

commercial quantity intending to supply for commercial gain. To prove that the offender was not intending to supply, the offender will have to produce evidence from their doctor or their drug rehabilitation counsellor that they have a significant drug addiction and they would have consumed the drugs themselves. Offenders will now face the full consequences of the law as intended if they cannot produce evidence to support their claim that the drugs they held were for personal consumption only.

Two drugs are also prescribed under the bill: Fantasy, referred to as the 'date rape drug' and featured quite often in the media, originating in Sydney; and Ketamine, which it is feared may become available in the Northern Territory in the near future.

The opposition supports the bill. I thank Elizabeth Kelly and the staff of the Attorney-General's office for their briefing on this matter.

Mr BURKE (Attorney-General): Mr Deputy Speaker, I thank the opposition for their support for this legislation, which strengthens the requirement for the offender to prove that drugs they have in their possession are for personal use and not for trafficking. This reverse-onus-of-proof legislation, to my mind, will go a long way to seeking out real drug traffickers. I move that the bill be now read a second time.

Motion agreed to; bill read a second time.

Mr BURKE (Attorney-General) (by leave): Mr Deputy Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

CRIMES AT SEA BILL
(Serial 267)
**OFFSHORE WATERS (APPLICATION OF
TERRITORY LAWS) AMENDMENT BILL**
(Serial 268)

Continued from 11 October 2000.

Mr STIRLING (Nhulunbuy): Mr Deputy Speaker, the current situation with crimes committed at sea is both cumbersome and complex and involves the Commonwealth *Crimes at Sea Act 1979* and the Northern Territory *Criminal Law (Offences at Sea) Act*. Jurisdiction over a criminal act at sea may depend on the port registration of the vessel, what port it left from and its destination, and may involve jurisdictions having to apply law from another jurisdiction.

This bill simplifies the current complexities and is based on model legislation being passed by all jurisdictions, with just the Northern Territory and Queensland still to pass their legislation. Under the new scheme, state and territory law will apply up to 200 miles from the shore. In the past, this was part of Commonwealth law. An intergovernmental agreement sets out responsibilities for administration and enforcement of the law and the Commonwealth has made the commitment to assist where it can. It will be now much clearer which jurisdiction has responsibility for criminal acts at sea and what law implies.

The opposition supports the bill and the consequential amendment to the *Offshore Waters (Application of Territory Laws) Act*. I thank the staff of the Attorney-General's office for their briefing.

Mr BURKE (Attorney-General): Mr Deputy Speaker, as the Deputy Leader of the Opposition said, this bill clears up an anomaly with regard to the jurisdictional authority with crimes at sea. It has been many years in its gestation. This bill provides for the repeal and replacement of *Criminal Law (Offences at Sea) Act* and various measures consequential to that act.

As the Deputy Leader of the Opposition said, the purpose of the bill is to implement a new national scheme for the application of substantive criminal law to offences which occur at sea. The bill provides for the extent of that application for the Northern Territory criminal law to a distance of 200 nautical miles, or a greater distance in certain circumstances, from the Northern Territory baseline by force of Commonwealth law. Additionally, the bill provides for simplified application of laws of criminal investigation procedure and evidence by Northern Territory agencies.

I thank the opposition for their support and move that the bills be now read a second time.

Motion agreed to; bills read a second time.

Mr BURKE (Attorney-General) (by leave): Mr Deputy Speaker, I move that the bills be now read a third time.

Motion agreed to; bills read a third time.

**WATER SUPPLY AND SEWERAGE
SERVICES BILL**
(Serial 280)

Continued from 19 October 2000.

Mr STIRLING (Nhulunbuy): Mr Deputy Speaker, the opposition supports this bill, which goes