



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

Legal and Constitutional Affairs Committee

Associated Minutes of Proceedings

Report of Ministerial Correspondence on Subordinate Legislation and Publications August 2023 – May 2024

May 2024



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
14th Assembly

Legal and Constitutional Affairs Committee

MINUTES OF PROCEEDINGS

Meeting No. 24

12.00 pm, Tuesday 29 August 2023
Litchfield Room

Present: Mr Brent Potter MLA, Chair, Member for Fannie Bay
Ms Marie-Clare Boothby MLA, Member for Brennan
Mr Joel Bowden MLA, Member for Johnston
Mr Steve Edgington MLA, Member for Barkly
Mr Dheran Young MLA, Deputy Chair, Member for Daly

Secretariat: Ms Julia Knight, Committee Secretary
Ms Elise Dyer, Senior Research Officer

1. MINUTES OF PREVIOUS MEETING

Mr Bowden moved and Mr Edgington seconded that:

The Minutes of Meeting No. 23 of 25 July 2023 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

3. SUBORDINATE LEGISLATION

Mr Bowden moved and Mr Young seconded that:

1. The Committee note the response from the Minister for Local Government regarding the Katherine Town Council Amendment By-Laws 2023 (No.7 of 2023).
2. The Committee note the response from the Minister for Infrastructure, Planning and Logistics regarding the Crown Lands Amendment Regulations 2023 (No.10 of 2023).

Questions put and passed.

4. SUBMISSIONS

Mr Bowden moved and Mr Edgington seconded that:

The Committee authorise publication of Submissions No. 1 and 2 from Civil Liberties Australia and the Legislative Assembly for the Australian Capital Territory, redacting personal information in all submissions such as personal addresses and phone numbers prior to publication.

Question put and passed.

5. NEXT MEETING

12 noon, Tuesday 17 October 2023

Meeting closed at 12.10 pm


Mr Brent Potter, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
14th Assembly

Legal and Constitutional Affairs Committee

MINUTES OF PROCEEDINGS

Meeting No. 25

12.00 pm, Tuesday 17 October 2023
Litchfield Room

Present: Mr Brent Potter MLA, Chair, Member for Fannie Bay
Ms Marie-Clare Boothby MLA, Member for Brennan
Mr Joel Bowden MLA, Member for Johnston
Mr Steve Edgington MLA, Member for Barkly
Mr Dheran Young MLA, Deputy Chair, Member for Daly

Secretariat: Ms Julia Knight, Committee Secretary
Ms Elise Dyer, Senior Research Officer
Ms Amy Alexander, Administration/Research Officer

1. MINUTES OF PREVIOUS MEETING

Mr Young moved and Ms Boothby seconded that:

The Minutes of Meeting No. 24 of 29 August 2023 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

3. SUBMISSIONS

Mr Young moved and Mr Bowden seconded that:

The Committee authorise publication of Submission Nos. 3 – 11 redacting personal information in all submissions such as personal addresses and phone numbers prior to publication.

Question put and passed.

4. SUBORDINATE LEGISLATION

Mr Bowden moved and Mr Edgington seconded that:

1. The Committee refer the legal advice regarding the Education and Care Services National Further Amendment Regulations 2023 to the Minister for Education for consideration and comment by 15 November 2023.
2. The Committee refer the legal advice regarding the City of Darwin By-Laws 2023 (No. 17 of 2023) to the Minister for Local Government for consideration and comment by 15 November 2023.

Questions put and passed.

5. NEXT MEETING

12 noon, Tuesday 24 October 2023

Meeting closed at 12.10 pm



Mr Brent Potter, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
14th Assembly

Legal and Constitutional Affairs Committee

MINUTES OF PROCEEDINGS

Meeting No. 27

12.00 pm, Tuesday 28 November 2023
Litchfield Room

Present: Mr Dheran Young MLA, Chair, Member for Daly
Mr Manuel Brown MLA, Deputy Chair, Member for Arafura
Ms Marie-Clare Boothby MLA, Member for Brennan
Mr Steve Edgington MLA, Member for Barkly
Hon Selena Uibo MLA, Member for Arnhem

Secretariat: Ms Julia Knight, Committee Secretary
Ms Elise Dyer, Senior Research Officer

1. WELCOME TO NEW MEMBERS

Following the discharge of the Member for Johnston, Hon Joel Bowden MLA, and the Member for Fannie Bay, Hon Brent Potter MLA, from the Committee on 24 November 2023, the Committee Secretary welcomed appointment to the Committee of Member for Arnhem, Hon Selena Uibo MLA, and the Member for Arafura, Mr Manuel Brown MLA.

2. ELECTION OF CHAIR

Following discharge of the former Chair, Member for Johnston – Hon Joel Bowden MLA, pursuant to Standing Order 186 the Committee Secretary called for nominations for Chair.

Ms Uibo nominated Mr Young to be Chair. Mr Brown seconded the nomination.

Ms Boothby nominated Mr Edgington to be Chair. Mr Edgington seconded the nomination.

There being more than one nomination, the Committee Secretary conducted a ballot between the Members proposed in accordance with Standing Order 299.

As Mr Young received 3 votes and Mr Edgington received 2 votes, the Committee Secretary declared Mr Young to be the Chair.

3. ELECTION OF DEPUTY CHAIR

As the former Deputy Chair, Member for Daly – Mr Dheran Young MLA, was elected as the new Chair of the Committee, the Chair called for nominations for Deputy Chair.

Mr Edgington nominated Ms Boothby to be Deputy Chair. Ms Boothby seconded the nomination.

Ms Uibo nominated Mr Brown to be Deputy Chair. Mr Young seconded the nomination.

There being more than one nomination, the Committee Secretary conducted a ballot between the Members proposed in accordance with Standing Order 299.

As Mr Brown received 3 votes and Ms Boothby received 2 votes, the Chair declared Mr Brown to be the Deputy Chair.

4. MINUTES OF PREVIOUS MEETING

Mr Edgington moved and Ms Boothby seconded that:

The Minutes of Meeting No. 26 of 24 October 2023 be confirmed.

Question put and passed.

5. CORRESPONDENCE

Noted

6. INQUIRY – REVISED TIMEFRAME

The Committee agreed to the revised inquiry timeframe and to hold a public hearing on Friday 16 February 2024 inviting representatives from:

- Department of Health
- Department of the Attorney-General and Justice
- Northern Territory Anti-Discrimination Commission
- Aboriginal Peak Organisations NT
- Central and Northern Land Councils
- North Australian Aboriginal Justice Agency
- Australian Lawyers Alliance
- Department of the Chief Minister and Cabinet

7. SUBORDINATE LEGISLATION

Mr Edgington moved and Mr Brown seconded that:

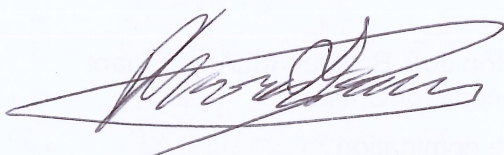
- 1) The Committee note the response from the Minister for Education regarding the Education and Care Services National Further Amendment Regulations 2023.
- 2) The Committee note the response from the Minister for Local government regarding the City of Darwin By-Laws 2023 (No. 17 of 2023).

Questions put and passed.

8. NEXT MEETING

12 noon, Tuesday 13 February 2024

Meeting closed at 12.22 pm



Hon Dheran Young, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
14th Assembly

Legal and Constitutional Affairs Committee

MINUTES OF PROCEEDINGS

Meeting No. 30

12.00 pm, Tuesday 12 March 2024
Litchfield Room

- Present:** Hon Dheran Young MLA, Chair, Member for Daly
Mr Manuel Brown MLA, Deputy Chair, Member for Arafura
Ms Marie-Clare Boothby MLA, Member for Brennan
Mr Steve Edgington MLA, Member for Barkly
Ms Lauren Moss MLA, Member for Casuarina
- Secretariat:** Ms Julia Knight, Acting First Clerk Assistant
Ms Elise Dyer, Acting Committee Secretary
Mr Caelan Ikin, Administration/Research Officer
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1. PUBLIC HEARING – INQUIRY INTO A PROCESS TO REVIEW BILLS FOR THEIR IMPACT ON FIRST NATIONS TERRITORIANS

The Committee heard from the following witnesses

Central Land Council

Dr Josie Douglas: General Manager, Professional Services (via videoconference)

Kate O'Brien: Principal Legal Officer (via videoconference)

The witnesses withdrew.

North Australian Aboriginal Justice Agency

Phil Brown: Acting Chief Executive Officer

Leeanne Caton: Acting Deputy Chief Executive Officer

Charlotte Grover Johnson: Manager, Law and Justice Projects

The witnesses withdrew

2. MINUTES OF PREVIOUS MEETINGS

Mr Brown moved and Ms Moss seconded that:

(a) Meeting 28 of 13 February 2024 be confirmed

(b) Meeting 29 of 16 February 2024 be confirmed

Question put and passed

3. MATTERS ARISING FROM MINUTES

Mr Edgington moved and Mr Brown seconded that:

The Committee authorise publication of the paper tabled by the Member for Mulka during the public hearing on 16 February 2024.

Question put and passed.

4. CORRESPONDENCE

Ms Moss moved and Mr Edgington seconded that:

The Committee authorise the addition of the following note at the end of the public hearing transcript of 16 February 2024 pertaining to the Member for Mulka's appearance before the Committee:

Note: For Yolŋu speakers, 'yes' is often used to respectfully acknowledge a speaker's position and indicate that one has heard what has been said, and is not necessarily an indication of agreement with the point the speaker has made.

Question put and passed.

5. SUBORDINATE LEGISLATION

Mr Edgington moved and Ms Boothby seconded that:

The Committee refer the legal advice regarding the Kenbi Land Trust Regulations 2023 (No. 22 of 2023) to the Minister for Aboriginal Affairs and Treaty for consideration and comment by 19 April 2024.

Question put and passed.

6. NEXT MEETING

12 noon, Tuesday 19 March 2024

Meeting closed at 1.30 pm



Hon Dheran Young, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
14th Assembly

Legal and Constitutional Affairs Committee

DRAFT MINUTES OF PROCEEDINGS

Meeting No. 32

12.00 pm, Wednesday 15 May 2024
Litchfield Room

Present: Hon Dheran Young MLA, Chair, Member for Daly
Mr Manuel Brown MLA, Deputy Chair, Member for Arafura
Ms Marie-Clare Boothby MLA, Member for Brennan
Mr Steve Edgington MLA, Member for Barkly
Ms Lauren Moss MLA, Member for Casuarina

Secretariat: Ms Julia Knight, Acting First Clerk Assistant
Ms Elise Dyer, Acting Committee Secretary
Mr Caelan Ikin, Administration/Research Officer

1. MINUTES OF PREVIOUS MEETINGS

Ms Boothby moved and Mr Edgington seconded that:

The Minutes of Meeting 31 of 19 March 2024 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted.

Mr Brown moved and Ms Moss seconded that:

The Committee authorise publication of the supplementary submission received from the Central Land Council.

Question put and passed.

3. SUBORDINATE LEGISLATION

Mr Edgington moved and Ms Boothby seconded that:

1. The Committee refer the legal advice regarding the Liquor Amendment (Alice Springs) Regulations 2024 (No. 1 of 2024) to the Minister for Alcohol Policy for consideration and comment by 7 June 2024.
2. That the Committee note the response from the Minister for Aboriginal Affairs and Treaty regarding the Kenbi Land Trust Regulations 2023 (No. 22 of 2023).

Questions put and passed.

4. CHAIR'S DRAFT REPORT – MINISTERIAL CORRESPONDENCE ON SUBORDINATE LEGISLATION AND PUBLICATIONS

Mr Brown moved and Mr Edgington seconded that:

The Committee adopt the Chair's draft *Report of Ministerial Correspondence on Subordinate Legislation and Publications August 2023 – May 2024* for tabling in the Assembly.

Question put and passed.

5. CHAIR'S DRAFT REPORT – INQUIRY INTO A PROCESS TO REVIEW BILLS FOR THEIR IMPACT ON FIRST NATIONS TERRITORIANS

Mr Brown moved and Ms Moss seconded that:

The Committee adopt the Chair's draft report *Inquiry into a Process to Review Bills for their Impact on First Nations Territorians* for tabling in the Assembly.

Question put and passed.

Mr Edgington and Ms Boothby advised that they would be submitting a dissenting report. The Committee agreed that a signed copy of the dissenting report is to be provided to the Committee Secretary by close of business Monday, 20 May 2024.

Meeting closed at 12.35 pm

Hon Dheran Young, MLA
Chair