NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 50
Thursday 19 May 2022

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1. MEETING

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

2. PRAYERS

3. ACKNOWLEDGEMENT OF COUNTRY

Mrs Manison 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 4–6 students from the Australian International Islamic College, Darwin Campus, accompanied by their teachers.

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

5. MOTION: ESTIMATES COMMITTEE TERMS OF REFERENCE AGREED TO

Mr Paech (Acting Leader of Government Business), pursuant to notice, moved:

That the Assembly resolves that:

1. There be appointed an Estimates Committee of the Legislative Assembly (the Committee) for the purposes of examining and reporting on the:
    1. estimates of proposed expenditure contained in the Appropriation (2022-2023) Bill (the Appropriation Bill) and related budget documents, and
    2. Revenue Legislation Amendment and Repeal Bill 2022, and
    3. activities, performance, practices and financial management of the Power and Water Corporation, Jacana Energy and Territory Generation, with reference to those corporations' Statements of Corporate Intent 2022-23.
2. The membership of the Committee will be three Government Members, one Opposition Member and one non-party aligned Member to be nominated in writing to the Speaker by the relevant Whip or non-party aligned Member. Nominations to the Speaker should occur no later than Monday 23 May 2022.
3. The Committee may hold hearings on the following days:

    Tuesday, 14 June 2022
    Wednesday, 15 June 2022
    Thursday, 16 June 2022
    Monday, 20 June 2022
    Tuesday, 21 June 2022

Wednesday, 22 June 2022
Thursday, 23 June 2022

4. The total time for hearings of the Committee may not exceed 60 hours.

5. The maximum time of the appearance of the Chief Minister and the Treasurer shall not exceed 8 hours. However, where the Chief Minister is also the Treasurer the maximum time of the appearance of the Chief Minister shall not exceed 9 hours. For each other Minister and the Speaker the maximum time of their appearance shall not exceed 7 hours.

6. The Committee will publish a schedule of the days and times of hearings, and the times allotted for hearing from Ministers, the Speaker and Board Chairs by 27 May 2022. The Committee may only amend the published schedule with the consent of the Leader of Government Business.

7. The Committee shall examine the proposed expenditure contained in the Appropriation Bill by portfolios in accordance with an agenda published by the Committee and the proposed expenditure shall be considered on an output by output basis for each portfolio unit.

8. All hearings will be available to the public via live stream to be COVID safe, and the Committee will implement a COVID safety plan.

9. All questions should conform to Standing Order 109 and answers will be concise and directly relevant to the question asked.

10. Answers to questions taken on notice during the hearings, or additional information about an answer given by or on behalf of a Minister, the Speaker or Board Chair, are to be written and given to the First Clerk Assistant by 18 July 2022. Answers or additional information so received are authorised for publication.

11. The Clerk of the Legislative Assembly is authorised to publish a transcript of the Committee proceedings, whether or not it has been edited, as soon as practicable.

12. Evidence taken in public by the Committee and documents presented to the Committee are deemed to be authorised for publication by the Committee, unless the Committee orders otherwise.

13. At a hearing of the Committee, the Chair may, after a warning, order any Member of the Assembly whose conduct, in the opinion of the Chair, continues to be disorderly or disruptive to immediately withdraw from the Committee for a period of 1 hour.

14. Following their second reading, the Appropriation Bill and the Revenue Legislation Amendment and Repeal Bill 2022 stand referred to the Committee for report by 23 June 2022.

15. The Assembly's Routine of Business for Thursday, 23 June 2022 is:

    1. 2.30pm
       Prayers and Acknowledgement of Country

    2. Report from Estimates Committee and consideration of Appropriation Bill and the Revenue Legislation Amendment and Repeal Bill 2022.

16. When the Committee's report on the Appropriation Bill and the Revenue Legislation Amendment and Repeal Bill 2022 is presented, the Assembly shall

immediately consider the question:

that the expenditure proposed in the Appropriation (2022-2023) Bill stand as part of that Bill and the clauses of the Revenue Legislation Amendment and Repeal Bill 2022 stand as part of that Bill, and the report of the Estimates Committee be noted.

17. The following time limits shall apply to the debate on this question:
    - Ministers, Leader of the Opposition and Shadow Ministers: 20 minutes;
    - Any other Member: 10 minutes;
    - The maximum period for consideration shall be 5 hours.
18. When the question on the expenditure proposed in the Appropriation Bill and the clauses of the Revenue Legislation Amendment and Repeal Bill 2022 is agreed to, the following question is proposed and put immediately:
    that the remainder of the Bills stand as part of the Bills.
19. When the Bills have been agreed to by the Assembly, their third reading may be taken into consideration immediately.
20. This resolution shall have effect notwithstanding anything contained in Standing and Sessional Orders.

Mr Paech moved that the question be put.

The Assembly divided.

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

Motion agreed to.

Question put and passed.

6. PUBLIC AND ENVIRONMENTAL HEALTH LEGISLATION AMENDMENT BILL 2022 (SERIAL 45)

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

Mr Edgington, Ms Purick, Mrs Lambley, Mrs Manison, Mr Guyula, Mr Yan, Mr Maley.

Debate suspended.

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

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7. PETITION

Ms Boothby, by leave, presented Petition Number 16, not conforming with Standing Orders, from 835 petitioners requesting that the Northern Territory Government rescinds its decisions to recall the $12m grant for the Darwin Turf Club Grandstand (Paper 556).

Petition read.

8. MOTION: PETITION REFERRED TO PUBLIC ACCOUNTS COMMITTEE AGREED TO

Ms Boothby moved that Petition Number 16 be referred to the Public Accounts Committee.

Question put and passed.

9. QUESTIONS

14.02 Mrs Finocchiaro to Ms Fyles

Visitor: The Speaker advised Honourable Members of the presence in the gallery of Grace McColm Monaghan, the Member for Fong Lim's daughter and the NT representative for UNICEF.

On behalf of all Members, the Speaker welcomed the visitor.

14.06 Mr Monaghan to Ms Fyles
14.10 Mr Maley to Ms Fyles
14.14 Mr Monaghan to Mrs Manison
14.18 Ms Boothby to Ms Fyles
14.22 Mr Young to Mrs Worden
14.25 Mr Yan to Ms Fyles
14.30 Mr Costa to Ms Moss
14.35 Mrs Hersey to Ms Ah Kit
14.38 Mrs Hersey to Ms Ah Kit – Supplementary
14.39 Mr Costa to Ms Uibo
14.43 Mrs Lambley to Ms Fyles
14.46 Mr Burgoyne to Ms Fyles
14.47 Mr Bowden to Mr Kirby
14.51 Mrs Hersey to Ms Fyles
14.55 Mr Bowden to Mr Paech

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

Ms Ah Kit, pursuant to Standing Order 115, gave an answer to a question asked earlier during Question Time from Mrs Hersey.

10. PUBLIC AND ENVIRONMENTAL HEALTH LEGISLATION AMENDMENT BILL 2022 (SERIAL 45): BILL AGREED TO

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

Mr Maley, Ms Boothby, Mrs Hersey.

Paper Tabled: Mrs Hersey, by leave tabled: Restoring Integrity to Government, Trust and Integrity Reform Discussion Paper, Territory Labor (Paper 557).

Mr Burgoyne, Mrs Finocchiaro, Mr Turner, Ms Fyles.

Question put and passed.

Bill read a second time.

The Assembly resolved to consider the Bill in detail.

Clauses 1 to 3 considered.

Clauses 1 to 3 stand as printed.

Clause 4 considered.

Mr Guyula moved the following amendment:

Clause 4

insert

native title holder, see section 224 of the *Native Title Act 1993* (Cth).

Question put and not agreed to.

Amendment not agreed to.

Clause 4 stands as printed.

Clause 5 considered.

Clause 5 stands as printed.

Clause 6 considered.

Clause 6 stands as printed.

Clause 7 considered.

Mr Yan moved the following amendment:

Clause 7

omit, insert

7 Section 55 amended (Report on public health emergency)

(1) Before section 55(1)

insert

(1AA) The CHO must make a report under this section in relation to a public health emergency declared by an emergency declaration:

(a) after any extension of the emergency declaration under section 50(2); and

(b) after the emergency declaration ceases to be in force.

(2) Section 55(1)

omit

all words from "After" to "detailing"

insert

A report given to the Minister under this section must detail

(3) Section 55(1)(a)

omit, insert

(a) the events giving rise to:

(i) if the report is made under subsection (1AA)(a) – the extension of the emergency declaration; or

(ii) if the report is made under subsection (1AA)(b) – the cessation of the emergency declaration;

(4) Section 55(1)(b), before "emergency;"

insert

public health

(5) Section 55(1)(d)

omit

emergency.

insert

emergency;

(6) After section 55(1)(d)

insert

(e) any advice given to the Minister by the CHO in relation to the emergency.

(7) Section 55(2)

omit, insert

(2) The CHO must:

(a) give a report mentioned in subsection (1AA)(a) to the Minister within 1 month after the date the emergency declaration is extended under section 50(2); and

(b) give a report mentioned in subsection (1AA)(b) to the Minister within 3 months after the emergency declaration ceases to be in force.

(8) Section 55(3)

omit

the report

insert

a report given under this section

(9) Section 55(3)

omit

within 6 sittings days

insert

on the first sitting day

Question put.

The Assembly divided:

Ayes 8	**Noes 15**
Ms Boothby	Ms Ah Kit
Mr Burgoyne	Mr Bowden
Mrs Finocchiaro	Mr Costa
Mrs Hersey	Ms Fyles
Mrs Lambley	Mr Gunner
Mr Maley	Mr Kirby
Ms Purick	Ms Lawler
Mr Yan	Mrs Manison
	Mr Monaghan
	Ms Moss
	Mr Paech
	Mr Turner
	Ms Uibo
	Mrs Worden
	Mr Young

Amendment not agreed to.

On the question that the clause stand as printed.

The Assembly divided:

Ayes 15	**Noes 8**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne
Mr Costa	Mrs Finocchiaro
Ms Fyles	Mrs Hersey
Mr Gunner	Mrs Lambley
Mr Kirby	Mr Maley
Ms Lawler	Ms Purick
Mrs Manison	Mr Yan
Mr Monaghan	
Ms Moss	
Mr Paech	
Mr Turner	
Ms Uibo	
Mrs Worden	
Mr Young	

Question agreed to.

Clause 7 stands as printed.

Clause 8 considered.

Ms Fyles moved the following amendment:

Clause 8, proposed section 57A(1)

omit

the day

Question put and passed.

Amendment agreed to.

Ms Fyles moved the following amendment:

Clause 8, proposed section 57(A)(1)

omit

is revoked or ceases

insert

being revoked or ceasing

Question put and passed.

Amendment agreed to.

Ms Fyles moved the following amendment:

Clause 8, proposed section 57B(2)(h), before "physical health"

insert

as to

Question put and passed.

Amendment agreed to.

Ms Fyles moved the following amendment:

Clause 8, proposed section 57B(2)(i)

omit

any direction

insert

of any other kind

Question put and passed.

Amendment agreed to.

Mr Guyula moved the following amendment:

Clause 8, after proposed section 57B(3)

insert

(4) A direction under this section must not limit:

(a) a right under section 71(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth); or

(b) a right or interest of a native title holder.

Question put.

The Assembly divided:

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

Mr Turner
Ms Uibo
Mrs Worden
Mr Young

Amendment not agreed to.

Mr Guyula moved the following amendment:

Clause 8, proposed section 57C(1)(b)(v)

omit

direction.

insert

direction; and

Question put.

The Assembly divided:

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

Amendment not agreed to.

Mr Guyula moved the following amendment:

Clause 8, after proposed section 57C(1)(b)

insert

(c) if the direction applies in relation to a community or group of Aboriginal people – has received permission to give the direction from the senior members of the community or group determined according to the customs and traditions of that community or group.

Examples for subsection (1)(c)

Elders of a community or group, native title holders or traditional Aboriginal owners within the meaning of the Aboriginal Land Rights (Northern Territory) Act 1976 (Cth).

Question put.

The Assembly divided:

Ayes 9	**Noes 15**
Ms Boothby	Ms Ah Kit
Mr Burgoyne	Mr Bowden

Mrs Finocchiaro	Mr Costa
Mr Guyula	Ms Fyles
Mrs Hersey	Mr Gunner
Mrs Lambley	Mr Kirby
Mr Maley	Ms Lawler
Ms Purick	Mrs Manison
Mr Yan	Mr Monaghan
	Ms Moss
	Mr Paech
	Mr Turner
	Ms Uibo
	Mrs Worden
	Mr Young

Amendment not agreed to.

Mr Yan moved the following amendment:

Clause 8, proposed section 57J(1)

omit

summarising

insert

detailing

Question put.

The Assembly divided:

Ayes 8	**Noes 15**
Ms Boothby	Ms Ah Kit
Mr Burgoyne	Mr Bowden
Mrs Finocchiaro	Mr Costa
Mrs Hersey	Ms Fyles
Mrs Lambley	Mr Gunner
Mr Maley	Mr Kirby
Ms Purick	Ms Lawler
Mr Yan	Mrs Manison
	Mr Monaghan
	Ms Moss
	Mr Paech
	Mr Turner
	Ms Uibo
	Mrs Worden
	Mr Young

Amendment not agreed to.

On the question that Clause 8 as amended stands.

The Assembly divided:

Ayes 15	**Noes 8**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne
Mr Costa	Mrs Finocchiaro
Ms Fyles	Mrs Hersey
Mr Gunner	Mrs Lambley
Mr Kirby	Mr Maley

Ms Lawler
Mrs Manison
Mr Monaghan
Ms Moss
Mr Paech
Mr Turner
Ms Uibo
Mrs Worden
Mr Young
Ms Purick
Mr Yan

Question agreed to.

Clause 8 as amended stands.

Clause 9 considered.

Clause 9 stands as printed.

Clause 10 considered.

Clause 10 stands as printed.

New Part 10A after clause 10 considered.

Ms Fyles moved the following amendment:

After Clause 10

insert

10A Part 10A inserted

After section 133

Insert

Part 10A Validation of Chief Health Officer Directions

133A Definitions

In this Part:

commencement means the commencement of section 10A of the *Public and Environmental Health Legislation Amendment Act 2022*.

validated direction means any provision of the directions specified in section 133C.

133B Purpose and effect of Part

(1) The purpose of this Part is to confirm the validity of the provisions of the directions specified in section 133C and ensure their effectiveness.

(2) This Part has effect despite any other law of the Territory to the contrary.

(3) To avoid doubt, if a validated direction is inconsistent with a law of the Commonwealth:

(a) the law of the Commonwealth prevails to the extent of the inconsistency; and

(b) the validated direction is severable from the directions specified in section 133C; and

(c) the validated direction is to be construed as valid and effective to the extent to which it is not inconsistent with the law of the Commonwealth.

Note for subsection (3)

See section 59 of the Interpretation Act 1978.

133C Validated directions

(1) The directions (and their provisions) given or purported to have been given under section 52 by the Chief Health Officer on 13 October 2021 entitled COVID-19 Directions (No. 55) 2021: Directions for mandatory vaccination of workers to attend the workplace:

(a) were, and are taken to always have been, valid under this Act; and

(b) had, and are taken to always have had, full force and effect on and from when they were given by the Chief Health Officer until 22 April 2022.

(2) The directions (and their provisions) given or purported to have been given under section 52 by the Chief Health Officer on 10 November 2021 entitled COVID-19 Directions (No. 81) 2021: Amendments to COVID-19 Directions (No. 55) 2021:

(a) were, and are taken to always have been, valid under this Act; and

(b) had, and are taken to always have had, full force and effect on and from when they were given by the Chief Health Officer until 22 April 2022.

(3) The directions (and their provisions) given or purported to have been given under section 52 by the Chief Health Officer on 15 February 2022 entitled COVID-19 Directions (No. 41) 2022: Directions for high risk places:

(a) are, and are taken to always have been, valid under this Act; and

(b) have, and are taken to always have had, full force and effect on and from when they were given by the Chief Health Officer.

(4) The directions (and their provisions) given or purported to have been given under section 52 by the Chief Health Officer on 13 March 2022 entitled COVID-19 Directions (No. 52) 2022: Directions for additional vaccination requirements for certain workers to attend the workplace:

(a) are, and are taken to always have been, valid under this Act; and

(b) have, and are taken to always have had, full force and effect on and from when they were given by the Chief Health Officer.

(5) The directions (and their provisions) given or purported to have been given under section 52 by the Chief Health Officer on 21 April 2022 entitled COVID-19 Directions (No. 60) 2022: Amendment of COVID-19 Directions (No. 52) 2022:

(a) are, and are taken to always have been, valid under this Act; and

(b) have, and are taken to always have had, full force and effect on and from when they were given by the Chief Health Officer.

133D Consequential effects of validation

Without limiting the effect of section 133C, the following are not invalid or unlawful on the ground that a validated direction was not valid or did not have full force and effect:

(a) any right, privilege, power, duty or function given or imposed or purportedly given or imposed under the validated direction;

(b) any exercise of, performance of or action taken under a right, privilege, power, duty or function given or imposed or purportedly given or imposed under the validated direction;

(c) the making or purported making of any decision under the validated direction;

(d) the granting or purported granting or issuing or purported issuing of any order or any other document under the validated direction;

(e) any action taken to enforce the validated direction;

(f) any infringement notice issued for an alleged contravention of the validated direction committed after the commencement;

(g) any amount paid in response to an infringement notice issued for an alleged contravention of the validated direction committed after the commencement;

(h) any prosecution, conviction or sentence for an alleged contravention of the validated direction committed after the commencement;

(i) any dismissal of a person from employment, or other action taken against a person, by an employer of the person for non-compliance with the validated direction;

(j) any refusal of entry to premises or removal from premises of a person, or other action taken against a person, by an owner or occupier of the premises for non-compliance with the validated direction.

133E Effect on contraventions of validated directions

This Part has no effect on the following:

(a) any offence against section 56(1) for an alleged contravention of a validated direction committed before the commencement;

(b) any infringement notice issued for an alleged contravention of the validated direction committed before the commencement;

(c) any amount paid in response to an infringement notice issued for an alleged contravention of the validated direction committed before the commencement;

(d) any prosecution, conviction or sentence for an alleged contravention of the validated direction committed before the commencement.

133F Amendment and revocation

A validated direction is, and is taken to always have been, capable of being amended and revoked by a direction given under section 52.

Question put.

The Assembly divided:

Ayes 15	**Noes 8**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne

Mr Costa	Mrs Finocchiaro
Ms Fyles	Mrs Hersey
Mr Gunner	Mrs Lambley
Mr Kirby	Mr Maley
Ms Lawler	Ms Purick
Mrs Manison	Mr Yan
Mr Monaghan	
Ms Moss	
Mr Paech	
Mr Turner	
Ms Uibo	
Mrs Worden	
Mr Young	

Amendment agreed to.

On the question that Part 10A is inserted.

The Assembly divided:

Ayes 15	**Noes 8**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne
Mr Costa	Mrs Finocchiaro
Ms Fyles	Mrs Hersey
Mr Gunner	Mrs Lambley
Mr Kirby	Mr Maley
Ms Lawler	Ms Purick
Mrs Manison	Mr Yan
Mr Monaghan	
Ms Moss	
Mr Paech	
Mr Turner	
Ms Uibo	
Mrs Worden	
Mr Young	

Question agreed to.

New Part 10A inserted.

Clause 11 considered.

Mr Yan moved the following amendment:

Clause 11, after proposed section 144

insert

145 Reporting on existing public health emergency

(1) On and from the amendment date, section 55, as amended by the *Public and Environmental Health Legislation Amendment Act 2022*, applies in relation to an existing public health emergency.

(2) In addition to the reports required under section 55, the CHO must make a report in relation to an existing public health emergency detailing:

(a) the events giving rise to any extension of the emergency declaration that was made before the amendment date; and

(b) the information mentioned in section 55(1)(b) to (e).

(3) The CHO must give the report to the Minister within 3 months after the amendment date.

(4) The Minister must table a copy of the report in the Legislative Assembly on the first sitting day after the Minister receives the report.

(5) In this section:

amendment date means the day on which section 7 of the *Public and Environmental Health Legislation Amendment Act 2022* commences.

existing public health emergency means a public health emergency that was declared, before the amendment date, by an emergency declaration that is in force on the amendment date.

Question put.

The Assembly divided:

Ayes 8	**Noes 15**
Ms Boothby	Ms Ah Kit
Mr Burgoyne	Mr Bowden
Mrs Finocchiaro	Mr Costa
Mrs Hersey	Ms Fyles
Mrs Lambley	Mr Gunner
Mr Maley	Mr Kirby
Ms Purick	Ms Lawler
Mr Yan	Mrs Manison
	Mr Monaghan
	Ms Moss
	Mr Paech
	Mr Turner
	Ms Uibo
	Mrs Worden
	Mr Young

Amendment not agreed to.

On the question that Clause 11 stands as printed.

The Assembly divided:

Ayes 15	**Noes 8**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne
Mr Costa	Mrs Finocchiaro
Ms Fyles	Mr Guyula
Mr Gunner	Mrs Lambley
Mr Kirby	Mr Maley
Ms Lawler	Ms Purick
Mrs Manison	Mr Yan
Mr Monaghan	
Ms Moss	
Mr Paech	
Mr Turner	
Ms Uibo	
Mrs Worden	
Mr Young	

Question agreed to.

Clause 11 stands as printed.

On the question that the remainder of the Bill be taken together.

The Assembly divided:

Ayes 15	**Noes 8**
Ms Ah Kit	Ms Boothby
Mr Bowden	Mr Burgoyne
Mr Costa	Mrs Finocchiaro
Ms Fyles	Mr Guyula
Mr Gunner	Mrs Lambley
Mr Kirby	Mr Maley
Ms Lawler	Ms Purick
Mrs Manison	Mr Yan
Mr Monaghan	
Ms Moss	
Mr Paech	
Mr Turner	
Ms Uibo	
Mrs Worden	
Mr Young	

Question agreed to

Remainder of the Bill stands as printed.

Bill as amended agreed to.

On the motion of Ms Fyles (Minister for Health), the Bill was read a third time and passed to be a proposed law.

11. **PERSONAL INJURIES (LIABILITIES AND DAMAGES) AMENDMENT BILL 2022 (SERIAL 48): BILL AGREED TO**

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

Mr Burgoyne, Mrs Worden, Mr Guyula, Mrs Finocchiaro, Ms Uibo.

Question put and passed.

Bill read a second time.

The Assembly resolved to consider the Bill in detail.

Clause 1 considered.

Clause 1 stands as printed.

Clause 2 considered.

Clause 2 stands as printed.

Clause 3 considered.

Clause 3 stands as printed.

Clause 4 considered.

Clause 4 stands as printed.

New clause after clause 4 considered.

Ms Uibo moved the following amendment:

After Clause 4

insert

4A Section 4 amended (Application of Act)

(1) Section 4(1), after "Act"

insert

, other than Part 4A,

(2) Section 4(2), after "6"

insert

and Part 4A

Question put and passed.

Amendment agreed to.

New Clause 4A, Section 4 amended Application of Act) inserted.

Clause 5 considered.

Ms Uibo moved the following amendment:

Clause 5, proposed section 32A, definition *civil wrong*

omit, insert

civil wrong means a civil wrong to which section 32B applies.

Question put and passed.

Amendment agreed to.

Ms Uibo moved the following amendment:

Clause 5, after proposed section 32B(2)

insert

(2A) Despite subsection (1), this Part does not apply to any claim for damages for a personal injury.

(2B) This Part applies to the following civil wrongs:

(a) the tort of assault;

(b) the tort of battery;

(c) the tort of false imprisonment.

(2C) This Part does not apply in relation to a civil wrong alleged to have been caused by an incident that occurs before the commencement of this section.

Question put and passed.

Amendment agreed to.

Ms Uibo moved the following amendment:

Clause 5, note for proposed section 32D

omit

Question put and passed.

Amendment agreed to.

Ms Uibo moved the following amendment:

Clause 5, note for proposed section 32D

omit

Question put and passed.

Amendment agreed to.

Ms Uibo moved the following amendment:

Clause 5, proposed section 32E(1)(a)

omit

giving rise to an action for

insert

constituted by the tort of

Question put and passed.

Amendment agreed to.

Ms Uibo moved the following amendment:

Clause 5, note for proposed section 32E(1)(a)(ii)

omit

Question put and passed.

Amendment agreed to.

Ms Uibo moved the following amendment:

Clause 5, after proposed section 32E(1)(a)

insert

(ab) for a civil wrong constituted by the tort of battery – 5 000 monetary units;

Question put and passed.

Amendment agreed to.

Ms Uibo moved the following amendment:

Clause 5, proposed section 32E(1)(b)

omit

giving rise to an action for

insert

constituted by the tort of

Question put and passed.

Amendment agreed to.

Ms Uibo moved the following amendment:

Clause 5, proposed section 32G(1), after "following"

insert

amounts owed by the offender

Question put and passed.

Amendment agreed to.

Ms Uibo moved the following amendment:

Clause 5, proposed section 32G(2), after "following"

insert

amounts owed by the offender

Question put and passed.

Amendment agreed to.

Mr Burgoyne moved the following amendments:

Clause 5, proposed section 32G(1)(a), (b) and (c)

omit, insert

(a) an amount the Territory may recover from the offender in accordance with an order made under section 56 of the Victims of Crime Assistance Act 2006;

(b) an outstanding fine imposed on the offender by a court under Part 3 of the Fines and Penalties (Recovery) Act 2001 and enforcement costs under that Act for the fine;

(c) a penalty under an infringement notice, within the meaning of the Fines and Penalties (Recovery) Act 2001, issued to the offender under a law that was not paid within the time specified in the infringement notice, or in accordance with the requirements of that Act for the recovery of the penalty, and enforcement costs under that Act for the penalty;

(d) an outstanding amount in relation to an order made under section 88 of the Sentencing Act 1995 for:

(i) compensation to be paid by the offender; or

(ii) restitution to be made by the offender.

Clause 5, proposed section 32G(2)(a), (b) and (c)

omit, insert

(a) an amount the Territory may recover from the offender in accordance with an order made under section 56 of the Victims of Crime Assistance Act 2006;

(b) an outstanding fine imposed on the offender by a court under Part 3 of the Fines and Penalties (Recovery) Act 2001 and enforcement costs under that Act for the fine;

(c) a penalty under an infringement notice, within the meaning of the *Fines and Penalties (Recovery) Act 2001*, issued to the offender under a law that was not paid within the time specified in the infringement notice, or in accordance with the requirements of that Act for the recovery of the penalty, and enforcement costs under that Act for the penalty;

(d) an outstanding amount in relation to an order made under section 88 of the Sentencing Act 1995 for:

(i) compensation to be paid by the offender; or

(ii) restitution to be made by the offender.

Question put and not agreed to.

Amendments not agreed to.

Clause 5 as amended stands.

Clause 6 considered.

Clause 6 stands as printed.

Clause 7 considered.

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.

Clause 13 stands as printed.

Remainder of the Bill be taken together.

Remainder of the Bill stands as printed.

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.

12. ADJOURNMENT

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

Question put and passed.

Mrs Worden, Mrs Finocchiaro, Mr Bowden, Ms Boothby, Mr Burgoyne.

The Assembly adjourned at 22.32 until Thursday 23 June 2022 at 14.30.

ATTENDANCE

All Members attended the meeting.

MARIANNE CONATY
Acting Clerk of the Legislative Assembly