth	
Mr Vale	

And so it was resolved in the affirmative.
Question - That the amendment be agreed to - put.
The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 6	NOES, 18
Mr Bailey	Mr Collins
Mr Bell	Mr Coulter
Mr Ede	Mr Dondas
Mr Lanhupuy	Mr Finch
Mr Leo	Mr Firmin
Mr Smith	Mr Floreani
	Mr Harris
	Mr Hatton
	Mr McCarthy
	Mr Manzie
	Mrs Padgham-Purich
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter

Mr Tuxworth
Mr Vale

Amendment negatived accordingly.
Debate continued.
Question - put and passed.

8. MATTER OF PUBLIC IMPORTANCE - EDUCATION SYSTEM:
The Speaker informed the Assembly that the Member for Stuart (Mr Ede) had proposed that the following definite matter of public importance be submitted to the Assembly for discussion this day: "the grave concern of educationalists, parents and the community regarding the government's failure to adequately plan and implement a coherent and effective system of Education for Territory children."
The proposed discussion having received the necessary support -
The Speaker called on Mr Ede to address the Assembly.
Discussion ensued.
Paper tabled: Mr Ede laid on the Table the following Paper -

° Schedule - Some Major Issues for Discussion.

Closure: The Chief Minister (Mr Perron) moved - That the business of the day be called on.
Question - put and passed.

9. LEGISLATIVE ASSEMBLY (POWERS AND PRIVILEGES) AMENDMENT BILL (No. 2) 1989 (Serial 245):
The Chief Minister (Mr Perron), pursuant to notice, presented a Bill for an Act to amend the *Legislative Assembly (Powers and Privileges) Act*.
Bill read a first time.
Mr Perron moved - That the Bill be now read a second time.
On the motion of the Leader of the Opposition (Mr Smith) debate was adjourned.

10. SUPREME COURT AMENDMENT BILL 1989 (Serial 247):
The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to amend the *Supreme Court Act*.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.

11. CRIME VICTIMS ADVISORY COMMITTEE BILL 1989 (Serial 243):
The Attorney-General (Mr Manzie), pursuant to notice, presented a Bill for an Act to establish a committee to advise the Minister on certain matters affecting or relating to victims of crimes, and for related purposes.
Bill read a first time.
Mr Manzie moved - That the Bill be now read a second time.
On the motion of the Member for Macdonnell (Mr Bell) debate was adjourned.

12. CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) AMENDMENT BILL (No. 3) 1989 (Serial 235):
The Minister for Correctional Services (Mr Reed), pursuant to notice, presented a Bill for an Act to amend the *Criminal Law (Conditional Release of Offenders) Act*.
Bill read a first time.
Mr Reed moved - That the Bill be now read a second time.

On the motion of the Member for Arnhem (Mr Lanhupuy) debate was adjourned.

13. REGISTRATION OF INTERESTS IN MOTOR VEHICLES AND OTHER GOODS BILL 1989 (Serial 224):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
The Assembly, according to Order, resolved itself into a Committee of the Whole for the consideration of the Bill.

In the Committee
(Chairman - Mr Firmin)

Bill, by leave, taken as a whole.
On the motion of the Minister for Transport and Works (Mr Finch) the following amendments were taken together, by leave, and agreed to -

Clause 3 -

Omit from the definition of "Commissioner of Police" in subclause (1) "another Territory" and insert in its stead "another Territory of the Commonwealth".

Omit from the definition of "goods" in subclause (1) paragraph (b) and insert in its stead the following:

"(b) anything the subject of a lien or mortgage under Part III or IV of the *Instruments Act* or to which either of those Parts apply;".

Omit from subclause (1) the definition of "motor vehicle" and insert in its stead the following:

"'motor vehicle' means a motor car, motor carriage, motor cycle, tractor or other vehicle propelled wholly or partly by volatile spirit, steam, gas, oil or electricity, or by any means other than human or animal power, and includes a trailer or caravan, but does not include a vehicle used on a railway or tramway;".

Insert after the definition of "owner" in subclause (1) the following:

"'participating State' means a prescribed State or Territory of the Commonwealth, being a State or Territory which has enacted legislation that provides for the registration of interests in goods that arise under a law of that State or Territory;".

Insert in subclause (1), after the definition of "prescribed goods", the following:

"'prime identifier', in relation to goods, means the particular of those goods prescribed as the prime identifier for the purposes of this Act;".

Omit from subclause (1) the definition of "Register" and insert in its stead the following:

"'Register' means -

(a) the Register of Interests in Motor Vehicles and Other Goods maintained under section 6; or

(b) where the Minister has entered into an agreement under section 24 which provides for the registration of security interests in goods in the Territory in the register maintained under the law for the registration of security interests of the State or other Territory of the Commonwealth with which the agreement is made, the register kept under that law;".

Omit from paragraph (a) of the definition of "registrable interest" in subclause (1) "of which the performance" and insert in its stead "the performance of which".

Omit from the definition of "registrable interest" in subclause (1) all words after paragraph (c) and insert in their stead the following:

"or

(d) any other prescribed interest in the goods, whether arising under a law of the Territory or of a participating State;".

Omit from the definition of "Registrar" in subclause (1) "arrangement" and insert in its stead "agreement".

Clause 4 -

Omit subclause (2).

Clause 5 -

Omit from subclause (1) "for the time being" and insert in its stead "from time to time".

Clause 8 -

Insert after paragraph (2)(a) the following:

"(aa) specify the prime identifier of the goods covered and such other information, if any, relating to the goods and the interest as is prescribed; and".

Omit from subclause (3) "that interest" and insert in its stead "the goods and interest".

Clause 10 -

Add at the end the following:

"(5) The Registrar shall not make a variation under subsection (4) involving the prime identifier of goods or 2 or more particulars of goods -

(a) without first giving written notice of the proposed variation to the person registered as holder of the interest concerned, requiring the person to advise the Registrar in writing within a specified period as to whether the variation should be made; and

(b) until the period specified in the notice for the giving of that advice has expired.

"(6) If a person fails to advise the Registrar as required by a notice under subsection (5), the Registrar may -

(a) by further notice in writing to the person, require the person to furnish that advice within a specified further period and warn that a failure to do so may lead to cancellation of registration of the person's interest; and

(b) cancel the registration of the interest concerned if the person fails to advise the Registrar as required by that further notice.

"(7) If the Registrar makes a variation under subsection (4) -

(a) the Registrar shall give notice of the variation to the person who is registered as holder of the interest concerned; and

(b) that person shall, if the Registrar so requires, pay the prescribed fee to the Registrar.

"(8) A notice is sufficiently given to a person under this section if it is given by post, and a proper address for that purpose is the address of the person recorded in the Register.".

Clause 11 -

Omit subclause (1) and insert in its stead the following:

"(1) The Registrar may cancel the registration of an interest after the date ('the expiry date') specified in the Register as the date on which the interest ceases to be a registrable interest and may cancel that registration before the expiry date if -

(a) a period of at least 7 years has elapsed since the current registration of the interest commenced; and

(b) (if the expiry date has been varied) a period of at least 7 years has elapsed since the date of the most recent variation of the expiry date.

"(1A) The Registrar may cancel the registration of an interest under subsection (1) only if -

(a) the Registrar has given notice in writing to the person registered as the holder of the interest of the Registrar's intention to cancel the registration unless application is made for variation of the date specified in the Register as the date on which the interest ceases to be a registrable interest; and

(b) the person has not, within the period required by the notice, properly made application for the variation under section 10.".

Omit subclause (5) and insert in its stead the following:

"(5) A notice is sufficiently given to a person under subsection (3) if it is given by post, and a proper address for that purpose is the address of the person recorded in the Register.

"(6) The Registrar need not retain any record relating to an interest for more than 7 years after registration of the interest is cancelled.".

Clause 12 -

Insert after subclause (1) the following:

"(1A) A certificate may take the form of a statement or other approved form.".

Omit from subclause (2) "that may be".

Insert in subclause (7), after "signature", the words "(if any)".

Omit from subclause (7) "that may be".

Insert after subsection (7) the following:

"(7A) If a certificate under this section specifies that goods are not affected by a registered interest, the certificate is evidence only in relation to the goods identified by the prime identifier specified in the certificate despite any other information used to identify goods that is also specified in the certificate.".

Omit from subclause (8) "that may be".

Clause 13 -

Omit from subclause (1) "the prescribed goods" and insert in its stead "prescribed goods of a class".

Omit from subclause (2) "the notice, and the goods are purchased as provided by subsection (3) or (4)) - " and insert in its stead "the notice), and the goods are purchased as provided by subsection (3) or (4) -".

Omit from subclause (7) "stopped" and insert in its stead "estopped".

Clause 14 -

Omit from subclause (1)(a) "goods prescribed" and insert in its stead "prescribed goods of a class specified in a notice in force under section 13(1)".

Insert after subclause (1) the following:

"(1A) A dealer is not liable to a creditor in the circumstances referred to in subsection (1) if the dealer purchases the goods concerned freed and discharged from the registrable interest of the creditor by the operation of section 13.".

Clause 15 -

Omit from subclause (1) "arrangement or declaration" and insert in its stead "agreement".

Omit from subclause (2) "The fees" and insert in its stead "Subject to an agreement made under section 24, the fees".

Clause 16 -

Omit from subclause (1) paragraph (b) and insert in its stead the following:

"(b) there was not, immediately before that day, a notice in force under section 13(1) relating to goods of that class; and

(c) the creditor did not, before sustaining the loss, apply for registration of the registrable interest,".

Clause 17 -

Omit from subclause (1) paragraph (c) and insert in its stead the following:

"(c) as a result of the lack of notice, the operation of section 13, in relation to a purchase of the goods, causes the creditor under the registrable interest to sustain a loss,".

Add at the end the following:

"(2) Compensation is not payable under this section if the lack of notice referred to in subsection (1) resulted from -

(a) the prime identifier of the goods concerned being incorrectly specified in the application for registration of the registrable interest concerned;

(b) the fact that the interest concerned was not registered before the end of the next business day following the making of the application for registration;

(c) the cancellation in accordance with this Act of the registration of the registrable interest concerned; or

(d) the rejection of the application for registration of the registrable interest because it was not properly made.".

Clause 19 -

Add at the end the following:

"(3) The Registrar shall give effect to an order of the Local Court under this section.".

Clause 20 -

Omit from subclause (3) "under" and insert in its stead "against".

Clause 24 -

Omit clause 24 and insert in its stead the following:

"24. AGREEMENT WITH STATES OR OTHER TERRITORIES

"(1) The Minister may enter into such agreements as the Minister thinks fit with a person acting on behalf of a State or another Territory of the Commonwealth for the exercise and discharge by an officer or authority of the State or other Territory, on behalf of the Northern Territory, of the powers, authorities, functions and duties of the Registrar under this Act.

"(2) An agreement under this section may make provision for all or any matters necessary or convenient to be provided for or incidental to carrying out the agreement.

"(3) Without limiting the generality of subsection (2), the agreement may make provision for -

(a) it to be terminated by the Minister after reasonable notice;

(b) the payment or reimbursement of fees, charges and compensation, and for other financial arrangements;

(c) the State or other Territory equivalent of the Registrar to advise the Registrar of any suspicions as to the commission of an offence against this Act, and to give assistance to the Registrar, members of the Police Force or other persons in prosecuting offenders; or

(d) the appointment of the Registrar-General or another person as a representative or agent in the Northern Territory.".

Bill, as amended, agreed to.
Bill to be reported with amendments.

The Speaker (Mr Dondas) resumed the Chair; the Chairman (Mr Firmin) reported accordingly; and the report was adopted.

On the motion of the Minister for Transport and Works (Mr Finch) the Bill was read a third time and passed to be a proposed law.

14. DISTINGUISHED VISITOR - MR B.F. KILGARIFF:
The Speaker informed the Assembly that Mr Bern Kilgariff a former Speaker of the Legislative Assembly was present in the gallery. The Speaker extended a warm welcome to Mr Kilgariff.

15. HIRE PURCHASE AMENDMENT BILL 1989 (Serial 231):
The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -
Debate resumed.
Question - put and passed.
Bill read a second time.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Minister for Health and Community Services (Mr Hatton) the Bill was read a third time and passed to be a proposed law.

16. CRIMES COMPENSATION AMENDMENT BILL 1989 (Serial 206); and CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) AMENDMENT BILL (No. 2) 1989 (Serial 207):
The order of the day having been read for the resumption of the debate on the question - That the Bills be now read a second time -
Debate resumed.
Papers tabled: The Member for Macdonnell (Mr Bell), by leave, laid upon the Table the following Papers -

° Letter, Hon D.W. Manzie, MLA, Attorney-General to Mr N.R. Bell, MLA, Member for Macdonnell, dated 27 November 1989; and

° Analysis of Darwin and Alice Springs Crimes Compensation Cases, 1 January 1988 to 31 December 1988.

Debate continued.
Question - put and passed.

Bills read a second time.
The Assembly, according to Order, resolved itself into a Committee of the Whole for the consideration of the Bills.

In the Committee
(Chairman - Mr Firmin)

Crimes Compensation Amendment Bill 1989 (Serial 206):

Clauses 1 to 3, by leave, taken together and agreed to.
Clause 4 -
Debate ensued.
Question - That the clause stand as printed - put.
The Committee divided (the Chairman, Mr C.C. Firmin, in the Chair) -

AYES, 12	NOES, 8
Mr Coulter	Mr Bailey
Mr Finch	Mr Bell
Mr Firmin	Mr Ede
Mr Harris	Mr Floreani
Mr McCarthy	Mr Lanhupuy
Mr Manzie	Mr Smith
Mr Palmer	Mr Tipiloura
Mr Perron	Mr Tuxworth
Mr Poole	
Mr Reed	
Mr Setter	
Mr Vale	

And so it was resolved in the affirmative.
Clause 5 agreed to.
Clause 6 -
On the motion of the Attorney-General (Mr Manzie) the following amendment was agreed to -

> Omit all words after "committed" and insert in their stead ", and to applications made under section 5, after the commencement of this Act, and an application made under section 5 which has not been determined before that commencement, or is made after that commencement in respect of an offence committed before that commencement, shall be heard and determined in accordance with the Principal Act as in force before that commencement, as if this Act had not come into operation".

Clause, as amended, agreed to.
Clauses 7 and 8, by leave, taken together and agreed to.
Clause 9 -
On the motion of Mr Manzie the following amendment was agreed to -

> Omit from paragraph (a) ", or a person" and insert in its stead "or, where the victim is an infant or the Court is satisfied the victim, because of injury, disease or physical or mental infirmity, is not capable of managing his or her affairs in relation to the application, a person".

On the motion of Mr Manzie the following further amendment was agreed to -

Omit from paragraph (f) all words after "and in relation to" and insert in their stead "a person under a disability notwithstanding any provision to the contrary in the *Limitation Act*".

Clause 9, as amended, agreed to.

Clause 10 -

On the motion of Mr Manzie the following amendments, by leave, were taken together and agreed to -

Omit paragraph (b) and insert in its stead the following:

"(b) by omitting from subsection (2) all words before paragraph (a) and substituting the following:

'(2) An assistance certificate shall certify that the Territory shall pay -';".

Omit from proposed subsection (3) in paragraph (e) all words after "an application under" and insert in their stead "section 5(2A)(a) or (b) for grief suffered by an applicant as a result of the death of a victim unless it is satisfied that no other person has applied, or may apply, for assistance under the same paragraph for grief suffered as a result of the death of that victim".

Omit from proposed subsection (4) in paragraph (e) all words before "serve a copy" and insert in their stead the following:

"(4) Where, under subsection (3), the Court is satisfied that another person has applied, or may apply, for assistance under the same paragraph of section 5(2A), the Court shall adjourn the hearing of the application and order that, where another person -

(a) has applied for assistance, the applications be heard together; or

(b) may apply for assistance, the applicant,".

Insert at the end of proposed subsection 5(a) in paragraph (e) ", and the amount specified in an assistance certificate, if issued, on the determination of the application shall be apportioned between the person and the applicant as the Court thinks fit".

Insert after proposed subsection (7) in paragraph (e) the following:

"'(8) Where an application under section 5 is made by a person on behalf of another person, the Court may make such order as it thinks fit as to whom the assistance specified in the assistance certificate shall be paid and how that assistance is to be used or managed.

'(9) An order made under subsection (8) shall be endorsed on the assistance certificate.

'(10) Where the Court issues an assistance certificate it may make such order as to costs and disbursements as it thinks fit.'".

Clause 10, as amended, agreed to.
Clause 11 -
On the motion of Mr Manzie the following amendment was agreed to -

Omit from paragraph (c) "mental stress" and insert in its stead "mental distress".

Clause 11, as amended, agreed to.
Clause 12 -
On the motion of Mr Manzie the following amendments, by leave, were taken together and agreed to -

Omit from proposed section 10 "behaviour, condition, attitude or disposition" (three times occurring) and insert in its stead "conduct".

Omit from proposed section 10(2) ", directly or indirectly,".

Omit from proposed section 10A(1) "but subject to subsection (2), where the Crown and an applicant" and insert in its stead "but subject to this section, where all the parties to the proceedings".

Insert after proposed section 10A(2) the following:

"'(3) Where the Court dispenses with service of an application on an offender under section 6(2), it may issue an assistance certificate specifying an amount agreed under subsection (1) notwithstanding that amount is not agreed to by the offender.'".

Clause 12, as amended, agreed to.
Clause 13 -
On the motion of Mr Manzie the following amendment was agreed to, after debate -

Insert at the end of paragraph (e) of proposed section 12 "except where that use constitutes an offence under the Criminal Code".

Mr Manzie moved the following further amendment -

Omit from proposed section 13(1)(a) "$20,000" and insert in its stead "$25,000".

Debate ensued.
The Member for Macdonnell (Mr Bell) moved the following amendment to the amendment moved by Mr Manzie -

Omit "$25,000" and insert in its stead "$50,000".

Debate ensued.
Question - That the amendment to the amendment be agreed to - put.
The Committee divided (the Chairman, Mr C.C. Firmin, in the Chair) -

AYES, 8	NOES, 13
Mr Bailey	Mr Collins
Mr Bell	Mr Coulter
Mr Ede	Mr Finch
Mr Floreani	Mr Firmin
Mr Lanhupuy	Mr Harris
Mr Smith	Mr McCarthy
Mr Tipiloura	Mr Manzie
Mr Tuxworth	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

Amendment to amendment negatived accordingly.
Question - That the amendment moved by Mr Manzie be agreed to - put and passed.
On the motion of Mr Manzie the following further amendments, by leave, were taken together and agreed to -

Omit paragraphs (b) and (c) from proposed section 13(1) and insert in their stead the following:

"(b) section 5(2A) - subject to subsection (3), shall be $3,000.".

Omit from proposed section 13(2) "of the victim" and insert in its stead "of the victim for the injury or death of the victim caused by the commission of the offence".

Insert before subparagraph (i) of proposed section 13(2)(b) the following:

"(ia) the *Motor Accidents (Compensation) Act*;".

Omit subsections (3) and (4) from proposed section 13 and insert in their stead the following:

"'(3) Notwithstanding subsection (1)(b), where more than one application is made under the same paragraph of section 5(2A) for grief suffered as the result of the death of a victim, the total of the amounts specified in the assistance certificates issued following the hearing of those applications shall be not greater than $3000, apportioned as the Court thinks fit.'.".

Insert after proposed section 13 the following:

"'13A. REPAYMENT OF ASSISTANCE IN CERTAIN CIRCUMSTANCES

'(1) Where the Court issues an assistance certificate and is satisfied that a victim or a dependant of a victim is, or

may be, entitled to a payment referred to in section 13(2), the Court may make such order as to the repayment of the whole or a part of the amount specified in the certificate, if such a payment is received, under such circumstances as it thinks fit and specifies in the certificate.

'(2) A person who contravenes or fails to comply with an order under subsection (1) is guilty of an offence.

Penalty: $2,000 or imprisonment for 6 months.'".

Clause 13, as amended, agreed to.

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

"13A. REPEAL AND SUBSTITUTION

"Section 14 of the Principal Act is repealed and the following substituted:

'14. JOINT OFFENDERS, &c.

'Where a victim suffers an injury or dies as a result of -

(a) an offence committed by more than one offender;

(b) a series of offences committed consecutively by one offender in circumstances in which those offences constitute a single incident; or

(c) a series of offences committed simultaneously or consecutively by more than one offender acting in concert or in circumstances in which those offences constitute a single incident,

only one application may be made -

(d) under section 5(1) by or on behalf of the victim;

(e) under section 5(2) by or on behalf of the dependants of the victim; or

(f) under section 5(2A) by each person permitted to make an application under that subsection,

in respect of that offence or incident, as the case may be.'.".

Clause 14 -

On the motion of Mr Manzie the following amendment was agreed to -

Omit paragraph (b) and insert in its stead the following:

"(b) by omitting from subsection (1) 'and to the Regulations' and substituting ', the Regulations and any rules or practice directions made or given specifically for the conduct of the business of the Court under this Act'.".

Clause 14, as amended, agreed to.
Clause 15 agreed to.
Clause 16 negatived.
Mr Manzie moved - That the following new clause be inserted in the Bill -

"16. REPEAL AND SUBSTITUTION

"Section 20 of the Principal Act is repealed and the following substituted:

'20. PAYMENTS BY TERRITORY

'The Territory shall, as soon as practicable after the issue of an assistance certificate, pay the amount specified in the certificate -

(a) to the applicant; or

(b) in accordance with any order made under section 8(8),

as the case may be, together with such amount, by way of costs and disbursements, as is ordered by the Court.'.".

Debate ensued.
Mr Manzie, by leave, moved the following amendments together to the amendment -

Omit the words "as soon as practicable" and insert in their stead "within 28 days".

Omit the words "together with" and insert in their stead "and as soon as practicable pay".

Amendments to the amendment agreed to.
Proposed new clause, as amended, agreed to.
Remainder of the Bill, by leave, taken as a whole.
On the motion of Mr Manzie the following amendments, by leave, were taken together and agreed to -

Clause 17 -

Insert before paragraph (a) the following:

"(aa) by omitting 'the Minister has paid an amount under section 20(a)' and substituting 'the Territory has paid an amount under section 20';".

Clause 18 -

Omit all words after "is amended by omitting" and insert in their stead "'the Minister pays an amount under section 20(a), he' and substituting 'the Territory pays an amount under section 20, the Territory'".

Clause 19 -

Omit all words after "is amended" and insert in their stead "by omitting subsection (3)".

Clause 20 -

Omit clause 20 and insert in its stead the following:

"20. TAXATION OF COSTS

"Section 24(1) of the Principal Act is amended by omitting 'section 5(1) or (2)' and substituting 'section 5'.".

Clause 22 -

Omit from proposed section 25A(5) "by the Minister" and insert in its stead "after the commencement of the *Crimes Compensation Amendment Act 1989*".

Omit from proposed section 25B(3)(a) "(whether the offence was committed before or after the commencement of that Act)".

Omit from proposed section 25B(7)(b) "be deemed" and insert in its stead "be deemed to be a fine or sum of money or".

Omit from proposed section 25B(9) "infringement notice" and insert in its stead "infringement notice, enforcement order".

Remainder of the Bill, as amended, agreed to.
Bill to be reported with amendments.

Criminal Law (Conditional Release of Offenders) Amendment Bill (No. 2) 1989 (Serial 207):

Clauses 1 to 4, by leave, taken together and agreed to.
Clause 5 negatived.
Clause 6 negatived.
Remainder of the Bill, by leave, taken as a whole and agreed to.
Bill to be reported with amendments.

The Speaker (Mr Dondas) resumed the Chair; the Chairman (Mr Firmin) reported that the Committee had considered the Bills and had agreed to the Crimes Compensation Amendment Bill 1989 (Serial 206) with amendments; and the Criminal Law (Conditional Release of Offenders) Amendment Bill (No. 2) 1989 (Serial 207) with amendments; and the report was adopted.

On the motion of the Attorney-General (Mr Manzie) the Bills were read a third time and passed to be proposed laws.

17. ADJOURNMENT:

The Minister for Labour and Administrative Services (Mr McCarthy) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

The Assembly adjourned at 11.26 p.m. until tomorrow at 10.00 a.m.

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PAPERS:
The following papers were deemed to have been presented on 29 November 1989:

Annual Reports:
ANZ Executors & Trustee Company Limited and Subsidiaries, Year ended 30 September 1987
ANZ Executors & Trustee Company Limited and Subsidiaries, Year ended 30 September 1988
Legislative Assembly Members' Superannuation Trust, 1988-89

Financial Statement:
Farmers' Co-operative Executors and Trustees Limited, 1987-88

Hospital Management Boards:
Alice Springs, 1988-89
Katherine, 1988-89
Royal Darwin, 1988-89

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ATTENDANCE:
All Members attended the sitting.

MINUTES OF PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

No. 89

Thursday 30 November 1989

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1. MEETING:
The Assembly met at 10.00 a.m., pursuant to adjournment. The Speaker, the Honourable N.M. Dondas, took the Chair.

2. PRAYERS.

3. PETITION:
Mr Coulter presented a petition from 4 citizens of the Northern Territory requesting the Assembly to disallow the proposed subdivision of Lot No. 3262 Lagoon Road.

4. QUESTIONS:
Questions were asked of Ministers.
Distinguished visitor - Mr D.F. Dale: The Speaker informed the Assembly that Mr Don Dale, a former Minister of the Northern Territory Government was present in the gallery. The Speaker extended a warm welcome to Mr Dale.
Further questions were asked of Ministers.
Personal explanation: The Member for Wanguri (Mr Bailey) made a personal explanation in relation to comments made by the Member for Sadadeen (Mr Collins) during Question Time.
Personal explanation: The Member for Macdonnell (Mr Bell), by leave, made a personal explanation in relation to comments made by the Chief Minister (Mr Perron) during Question Time.
Papers tabled: Mr Bell, by leave, laid on the Table the following Papers -

- Letter, L.V. Eaves, Registrar, Chiropractors Registration Board to Dr S.D. Blackman, dated 9 February 1987;
- Letter, Keith Fleming, Chairman, Chiropractors Registration Board to Mrs S.D. Blackman, dated 17 June 1987;
- Letter, Dr Kenneth W. Rhodes, Ombudsman, to Ms S.D. Blackman, dated 5 July 1988;
- Letter, Dr Kenneth W. Rhodes, Ombudsman, to Mrs S.D. Blackman, dated 30 December 1988;
- Northern Territory of Australia Release, unsigned copy, undated;
- Certificate, Chiropractors Board of South Australia in the name of Shirley Dawn Blackman, issued on 5 July 1989; and
- Certificate of Registration, Chiropractors Board of South Australia, 5 September 1989.

A supplementary answer to a question was given by a Minister.
Personal explanation: The Member for Sadadeen (Mr Collins), by leave, made a personal explanation in relation to comments made by the Member for Wanguri (Mr Bailey) this day.
A further supplementary answer to a question was given by a Minister.

5. SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE, FOURTEENTH REPORT - PAPER TABLED:
The Member for Jingili (Mr Setter) laid on the Table the Fourteenth Report of the Subordinate Legislation and Tabled Papers Committee.

6. TERRITORY OUTLOOK FOR THE 1990s - MINISTERIAL STATEMENT - MOTION TO NOTE STATEMENT:
The Chief Minister (Mr Perron) made a statement relating to the Territory Outlook for the 1990s.
Mr Perron moved - That the Assembly take note of the Statement.
Debate ensued.
The Leader of the Opposition (Mr Smith) moved - That all words after "That" be omitted and insert in their stead the following -

> "this House condemns the CLP Government for its inept management of the economy and its failure to provide a sense of purpose to the Territory of the 90s.".

Suspension of sitting: The sitting was suspended between 12.20 p.m. and 2.30 p.m.

Question - That the amendment be agreed to - put and negatived.
On the motion of the Leader of Government Business (Mr Coulter) debate was adjourned.

7. PUBLIC ACCOUNT COMMITTEE, ANNUAL REPORT 1989 - PAPER TABLED - PAPER PRINTED - MOTION TO NOTE PAPER:
The Member for Karama (Mr Palmer) laid on the Table the Annual Report of the Public Accounts Committee for the year ended 30 June 1989.
Mr Palmer moved - That the paper be printed.
Question - put and passed.
Mr Palmer moved - That the Assembly take note of the Paper.
On the motion of the Member for Stuart (Mr Ede) debate was adjourned.

8. TERMS OF REFERENCE - SELECT COMMITTEE ON CONSTITUTIONAL DEVELOPMENT - MOTION:
The Minister for Health and Community Services (Mr Hatton), by leave, moved - That the terms of reference of the Select Committee on Constitutional Development be varied to read -

> "THAT, WHEREAS this Assembly is of the opinion that when the Northern Territory of Australia becomes a new State it should do so as a member of the Federation in terms resulting in equality with the other States with its people having the same constitutional rights, privileges, entitlements and responsibilities as the people of the existing States;
>
> AND WHEREAS IN SO FAR AS it is constitutionally possible the equality should apply as on the date of the grant of statehood to the new state;
>
> AND WHEREAS it is necessary to draft a new State Constitution:
>
> (1) during the present session of this Assembly - a Committee, to be known as the Sessional Committee on Constitutional Development, be established to inquire into, report and make recommendations to the Legislative Assembly on:

(a) a Constitution for the new State and the principles upon which it should be drawn, including:

(i) legislative powers;

(ii) executive powers;

(iii) judicial powers; and

(iv) the method to be adopted to have a draft new State Constitution approved by or on behalf of the people of the Northern Territory;

(b) the issues, conditions and procedures pertinent to the entry of the Northern Territory into the Federation as a new State; and

(c) such other constitutional and legal matters as may be referred to it by:

(i) relevant Ministers; or

(ii) resolution of the Assembly.

(2) the Committee undertake a role in promoting the awareness of constitutional issues to the Northern Territory and Australian populations;

(3) unless otherwise ordered, the Committee consist of Mr Bailey, Mr Ede, Mr Firmin, Mr Hatton, Mr Lanhupuy and Mr Setter;

(4) the Chief Minister and the Leader of the Opposition, although not members of the Committee, may attend all meetings of the Committee; may question witnesses; and may participate in the deliberations of the Committee, but shall not vote;

(5) the Chairman of the Committee may, from time to time, appoint a member of the Committee to be the Deputy Chairman of the Committee and that the member so appointed shall act as Chairman of the Committee at any time when there is no Chairman or when the Chairman is not present at a meeting of the Committee;

(6) in the event of an equality of voting, the Chairman, or the Deputy Chairman when acting as Chairman, shall have a casting vote;

(7) the Committee have power to appoint sub-committees and to refer to any such sub-committee any matter which the Committee is empowered to examine;

(8) four members of the Committee constitute a quorum of the Committee and two members of a sub-committee constitute a quorum of a sub-committee;

(9) the Committee or any sub-committee have power to send for persons, papers and records, to adjourn from place to place, to meet and transact business in public or private session and to sit during any adjournment of the Assembly;

(10) the Committee shall be empowered to print from day to day such papers and evidence as may be ordered by it and, unless otherwise ordered by the Committee, a daily **Hansard** shall be published of such proceedings of the Committee as take place in public;

(11) the Committee have leave to report to the Assembly from time to time and any member of the Committee have power to add a protest or dissent to any report;

(12) the Committee report to the Assembly as soon as possible after 30 June each year on its activities during the preceding financial year;

(13) unless otherwise ordered by the Committee, all documents received by the Committee during its inquiry shall remain in the custody of the Assembly provided that, on the application of a department or person, any document, if not likely to be further required, may, in the Speaker's discretion, be returned to the Department or person from whom it was obtained;

(14) members of the public and representatives of the news media may attend and report any public session of the Committee, unless otherwise ordered by the Committee;

(15) the Committee may authorise the televising of public hearings of the Committee under such rules as the Speaker considers appropriate;

(16) the Committee shall be provided with all necessary staff, facilities and resources and shall be empowered, with the approval of the Speaker, to appoint persons with specialist knowledge for the purposes of the Committee;

(17) nothing in these terms of reference or in the Standing Orders shall be taken to limit or control the duties, powers or functions of any Minister of the Territory who is also a member of the Sessional Committee;

(18) the Committee be empowered to consider the Minutes of Proceedings, evidence taken and records of similar committees established in the previous Assembly; and

(19) the foregoing provisions of this Resolution, so far as they are inconsistent with Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

Debate ensued.
Question - put and passed.

9. POLICE ADMINISTRATION AMENDMENT BILL (No. 4) 1989 (Serial 239):
The Chief Minister (Mr Perron), pursuant to notice, presented a Bill for an Act to amend the *Police Administration Act*.
Bill read a first time.
Mr Perron moved - That the Bill be now read a second time.
On the motion of the Member for Stuart (Mr Ede) debate was adjourned.

10. BRANDS AMENDMENT BILL (No. 2) 1989 (Serial 246):
The Minister for Primary Industry and Fisheries (Mr Reed), pursuant to notice, presented a Bill for an Act to amend the *Brands Act*.
Bill read a first time.
Mr Reed moved - That the Bill be now read a second time.
On the motion of the Member for Stuart (Mr Ede) debate was adjourned.

11. SUSPENSION OF STANDING ORDERS - TAKE SEVEN BILLS TOGETHER:
The Minister for Primary Industry and Fisheries (Mr Reed) moved - That so much of Standing Orders be suspended as would prevent seven Bills, namely the Stock Diseases Amendment Bill (No. 2) 1989 (Serial 248); the Abattoirs and Slaughtering Amendment Bill 1989 (Serial 249); the Brands Amendment Bill 1989 (Serial 250); the Exotic Diseases (Animals) Compensation Amendment Bill 1989 (Serial 251); the Pet Meat Amendment Bill 1989 (Serial 252); the Stock (Artificial Breeding) Amendment Bill 1989 (Serial 253); and the Stock Routes and Travelling Stock Amendment Bill 1989 (Serial 254) -

(a) being presented and read a first time together and one motion being put in regard to, respectively, the second readings, the Committee's report stage, and the third readings of the Bills together; and

(b) the consideration of the Bills separately in the Committee of the Whole.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

12. STOCK DISEASES AMENDMENT BILL (No. 2) 1989 (Serial 248); ABATTOIRS AND SLAUGHTERING AMENDMENT BILL 1989 (Serial 249); BRANDS AMENDMENT BILL 1989 (Serial 250); EXOTIC DISEASES (ANIMALS) COMPENSATION AMENDMENT BILL 1989 (Serial 251); PET MEAT AMENDMENT BILL 1989 (Serial 252); STOCK (ARTIFICIAL BREEDING) AMENDMENT BILL 1989 (Serial 253); and STOCK ROUTES AND TRAVELLING STOCK AMENDMENT BILL 1989 (Serial 254):
The Minister for Primary Industry and Fisheries (Mr Reed), pursuant to notice, presented a Bill for an Act to amend the *Stock Diseases Act*; a Bill for an Act to amend the *Abattoirs and Slaughtering Act*; a Bill for an Act to amend the *Brands Act*; a Bill for an Act to amend the *Exotic Diseases (Animals) Compensation Act*; a Bill for an Act to amend the *Pet Meat Act*; a Bill for an Act to amend the *Stock (Artificial Breeding) Act*; and a Bill for an Act to amend the *Stock Routes and Travelling Stock Act*.
Bills read a first time.
Mr Reed moved - That the Bills be now read a second time.
On the motion of the Member for Stuart (Mr Ede) debate was adjourned.

13. LOTTERIES AND GAMING AMENDMENT BILL 1989 (Serial 244):
The Minister for Racing and Gaming (Mr Finch), pursuant to notice, presented a Bill for an Act to amend the *Lotteries and Gaming Act*.
Bill read a first time.

Mr Finch moved - That the Bill be now read a second time.

On the motion of the Member for Arnhem (Mr Lanhupuy) debate was adjourned.

14. SESSIONAL COMMITTEE ON THE ENVIRONMENT - REPORT TABLED - REPORT PRINTED - MOTION TO NOTE REPORT:

The Member for Ludmilla (Mr Firmin), by leave, laid on the Table the Report of the Sessional Committee on the Environment, November 1989.

Mr Firmin moved - That the Report be printed.

Question - put and passed.

Mr Firmin moved - That the Assembly take note of the Report.

Ordered - That the debate be adjourned and that Mr Firmin have leave to continue his speech on the resumption of the debate.

15. LEAVE REFUSED:

The Member for Macdonnell (Mr Bell) sought leave to make a statement on the Report of the Sessional Committee on the Environment, November 1989.

Objection being raised, leave not granted.

16. SUSPENSION OF STANDING ORDERS:

The Member for Macdonnell (Mr Bell) moved - That so much of Standing Orders be suspended as would prevent him from making a statement on the Report of the Sessional Committee on the Environment, November 1989.

Question - put.

The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 8	NOES, 16
Mr Bailey	Mr Collins
Mr Bell	Mr Coulter
Mr Ede	Mr Dondas
Mr Floreani	Mr Finch
Mr Lanhupuy	Mr Firmin
Mr Smith	Mr Harris
Mr Tipiloura	Mr Hatton
Mr Tuxworth	Mr McCarthy
	Mr Manzie
	Mrs Padgham-Purich
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

And so it was resolved in the negative.

17. SUSPENSION OF STANDING ORDERS - PASS BILL THROUGH ALL STAGES:

The Leader of Government Business (Mr Coulter) moved - That so much of Standing Orders be suspended as would prevent the Legislative Assembly (Powers and Privileges) Amendment Bill (No. 2) 1989 (Serial 245) passing through all stages at this sitting.

Question - put and passed - there being an absolute majority of the whole number of Members present and no dissentient voice.

18. LEGISLATIVE ASSEMBLY (POWERS AND PRIVILEGES) AMENDMENT BILL (No. 2) 1989 (Serial 245):

The order of the day having been read for the resumption of the debate on the question - That the Bill be now read a second time -

Debate resumed.

The Member for Stuart (Mr Ede) moved the following amendment -

At the end of the motion add -

", but this Assembly is of the opinion that the commencement of this proposed law should be deferred until such time as the wide discrepancies in living standards and the access to services of Territorians have been overcome and the economy of the Territory has recovered.".

The Leader of Government Business (Mr Coulter) moved - That the question be now put.

Question - That the question be now put - put.

The Assembly divided (the Speaker, Hon N.M. Dondas in the Chair) -

AYES, 14	NOES, 10
Mr Coulter	Mr Bailey
Mr Dondas	Mr Bell
Mr Finch	Mr Collins
Mr Firmin	Mr Ede
Mr Harris	Mr Floreani
Mr Hatton	Mr Lanhupuy
Mr McCarthy	Mrs Padgham-Purich
Mr Manzie	Mr Smith
Mr Palmer	Mr Tipiloura
Mr Perron	Mr Tuxworth
Mr Poole	
Mr Reed	
Mr Setter	
Mr Vale	

And so it was resolved in the affirmative.

Question - That the amendment be agreed to - put.

The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 10	NOES, 14
Mr Bailey	Mr Coulter
Mr Bell	Mr Dondas
Mr Collins	Mr Finch
Mr Ede	Mr Firmin
Mr Floreani	Mr Harris
Mr Lanhupuy	Mr Hatton
Mrs Padgham-Purich	Mr McCarthy
Mr Smith	Mr Manzie
Mr Tipiloura	Mr Palmer
Mr Tuxworth	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

Amendment negatived accordingly.
Question - That the Bill be now read a second time - put and passed.
Leave granted for a motion for the third reading of the Bill to be moved forthwith.
On the motion of the Chief Minister (Mr Perron) the Bill was read a third time and passed to be a proposed law.

19. SPECIAL ADJOURNMENT:
The Leader of Government Business (Mr Coulter) moved - That the Assembly at its rising adjourn until Tuesday 20 February 1990 at 10.00 am or such other time and/or date as may be set by the Speaker, pursuant to Sessional Order.
Debate ensued.
The Member for Macdonnell (Mr Bell) moved the following amendment -

Omit "20" and insert in its stead "13".

Mr Coulter moved - That the question be now put.
Question - That the question be now put - put.
The Assembly divided (the Speaker, Hon N.M. Dondas in the Chair) -

AYES, 13	NOES, 10
Mr Coulter	Mr Bailey
Mr Dondas	Mr Bell
Mr Finch	Mr Collins
Mr Firmin	Mr Ede
Mr Harris	Mr Floreani
Mr McCarthy	Mr Lanhupuy
Mr Manzie	Mrs Padgham-Purich
Mr Palmer	Mr Smith
Mr Perron	Mr Tipiloura
Mr Poole	Mr Tuxworth
Mr Reed	
Mr Setter	
Mr Vale	

And so it was resolved in the affirmative.
Question - That the amendment be agreed to - put.
The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 10	NOES, 13
Mr Bailey	Mr Coulter
Mr Bell	Mr Dondas
Mr Collins	Mr Finch
Mr Ede	Mr Firmin
Mr Floreani	Mr Harris
Mr Lanhupuy	Mr McCarthy
Mrs Padgham-Purich	Mr Manzie
Mr Smith	Mr Palmer
Mr Tipiloura	Mr Perron
Mr Tuxworth	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

Amendment negatived accordingly.
Question - That the motion be agreed to - put and passed.

20. PRIVILEGE - SITTING DAYS - REQUEST FOR REFERRAL TO COMMITTEE OF PRIVILEGES:
The Leader of the Opposition (Mr Smith), pursuant to Standing Order 83, claimed that the Leader of Government Business (Mr Coulter) had deliberately misled the Assembly in relation to the number of sitting days for 1990 and requested that the Speaker refer the matter to the Committee of Privileges.
The Leader of Government Business (Mr Coulter), by leave, made a statement relating thereto.
Leave refused: The Member for Barkly (Mr Tuxworth) sought leave to make a statement relating thereto.
Objection being raised, leave not granted.
Suspension of Standing Orders: Mr Tuxworth moved - That so much of Standing Orders be suspended as would prevent him making a statement relating to the matter of privilege.
Question - put.
The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 9	NOES, 13
Mr Bailey	Mr Coulter
Mr Bell	Mr Dondas
Mr Collins	Mr Finch
Mr Ede	Mr Firmin
Mr Floreani	Mr Harris
Mr Lanhupuy	Mr McCarthy
Mr Smith	Mr Manzie
Mr Tipiloura	Mr Palmer
Mr Tuxworth	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

And so it was resolved in the negative.
Leave refused: The Member for Stuart (Mr Ede) sought leave to make a statement.
Objection being raised, leave not granted.
Suspension of Standing Orders: Mr Ede moved - That so much of Standing Orders be suspended as would prevent him from making a statement relating to the matter of privilege.
Question - put.
The Assembly divided (the Speaker, Hon N.M. Dondas, in the Chair) -

AYES, 9	NOES, 13
Mr Bailey	Mr Coulter
Mr Bell	Mr Dondas
Mr Collins	Mr Finch
Mr Ede	Mr Firmin
Mr Floreani	Mr Harris
Mr Lanhupuy	Mr McCarthy
Mr Smith	Mr Manzie
Mr Tipiloura	Mr Palmer

Mr Tuxworth	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

And so it was resolved in the negative.

The Speaker stated that he would consider the matter and advise the Assembly of his decision at a later hour.

21. PERSONAL EXPLANATION:

The Member for Macdonnell (Mr Bell), by leave, made a personal explanation in relation to comments made by the Leader of Government Business (Mr Coulter) earlier this day.

Paper tabled: Mr Bell, by leave, laid on the Table the following Paper -

° Letter, Hon N.M. Dondas to all Members, dated 30 November 1989.

22. ADJOURNMENT:

The Chief Minister (Mr Perron) moved - That the Assembly do now adjourn.

Debate ensued.

Paper tabled: The Minister for Primary Industry and Fisheries (Mr Reed) laid on the Table the following Paper -

° Cartoon drawing of a blue cow.

Privilege - Sitting Days - Request for Referral to Committee of Privileges - Statement - Speaker's Decision: The Speaker made the following statement in relation to the matter of privilege raised by the Leader of the Opposition (Mr Smith) earlier this day:

> "Honourable Members, on 17 October 1989, I wrote to the Chief Minister concerning sitting dates for 1990. In that letter I referred to the undertaking given by the Leader of Government Business that the Assembly would sit for an additional three days in 1990.
>
> I was informed that the Leader of Government Business and the Clerk had discussed the proposed sitting dates prior to Government forwarding them to me for my consideration and that it had been decided to hold the additional sittings when the work load of the Assembly created the most need for them.
>
> Under these circumstances, I agreed to the proposed dates.
>
> Perhaps I was remiss in not advising Honourable Members of this fact in my memorandum of today's date. I did not anticipate the resultant furore. Honourable Members are aware that the agreed sitting dates are to some extent indicative and are subject to change. Indeed, the Sessional Order empowering the Speaker to vary sitting dates and times envisages this.
>
> Therefore, I do not believe that Mr Coulter misled either the Standing Orders Committee or the Assembly and I do not intend to refer the matter to the Committee of Privileges.".

Debate continued.

Distinguished visitors - Mr Harry Giese and Mr Jack Doolan: The Speaker informed the Assembly that Mr Harry Giese, a former member of the Legislative Council, and Mr Jack Doolan, former member for Victoria River, were present in the Gallery. The Speaker extended a warm welcome to Mr Giese and Mr Doolan.

Debate continued.

Question - put and passed.

The Assembly adjourned at 7.36 p.m. until Tuesday 20 February 1990 at 10.00 a.m. or such other time and/or date as may be set by the Speaker, pursuant to Sessional Order.

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PAPERS:

The following papers were deemed to have been presented on 30 November 1989:

Annual Reports:

Department of the Chief Minister, 1988-89
Department of Education, 1988
Department of Mines and Energy 1988-89
Northern Territory Government and Public Authorities Employers Superannuation Trust Fund, 1988-89
Northern Territory Government and Public Authorities Superannuation Scheme, 1988-89
Northern Territory Housing Commission, 1988-89 (Substitute for Report Tabled 28 November 1989)
Northern Territory Tourist Commission, 1988-89
Office of the Valuer-General, 1988-89
Parole Board of the Northern Territory, 1988
Power and Water Authority, 1988-89
Public Service Commissioner and Department of Labour and Administrative Services, 1988-89
Territory Loans Management Corporation, 1988-89
Trade Development Zone Authority, 1988-89
Work Health Authority, 1988-89

Financial Statement:

Northern Territory Local Government Grants Commission, 1988-89

Hospital Management Board:

Tennant Creek, 1988-89

Regulation 1989:

No. 34 - Amendment of the Greyhound Racing Rules

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ATTENDANCE:

All Members attended the sitting.

H.G. SMITH
Clerk of the Legislative Assembly.

FIFTH LEGISLATIVE ASSEMBLY

FIRST SESSION

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§=Members Bill

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250	Brands Amendment 1989	639,663
246	Brands Amendment (No. 2) 1989	639,663
220	Building Amendment 1989	621P
228	Community Welfare Amendment 1989	628P
243	Crime Victims Advisory Committee 1989	635,642
206	Crimes Compensation Amendment 1989	649-656P
240	Criminal Code Amendment (No. 3) 1989	619,628,636P
207	Criminal Law (Conditional Release of Offenders) Amendment (No. 2) 1989	649-656P
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239	Police Administration Amendment (No. 4) 1989	639,663
236	Power and Water Authority Amendment 1989	619,627,636P
224	Registration of Interests in Motor Vehicles and Other Goods 1989	643-649P
229	Sexual Offences (Evidence and Procedure) Amendment 1989	628P
253	Stock (Artificial Breeding) Amendment 1989	639,663
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241 Water Supply and Sewerage Amendment 1989 — 621,627,636P

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