NORTHERN TERRITORY OF AUSTRALIA
LEGISLATIVE ASSEMBLY

MINUTES OF PROCEEDINGS

Meeting Number 115
Wednesday 24 June 2020

1. MEETING

The Assembly met at 10.00. The Speaker, the Honourable Chanston Paech, presided.

2. PRAYERS

Mr Wood read the Prayer.

3. ACKNOWLEDGEMENT OF COUNTRY

Mrs Worden delivered the acknowledgement of country on behalf of the Assembly.

4. RETURN TO WORK LEGISLATION AMENDMENT BILL 2020 (SERIAL 123): BILL AGREED TO

Ms Fyles (Attorney-General and Minister for Justice) moved the Bill be read a second time.

Mrs Finocchiaro, Mr Collins, Mr Wood, Ms Manison, Ms Fyles.

Question put and passed.

Bill read a second time.

The Assembly resolved to consider the Bill in detail.

Clauses 1 to 4 considered together.

Clauses 1 to 4 stand as printed.

Clause 5 considered.

Ms Fyles moved the following amendment:

Clause 5, proposed section 3B(3), before "member"

insert

prescribed

Amendment agreed to.

Clause 5 considered.

Ms Fyles moved the following amendment:

Clause 5, proposed section 3B(3), note, before "member" (all references)

insert

prescribed

Amendment agreed to.

Clause 5 as amended stands.

Clause 6 considered.

Clause 6 stands as printed.

Clauses 7 to 12 considered together.

Clauses 7 to 12 stand as printed.

Clause 13 considered.

Ms Fyles moved the following amendment:

Clause 13

omit, insert

13 Section 75A amended (Employer to assist injured worker to find suitable employment)

After section 75A(6)

insert

(6A) To avoid doubt, the giving of a proposal for a return to work plan under subsection (1)(c) is not providing a program of a type mentioned in section 75B(1A).

Note for subsection (6A)

An employer may elect to use an accredited vocational rehabilitation provider to prepare a proposal for a return to work plan, but it is not necessary if the employer does not wish to do so.

Amendment agreed to.

Clause 13 as amended stands.

Clauses 14 to 25 considered together.

Clauses 14 to 25 stand as printed.

Clause 26 considered.

Ms Fyles moved the following amendment:

Clause 26

omit

section 3B(4)

insert

section 3B(3) and (4)

Amendment agreed to.

Clause 26 as amended stands.

Remainder of the Bill considered 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.

5. MOTION: RE-ORDER OF GOVERNMENT BUSINESS AGREED TO

Ms Fyles (Leader of Government Business) moved that pursuant to Standing Order 59 Government Business be re-ordered so that Order of the Day Number 10 becomes Order of the Day Number 3.

Question put and passed.

6. PORTS LEGISLATION AMENDMENT BILL 2019 (SERIAL 114): BILL AGREED TO

Ms Lawler (Minister for Infrastructure, Planning and Logistics) moved the Bill be read a second time.

Mrs Finocchiaro, Mr Wood, Ms Lawler.

Question put and passed.

Bill read a second time.

The Assembly resolved to consider the Bill in detail.

Clauses 1 to 4 considered together.

Clauses 1 to 4 stand as printed.

Clause 5 considered.

Ms Lawler moved the following amendment:

Clause 5, proposed section 20A

omit

all words after "port"

insert

may, in writing, delegate any of the regional harbourmaster's powers and functions under this Act to a person employed in an Agency.

Amendment agreed to.

Clause 5 as amended stands.

Clauses 6 to 9 considered together.

Clauses 6 to 9 stand as printed.

Clause 10 considered.

Ms Lawler moved the following amendment:

Clause 10, proposed section 44A(3)(d)

omit

all words after "owing"

insert

to the following:

(i) the holder of a registered interest in the property;

(ii) the holder of a known unregistered interest in the property;

Amendment agreed to.

Clause 10 as amended stands.

Remainder of the Bill considered together.

Remainder of the Bill stands as printed.

Bill as amended agreed to.

On the motion of Ms Lawler (Minister for Infrastructure, Planning and Logistics), the Bill was read a third time and passed to be a proposed law.

7. SEXUAL OFFENCES (EVIDENCE AND PROCEDURE) AMENDMENT BILL 2019 (SERIAL 117): BILL AGREED TO

Ms Fyles (Attorney-General and Minister for Justice) moved the Bill be read a second time.

Mrs Finocchiaro, Ms Nelson, 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 together.

Clauses 1 to 3 stand as printed.

Clause 4 considered.

Ms Fyles moved the following amendment:

Clause 4, proposed section 6(1), penalty provision

omit

40

insert

50

Amendment agreed to.

Clause 4 as amended stands.

Clauses 5 to 7 considered together.

Clauses 5 to 7 stand as printed.

Clause 8 considered.

Ms Fyles moved the following amendment:

After clause 8(2)

insert

(3) After section 50(2)

insert

(2A) For proceedings for a sexual offence in which the youth is a defendant, the youth may not give consent under subsection (2)(b) to publish a report or information containing particulars of the youth until the youth has turned 18 years of age.

(4) Section 50(7)

insert

sexual offence, see section 3 of the *Sexual Offences (Evidence and Procedure) Act 1983*.

Amendment agreed to.

Clause 8 as amended stands.

Remainder of the Bill considered 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.

Suspension of Meeting: The meeting of the Assembly was suspended between 12.03 and 14.00.

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8. WITHDRAWAL OF GENERAL BUSINESS NOTICES OF MOTION

Mrs Finocchiaro (Leader of the Opposition) withdrew General Business Notices of Motion Number 1 and Number 3 standing in her name.

9. WITHDRAWAL OF GENERAL BUSINESS NOTICE OF MOTION

Mr Higgins (Deputy Leader of the Opposition) withdrew General Business Notice of Motion Number 2 standing in his name.

10. PETITION

Mrs Lambley presented Petition Number 49 from 2,118 petitioners praying that the Northern Territory Government implement a youth curfew in Alice Springs to address youth crime (Paper 1670).

Petition read.

11. PETITION

Mr Kirby presented Petition Number 48 from 10,052 petitioners praying that the Deckchair Cinema is protected for the people of Darwin (Paper 1669).

Petition read.

12. MOTION: PETITION REFERRED TO SCRUTINY COMMITTEE AGREED TO

Mr Kirby moved that Petition Number 48 be referred to the Legislation Scrutiny Committee.

Question put and passed.

13. QUESTIONS

14.03 Mrs Finocchiaro to Mr Gunner
14.07 Mrs Finocchiaro to Ms Manison
14.10 Mrs Finocchiaro to Ms Manison – Supplementary
14.11 Mr Higgins to Ms Lawler
14.16 Mr Higgins to Ms Manison
14.20 Mrs Lambley to Mr Mills – Ruled out of order
14.25 Mr Collins to Ms Moss
14.28 Mr Higgins to Ms Fyles
14.33 Mrs Lambley to Mr Gunner
14.37 Mrs Finocchiaro to Ms Lawler
14.38 Mr McConnell to Mr Kirby
14.42 Mr Wood to Ms Lawler

14.45 Mr Wood to Mr Kirby
14.49 Ms Purick to Ms Lawler
14.51 Mr Wood to Ms Fyles
14.54 Mr Mills to Ms Manison
14.57 Mr Higgins to Ms Lawler

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

14. MOTION: COVID-19 BRIEFINGS

Mr Mills, pursuant to notice, moved:

That the Territory Government provide twice weekly teleconference COVID-19 briefings to all non-government members of the Legislative Assembly on Monday and Thursday to facilitate updates on Government measures to receive feedback in regard to the Members' respective communities.

Mr Mills, Ms Manison, Mr McConnell, Mr Bowden, Mr McCarthy, Mr Kirby, Mr Collins, Ms Uibo.

Mrs Finocchiaro moved that the question be put.

The Assembly divided:

Ayes 5	**Noes 17**
Mr Collins	Ms Ah Kit
Mrs Finocchiaro	Mr Bowden
Mr Guyula	Mr Costa
Mr McConnell	Ms Fyles
Mr Mills	Mr Gunner
	Mr Kirby
	Mrs Lambley
	Ms Lawler
	Mr McCarthy
	Ms Manison
	Ms Moss
	Ms Nelson
	Mr Paech
	Mr Sievers
	Ms Uibo
	Ms Wakefield
	Mrs Worden

Question not agreed to.

Ms Uibo, Ms Wakefield.

Debate adjourned.

15. ADJOURNMENT

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

Visitors: The Speaker advised Honourable Members of the presence in the gallery of family members of the Member for Daly.

On behalf of all Members the Speaker welcomed the visitors.

Mr Higgins, Mr Gunner, Mrs Finocchiaro, Mr Wood, Mr Sievers, Ms Manison, Mr Paech, Mr Kirby, Ms Uibo, Mr Mills, Ms Lawler.

The Assembly adjourned at 21.00 until Thursday 25 June 2020 at 10.00.

DEEMED PAPERS

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

Coroners Act 1993

Response to the Coronial Recommendation arising from the Inquest into the Death of Harry Joseph Evans, dated 25 March 2020 (Paper 1652).

Professional Standards Act 1997 (WA)

The Western Australian Bar Association Professional Standards Scheme (Paper 1654)

Professional Standards Act 1994 (NSW)

Association of Consulting Surveyors National Professional Standards Scheme (Paper 1655)

Remuneration Tribunal Reports

Remuneration Tribunal Report and Determination No. 1 of 2020, Entitlements of Assembly Members Electoral Redistribution (Paper 1659)

Remuneration Tribunal Report and Determination No. 1 of 2020 on the Entitlements of Local Court Judges (Paper 1660)

Reports

Office of the Children's Commissioner Don Dale Youth Detention Centre Monitoring Report, 9 June 2020 (Paper 1656)

Office of the Children's Commissioner Alice Springs Youth Detention Centre Monitoring Report, 9 June 2020 (Paper 1657)

Office of the Children's Commissioner Own Initiative Investigation Report, Services provided by Territory Families to carers, Final Report, 9 June 2020 (Paper 1658)

Statement of Intent 2020–2022

NT Environment Protection Authority, March 2020 (Paper 1653)

Subordinate Legislation 2020

No. 8 of 2020, Gaming Machine Further Amendment Regulations 2020 (Paper 1661)

No. 9 of 2020, Misuse of Drugs (Act Amendment) Regulations 2020 (Paper 1662)

No. 10 of 2020, Financial Management Amendment Regulations 2020 (Paper 1663)

No. 11 of 2020, Penalty Units Amendment Regulations 2020 (Paper 1664)

No. 12 of 2020, Construction Contracts (Security of Payments) Amendment Regulations 2020 (Paper 1665)

No. 13 of 2020, Consumer Affairs and Fair Trading (Infringement Notice Offences) Amendment Regulations 2020 (Paper 1666)

No. 14 of 2020, Public and Environmental Health Further Amendment Regulations 2020 (Paper 1667)

No. 15 of 2020, Local Court (Criminal Jurisdiction) Amendment Rules 2020 (Paper 1668)

ATTENDANCE

All Members attended the meeting.

MICHAEL TATHAM
Clerk of the Legislative Assembly