NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 92
Tuesday 24 October 2023

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

Ms Ah Kit delivered the acknowledgement of country on behalf of the Assembly.

4. MESSAGE FROM THE ADMINISTRATOR

The Speaker advised Members of the following Message from His Honour Professor the Honourable Hugh Heggie PSM, Administrator of the Northern Territory (Paper 969).

Message Number 31

Legacy Mines Remediation Bill 2023

I, Hugh Crosby Heggie, Administrator of the Northern Territory of Australia, under section 11 of the *Northern Territory (Self-Government) Act 1978* (Cth), recommend to the Legislative Assembly a Bill for an Act that include provisions authorising payments from revenue received by the Territory for purposes in connection with minimising or remediating environmental harm caused by legacy mines and legacy mine features.

Dated 18 October 2023.

5. INDEPENDENT COMMISSIONER AGAINST CORRUPTION AMENDMENT BILL 2023 (SERIAL 103)

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

Mrs Finocchiaro, Mrs Lambley.

Mr Maley, pursuant to Standing Order 39, moved that the debate be adjourned.

Question put.

The Assembly divided:

Ayes 9	**Noes 14**
Ms Boothby	Ms Ah Kit
Mr Edgington	Mr Bowden
Mrs Finocchiaro	Mr Brown
Mrs Hersey	Ms Fyles
Mrs Lambley	Mr Kirby
Mr Maley	Ms Lawler
Ms Purick	Mrs Manison

Mr Turner	Mr Monaghan
Mr Yan	Ms Moss
	Mr Paech
	Mr Potter
	Ms Uibo
	Mrs Worden
	Mr Young

Motion not agreed to.

Mrs Manison, Ms Purick, Mr Potter, Ms Fyles (in reply).

On the question that the Bill be read a second time.

Question put and passed.

Bill read a second time.

The Assembly considered the Bill in detail.

Consideration in detail stage suspended.

Suspension of Meeting: The meeting of the Assembly was suspended between 11.58 and 14.00.

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6. NOTICES

The following notices were given:

1. Ms Moss (Minister for Environment, Climate Change and Water Security) will present on the next Meeting Day a Bill titled Environment Protection Legislation Amendment Bill 2023 (Serial 105)
2. Mrs Manison (Minister for Mining and Industry) will present on the next Meeting Day a Bill titled Legacy Mines Remediation Bill 2023 (Serial 107)
3. Mr Paech (Attorney General and Minister for Justice) will present on the next Meeting Day a Bill titled Victims of Crime Assistance Amendment Bill 2023 (Serial 109)
4. Mr Paech (Attorney General and Minister for Justice) will present on the next Meeting Day a Bill titled Justice Legislation Amendment (Domestic and Family Violence) Bill 2023 (Serial 106)
5. Mr Paech (Attorney General and Minister for Justice) will present on the next Meeting Day a Bill titled Residential Tenancies Legislation Amendment Bill 2023 (Serial 108).

7. QUESTIONS

14.01	Mrs Finocchiaro to Ms Fyles
14.05	Mr Brown to Ms Fyles
14.08	Mr Maley to Ms Fyles
14.12	Mr Young to Ms Fyles
14.15	Ms Boothby to Ms Fyles
14.19	Mr Brown to Mrs Manison
14.23	Mr Burgoyne to Ms Fyles
14.27	Mr Young to Ms Lawler
14.30	Mrs Hersey to Ms Fyles
14.34	Mr Bowden to Ms Uibo
14.37	Mrs Lambley to Ms Fyles
14.41	Mr Edgington to Ms Fyles
14.45	Mr Potter to Mr Paech

14.48 Mr Yan to Ms Fyles
14.52 Mr Potter to Ms Moss
14.55 Mrs Finocchiaro to Ms Fyles
14.59 Mrs Finocchiaro to Ms Fyles – Supplementary
15.00 Mr Brown to Ms Ah Kit

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

8. INDEPENDENT COMMISSIONER AGAINST CORRUPTION AMENDMENT BILL 2023 (SERIAL 103)

Resumption of the consideration in detail stage.

Clause 1 considered.

Clause 1 stands as printed.

Clause 2 considered.

Ms Fyles moved the following amendment:

Clause 2

omit

This Act

insert

(1) This Act (except section 45)

Question put and passed.

Amendment agreed to.

Ms Fyles moved the following amendment:

Clause 2, at the end

insert

(2) Section 45 commences on 2 January 2024.

Question put and passed.

Amendment agreed to.

Clause 2 stands as amended.

Clause 3 considered.

Clause 3 stands as printed.

Clause 4 considered.

Clause 4 stands as printed.

Clause 5 considered.

Ms Fyles moved the following amendment:

omit, insert

5 Section 4 amended (Definitions)

(1) Section 4, definitions ***give evidence*** and ***public inquiry report***

omit

(2) Section 4

insert

associated entity, see section 176 of the *Electoral Act 2004*.

give evidence includes answer a question, give information and produce an item.

non-NT political party, for Part 7, see section 112A(1).

recent political affiliation, for Part 7, see section 112A(2).

reportable donation, for Part 7, see section 112A(1).

Question put and passed.

Amendment agreed to.

Clause 5 stands as amended.

Clause 6 considered.

Clause 6 stands as printed.

Clause 7 considered.

Visitors: On behalf of all Members the Deputy Speaker, Mr Young, welcomed Mr George Papakostas, Ambassador of Greece; his partner, Ms Go Har Badalyan; and Hon John Anictomatis AO, Honorary Consul-General of Greece in the Northern Territory and former Administrator of the Northern Territory present in the gallery.

Clause 7 stands as printed.

Clauses 8 to 11 considered.

Clauses 8 to 11 stand as printed.

Clause 12 considered.

Clause 12 stands as printed.

Clause 13 considered.

Ms Fyles moved the following amendment:

Clause 13(2), proposed section 34(6), definition *comprehensively stating*

omit

matter or matters about which the person is to be questioned, including the following:

insert

following in relation to the matter or matters about which the person is to be questioned:

Question put and passed.

Amendment agreed to.

Clause 13 stands as amended.

Clause 14 considered.

Clause 14 stands as printed.

Clause 15 considered.

Clause 15 stands as printed.

Clause 16 considered.

Clause 16 stands as printed.

Clause 17 considered.

Clause 17 stands as printed.

Clauses 18 to 28 considered.

Clauses 18 to 28 stand as printed.

Clause 29 considered.

Ms Fyles moved the following amendment:

Clause 29(1)

omit

Question put and passed.

Amendment agreed to.

Ms Fyles moved the following amendment:

Clause 29(5), proposed section 93(4A)(a)

omit

making the report

insert

providing the information

Question put and passed.

Amendment agreed to.

Ms Fyles moved the following amendment:

Clause 29(6)

omit

Question put and passed.

Clause 29 stands as amended.

Clauses 30 and 31 considered.

Clauses 30 and 31 stand as printed.

Clause 32 considered.

Ms Fyles moved the following amendment:

Clause 32

omit, insert

32 Part 7, Division 1AA inserted

Before Division 1, in Part 7

Insert

Division 1AA Preliminary matters

112A Interpretation

(1) In this Part:

non-NT political party means an organisation (whether incorporated or unincorporated), an object or activity of which is the promotion of the election to the Parliament of another Territory, a State or the Commonwealth of a candidate or candidates endorsed by it.

recent political affiliation, see subsection (2).

reportable donation means a gift or loan that is required to be disclosed or reported under Part 10 of the *Electoral Act 2004* or under a similar law in force in the Commonwealth or in a State or another Territory.

(2) For this Part, a person has a ***recent political affiliation*** if, at any time during the previous 10 years, the person:

(a) was a member of the Legislative Assembly or a local government council; or

(b) was an office holder or elected representative of a political party or a non-NT political party; or

(c) was a member of staff of a minister or of the Leader of the Opposition; or

(d) was a member of electorate office staff for an MLA; or

(e) was a member of a political party or a non-NT political party; or

(f) made a reportable donation to any of the following:

(i) a political party;

(ii) a non-NT political party;

(iii) an associated entity of a political party;

(iv) an entity that is equivalent to an associated entity in relation to a non-NT political party.

(3) For subsection (2)(f), a person made a reportable donation if it was made by the person or by a body corporate of which the person was an office holder or majority shareholder at the time the donation was made.

Question put and passed.

Amendment agreed to.

Clause 32 stands as amended.

Clause 33 considered.

Clause 33 stands as printed.

Clause 34 considered.

Ms Fyles moved the following amendment:

After clause 34(2)

insert

(3) Section 128(2)(h)

omit

activities.

insert

activities;

(4) After section 128(2)(h)

insert

(i) in respect of each person who commenced being a member of ICAC staff during the financial year, whether an appropriate suitability check was carried out in accordance with section 126 before that person commenced being a member of ICAC staff;

(j) in respect of any member of ICAC staff to whom paragraph (i) does not apply, an outline of the governance arrangements the ICAC has in place to ensure:

(i) continued compliance with section 126; and

(ii) each member of ICAC staff remains suitable to be a member of ICAC staff.

Question put and passed.

Amendment agreed to.

Clause 34 stands as amended.

Clauses 35 to 57 considered.

Clauses 35 to 57 stand as printed.

Schedule considered.

Ms Fyles moved the following amendment:

Schedule

insert (in numerical order)

section 15(1)(b)(iv)	*2008*	*2019*
section 15(3), definition ***associated entity***	whole definition	
section 114(1)(b)(iii)	Territory; or	Territory; and
section 114(1)(b)(iv)	whole subparagraph	

Question put and passed.

Amendment agreed to.

Schedule stands as amended.

Remainder of the Bill taken together.

Remainder of the Bill stands as printed.

Bill agreed to.

Ms Fyles (Chief Minister) moved the Bill be read a third time.

Mr Turner.

Question put and passed.

The Bill was read a third time.

9. MATTER OF PUBLIC IMPORTANCE: ECONOMIC FAILURE

The Deputy Speaker advised the Assembly that Mr Yan had proposed a Matter of Public Importance in the following terms:

The Northern Territory Government's failure to deliver a strong economy.

Having received the necessary support, discussion ensued.

Mr Yan, Ms Lawler, Mrs Hersey, Mrs Manison, Mr Edgington.

Visitors: On behalf of all Members the Speaker welcomed Mr Tony Sievers, former Member for Brennan, present in the gallery.

Mr Kirby, Ms Boothby, Mr Paech.

Discussion concluded.

10. ADJOURNMENT

Mr Paech (Leader of Government Business) moved that the Assembly adjourn.

Question put and passed.

Mrs Worden, Ms Lawler, Mrs Manison, Mr Kirby, Mr Monaghan, Mr Paech.

The Assembly adjourned at 19.21 until Wednesday 25 October 2023 at 10.00.

DEEMED PAPERS

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

Annual Reports 2022–2023

Department of the Attorney-General and Justice (Paper 982)
Department of the Chief Minister and Cabinet (Paper 974)
Department of Education (Paper 970)
Department of Infrastructure, Planning and Logistics (Paper 971)
Director of Public Prosecutions Northern Territory (Paper 978)
Northern Territory Civil and Administrative Tribunal (Paper 981)
Northern Territory Consumer Affairs (Paper 975)
Northern Territory Environment Protection Authority, *Environment Protection (Beverage Containers and Plastic Bags) Act 2011* (Paper 983)
Northern Territory Judicial Commission (Paper 979)
Northern Territory Liquor Commission (Paper 972)
Report of Inspector pursuant to section 137 of the *Independent Commissioner Against Corruption Act 2017* of evaluation of the Independent Commissioner Against Corruption pursuant to section 136 of the Act, September 2023 (Paper 973)
Work Health and Safety Advisory Council (Paper 976)

Coroners Act 1993

Report to the Legislative Assembly, In the matter of the Coroner's Findings and Recommendations regarding the death of Nigel Roy Harris pursuant to *Coroners Act 1993*, section 46B (Paper 977)

Financial Management Act 1995

Independent Auditor's Report to the Minister for Housing and Homelands, NT Home Ownership (Paper 980)

ATTENDANCE
All Members attended the meeting.



MATHEW BATES
Clerk of the Legislative Assembly