Northern Territory of Australia
Legislative Assembly

Minutes of Proceedings

Meeting Number 3
Thursday 17 October 2024

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1. MEETING OF THE ASSEMBLY

The Assembly met at 10.00 am. The Speaker, the Honourable Robyn Lambley, took the Chair, read the prayer and delivered the acknowledgement of country on behalf of the Assembly.

2. SPEAKER'S STATEMENT

The Speaker advised the following members were appointed to committees on 16 October 2024 pursuant to the Assembly's resolution of 16 October 2024:

- Standing Orders Committee - Manuel Brown, Member for Arafura
- Committee of Privileges - Selena Uibo, Member for Arnhem
- House Committee - Dheran Young, Member for Daly
- Public Accounts Committee - Manuel Brown, Member for Arafura
- Legal and Constitutional Affairs Committee - Dheran Young, Member for Daly
- Standing Committee on the ICAC - Selena Uibo, Member for Arnhem
- Legislative Scrutiny Committee - Chansey Paech, Member for Gwoja.

3. CRIMINAL CODE AMENDMENT BILL 2024 (SERIAL 2)

Order of the day read for the resumption of debate on the question that the Bill be now read a second time.

Ms Uibo, Ms Boothby, Mr Charls, Mr Burgoyne, Mr Howe, Mr Brown, Ms Cahill.

Visitors: On behalf of all members, the Speaker welcomed YouthWorx NT participants and their mentors present in the gallery.

Mr Yan.

Debate interrupted.

Suspension of Meeting: The meeting of the Assembly was suspended between 12 noon and 2.00 pm.

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4. NOTICES

The following notices were given:

1. K McNamara will move on the next General Business Day that this Assembly:
   - Recognises the importance of integrity in our parliamentary system both to ensure that decisions are made in the best interests of Territorians and to ensure that there is public trust in our democratic processes.
   - Acknowledges that public trust in politics is at an all time low and this is due to the influence of lobbyists and vested corporate interests on our politics.
   - Urges the CLP Government to honour their election commitment and catch up to the rest of the country by establishing a lobbyist register.
2. Mr Yan (Treasurer) will present on the next Meeting Day a Bill titled First Home Owner Grant Amendment Bill 2024 (Serial 6).

5. PETITION

Petition Number 1: Mrs Lambley presented Petition Number 1 from 463 petitioners praying for the suspension of transitioning treatments for children in the Northern Territory and the commission of an independent inquiry into gender treatments provided in the Northern Territory (Paper 40).

Petition read.

Mrs Lambley moved that Petition Number 1 be referred to the Public Accounts Committee.

Question put and passed.

6. QUESTIONS

2.03 Ms Uibo to Mrs Finocchiaro
2.06 Dr Rahman to Mrs Finocchiaro
2.10 Ms Uibo to Mr Yan
2.14 Ms Uibo to Mr Yan – Supplementary
2.15 Mrs Zio to Mrs Hersey

Visitors: On behalf of all members, the Speaker welcomed Mr John Maley and Mrs Betty Maley present in the gallery.

2.19 Mr Paech to Mr Maley
2.24 Mr Mackay to Mr Maley
2.28 Mr O'Gallagher to Mr Edgington
2.32 Mr Guyula to Mrs Hersey
2.37 Mr Patel to Mr Yan
2.40 Mr Young to Mr Yan
2.44 K McNamara to Mrs Finocchiaro
2.48 Mr Howe to Ms Boothby
2.52 Mr Brown to Mr Yan
2.57 Mr Kerle to Ms Cahill
3.00 Mr Young to Mr Yan
3.03 Mrs Carlson to Mrs Finocchiaro

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

7. CRIMINAL CODE AMENDMENT BILL 2024 (SERIAL 2)

Order of the day read for the resumption of debate on the question that the Bill be now read a second time.

Mr Yan (continuation of remarks), Mr Young, Mrs Hersey, Mr Paech, Mr Kerle, K McNamara.

Papers Tabled: K McNamara, by leave, tabled the following papers:

1. Correspondence addressed to the Chief Minister and Northern Territory Government on behalf of Northern Territory Paediatricians (Paper 41).
2. Correspondence addressed to Parliament House, Canberra on behalf of Northern Territory Paediatricians (Paper 42).

Mr O'Gallagher, J Davis, Mrs Finocchiaro, Mr Guyula (leave granted to address the Assembly in Yolngu Matha), Dr Rahman, Mr Maley (in reply).

Question put and passed.

Bill read a second time.

The Assembly considered the Bill in detail.

Clauses 1 to 4 stand as printed.

Clause 5.

J Davis moved the following amendment:

After clause 5(2)
insert
(3) Section 38A(1), after "if"
insert
the offence is an indictable offence and

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clause 5 stands as printed.

Clause 6 stands as printed.

Clause 7.

J Davis moved the following amendment:

After clause 7(2)
Insert
(3) Section 43AQ(1), after "if"
insert
the offence is an indictable offence and

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clause 7 stands as printed.

Clauses 8 and 9 stand as printed.

J Davis moved the following amendment:

After clause 9
insert
9A Section 443A inserted
After section 443, in Part X, Division 3
insert
443A Review of certain amendments made by Criminal Code Amendment Act 2024

(1) The Minister must review the operation of the amendments to this Act by sections 4 to 7 and 11 to 17 of the Criminal Code Amendment Act 2024 to determine whether:

(a) the policy objectives of the amendments remain valid; and

(b) the amendments have led to any unintended consequences; and

(b) this Act, as amended, remains appropriate for securing the policy objectives of the amendments.

(2) The review must be undertaken as soon as possible after one year after the Criminal Code Amendment Act 2024 commences.

(3) The Minister must table a report on the review in the Legislative Assembly within 6 months after the expiry of the one-year period mentioned in subsection (2).

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clauses 10 to 19 stand as printed.

Mr Guyula moved the following amendment:

After clause 19
insert
19A Section 26 amended (Separation from adults where practicable)
(1) Section 26, heading
omit
where practicable
(2) Section 26
omit
, as far as practicable,

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Mr Guyula moved the following amendment:

Before clause 20
insert
19B Section 83 amended (Orders Court may make)
After section 83(3)
insert
(3A) Despite anything to the contrary in this section, the Court must not order the detention of a youth who is less than 12 years of age at a detention centre.

Question, that the amendment be agreed to, put and the Assembly divided:

Ayes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Noes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Amendment not agreed to.

Clause 20 stands as printed.

Remainder of the Bill stands as printed.

Bill agreed to.

Mr Maley moved that the Bill be now read a third time.

Question put and the Assembly divided:

Ayes 17

Ms Boothby	Mr Burgoyne	Ms Cahill	Mrs Carlson
Mr Charls	Mr Edgington	Mrs Finocchiaro	Mrs Hersey
Mr Howe	Mr Kerle	Mr Mackay	Mr Maley
Mr O'Gallagher	Mr Patel	Dr Rahman	Mr Yan
Mrs Zio			

Noes 7

Mr Brown	J Davis	Mr Guyula	K McNamara
Mr Paech	Ms Uibo	Mr Young	

Motion passed.

Bill read a third time.

8. PAPER TABLED

The Speaker tabled: Department of the Legislative Assembly, Fuel Transaction Report, Quarter 2 – April to June 2024 (Paper 43).

9. ADJOURNMENT

Mr Edgington (Leader of Government Business) moved that the Assembly do now adjourn.

Mrs Finocchiaro, Mr Howe, Mr O'Gallagher, Ms Boothby, Mr Kerle.

Question put and passed.

The Assembly adjourned at 9.18 pm until Tuesday 22 October 2024 at 10.00 am.

DEEMED PAPERS

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

Coroner's Act 1993

Report to the Legislative Assembly, In the matter of the Coroner's Findings and Recommendations regarding death of Xysz Tacdliwaazy (Josh Ngalarina), pursuant to *Coroners Act 1993*, section 46B (Paper 38)

Government Owned Corporations Act 2001

Annual Report 2023-2024, Jacana Energy (Paper 37)

Public and Environmental Health Act 2011

Northern Territory Chief Health Officer Summary Report, Northern Territory Post COVID-19 Pandemic Response June 2024 (Paper 39)

Public Sector Employment and Management Act 1993

Annual Report 2023-2024, Department of Infrastructure, Planning and Logistics (Paper 35)

Utilities Commission Act 2000

Annual Report 2023-2024, Utilities Commission of the Northern Territory (Paper 36)

ATTENDANCE

All members attended the meeting.

RUSSELL KEITH
Clerk of the Legislative Assembly