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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

NORTHERN TERRITORY (SELF-GOVERNMENT) AMENDMENT BILL 1982

EXPLANATORY MEMORANDUM

(Circulated by the authority of the Minister for Home Affairs  
and Environment the Honourable D.T. McVeigh M.P.)

## NORTHERN TERRITORY (SELF-GOVERNMENT) AMENDMENT BILL 1982

### Outline

The main purpose of the Bill is to confirm that minerals in land acquired under section 70 of the Northern Territory (Self-Government) Act 1978 are vested in the Commonwealth and to bring within the operation of the Act the effect achieved by the Northern Territory (Commonwealth Lands) Act 1980.

The opportunity is also taken to make a number of machinery amendments to improve the administration of the Act. These are minor matters which were either suggested or agreed to by the Northern Territory Government.

## NOTES ON THE CLAUSES OF THE BILL

The first two clauses provide for the short title and commencement of the amending legislation.

### Clause 3 - Assent to proposed laws

2. Amends section 7 by inserting a new sub-section (4) which gives the Legislative Assembly a greater degree of flexibility in dealing with proposed laws returned by the Administrator. The amendment is based on the second paragraph of section 58 of the Constitution.

### Clause 4 - Signification of pleasure on proposed law reserved

3. Amends section 8 by inserting a new sub-section (3) which has the same effect as the previous clause on proposed laws returned by the Governor-General. Also inserts a new sub-section (4) imposing on the Administrator an obligation to publish notice of any declaration made by the Governor-General in respect of a proposed law.

### Clause 5 - Proposal of money votes

4. Amend section 11 by enabling the Administrator's message to recommend the purpose of the appropriation rather than the proposed law itself.

### Clause 6 - Filling of a casual vacancy

5. Amends section 19 by requiring that a casual vacancy in the office of a member of the Legislative Assembly be filled if it occurs less than 3 years and 6 months (rather than 3 years and 9 months) after the first meeting of the Assembly following the last preceding general election. Also confirms that a general election is not required when a casual vacancy occurs.

#### Clause 7 - Disqualifications for membership of Legislative Assembly

6. Amends section 21 by ensuring that terminology in the Act conforms with the practice and Standing Orders of the Assembly and gives certainty to some descriptions.

#### Clause 8 - Acting Administrator

7. Amends section 40 by providing for more than one dormant Commission as Acting Administrator to be exercised during any vacancy in the Office whenever the Administrator is absent from the Territory or otherwise unable to carry out the duties of the Office.

#### Clause 9 - Borrowings otherwise than from the Commonwealth

8. Deletes sub-section 7 from section 47, removing the right of the Commonwealth Treasurer to require the Territory to indemnify the Commonwealth in respect of a quarrantee given by the Treasurer.

#### Clause 10 - Election of members of the Legislative Assembly

9. Repeals section 6 which is a transitional provision, no longer required now that the Territory has enacted its own electoral legislation.

#### Clause 11 - Acquisition of certain land

10. Amends section 70 to place beyond doubt that interests in land acquired by the Commonwealth under section 70 include all interests in that land which section 69(4) declares to have been vested in the Territory.

#### Clause 12 - Contracts

11. Amends section 71 to extend the substitution of the Territory for the Commonwealth in prescribed contracts entered into on or after the commencement of the Principal Act. Existing provision is limited to contracts entered into before the commencement of the Prinicipal Act.