NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 16
Thursday 25 March 2021

1. MEETING

The Assembly met at 10.00. The Speaker, the Honourable Ngaree Ah Kit, presided.

2. PRAYERS

Mr Bowden read the prayer.

3. ACKNOWLEDGEMENT OF COUNTRY

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

4. VISITORS

The Speaker advised Honourable Members of the presence in the gallery of Year 6 students from Palmerston Christian School accompanied by their teachers.

On behalf of all Members the Speaker welcomed the visitors.

5. SPEAKER'S STATEMENT

The Speaker made a statement regarding the anniversary of the election of Edith Cowan to the Western Australian Parliament.

6. PAPER TABLED

Ms Ah Kit (Speaker) tabled: Department of the Legislative Assembly – Advice from the Clerk of the Legislative Assembly on Parliamentary Privilege (Paper 221).

7. SERIOUS SEX OFFENDERS AMENDMENT BILL 2021 (SERIAL 16)

Ms Uibo (Attorney-General and Minister for Justice), pursuant to notice, presented a Bill for an Act to amend the *Serious Sex Offenders Act 2013* and for related purposes.

Bill read a first time.

Ms Uibo moved that the Bill be read a second time, delivered a second reading speech and tabled an Explanatory Statement (Paper 222).

Mr Edgington moved that the debate be adjourned.

Question put and passed.

8. NATIONAL DISABILITY INSURANCE SCHEME (WORKER CLEARANCE) AMENDMENT BILL 2021 (SERIAL 21)

Mrs Worden (Minister for Disabilities), pursuant to notice, presented a Bill for an Act to amend the *National Disability Insurance Scheme (Worker Clearance) Act 2020*.

Bill read a first time.

Mrs Worden moved that the Bill be read a second time, delivered a second reading speech and tabled an Explanatory Statement (Paper 223).

Mr Yan moved that the debate be adjourned.

Question put and passed.

9. MOTION: PARLIAMENTARY PRIVILEGE

Mr Gunner (Chief Minister), pursuant to notice, moved:

That the Legislative Assembly agree:

1. The Assembly notes the ICAC has by letter dated 23 March 2021 (Letter) and addressed to the Chief Minister, the Honourable Michael Gunner MLA, requested under s 55(2)(g) of the Independent Commissioner Against Corruption Act 2017 (the ICAC Act) that the Assembly authorise the disclosure to the ICAC of three mobile telephones and a laptop computer (individually, Device and collectively, Devices) obtained from the Member for Blain.
2. To the extent a Device contains or may contain information that is the subject of parliamentary privilege, including pursuant to the provisions of the Legislative Assembly (Powers and Privileges) Act 1992 (NT), the Assembly authorises the disclosure to the ICAC of the Devices and their contents for the sole purpose of considering whether information stored on or accessible via a Device may be the subject of parliamentary privilege, provided that:
    a. the disclosure of information to the ICAC occurs in the presence of:
        i. on behalf of the Assembly, the Solicitor-General of the Northern Territory or his or her nominee; and
        ii. a legal representative nominated by the Member for Blain;
    b. the information is disclosed to the persons referred to in paragraph 2(a) above at about the same time that it is disclosed to the ICAC; and
    c. the ICAC will not will not, unless authorised by an order under s 90 of the ICAC Act, further access information which the person in paragraph 2(a)(i) above has informed the ICAC is the subject of a claim for parliamentary privilege or may be the subject of a claim for parliamentary privilege.
3. The person referred to in paragraph 2(a)(i) above is authorised by the Assembly to make a claim for parliamentary privilege in respect of information on a Device, and may abandon such a claim.
4. For the avoidance of doubt, this motion does not authorise the disclosure to the ICAC, or the use by ICAC, of any information on a Device which is the subject of parliamentary privilege, except for the purpose of considering whether the information on the Device may be the subject of parliamentary privilege.
5. The Assembly notes nothing in this motion is intended to interfere with the ICAC's right to bring an application in the Supreme Court pursuant to s 89 of the ICAC Act.
6. Further, the Assembly notes this motion does not extend to the request in the Letter that the Assembly authorise the disclosure of the two speeches.

Mr Gunner.

Paper Tabled: Mr Gunner (Chief Minister) tabled: Letter to the Chief Minister from Mr Nikolai Christrup SC, Solicitor-General, regarding the Chief Minister's Motion (Paper 224).

Mrs Finocchiaro, Ms Purick, Mrs Lambley, Mr Gunner.

Question put.

The Assembly divided:

Ayes 21	**Noes 2**
Ms Ah Kit	Mrs Lambley
Ms Boothby	Ms Purick
Mr Bowden	
Mr Burgoyne	
Mr Costa	
Mr Edgington	
Mrs Finocchiaro	
Ms Fyles	
Mr Gunner	
Mrs Hersey	
Mr Kirby	
Ms Lawler	
Mr Maley	
Mrs Manison	
Mr Monaghan	
Ms Moss	
Mr Paech	
Mr Sloan	
Ms Uibo	
Mrs Worden	
Mr Yan	

Motion agreed to.

10. VISITORS

The Speaker advised Honourable Members of the presence in the gallery of Year 6 students from Sattler Christian College accompanied by their teachers.

On behalf of all Members the Speaker welcomed the visitors.

11. POLICE ADMINISTRATION AMENDMENT BILL 2021 (SERIAL 11): BILL AGREED TO

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

Mrs Finocchiaro, Mrs Worden, Mrs Manison.

Question put and passed.

Bill read a second time.

By leave, on the motion of Mrs Manison (Minister for Police, Fire and Emergency Services), the Bill was read a third time and passed to be a proposed law.

12. JUSTICE AND OTHER LEGISLATION AMENDMENT BILL 2020 (SERIAL 1): BILL AGREED TO

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

Mr Edgington, Ms Uibo.

Question put and passed.

Bill read a second time.

The Assembly resolved to consider the Bill in detail.

Clauses 1 to 15 considered together.

Clauses 1 to 15 stand as printed.

Part 5 considered.

Ms Uibo moved the following amendment:

Part 5, heading

omit

Amendment agreed to.

Part 5 as amended stands.

Clause 16 considered.

Ms Uibo moved the following amendment:

Clause 16

to be opposed

Amendment agreed to.

Clause 16 omitted.

Clause 17 considered.

Ms Uibo moved the following amendment:

Clause 17

to be opposed

Amendment agreed to.

Clause 17 omitted.

Clause 18 considered.

Ms Uibo moved the following amendment:

Clause 18

to be opposed

Amendment agreed to.

Clause 18 omitted.

Remainder of the Bill, other than its title, taken together.

Remainder of the Bill, other than its title, stands as printed.

Long title considered.

Ms Uibo moved the following amendment:

Long title

omit

the Independent Commissioner Against Corruption Act 2017,

Amendment agreed to.

Long titled amended.

Bill as amended agreed to.

On the motion of Ms Uibo (Attorney-General and Minister for Justice), the Bill was read a third time and passed to be a proposed law.

13. MOTION: REORDER OF GOVERNMENT BUSINESS

Ms Fyles (Leader of Government Business), pursuant to Standing Order 59, moved:

That Government Business Order of the Day Number 5 be next considered.

Question put and passed.

Suspension of Meeting: The meeting of the Assembly was suspended between 12.00 and 14.00.

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14. NOTICES

The following notices were given:

1. Mrs Finocchiaro (Leader of the Opposition) will move on the next General Business Day that this Assembly restates its opposition to the 1997 amendments to the *Northern Territory (Self-Government) Act 1978* (Cth) that erode the powers of this assembly to make laws to govern for ourselves.
2. Mr Guyula (Member for Mulka) will move on the next Meeting Day:
    1. In accordance with Standing Order 180, the Assembly appoints a Select Committee on young people and crime, and positive pathways for diverse communities.
    2. The committee is to inquire into the current community concerns across the Northern Territory about young people and crime, with particular reference to –
        a. underlying causes
        b. local community solutions
        c. current solutions that are creating safer communities
        d. structural impediments to positive change
        e. diversity of solutions across the NT
    3. The Committee must report to the Assembly by last sitting day before the end of March 2022.
    4. The Membership of the committee will be three Government Members and one Opposition Member to be nominated to the Speaker in writing by the relevant whip and the Member for Mulka.
    5. The Member for Mulka will be the Chair of the Committee.

15. QUESTIONS

14.03 Mrs Finocchiaro to Mr Gunner
14.03 Mr Monaghan to Mr Gunner
14.07 Mr Maley to Ms Lawler
14.12 Mr Monaghan to Ms Moss
14.16 Mrs Hersey to Ms Lawler
14.20 Mr Costa to Ms Uibo
14.23 Mr Yan to Mrs Manison
14.26 Mr Bowden to Mrs Manison
14.30 Mr Sloan to Mr Gunner
14.34 Mr Monaghan to Ms Fyles

14.40 Mr Guyula to Ms Fyles
14.45 Ms Boothby to Ms Uibo
14.48 Mr Bowden to Ms Lawler
14.51 Mr Edgington to Ms Uibo
14.52 Mr Costa to Mr Kirby
14.56 Mr Burgoyne to Ms Fyles
15.00 Mr Bowden to Mrs Worden

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

16. MINISTERIAL POLICY STATEMENT: SMALL BUSINESS, MOTION TO NOTE
Resumption of debate on the question that the Assembly take note of the statement.

Mr Gunner, Mrs Worden.

Visitors: The Deputy Speaker advised Honourable Members of the presence in the gallery of NT delegates to the National Schools Constitutional Convention accompanied by their supervisor.

On behalf of all Members the Deputy Speaker welcomed the visitors.

Mr Paech, Mrs Lambley, Mr Bowden.

On the motion of Ms Fyles debate was adjourned.

17. PAPER TABLED
The Speaker tabled: Auditor-General's March 2021 Report to the Legislative Assembly (Paper 225).

18. ADJOURNMENT
Ms Fyles (Leader of Government Business) moved that the Assembly adjourn.

Ms Purick, Ms Moss, Mr Maley, Ms Lawler, Mr Sloan, Ms Uibo, Mr Yan, Ms Fyles, Ms Boothby, Mr Kirby.

Paper Tabled: Mr Kirby (Minister for Recreational Fishing) tabled: Petition relating to Munupi Wilderness Lodge Lease (Paper 226).

Mrs Hersey, Mr Edgington, Mr Bowden, Ms Ah Kit.

The Assembly adjourned at 19.09 until Tuesday 4 May 2021 at 10.00.

ATTENDANCE
All Members attended the meeting.

MICHAEL TATHAM
Clerk of the Legislative Assembly