



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**

**Legal and Constitutional Affairs Committee**

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# **Associated Minutes of Proceedings**

## **Report of Ministerial Correspondence on Subordinate Legislation and Publications**

**August 2021 – July 2022**

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**July 2022**



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY  
14th Assembly

**Legal and Constitutional Affairs Committee**

**MINUTES OF PROCEEDINGS**

**Meeting No. 6**

12.00 pm, Tuesday 21 September 2021  
Litchfield Room

- Present:** Mr Joel Bowden MLA, Chair, Member for Johnston  
Ms Marie-Clare Boothby MLA, Member for Brennan  
Mr Steve Edgington MLA, Member for Barkly
- Apologies:** Mr Mark Monaghan MLA, Deputy Chair, Member for Fong Lim  
Mr Lawrence Costa MLA, Member for Arafura
- Secretariat:** Ms Julia Knight, Committee Secretary

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**1. MINUTES OF PREVIOUS MEETING**

Ms Boothby moved and Mr Edgington seconded that:

The Minutes of Meeting No. 5 of 11 May 2021 be confirmed.

Question put and passed.

**2. CORRESPONDENCE**

Noted

Ms Boothby moved and Mr Edgington seconded that:

The Committee reply to Senator Smith thanking him for the opportunity to comment on the recommendation of the Second Anniversary Review of the National Redress Scheme and interim government response but noting that since consideration of this matter does not fall within the Committee's remit the Committee will not be providing a response.

Question put and passed.

**3. SUBORDINATE LEGISLATION**

Mr Edgington moved and Ms Boothby seconded that:

1. The Committee refer the legal advice regarding the Local Government (General) Regulations (No. 9 of 2021) to the Minister for Local Government for consideration and comment by 15 October 2021.
2. The Committee refer the legal advice regarding the Local Government (Electoral) Regulations (No. 11 of 2021) to the Minister for Local Government for consideration and comment by 15 October 2021.

Questions put and passed.

**4. NEXT MEETING**

12.00 pm, Tuesday 21 September 2021.

Meeting closed at 12.08 pm

Mr Joel Bowden, MLA  
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY  
14th Assembly

**Legal and Constitutional Affairs Committee**

**MINUTES OF PROCEEDINGS**

**Meeting No. 7**

12.00 pm, Tuesday 26 October 2021  
Litchfield Room

**Present:** Mr Joel Bowden MLA, Chair, Member for Johnston  
Ms Marie-Clare Boothby MLA, Member for Brennan  
Mr Steve Edgington MLA, Member for Barkly  
Mr Mark Monaghan MLA, Deputy Chair, Member for Fong Lim  
Mr Dheran Young MLA, Member for Daly

**Secretariat:** Ms Julia Knight, Committee Secretary

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**1. MINUTES OF PREVIOUS MEETING**

Ms Boothby moved and Mr Edgington seconded that:

The Minutes of Meeting No. 6 of 21 September 2021 be confirmed.

Question put and passed.

**2. CORRESPONDENCE**

Noted

**3. SUBORDINATE LEGISLATION**

Ms Boothby moved and Mr Monaghan seconded that:

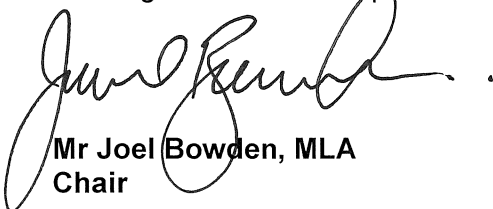
The Committee seek further advice from Professor Aughterson regarding ministerial responses to regulations 71-81 of the Local Government (General) Regulations No. 9 of 2021, and regulation 65 of the Local Government (Electoral) Regulations No.11 of 2021 and reconvene to further consider the regulations following receipt of Professor Aughterson's feedback.

Question put and passed.

**4. NEXT MEETING**

To be advised

Meeting closed at 12.23 pm



Mr Joel Bowden, MLA  
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY  
14th Assembly

**Legal and Constitutional Affairs Committee**

**MINUTES OF PROCEEDINGS**

**Meeting No. 8**

10.00 am, Thursday 4 November 2021  
Litchfield Room

**Present:** Mr Joel Bowden MLA, Chair, Member for Johnston  
Ms Marie-Clare Boothby MLA, Member for Brennan  
Mr Steve Edgington MLA, Member for Barkly  
Mr Dheran Young MLA, Member for Daly

**Apologies:** Mr Mark Monaghan MLA, Deputy Chair, Member for Fong Lim

**Secretariat:** Ms Julia Knight, Committee Secretary  
Mr Harry Lane, Administration/Research Officer

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**1. MINUTES OF PREVIOUS MEETING**

Ms Boothby moved and Mr Edgington seconded that:

The Minutes of Meeting No. 7 of 26 October 2021 be confirmed.

Question put and passed.

**2. CORRESPONDENCE**

Noted

**3. SUBORDINATE LEGISLATION**

Mr Edgington moved and Ms Boothby seconded that:

1. The Committee refer the additional legal advice regarding the Local Government (General) Regulations No. 9 of 2021 to the Minister for Local Government for consideration and comment by Wednesday 17 November 2021, and note the Committee's concern regarding reliance on the adoption of policies to ensure that administrative decision-makers accord procedural fairness to those affected by the decisions.
2. The Committee refer the additional legal advice regarding the Local Government (Electoral) Regulations No. 11 of 2021 to the Minister for Local Government for consideration and comment by Wednesday 17 November 2021, and note the Committee's concern regarding reliance on administrative processes to meet shortcomings in the regulations.

Questions put and passed.

**4. NEXT MEETING**

10.00 am, Monday 22 November 2021

Meeting closed at 10.09 am

**Mr Joel Bowden, MLA**  
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY  
14th Assembly

**Legal and Constitutional Affairs Committee**

**MINUTES OF PROCEEDINGS**

**Meeting No. 9**

10.00 am, Monday 22 November 2021  
Litchfield Room

**Present:** Mr Joel Bowden MLA, Chair, Member for Johnston  
Ms Marie-Clare Boothby MLA, Member for Brennan  
Mr Mark Monaghan MLA, Deputy Chair, Member for Fong Lim  
Mr Dheran Young MLA, Member for Daly

**Apologies:** Mr Steve Edgington MLA, Member for Barkly

**Secretariat:** Ms Julia Knight, Committee Secretary  
Mr Harry Lane, Administration/Research Officer

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**1. MINUTES OF PREVIOUS MEETING**

Ms Boothby moved and Mr Bowden seconded that:

The Minutes of Meeting No. 8 of 4 November 2021 be confirmed.

Question put and passed.

**2. CORRESPONDENCE**

Ms Boothby moved that:

In relation to the Local Government (General) Regulations, the Committee retain its jurisdiction over the matter until such time as the Minister advises the Committee that the Ministerial Guidelines have commenced.

Motion was not supported.

Mr Monaghan moved and Mr Young seconded that:

The Committee note the Minister's responses regarding additional advice provided by Professor Aughterson on the Local Government (General) Regulations No. 9 of 2021 and the Local Government (Electoral) Regulations No. 11 of 2021.

Question put and passed.

**3. NEXT MEETING**

12 noon, Tuesday 30 November 2021

Meeting closed at 10.12 am

Mr Joel Bowden, MLA  
Chair





# LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

14th Assembly

## Legal and Constitutional Affairs Committee

### MINUTES OF PROCEEDINGS

#### Meeting No. 11

12.00 pm, Tuesday 15 February 2022

Litchfield Room

**Present:** Mr Joel Bowden MLA, Chair, Member for Johnston  
Ms Marie-Clare Boothby MLA, Member for Brennan  
Mr Steve Edgington MLA, Member for Barkly  
Mr Mark Monaghan MLA, Deputy Chair, Member for Fong Lim  
Mr Dheran Young MLA, Member for Daly

**Secretariat:** Ms Julia Knight, Committee Secretary

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#### 1. MINUTES OF PREVIOUS MEETING

Mr Edgington moved and Mr Monaghan seconded that:

The Minutes of Meeting No. 10 of 30 November 2021 be confirmed.

Question put and passed.

#### 2. CORRESPONDENCE

Noted

#### 3. SUBORDINATE LEGISLATION

Noted

#### 4. NEXT MEETING

12 noon, Tuesday 22 March 2022

Meeting closed at 12.08 pm

A handwritten signature in black ink, appearing to read 'Joel Bowden', written over the printed name and title.

Mr Joel Bowden, MLA  
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY  
14th Assembly

**Legal and Constitutional Affairs Committee**

**MINUTES OF PROCEEDINGS**

**Meeting No. 10**

12.00 pm, Tuesday 30 November 2021  
Litchfield Room

**Present:** Mr Joel Bowden MLA, Chair, Member for Johnston  
Ms Marie-Clare Boothby MLA, Member for Brennan  
Mr Steve Edgington MLA, Member for Barkly  
Mr Mark Monaghan MLA, Deputy Chair, Member for Fong Lim  
Mr Dheran Young MLA, Member for Daly

**Secretariat:** Ms Julia Knight, Committee Secretary

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**1. MINUTES OF PREVIOUS MEETING**

Mr Young moved and Mr Monaghan seconded that:

The Minutes of Meeting No. 9 of 22 November 2021 be confirmed.

Question put and passed.

**2. CORRESPONDENCE**

Noted

**3. SUBORDINATE LEGISLATION**

Noted

The Committee Secretary undertook to forward copies of all subordinate legislation deemed in the Assembly to Committee members at the end of each sitting period.

**4. NEXT MEETING**

12 noon, Tuesday 15 February 2022

Meeting closed at 12.10 pm

  
**Mr Joel Bowden, MLA**  
**Chair**



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY  
14th Assembly

**Legal and Constitutional Affairs Committee**

**MINUTES OF PROCEEDINGS**

**Meeting No. 12**

12.00 pm, Tuesday 22 March 2022  
Ormiston Room

**Present:** Mr Joel Bowden MLA, Chair, Member for Johnston  
Ms Marie-Clare Boothby MLA, Member for Brennan  
Mr Steve Edgington MLA, Member for Barkly  
Mr Mark Monaghan MLA, Deputy Chair, Member for Fong Lim  
Mr Dheran Young MLA, Member for Daly

**Secretariat:** Ms Julia Knight, Committee Secretary

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**1. MINUTES OF PREVIOUS MEETING**

Mr Monaghan moved and Mr Young seconded that:

The Minutes of Meeting No. 11 of 15 February 2022 be confirmed.

Question put and passed.

**2. CORRESPONDENCE**

Noted

**3. SUBORDINATE LEGISLATION**

Mr Edgington moved and Ms Boothby seconded that:

The Committee refer the legal advice regarding the Residential Tenancies Amendment Regulations (No. 23 of 2021) to the Attorney-General and Minister for Justice for consideration and comment by 22 April 2022.

**4. NEXT MEETING**

12 noon, Tuesday 10 May 2022

Meeting closed at 12.06 pm

A handwritten signature in black ink, appearing to read 'Joel Bowden'.

**Mr Joel Bowden, MLA**  
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY  
14th Assembly

**Legal and Constitutional Affairs Committee**

**MINUTES OF PROCEEDINGS**

**Meeting No. 13**

12.00 pm, Tuesday 18 May 2022  
Litchfield Room

**Present:** Mr Joel Bowden MLA, Chair, Member for Johnston  
Ms Marie-Clare Boothby MLA, Member for Brennan  
Mr Steve Edgington MLA, Member for Barkly  
Mr Mark Monaghan MLA, Deputy Chair, Member for Fong Lim

**Apologies:** Mr Dheran Young MLA, Member for Daly

**Secretariat:** Ms Julia Knight, Committee Secretary

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**1. MINUTES OF PREVIOUS MEETING**

Mr Monaghan moved and Ms Boothby seconded that:

The Minutes of Meeting No. 12 of 22 March 2022 be confirmed.

Question put and passed.

**2. CORRESPONDENCE**

Noted

**3. SUBORDINATE LEGISLATION**

Mr Monaghan moved and Mr Edgington seconded that:

The Committee note the response from the Attorney-General and Minister for Justice regarding the Residential Tenancies Amendment Regulations No. 23 of 2021.

Question put and passed.

**4. NEXT MEETING**

12 noon, Tuesday 26 July 2022

Meeting closed at 12.10 pm

Mr Joel Bowden, MLA  
Chair



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**  
14th Assembly

**Legal and Constitutional Affairs Committee**

**MINUTES OF PROCEEDINGS**

**Meeting No. 14**

12.00 pm, Tuesday 26 July 2022  
Litchfield Room

**Present:** Mr Joel Bowden MLA, Chair, Member for Johnston  
Ms Marie-Clare Boothby MLA, Member for Brennan  
Mr Steve Edgington MLA, Member for Barkly  
Mr Mark Monaghan MLA, Deputy Chair, Member for Fong Lim

**Apologies:** Mr Dheran Young MLA, Member for Daly

**Secretariat:** Ms Julia Knight, Committee Secretary

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**1. MINUTES OF PREVIOUS MEETING**

Mr Monaghan moved and Mr Edgington seconded that:

The Minutes of Meeting No. 13 of 18 May 2022 be confirmed.

Question put and passed.

**2. CORRESPONDENCE**

Noted

**3. CHAIR'S DRAFT REPORT OF MINISTERIAL CORRESPONDENCE**

Mr Monaghan moved and Ms Boothby seconded that:

The Committee adopt the Chair's draft Report of Ministerial Correspondence on Subordinate Legislation and Publications August 2021 – July 2022 as amended to be tabled in the Assembly on 28 July 2022

Question put and passed.

**4. NEXT MEETING**

12 noon, Tuesday 30 August 2022

Meeting closed at 12.10 pm

**Mr Joel Bowden, MLA**  
Chair