

Submission No.....11.....
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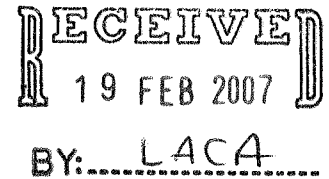


Australian Government
Attorney-General's Department

**Legal Services and
Native Title Division**

06/20518

15 February 2007



Ms Joanne Towner
Committee Secretary
House of Representatives
Standing Committee on Legal and Constitutional Affairs
Parliament House, Canberra ACT 2600

Dear Ms Towner

Response to questions for the Attorney-General's Department arising from the Northern Territory statehood inquiry public hearing, 6 February 2007

I refer to the additional questions of the Standing Committee for the Attorney-General's Department, received 7 February 2007, arising from the Standing Committee's Northern Territory statehood inquiry public hearing held on 6 February 2007. Please find our responses below.

Questions taken on notice

1. *Can the Department inform the Committee of any transitional issues or difficulties that statehood might occasion in relation to the Northern Territory judicial system?*

Response:

The conferral of statehood would be likely to raise transitional issues in relation to the move from a Territory to a State judicial system. However, it is not possible to say more about this issue without making assumptions about the terms and conditions upon which statehood may be conferred.

Other questions arising from the public hearing

2. *During the course of the Committee's seminar on Northern Territory statehood last year, the Committee heard that the Territory Minister for Statehood and Opposition spokesperson for statehood were to meet with the Commonwealth Attorney-General and Minister for Local Government, Territories and Roads early this year in order to commence the 'process of negotiation around the terms and conditions that the federal government would offer the Territory if it were to become a state'. The Committee understands that this meeting has now taken place.*

Can the department inform the Committee of the outcomes of this meeting?

Was any progress made in relation to negotiations between the Commonwealth and the Northern Territory regarding statehood?

Response:

The Commonwealth Attorney-General and the Minister for Local Government, Territories and Roads met with the Northern Territory Minister for Statehood and Shadow Minister for Statehood on Tuesday 6 February 2007. The Northern Territory representatives were concerned to raise the question of statehood and associated matters of process with the Australian Government. The Australian Government will consider these issues and respond in due course.

I have enclosed an ABC Online report of comments by the Attorney-General for your information.

3. *Has the department undertaken any preparatory work regarding the terms and conditions of a possible grant of statehood and the possible Constitution of the new state?*

Response:

The Attorney-General's Department has not undertaken any work on the question of terms and conditions since the failure of the 1998 Northern Territory referendum.

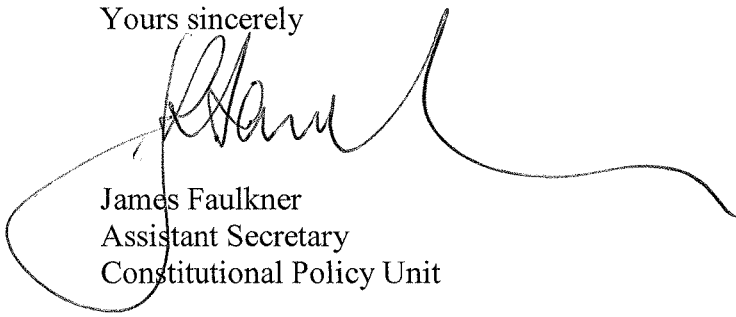
4. *Can the department identify some of the main impacts on the suite of Commonwealth legislation currently applying to the Northern Territory in the event of statehood?*

Response:

The establishment of the Northern Territory as a state would have a significant impact on Commonwealth legislation applying to the Territory. It would inevitably affect the *Northern Territory (Self-Government) Act 1978* and other Commonwealth legislation with differential operation as between the states and the territories. However, it is not possible to address this issue in any detail without making assumptions about the terms and conditions upon which statehood may be conferred.

I trust this information is of assistance.

Yours sincerely



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ABC Online

Ruddock questions NT's statehood push. 07/02/2007. ABC News Online

[This is the print version of story <http://www.abc.net.au/news/newsitems/200702/s1841951.htm>]

Last Update: Wednesday, February 7, 2007. 10:29am (AEDT)

Ruddock questions NT's statehood push

Federal Attorney-General Philip Ruddock says he has not seen any objective evidence that Northern Territorians are behind a push for statehood.

Mr Ruddock met with the Territory Statehood Minister Syd Stirling and his CLP counterpart Terry Mills in Canberra yesterday.

He says both men argued that the Territory did want to become a state.

But Mr Ruddock says a referendum on the issue has already failed and he is yet to be convinced that Territorians have changed their minds.

"If the relevant Minister and shadow minister Mr Stirling and Mr Mills are of the view that Northern Territorians do care, I think they've got to demonstrate it," he said.

Mr Ruddock told Mr Stirling and Mr Mills that there are a number of issues that still have not been addressed.

"How you address native title questions for instance, how you address issues relating to the Northern Territory Land Rights legislation, how you address issues relating to National Parks, there are issues in relation to uranium and particularly nuclear waste," he said.

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