



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

Legal and Constitutional Affairs Committee

Associated Minutes of Proceedings

Report of Ministerial Correspondence on Subordinate Legislation and Publications

October 2020 – July 2021

August 2021



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
14th Assembly

Legal and Constitutional Affairs Committee

MINUTES OF PROCEEDINGS

Meeting No. 1

12.20 pm, Wednesday, 11 November 2020
Litchfield Room

Present: Mr Joel Bowden MLA, Chair, Member for Johnston
Mr Mark Monaghan MLA, Deputy Chair, Member for Fong Lim
Ms Marie-Clare Boothby MLA, Member for Brennan
Mr Gerard Maley MLA, Member for Nelson
Mr Mark Turner MLA, Member for Blain

Secretariat: Ms Julia Knight, Committee Secretary

1. ELECTION OF DEPUTY CHAIR

The Chair called for nominations for Deputy Chair.

Mr Bowden nominated Mr Monaghan as Deputy Chair of the Legal and Constitutional Affairs Committee. Mr Turner seconded the nomination

There being no other nominations the Chair declared Mr Monaghan to be the elected Deputy Chair of the Committee.

2. COMMITTEE PROCEDURES

Mr Monaghan moved and Mr Turner seconded that:

Pursuant to Standing Order 194(4), the Committee authorises the Chair of the Committee to issue media releases and give public briefings on matters relating to any inquiries of the Committee.

Question put and passed.

3. CORRESPONDENCE

Noted

4. COMMITTEE WORK PROGRAM

Mr Maley moved and Ms Boothby seconded that:

The Committee continues to follow the work program for the scrutiny of Subordinate Legislation and Publications as established in previous assemblies.

Question put and passed.

5. SUBORDINATE LEGISLATION

Mr Maley moved and Mr Turner seconded that:

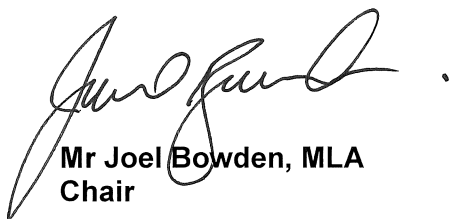
That the Committee forward the legal advice regarding the Environment Protection Regulations (No. 6 of 2020) to the Minister for Environment for consideration and comment by 22 January 2021.

Question put and passed.

6. NEXT MEETING

12.00 pm Tuesday 16 February 2021.

Meeting closed at 12.30 pm.

A handwritten signature in black ink, appearing to read 'Joel Bowden', is written over the typed 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. 2

12.00 pm, Wednesday 17 February 2021
Litchfield Room

Present: Mr Joel Bowden MLA, Chair, Member for Johnston
Ms Marie-Clare Boothby MLA, Member for Brennan
Mr Gerard Maley MLA, Member for Nelson
Mr Mark Turner MLA, Member for Blain

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

Secretariat: Ms Julia Knight, Committee Secretary

1. MINUTES OF PREVIOUS MEETING

Ms Boothby moved and Mr Maley seconded that:

The Minutes of Meeting No. 1 of 11 November 2020 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

3. SUBORDINATE LEGISLATION

Mr Maley moved and Mr Turner seconded that:

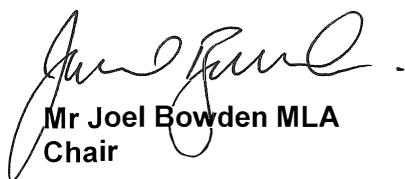
1. The Committee note the Minister's response regarding the Environment Protection Regulations (No. 6 of 2020).
2. The Committee refer the legal advice regarding the Plant Health Amendment Regulations (No. 18 of 2020) to the Minister for Agribusiness and Aquaculture for consideration and comment by 12 March 2021.
3. The Committee refer the legal advice regarding the Batchelor Institute of Indigenous Tertiary Education (Gif fund) By-Laws 2020 to the Minister for Education for consideration and comment by 12 March 2021.

Questions put and passed.

4. NEXT MEETING

12.00 pm, Tuesday 23 March 2021.

Meeting closed at 12.06 pm.


Mr Joel Bowden MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
14th Assembly

Legal and Constitutional Affairs Committee

MINUTES OF PROCEEDINGS

Meeting No. 3

12.00 pm, Tuesday 23 March 2021
Litchfield Room

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

Secretariat: Ms Julia Knight, Committee Secretary

1. MINUTES OF PREVIOUS MEETING

Ms Boothby moved and Mr Bowden seconded that:

The Minutes of Meeting No. 2 of 17 February 2021 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

3. SUBORDINATE LEGISLATION

Petroleum Regulations (No. 31 of 2021)

Mr Edgington moved and Mr Costa seconded that:

The Committee refer the legal advice on the Petroleum Regulations (No. 31 of 2020) to the Minister for Mining and Industry for consideration and comment by 16 April 2021.

Question put and passed.

Batchelor Institute of Indigenous Tertiary Education (Gift Fund) By Laws 2020

Ms Boothby moved and Mr Costa seconded that:

The Committee respond to the Minister for Education recommending the following action in relation to the matters raised by Professor Aughterson:

1. As per the advice from Cozens Johansen, the Batchelor Institute of Indigenous Tertiary Education (Gift Fund) By-Laws 2020 be amended to:
 - a) Correct the reference to the Act in by-law 5(1) from section 10(1) to section 7(1).
 - b) Correct the omission identified in the last line of by-law 5(3) by inserting the word 'promotion'.
2. That the Minister advise the Committee as to the anticipated timeframe to effect these amendments.

Question put and passed.

Plant Health Amendment Regulations (No. 18 of 2020)

Mr Edgington moved and Ms Boothby seconded that:

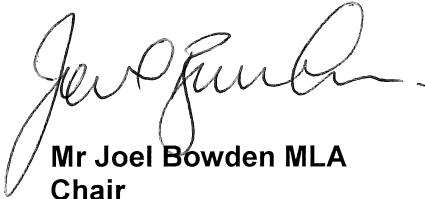
The Committee note the Minister's response.

Question put and passed.

4. NEXT MEETING

12.00 pm, Tuesday 4 May 2021.

Meeting closed at 12.07 pm.



Mr Joel Bowden MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

14th Assembly

Legal and Constitutional Affairs Committee

MINUTES OF PROCEEDINGS

Meeting No. 4

12.00 pm, Tuesday 11 May 2021

Litchfield Room

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

Secretariat: Ms Julia Knight, Committee Secretary

1. MINUTES OF PREVIOUS MEETING

Mr Costa moved and Mr Edgington seconded that:

The Minutes of Meeting No. 3 of 23 March 2021 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

3. SUBORDINATE LEGISLATION

Petroleum Regulations (No. 31 of 2021)

Mr Monaghan moved and Ms Boothby seconded that:

The Committee note the Minister's response.

Question put and passed.

Batchelor Institute of Indigenous Tertiary Education (Gift Fund) By Laws 2020

Mr Monaghan moved and Mr Costa seconded that:

The Committee note the Minister's response.

Question put and passed

4. TABLING OF SUBORDINATE LEGISLATION

Mr Edgington moved and Ms Boothby seconded that:

The Committee write to Ministers Fyles and Lawler to advise them of the oversight in relation to the tabling of the Liquor Amendment Regulations [No. 2 of 2021] and the Building Amendment Regulations [No. 3 of 2021] in accordance with section 63(1) of the *Interpretation Act 1978*, and seek the Ministers' advice as to how the matter has been resolved.

Question put and passed.

5. NEXT MEETING

12.00 pm, Tuesday 10 August 2021.

Meeting closed at 12.13 pm.

Mr Joel Bowden MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
14th Assembly

Legal and Constitutional Affairs Committee

MINUTES OF PROCEEDINGS

Meeting No. 5

12.00 pm, Tuesday 10 August 2021
Litchfield Room

Present: Mr Joel Bowden MLA, Chair, Member for Johnston
Ms Marie-Clare Boothby MLA, Member for Brennan
Mr Lawrence Costa MLA, Member for Arafura
Mr Steve Edgington MLA, Member for Barkly

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

Secretariat: Ms Julia Knight, Committee Secretary

1. MINUTES OF PREVIOUS MEETING

Ms Boothby moved and Mr Costa seconded that:
The Minutes of Meeting No. 4 of 11 May 2021 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

3. CHAIR'S DRAFT REPORT OF MINISTERIAL CORRESPONDENCE

Mr Costa moved and Mr Edgington seconded that:

The Committee adopt the Chair's draft Report of Ministerial Correspondence on Subordinate Legislation October 2020 – July 2021 to be tabled in the Assembly on 12 August 2021.

Question put and passed.

4. NEXT MEETING

12.00 pm, Tuesday 21 September 2021.

Meeting closed at 12.13 pm

Mr Joel Bowden, MLA
Chair