

passage of this clause and, as he has the majority and as the official opposition has voiced no objection, I realise I am a minority of one. It would not be the first time I have been right although the other 18 have not directed their attention to an error.

I rise to particularly record my objection because I do not have the numbers even to call a division and I think it is worthy of a division. If we look at subsection (3):

Where regulations such as are referred to in subsection (2) are in force this Act shall be construed to apply the provisions of the criminal laws in force in the Territory subject to and in accordance with the regulations.

The regulations will take supremacy over the laws of the Territory if we change them. I am aware that we have the Subordinate Legislation and Tabled Papers Committee. Nevertheless, we are setting for the first time a most undesirable precedent and I accordingly record my opposition to clause 13 of the bill as printed. Of course, there is a need for a regulation-making power but not in this form.

Mr EVERINGHAM: I do not think I need go over my explanation for that clause once again but suffice to say that the legislation, I am assured and understand, will be uniform throughout Australia. It would appear that every other state parliament and the Commonwealth parliament is prepared to accept legislation in this form. I do not agree with or concede what the honourable member for Nightcliff says at all.

Clause 13 agreed to.

Title agreed to.

Bill passed the remaining stage without debate.

STATUS OF CHILDREN BILL (Serial 170)

Continued from 20 September 1978

Mr ISAACS (Opposition Leader): Mr Speaker, some people might describe this bill as a bastard of a bill but I would not do that - and I use the term in its parliamentary sense. The purpose of the status of children legislation is, as the Chief Minister said in his second-reading speech, to abolish any discrimination against or references to illegitimate children in the laws of the Northern Territory. I only wish that the Status of Children Bill did just that. Of course, it does not. What it does do is remove the word "illegitimate" but replaces it with a 3 or 4 line definition instead of a single word. Instead of talking about a person as illegitimate, you refer to the schedule and you can describe him in a whole heap of different ways. That is a nicety but it certainly does not change the discrimination against the illegitimate; it simply uses another word. If that was the purpose of the exercise, perhaps a word such as "exnuptial" might have been used rather than "illegitimate".

I want to raise a number of matters in relation to discrimination against illegitimates and how far this piece of legislation goes compared with similar legislation in the states. First of all, what I would very much like to do is to read into the Hansard a definition of the word "bastard" which occurs in Morton's "Law Lexicon or Dictionary of Jurisprudence", the enlarged edition 1896:

A bastard, according to Blackstone, is one that is not only begotten but born out of lawful marriage. The civil and canon laws did