NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 61
Tuesday 22 November 2022

1. MEETING

The Assembly met at 10.00. The Speaker, the Honourable Mark Monaghan, presided.

2. PRAYERS

Mr Bowden read the prayer.

3. ACKNOWLEDGEMENT OF COUNTRY

Mr Young delivered the acknowledgement of country on behalf of the Assembly.

4. VISITORS

On behalf of all Members, the Speaker welcomed Year 6 students and teachers from Bakewell Primary School and Mr Martyn Perkins, former Member of Tynwald, the Parliament of the Isle of Man, present in the gallery.

5. MESSAGE FROM THE ADMINISTRATOR

The Speaker advised Members of the following Message from Her Honour the Administrator (Paper 662).

Message Number 20

Assent to Proposed Laws

I, VICKI O'HALLORAN AO, the Administrator of the Northern Territory of Australia, advise the Legislative Assembly, pursuant to section 7 of the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, of the assent to the following proposed laws:

31 October 2022

Justice and Licensing Legislation Further Amendment Act 2022 (Act No. 21 of 2022)
Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Amendment Act 2022 (Act No. 22 of 2022)
Public Holidays Amendment Act 2022 (Act No. 23 of 2022)
Criminal Code Amendment (Property Offences) Act 2022 (Act No. 24 of 2022)

Dated 3 November 2022.

6. SPEAKER'S STATEMENTS

The Speaker announced that, pursuant to the resolution on remote participation passed by the Assembly on 26 July 2022, he considered it necessary for Members to participate in the Assembly's Meetings remotely this fortnight.

The Speaker made a statement regarding recent changes to Department of the Legislative Assembly staffing.

7. MEDICINES, POISONS AND THERAPEUTIC GOODS LEGISLATION AMENDMENT BILL 2022 (SERIAL 67)

Resumption of debate on the question that the Bill be read a second time.

Mr Yan, Ms Fyles (in reply).

Question put and passed.

Bill read a second time.

The Assembly considered the Bill in detail.

Clauses 1 to 15 considered.

Clauses 1 to 15 stand as printed.

Clause 16 considered.

Clause 16 stands as printed.

Clauses 17 to 23 considered.

Clauses 17 to 23 stand as printed.

Clause 24 considered.

Clause 24 stands as printed.

Clauses 25 to 27 considered.

Clauses 25 to 27 stand as printed.

Clause 28 considered.

Clause 28 stands as printed.

Clauses 29 to 68 considered.

Clauses 29 to 68 stand as printed.

Schedule considered.

Schedule stands as printed.

Remainder of the Bill taken together.

Remainder of the Bill stands as printed.

Bill agreed to.

On the motion of Ms Fyles (Minister for Health), the Bill was read a third time.

8. ANTI-DISCRIMINATION AMENDMENT BILL 2022 (SERIAL 64)

Resumption of debate on the question that the Bill be read a second time.

Mr Maley.

Visitors: On behalf of all Members, the Speaker welcomed Year 6 students and teachers from Bakewell Primary School present in the gallery.

Ms Fyles, Mrs Lambley, Mrs Manison.

Debate suspended.

Suspension of Meeting: The meeting of the Assembly was suspended between 11.59 and 14.00.

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9. VISITORS

On behalf of all Members, the Speaker welcomed students from the Nightcliff Middle School Stars Foundation and participants with the Miriam-Rose Foundation, accompanied by Dr Miriam-Rose Ungunmerr-Baumann AO, the 2021 Australian Senior of the Year, present in the gallery.

10. NOTICE

The following notice was given:

Mrs Finocchiaro will move on the next Meeting Day that:

> This Assembly appoints a Select Parliamentary Committee to hold a full public inquiry into police wellness, resourcing, morale and retention in the Northern Territory, as well as any other specific topics which the Committee deems necessary.
>
> The Committee will be comprised of three (3) Government Members, two (2) Opposition Members and one (1) Independent Member, to be nominated in writing to the Speaker by the relevant Whip or non-party aligned Member.
>
> The Committee is to report to the Legislative Assembly within 90 days, with specific recommendations to address the ongoing crisis in policing.

11. PETITION

Mr Maley, by leave, presented Petition Number 22, not conforming with Standing Orders, from 2,190 petitioners praying to protect religious freedom and parental rights in the Northern Territory (Paper 675).

Petition read.

12. MOTION: PETITION REFERRED TO PUBLIC ACCOUNTS COMMITTEE

Mr Maley moved that Petition Number 22 be referred to the Public Accounts Committee.

Question put and passed.

13. QUESTIONS

14.03 Mrs Finocchiaro to Ms Fyles
14.07 Mr Young to Ms Fyles
14.11 Mr Maley to Ms Fyles
14.15 Mr Bowden to Mrs Worden
14.19 Mrs Hersey to Ms Fyles
14.20 Mr Potter to Mrs Manison
14.24 Mr Burgoyne to Mrs Worden
14.27 Mr Burgoyne to Mrs Worden – Supplementary
14.29 Mr Potter to Ms Lawler
14.32 Ms Boothby to Mrs Worden
14.36 Mr Costa to Ms Uibo
14.40 Mrs Lambley to Mrs Manison
14.41 Mr Bowden to Ms Moss
14.45 Mr Edgington to Mrs Worden

14.48 Mr Costa to Ms Ah Kit
14.52 Mrs Finocchiaro to Mrs Worden

Proposed censure

Pursuant to Standing Order 67, Mrs Finocchiaro (Leader of the Opposition) sought to move:

That this Assembly censures the Minister for Police, Fire and Emergency Services for her complete failure to support police in stopping the crime crisis that is putting the lives of police and innocent Territorians in grave danger.

The Government did not accept the proposed motion.

14.54 Mr Young to Mr Kirby

Mr Paech (Leader of Government Business) asked that further questions be placed on the Written Question Paper.

14. ANTI-DISCRIMINATION AMENDMENT BILL 2022 (SERIAL 64)
Resumption of debate on the question that the Bill be read a second time.

Mrs Finocchiaro, Ms Lawler, Ms Purick, Mrs Hersey, Mr Young, Ms Boothby, Ms Moss, Mr Guyula, Mr Burgoyne, Mr Yan, Mr Turner, Ms Uibo, Ms Ah Kit, Mr Paech (in reply).

Question put.

The Assembly divided.

Ayes 15	**Noes 9**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne
Mr Costa	Mr Edgington
Ms Fyles	Mrs Finocchiaro
Mr Guyula	Mrs Hersey
Mr Kirby	Mrs Lambley
Ms Lawler	Mr Maley
Mrs Manison	Ms Purick
Mr Monaghan	Mr Yan
Ms Moss	
Mr Paech	
Mr Potter	
Ms Uibo	
Mrs Worden	
Mr Young	

Question agreed to.

Bill read a second time.

The Assembly considered the Bill in detail.

Clause 1 considered.

Clause 1 stands as printed.

Clause 2 considered.

Clause 2 stands as printed.

MaB

Clause 3 considered.

Clause 3 stands as printed.

Clause 4 considered.

Clause 4 stands as printed.

Clause 5 considered.

Mr Paech moved the following amendment:

Clause 5(2), proposed definitions *infectious disease status* and *sexual services*

omit

Question put and passed.

Amendment agreed to.

Mr Paech moved the following amendment:

Clause 5(2)

insert (in alphabetical order)

HIV/hepatitis status means having:

(a) the Human Immunodeficiency Virus; or

(b) the medical condition known as hepatitis.

sex work means provision by a person of either of the following services in return for payment or reward:

(a) services that involve the person participating in sexual activity with another person;

(b) services that involve the use or display of the person's body for the sexual arousal or gratification of others.

Question put and passed.

Amendment agreed to.

Clause 5 as amended stands.

Clause 6 considered.

Clause 6 stands as printed.

Clause 7 considered.

Clause 7 stands as printed.

Clause 8 considered.

Clause 8 stands as printed.

Clause 9 considered.

Clause 9 stands as printed.

Clause 10 considered.

Mr Paech moved the following amendment:

Clause 10(3), proposed section 19(1)(ec)

omit (all references)

sexual services

insert

sex work

Question put and passed.

Amendment agreed to.

Mr Paech moved the following amendment:

Clause 10(5), proposed section 19(1)(ja)

omit

infectious disease

insert

HIV/hepatitis

Question put and passed.

Amendment agreed to.

Clause 10 as amended stands.

Clause 11 considered.

On the question that the clause stand as printed.

The Assembly divided.

Ayes 15	**Noes 10**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne
Mr Costa	Mr Edgington
Ms Fyles	Mrs Finocchiaro
Mr Kirby	Mr Guyula
Ms Lawler	Mrs Hersey
Mrs Manison	Mrs Lambley
Mr Monaghan	Mr Maley
Ms Moss	Ms Purick
Mr Paech	Mr Yan
Mr Potter	
Mr Turner	
Ms Uibo	
Mrs Worden	
Mr Young	

Question agreed to.

Clause 11 stands as printed.

Clause 12 considered.

Clause 12 stands as printed.

Clause 13 considered.

Clause 13 stands as printed.

Clause 14 considered.

Clause 14 stands as printed.

Clause 15 considered.

Clause 15 stands as printed.

MAB

Clause 16 considered.

Clause 16 stands as printed.

Clause 17 considered.

On the question that the clause stand as printed.

The Assembly divided.

Ayes 14	**Noes 9**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne
Mr Costa	Mr Edgington
Ms Fyles	Mrs Finocchiaro
Mr Kirby	Mr Guyula
Ms Lawler	Mrs Hersey
Mrs Manison	Mrs Lambley
Mr Monaghan	Mr Maley
Ms Moss	Mr Yan
Mr Paech	
Mr Potter	
Ms Uibo	
Mrs Worden	
Mr Young	

Question agreed to.

Clause 17 stands as printed.

Clause 18 considered.

Clause 18 stands as printed.

Clause 19 considered.

Clause 19 stands as printed.

Clause 20 considered.

Clause 20 stands as printed.

Clause 21 considered.

Clause 21 stands as printed.

Clause 22 considered.

Clause 22 stands as printed.

Clause 23 considered.

Clause 23 stands as printed.

Clause 24 considered.

Clause 24 stands as printed.

Clauses 25 and 26 considered.

Clauses 25 and 26 stand as printed.

Clause 27 considered.

On the question that the clause stand as printed.

The Assembly divided.

Ayes 16	**Noes 9**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne
Mr Costa	Mr Edgington
Ms Fyles	Mrs Finocchiaro
Mr Guyula	Mrs Hersey
Mr Kirby	Mrs Lambley
Ms Lawler	Mr Maley
Mrs Manison	Ms Purick
Mr Monaghan	Mr Yan
Ms Moss	
Mr Paech	
Mr Potter	
Mr Turner	
Ms Uibo	
Mrs Worden	
Mr Young	

Question agreed to.

Clause 27 stands as printed.

Clause 28 considered.

Clause 28 stands as printed.

Clause 29 considered.

Clause 29 stands as printed.

Clause 30 considered.

Clause 30 stands as printed.

Clause 31 considered.

Clause 31 stands as printed.

Clauses 32 and 33 considered.

Clauses 32 and 33 stand as printed.

Clause 34 considered.

Clause 34 stands as printed.

Clause 35 considered.

Clause 35 stands as printed.

Clause 36 considered.

Clause 36 stands as printed.

Clause 37 considered.

Clause 37 stands as printed.

Clauses 38 to 45 considered.

Clauses 38 to 45 stand as printed.

New clause 45A.

Ms Purick moved the following amendment:

MCB

After clause 45

insert

45A Section 117A inserted

After section 117, in Part 8

insert

117A Review of *Anti-Discrimination Amendment Act 2022*

(1) The Minister must conduct a review of the first 2 years of operation of the amendments made to this Act by the *Anti-Discrimination Amendment Act 2022*.

(2) A report of the review must be tabled in the Assembly within 12 months after the end of the period of 2 years after the commencement of the *Anti-Discrimination Amendment Act 2022*.

Question put.

The Assembly divided.

Ayes 10	**Noes 14**
Ms Boothby	Ms Ah Kit
Mr Burgoyne	Mr Bowden
Mr Edgington	Mr Costa
Mrs Finocchiaro	Ms Fyles
Mr Guyula	Mr Kirby
Mrs Hersey	Ms Lawler
Mrs Lambley	Mrs Manison
Mr Maley	Mr Monaghan
Ms Purick	Ms Moss
Mr Yan	Mr Paech
	Mr Potter
	Ms Uibo
	Mrs Worden
	Mr Young

Amendment not agreed to.

Remainder of the Bill taken together.

Remainder of the Bill stands as printed.

Bill as amended agreed to.

Mr Paech (Attorney-General and Minister for Justice) moved that the Bill be read a third time.

The Assembly divided.

Ayes 15	**Noes 9**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne
Mr Costa	Mr Edgington
Ms Fyles	Mrs Finocchiaro
Mr Guyula	Mrs Hersey
Mr Kirby	Mrs Lambley
Ms Lawler	Mr Maley
Mrs Manison	Ms Purick
Mr Monaghan	Mr Yan
Ms Moss	

MMS

Mr Paech
Mr Potter
Ms Uibo
Mrs Worden
Mr Young

Question agreed to.

Bill read a third time.

15. PAPER TABLED

Ms Lawler (Treasurer) tabled: Treasurer's Annual Financial Report 2021–2022 (Paper 702).

Ms Lawler moved that the Assembly note the report.

Question put and passed.

16. ADJOURNMENT

Ms Lawler (Treasurer) moved that the Assembly adjourn.

Question put and passed.

Ms Uibo, Mr Burgoyne, Mrs Hersey.

The Assembly adjourned on Wednesday 23 November 2022 at 00.07 until Wednesday 23 November 2022 at 10.00.

DEEMED PAPERS

Pursuant to Standing Order 239 the following papers were deemed tabled:

Annual Report 2021

Pastoral Land Board (Paper 678)

Annual Reports 2021–2022

Australian Health Practitioner Regulation Agency and the National Boards, reporting on the National Registration and Accreditation Scheme (Paper 673)
Community Benefit Fund (Paper 701)
Community Justice Centre (Paper 690)
Community Visitor Program (Paper 669)
Darwin Waterfront Corporation (Paper 665)
Department of Infrastructure, Planning and Logistics (Paper 688)
Department of the Attorney-General and Justice (Paper 691)
Department of the Chief Minister and Cabinet (Paper 666)
Department of the Legislative Assembly (Paper 668)
Director of Public Prosecutions Northern Territory (Paper 692)
Information Commissioner (Paper 693)
National Health Practitioner Ombudsman (Paper 672)
Northern Territory Civil and Administrative Tribunal (Paper 694)
Northern Territory Consumer Affairs (Paper 695)
Northern Territory Electoral Commission (Paper 674)
Northern Territory Judicial Commission (Paper 696)
Northern Territory Police, *Liquor Act 2019,* section 233 (Paper 686)
Northern Territory Police, *Liquor Act 2019*, section 260 (Paper 685)
Northern Territory Police, *Police (Special Investigative and Other Powers) Act 2015,* Witness Identity Protection (Paper 687)
NT Anti-Discrimination Commission (Paper 689)
NT Build (Paper 677)

NT Health (Paper 670)
NT Police, Fire and Emergency Services (Paper 684)
Office of the Commissioner for Public Employment (Paper 679)
OmbudsmanNT (Paper 663)
Territory Families, Housing and Communities (Paper 682)
Tourism NT (Paper 676)
Work Health and Safety Advisory Council, NT WorkSafe (Paper 699)
Work Health Authority, NT WorkSafe (Paper 698)
Youth Justice Advisory Committee (Paper 683)

Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006

Northern Territory of Australia Remuneration Tribunal Report and Determination No. 1 of 2022 on the Entitlements of Local Court Judges (Paper 664)

Serious Crime Control Act 2009

Annual Review 2021–2022, *Serious Crime Control Act 2009,* section 85(1), by The Hon. Sally Thomas A.C. (Paper 697)

Subordinate Legislation 2022

No. 14 of 2022, Animal Protection Regulations 2022 (Paper 681)
No. 15 of 2022, Gaming Machine Amendment Regulations 2022 (Paper 700)

Public and Environmental Health Act 2011

Chief Health Officer's Report, The COVID-19 Public Health Emergency, 18 March 2022 to 15 June 2022 (Paper 671)

Public Sector Employment and Management Act 1993

Employment Report 2021–2022, Department of the Legislative Assembly (Paper 667)
State of the Service Report 2021–2022, Office of the Commissioner for Public Employment (Paper 680)

ATTENDANCE

All Members attended the meeting.

Ms Purick attended via videoconference.

MATHEW BATES
Clerk of the Legislative Assembly