NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 78
Tuesday 12 March 2019

1. MEETING

The Assembly met at 10.00. The Speaker, the Honourable Kezia Purick, presided.

2. PRAYERS

3. ACKNOWLEDGEMENT OF COUNTRY

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

4. MESSAGE FROM THE ADMINISTRATOR

The Speaker advised Members of the following Message from Her Honour the Administrator (Paper 1078):

Message Number 21

Assent to Proposed Laws

I, VICKI O'HALLORAN AM, 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:

22 February 2019

*Justice Legislation Amendment Act 2019 (*Act No 1 of 2019)

27 February 2019

Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment Act 2019 (Act No 2 of 2019)

Superannuation Legislation Amendment Act 2019 (Act No 3 of 2019)

Tobacco Control Legislation Amendment Act 2019 (Act No 4 of 2019)

Dated 8 March 2019.

5. SPEAKER'S STATEMENTS

The Speaker made a statement regarding Commonwealth Day and tabled the Commonwealth Day Message of Her Majesty the Queen, Head of the Commonwealth, Theme: 70th Anniversary of the London Declaration and Act of Affirmation to the Commonwealth 2019 (Paper 1079).

The Speaker made a statement regarding International Women's Day.

6. PAPERS TABLED:

The Speaker tabled the following papers:

1. Quarterly Members Fuel Transaction Reports, January – March 2017 (Paper 1080).
2. Schedule of Member satellite telephone payments for 2018 (Paper 1081).

7. VISITORS

The Speaker advised Honourable Members of the presence in the gallery of Year 6 students from Douglas Daly School accompanied by their teacher Cindy Collinson, and Year 5 and 6 students from Girraween Primary School accompanied by their teachers Kate Ilic and Evan Dixon.

On behalf of all Members the Speaker welcomed the visitors.

8. MOTION: NO CONFIDENCE NOT AGREED TO

Mr Higgins (Leader of the Opposition), pursuant to notice, moved:

That this Assembly, pursuant to section 24(I)(a) of the *Electoral Act 2004*, expresses that the Government no longer possesses its confidence.

Ms Fyles, Mr Wood.

Visitors: The Speaker advised Honourable Members of the presence in the gallery of Year 4 and 5 students from Girraween Primary School accompanied by their teacher, Allan Hamdan.

On behalf of all Members the Speaker welcomed the visitors.

Mr McConnell.

Paper Tabled: Mr McConnell, by leave, tabled: Email, Mr Scott McConnell, Member for Stuart, to Chris Grace, Re: Remote Housing and Haasts Bluff Issues, Dated 19 August 2017 (Paper 1085).

Mrs Lambley, Mr Collins, Mr Guyula, Mr Mills, Mrs Finocchiaro, Mr McCarthy, Mr Higgins.

Question, put.

The Assembly divided:

Ayes 8	**Noes 15**
Mr Collins	Ms Ah Kit
Mrs Finocchiaro	Ms Costa
Mr Guyula	Ms Fyles
Mr Higgins	Mr Gunner
Mrs Lambley	Mr Kirby
Mr McConnell	Ms Lawler
Mr Mills	Mr McCarthy
Mr Wood	Ms Manison
	Ms Moss
	Ms Nelson
	Mr Paech
	Mr Sievers
	Ms Uibo
	Ms Wakefield
	Mrs Worden

Motion not agreed to.

Suspension of Meeting: The meeting of the Assembly was suspended between 13.42 and 14.15.

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9. NOTICES

The following notice was given:

1. Ms Lawler (Environment and Natural Resources) will present on the next Meeting Day a Bill entitled Water Legislation Miscellaneous Amendment Bill 2019 (Serial 81).

10. PETITION REPORTS TABLED: FROM SCRUTINY COMMITTEE

Speaker tabled response from Social Policy Scrutiny Committees regarding Petition Number 32 (Paper 1101).

11. PETITION REPORT FROM SCRUTINY COMMITTEE ADOPTED

The Clerk advised receipt of a report from the Social Policy Scrutiny Committee regarding Petition Number 32 (Paper 1101) regarding repeal of the liquor floor price and reintroduction of the Liquor Amendment (Repeal of Minimum Pricing) Bill 2018 recommending the Assembly debate the petition.

Mrs Finocchiaro moved the report be adopted.

Question put and passed.

12. PAPERS TABLED: REPORT FROM SCRUTINY COMMITTEE NOTED

Mr Sievers (Chair of the Economic Policy Scrutiny Committee) tabled the Committee's Report on the Medical Services Amendment Bill 2018 (Serial 75) (Paper 1087) and Minutes of Proceedings (Paper 1088) and made a statement.

Mr Sievers moved that the Assembly take note of the report.

Question put and passed.

13. PAPERS TABLED: REPORT FROM SCRUTINY COMMITTEE NOTED

Ms Ah Kit (Chair of the Social Policy Scrutiny Committee) tabled the Committee's Report on the Health Services Amendment Bill 2018 (Serial 71) (Paper 1089) and Minutes of Proceedings (Paper 1090) and made a statement.

Ms Ah Kit moved that the Assembly take note of the report.

Question put and passed.

14. PAPERS TABLED: REPORT FROM SCRUTINY COMMITTEE REPORT NOTED

Mr Sievers (Chair of the Economic Policy Scrutiny Committee) tabled the Committee's Report on the Liquor Amendment Bill 2018 (Serial 74) (Paper 1091) and Minutes of Proceedings (Paper 1092) and made a statement.

Mr Sievers moved that the Assembly take note of the report.

Question put passed.

15. PAPERS TABLED: REPORT FROM SCRUTINY COMMITTEE NOTED

Ms Ah Kit (Chair of the Social Policy Scrutiny Committee) tabled the Committee's Report on the Electoral Legislation Amendment Bill 2018 (Serial 72) (Paper 1093) and Minutes of Proceedings (Paper 1094) and made a statement.

Ms Ah Kit moved that the Assembly take note of the report.

Question put and passed.

16. VISITORS

The Speaker advised Honourable Members of the presence in the gallery of Charles Darwin University VET students studying Certificate Business Administration accompanied by their lecturer Jane McLoughlin.

On behalf of all Members the Speaker welcomed the visitors.

17. PAPERS TABLED: REPORT FROM SCRUTINY COMMITTEE NOTED

Ms Ah Kit (Chair of the Social Policy Scrutiny Committee) tabled the Committee's Report on the Public Information Legislation Amendment Bill 2018 (Serial 77) (Paper 1095) and Minutes of Proceedings (Paper 1096) and made a statement.

Ms Ah Kit moved that the Assembly take note of the report.

Mrs Finocchiaro, Mr Wood, Mrs Lambley.

Question put and passed.

18. PAPERS TABLED: REPORT FROM SCRUTINY COMMITTEE NOTED

Mr Sievers (Chair of the Economic Policy Scrutiny Committee) tabled the Committee's Report on the Petroleum Legislation Amendment Bill 2018 (Serial 76) (Paper 1097) and Minutes of Proceedings (Paper 1098) and made a statement.

Mr Sievers moved that the Assembly take note of the report.

Mr Higgins.

Question put and passed.

19. PAPERS TABLED: INTERIM REPORT, SELECT COMMITTEE ON A NORTHERN TERRITORY HARM REDUCTION STRATEGY FOR ADDICTIVE BEHAVIOURS

Mr Collins (Chair of Harm Reduction Strategy for Addictive Behaviours) tabled the following papers and made a statement:

1. Interim Report, Select Committee on a Northern Territory Harm Reduction Strategy for Addictive Behaviours (Paper 1099).
2. Minutes of Proceedings (Paper 1100).

Mr Collins moved the Assembly take note of the report.

On the motion of Ms Fyles debate was adjourned.

20. QUESTIONS

14.57 Mr Higgins to Ms Manison
15.00 Mr Higgins to Ms Manison – Supplementary
15.03 Ms Nelson to Mr Gunner
15.06 Mrs Finocchiaro to Ms Manison
15.10 Mr Costa to Mr McCarthy
15.12 Mr Wood to Ms Fyles
15.14 Mr Paech to Ms Manison
15.18 Mr McConnell to Ms Wakefield
15.19 Mrs Worden to Ms Fyles

15.22 Mr Guyula to Ms Lawler
15.27 Mr Sievers to Ms Lawler
15.31 Mrs Lambley to Mr Gunner - Referred
15.35 Ms Ah Kit to Ms Uibo
15.40 Mr Higgins to Mr Gunner
15.44 Mrs Finocchiaro to Ms Lawler
15.47 Mrs Worden to Mr Kirby
15.51 Mr McConnell to Ms Wakefield
15.55 Mr Sievers to Ms Moss
15.57 Mr Wood to Mr Gunner

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

21. CRIMINAL CODE AMENDMENT BILL 2018 (SERIAL 69): BILL AGREED TO

Ms Fyles moved the Bill be read a second time.

Mr Wood, Ms Manison, Mr Higgins, Mr Kirby.

Visitors: The Deputy Speaker advised Honourable Members of the presence in the gallery of Michael Long Learning and Leadership Centre students from Elcho Island, accompanied by their teacher, Sam Stephenson.

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

Ms Nelson, Ms Ah Kit, Ms Purick, Mr Sievers, Ms Fyles.

Question put and passed.

Bill read a second time.

The Assembly considered the Bill in detail.

Clauses 1 to 7 considered together.

Clauses 1 to 7 stand as printed.

Clause 8 considered.

Ms Fyles moved the following amendment:

Clause 8

omit, insert

8 Section 316 amended (Indictment containing count of murder or manslaughter)

(1) Section 316(1)

omit, insert

(1) On an indictment charging a person with murder, the person may alternatively be found guilty of manslaughter or an offence against section 161A, but not of any other offence unless as otherwise expressly provided.

(2) Section 316(2), after "section"

insert

161A,

Amendment agreed to.

Clause 8 as amended stands.

Remainder of the Bill taken together.

Remainder of the Bill stands as printed.

Bill as amended agreed to.

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

22. CONSIDERATION OF COMMITTEE, AUDITOR-GENERAL'S REPORTS AND GOVERNMENT RESPONSES

The Assembly deferred consideration of the following reports:

1. *Public Accounts Committee Inquiry into Taxi Licensing and Subleasing Report* (Paper 554).
2. *Auditor-General for the Northern Territory, November 2017, Report to the Legislative Assembly (Paper 580).*
3. *Auditor-General for the Northern Territory, March 2018, Report to the Legislative Assembly* (Paper 677).
4. *Auditor-General for the Northern Territory, November 2018, Report to the Legislative Assembly* (Paper 1017).

23. ADJOURNMENT

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

Mr Wood, Ms Moss, Mr Mills, Mr Gunner, Ms Wakefield, Ms Uibo, Ms Nelson, Mr Kirby, Mr Paech

The Assembly adjourned at 19.18 until Wednesday 13 March 2019 at 10.00.

DEEMED PAPERS

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

Subordinate Legislation 2019

No. 1 of 2019, Fines and Penalties (Recovery) Amendment Regulations 2019 (Paper 1082).

No. 2 of 2019, Education (Infringement Notice) Regulations 2019 (Paper 1083).

Report

2018 Ports Access and Pricing Review, Final Report, November 2018, The Utilities Commission of the Northern Territory (Paper 1084).

ATTENDANCE

All Members attended the meeting.

MICHAEL TATHAM
Clerk of the Legislative Assembly