

I should add that local residents are right behind these changes and the formation of a town council. Similarly, the Ayers Rock Resort Corporation sees many advantages in the creation of the council. Obviously, the Ayers Rock Resort Corporation will interact closely with the council, but this will ensure that it is able to concentrate on its main objective of creating a successful and profitable holiday destination. I commend the bill.

Debate adjourned.

LEGISLATIVE ASSEMBLY (POWERS AND PRIVILEGES) BILL
(Serial 173)

Bill presented and read a first time.

Mr COULTER (Deputy Chief Minister): Mr Speaker, I move that the bill be now read a second time.

In April 1978, a Committee of Privileges was appointed to inquire into existing legislation covering Legislative Assembly powers and privileges and to recommend changes if necessary. The final report of the committee was tabled in this Assembly in August last year. I am sure all members will agree that the powers and privileges of this House and its members are of central importance to the democratic process.

The powers and privileges of members of parliament have a long-standing history. Their purpose is to ensure that parliaments are able to function effectively and, in particular, that individual members are able to carry out their responsibilities in an unfettered way. Powers and privileges cover such matters as freedom of speech, protection of witnesses and the way in which breaches of privilege or contempts of the Legislative Assembly are to be dealt with. Current legislation in this area is unsatisfactory. Partly as a result of changes in Commonwealth legislation in 1987 and partly as a result of deficiencies inherited in existing laws, Territory powers and privileges legislation is inconsistent in places and, in other places, it is unclear in its intention.

Section 12 of the Northern Territory (Self-Government) Act explicitly precludes the powers and privileges of the Legislative Assembly exceeding those of the Commonwealth parliament. As a result, changes in Commonwealth powers and privileges law can and have resulted in elements of Northern Territory legislation becoming repugnant to Commonwealth law. For example, the Commonwealth review of its Parliamentary Privileges Act in 1987, on the issue of contempts by defamation, has resulted in section 10 of the Northern Territory act no longer having force. The proposed bill will correct these deficiencies and make the authorities of the Legislative Assembly and the rights and immunities of its members clear.

A most important result of the linkage between the Commonwealth act and the Northern Territory Legislative Assembly (Powers and Privileges) Act is that precedents of the Commonwealth parliament are available to the Northern Territory Legislative Assembly. Indeed, as the precedents of the House of Commons are available to the Commonwealth parliament, so also they have become available to the Northern Territory Legislative Assembly.

A central issue debated extensively in the committee's report, concerns the means by which the powers and privileges of the Assembly are to be enforced. As the legislation stands at present, that authority is shared between the courts and the Legislative Assembly. Such a division is unsatisfactory. Therefore, the committee addressed itself to the question