

ongoing commitment to doing all it can to ensure the safety of Territorians.

In conclusion, I thank the officers of my department who have done an enormous amount of work on this legislation. It has been a large project, and my sincere thanks to all who contributed.

Madam Speaker, I commend the bill to honourable members, and table the explanatory statement.

Debate adjourned.

MOTION

Select Committee on Youth Suicide in the Northern Territory – Change of Membership

Mr ELFERINK (Port Darwin): After negotiation with government I move – That –

- (a) the member for Macdonnell, Ms Anderson be discharged from service on the Select Committee on Youth Suicide; and
- (b) that the terms of reference of the Select Committee on Youth Suicide in the Northern Territory be amended by omitting paragraph 4.

Paragraph 4 reads: 'The Independent member of the committee shall be the member for Macdonnell'.

The reason for this procedural motion is to remove the member for Macdonnell from the committee as she is no longer an Independent member in this House. By way of explanation, the intention was to have her removed from the committee. However, the original motion requires a minor amendment which is the deletion of paragraph 4 because it would not be possible to remove the member for Macdonnell simply by removing her from the committee. We have to amend the original motion, hence the omission and deletion of paragraph 4 of the original motion to deal with that technical hurdle.

I have spoken to the Leader of Government Business and the Government Whip about the matter. They understand and acknowledge the circumstances and causes behind this. I anticipate no problem to this procedural motion.

Ms LAWRIE (Deputy Chief Minister): Madam Speaker, the government supports the motion.

Motion agreed to.

BUSINESS NAMES (NATIONAL UNIFORM LEGISLATION) REQUEST BILL (Serial 170)

Continued from 11 August 2011.

Mr ELFERINK (Port Darwin): Madam Speaker, today I talk about the Business Names (National Uniform Legislation) Request Bill. The thrust of this particular amendment is part of a national agreement. We in this House are becoming used to the passage of legislation dealing with national agreements. I do not have a major problem with this particular amendment; however, I cannot forebear but to make certain comments in relation to national agreements more generally – but more on that later.

The principle in this bill is one directed towards issues of commerce and, generally in this country, there are two ways to register your company or business name and, depending on whether you are running a company or business, has a different effect on what the registering authority is for those business names.

It is fairly clear why we have this legislation in place. It is pretty much universal throughout the western world, and even many places beyond the western world; that is, to protect the goodwill associated with trademarks – Nike with its slash, the golden arches with the name McDonalds, etcetera. They want to protect those names so when someone else tries to set up a business called McDonalds Hamburgers, then McDonalds has recourse to the law to protect its business name. It makes sense, because it is a product provider. It provides a certain product and, if anyone else wanted to trade off the back of its name, it could simply call itself McDonalds if we did not place an impediment in their way. And so it should be, because that is just good commercial practice.

The process in this country, of course, deals with business names. If you have a business name which is registered as a company – at this stage, one that is dealt with by federal legislation – that company name – it could be the Happy Bean Coffee Company Pty Ltd – is registered through Australian Securities and Investments Commission, or has oversight by ASIC of the registration of that company name. This means if I was attempting to register a business in the Northern Territory of the same name, I would stub my toe very quickly up against a search of the company's register which says the business could not register the same name because a national company had that name already.

That has a lot to do with the nature of companies, because companies tend to operate in multi-jurisdictional environments. They are, by