

PRAYER

Almighty God we humbly beseech Thee to vouchsafe Thy blessing upon this House, direct and prosper our deliberations to the advancement of Thy glory and the true welfare of the people of Norfolk Island, Amen

Thank you Honourable Members. There are no Condolences this morning.

PETITIONS

Are there any petitions this morning

MR NOBBS Thank you Mr Speaker I present a Petition from 789 persons residing on Norfolk Island who support the Norfolk Island Legislative Assembly's stated opposition to changes to the electoral system as proposed by a Joint Standing Committee of the Australian Federal Parliament and pray that the Norfolk Island Government strongly express their opposition to these proposed changes to the electoral system, to the Minister for External Territories, the Honourable Wilson Tuckey, during his upcoming visit to Norfolk Island and through him to the Australian Federal Government. Mr Speaker there are 789 signatories to the petition collected I understand only between mid morning Friday and yesterday afternoon. In reality a period of just over four days. Mr Speaker as the roll was last closed twelve months ago, there was no comparison made with the Electoral Roll although there were some 35 temporary entry permit holders who signed the Petition, the remaining 754 were either residents of the General Entry Permit holders. Mr Speaker the standing orders of the Legislative Assembly, in particular standing order 86, precludes discussion of the subject matter of the of the petition at this point in the proceedings of this House. Thank you Mr Speaker.

SPEAKER

Mr Nobbs thank you. Further Petitions

GIVING OF NOTICES

There are no notices this morning.

QUESTIONS WITHOUT NOTICE

We move to questions without notice - Are there any questions without notice

MR SMITH

Thank you Mr Speaker a question to the Chief Minister. Chief Minister there has been information circulating in the media about the Australian Government having control or doing something along the lines of controlling handguns within Australia. Has there been any discussion between the Norfolk Island Government and the Australia Government at this point

MR GARDNER

Thank you Mr Speaker and I thank Mr Smith for that question. It is very important in the current climate of discussions or lack thereof between the Commonwealth and the Norfolk Island Government on a number of issues. Importantly in relation to the control of handguns, only yesterday we received through the Office of the Administrator a package of information from the Commonwealth in relation to further control of handguns and asking us to please respond to that package of documents containing somewhere in the region of thirty pages by today. Now there was some comment Mr Speaker earlier this week in the Senate about people on Norfolk Island being shonks and shysters and that the educational standards of people on Norfolk Island was something that needed some support. However, the Commonwealth Government take a different view to that

because if they think that we can respond to this in one day they obviously think we are nothing not too far short of superhuman. But I understand with the warmongering that is currently being undertaken by the Commonwealth Government and the lack of funds available to the Australian Defence Forces that this may just be another move by the Prime Minister to arm the Australian Defence Forces if he is thinking of sending them into battle with the people of Iraq. Certainly we haven't been informed on these matters by the Commonwealth at all and I refer to a circular circulated by the Prime Minister of Australia to all of his ministerial Councils asking all of those Ministerial Councils to make sure that Norfolk Island is kept informed and advice is sought from the Norfolk Island Government on any matters that affect Norfolk Island. I guess that we could say that the letter received yesterday from the Office of the Administrator is an attempt to do that however I understand the discussion on the control of handguns in the Ministerial Council took place two or three weeks ago and I understand at the Australian Police Minister's Conference a lot was said in that paper about the consultation with States and Territory's but to date save for the correspondence from the Office of the Administrator we've received nothing. Now this warmongering stance of the PM, no wonder we are drawing attention from some terrorist entities around the world. Again, the only information that we've received and discussion was held on this matter again with the Australian Minister's Council in Darwin was terrorist activity in this part of the world. The only information that we've had or any notice that we've been given Mr Speaker was what I heard and other members around the table heard on the television last night, so certainly we haven't been informed of any threat as far as terrorism is concerned so I just really wonder at the basis of these gun laws. I have no difficulty with the removal of guns but that's about the level of consultation that's occurred between the Commonwealth and Norfolk Island on this issue

MR SMITH Thank you Mr Speaker just a supplementary to that from the Chief Minister. Bearing in mind what the Minister has said can he make some assurance that he will make contact with the Commonwealth Government in relation to the news released last night that the Australian Government has that maybe there's some terrorist activity within Australia in the next two or three months, could the Chief Minister make contact and if see if there is anything that we might need to know about that type of attack

MR GARDNER Thank you Mr Speaker I certainly propose to do that

MS NICHOLAS Thank you Mr Speaker. Again a question to the Chief Minister in respect of public liability and professional indemnity. Minister how long will it be before we may expect legislation to come before this House which will limit or cap payout in respect of public liability and what are you able to report in respect of professional indemnity insurance

MR GARDNER Thank you Mr Speaker I'll deal with the professional indemnity insurance issue first. There has been a policy developed from within the Service and I understand the policy has been finalised, there has been discussion with our insurers over the issue of professional indemnity insurance. I understand that there is a document with you at the moment that relates to the professional indemnity insurance policy and that subject to your agreement there should be in place an indemnity for professionals within the Administration. It's being dealt with by the Minister for Community Services and Tourism as a public service matter. The second part of the question about public liability insurance, I circulated to members on Monday a couple of documents relating to recent discussions in Fremantle where I attended the Standing Committee of Attorney's General meeting and this is a particularly hot topic at the moment. Those papers have been circulated to members for information so that they are kept up to speed with development in other States and

Territories as far as the development of this legislation is concerned. I've made notations on my memo accompanying those papers to members that I believe the New South Wales model appears to be emerging as a sensible base for our own legislation and have also noted there that there are a couple of other meetings taking place this week with COAG which is the Council of Australian Governments taking place in early December where some final discussion will be had and model rules presented for adaptation for the States and Territories. I've taken that course of action because I believe it's the most responsible and has the least impact on our limited resources in our Legal Services Unit and I think its appropriate to continue with that legislation. Hopefully early in the new year Mr Speaker I'll be bringing forward legislation to deal with tort law reform and the public liability issue

MS NICHOLAS Thank you Mr Speaker. May I then ask what cover is presently available to those in the community who serve on boards established by the Norfolk Island Government

MR GARDNER Thank you Mr Speaker I understand that there are various statutes in place that provide a measure of indemnity to a number of board members. I can only think of the top of my head of one board that may not have that current indemnity and that may be the Immigration Committee but as I said the professional indemnity insurance is imminent and so within the next week or so I expect to have something in place to give them some comfort

MS NICHOLAS Thank you Mr Speaker. Further question if I may to the Minister for Finance particularly in his portfolio of the Liquor Licensing. Will the Minister explain the process followed when an application to sell liquor is made by an organisation wishing to hold a special function other than on licensed premises

MR DONALDSON Thank you Mr Speaker the sale of liquor at special functions or as referred to in the Liquor Act 1960 is controlled by section 32 which requires a permit to be obtained before liquor can be supplied at what is called an entertainment. The forms are available at the Registry for such a purpose. They are meant to give seven days notice before the actual function or when they apply although this is not always adhered to and there is a bit of leniency granted to the people who apply late. The fee is \$35 and the approval to do it is signed by the Minister or his delegate and the duty has been delegated to the Registrar and the Deputy Registrar of Titles. Conditions do attach to it. There are normal conditions relating to the sale of alcohol such as selling to people under 18 years of age but conditions that normally apply to an Entertainment Permit is that the function cannot go past midnight, the beer has to be sold by old print bottles or cans and the spirits have to be sold by the glass.

MS NICHOLAS Thank you Mr Speaker. Further question, on a different topic when the need arises to make special and significant payouts for unanticipated requirements, what process is followed

MR DONALDSON Thank you Mr Speaker this situation arises from time to time when there is a need to make a payment for a particular purpose but funds have not been provided for in the Appropriation Act. In such instances, money can be provided by a virements from another vote, that is, a vote that has either surplus funds or funds that are not needed immediately or it can be done by a supplementary appropriation bill or there are another two areas it can come from, the CEO's discretionary vote or the executive member's discretionary vote but at the end of the day everything is controlled by the appropriation bill and if the virements is coming from another vote and that vote has to be topped up with funds then it will be done by a special appropriation bill presented to the House or the half yearly budget review appropriation bill

of the public reserves Act and to seek members' input into how we might make some amendments to allow matters such as these and such as the specific one that was raised in the letter to the press to come to a more community based type situation, in other words, where the community might have a view of whether these things are good bad or indifferent in respect of how we use the reserves. There are a number of issues in the public reserves area and I think we need to identify them so that we don't have the situation arise that leads us into the position, where letters need to be written to the press. There should be a process. In respect to that specific letter they did have a process. Unfortunately in the opinion of some people it may be cumbersome, and probably is in the nature of that particular incident in that those persons who had their application to camp refused did have the avenue of going to the Administrative Review Tribunal to have that decision overturned. That probably is a little bit cumbersome and akin to cracking a walnut with a spanner and we need to address that issue or similar issues when we look at the question of public reserves and Plans of Management generally

MRS JACK I have another question for the Chief Minister with responsibility for Intergovernment affairs and I refer to the Higher Education Amendment Bill No 3 of 2002 which currently sits adjourned in the Senate and refers to the Higher Education Funding Act 1988 both of which directly relate to the Greenwich University Act 1998 and I ask the Chief Minister that when this Bill is passed and I say when and not if as it appeared that both major parties support the Bill, when this Bill is passed then how secure are any of the Acts or Bills that relate to the governing of Norfolk Island. Acts and Bills that have been signed off by the various Ministers, Governor's General, that have passed into legislation here. How secure are any of these and just how self governing are we

MR GARDNER Thank you Mr Speaker there are a number of parts to that question and maybe if I could deal with the most important recent issue first and that is that on Monday evening so I understand on the 18th of this month the Senate passed through all stages the Bill that Mrs Jack refers to, being the Higher Education Amendment No 3 Bill of 2002 and it affects Greenwich University in exactly the way Mrs Jack has intimated. It is interesting that the Norfolk Island Government has made significant representation in recent weeks not only to Dr Brendan Nelson who is the Minister in the Federal Government who has carriage of this matter but to our own Minister who has the portfolio responsibility for Territories, the Hon Wilson Tuckey, also representation to every member of the Senate including representation last week to the Governor General regarding this issue. I would just like to note if I may Mr Speaker, some of the comments that were directed towards not only the proprietors of Greenwich University but also the people of Norfolk Island and the elected representatives of Norfolk Island and maybe just an indication to those who have not been able to access Senate Hansard some of the relevant quotes from the Senate Hansard in the passage of this legislation. This first one has been reported quite widely in the Australian press this morning so I understand and Senator Carr, I'm not quite sure which party he belongs to because it's hard to distinguish between the two at times, but Senator Carr said in his introductory remarks to the bill is that which closes down that bunch of frauds, those shonks, those shysters at Norfolk Island. The actions of the Greenwich so called University I quote from Senator Carr, this mob at Greenwich, the cuckoo in the nest of Australian higher education. There is further comment about the Ministers, and the Ministers here being Senator Macdonald and I think Dr Kemp that they were being led up the garden path by the Norfolk Island legislature, all nine good men and true out there and I think I have seen a couple of women there as well. It goes on to say the councilors or Norfolk Island were of course playing right into the hands of the Duke, now the Duke is a reference to the owner of Greenwich University, John Walsh of Brannagh, a resident of Norfolk Island, into the hands of the Duke of Greenwich University because they were operating in cloud cuckoo lands. These are

all wonderful things that elected representatives of the Australian Parliament say about us obviously without any facts....

MR BROWN

Shame

MR GARDNER

...any fact at all, and really at the end of the day after directing all of this vitriol towards not only Greenwich University but to the people of Norfolk Island and this Legislative Assembly and its membership Mr Speaker, the only sensible thing that I think gets said by Senator Carr and I quote again, I think it ought to be demonstrated that in regard to this Government's failure there is no-one to be blamed here other than Senator Ian Macdonald. He ultimately is responsible because he had the opportunity to stop this occurring. I could also point out that Dr Kemp had the opportunity to refuse their approval process and could well have asked the Governor General to intervene before the legislation was agreed to in its final form. The truth of the matter is that it was Senator Ian MacDonald who directed the Administrator of Norfolk Island to sign that legislation into law and without doubt that is a true fact Mr Speaker because I have here in my hand a document dated the 26 November 1998 signed by Ian Macdonald the then Minister directing the Administrator that in accordance with subsection 21(6) of the Norfolk Island Act 1979 my instructions are that you declare assent to the proposed law, and I table that document. I think really at the end of the day it tells a story that we are not here sitting in judgement of whether the Commonwealth is right or wrong or Greenwich University is right or wrong or this House is right or wrong. We have made significant representation to the Commonwealth Government over this issue and in those representations to the Commonwealth Government I certainly believe and I think my colleagues around the table certainly believe that we have made appropriate representations for mature and appropriate method of dealing or resolving with the issues that have arisen between the Commonwealth Government, the Norfolk Island Government and Greenwich University and I also table as part of the answer to Mrs Jack's question the documentation and the submissions that have been made to the Commonwealth to date of which we have had no response. Not the courtesy of a single response. That was letters to Dr Brendan Nelson MP copied to His Honour the Administrator and also to the Honourable Wilson Tuckey MP who holds himself out as the Minister for Territories I refer as I did earlier in the day, he certainly has the portfolio responsibilities for Territories and I table that documentation including the letter I wrote to His Excellency the Governor General and I need to add here that the Official Secretary of His Excellency responded within twenty four hours to my letter which certainly would be an Act that I would hope those other Ministers, Senators, Members of the House of Representatives in Australia could well do to follow and hold up as an example. As far as the second part of the question is concerned Mrs Jack, where does it leave us. It leaves us I believe in a very tenuous situation. It appears as though by using this vehicle the Higher Education Funding Act that the Commonwealth Government has indeed overridden Norfolk Island legislation. I would hate to even attempt to guess what the next little attempt by stealth by overriding Norfolk Island legislation from the Commonwealth will follow, thank you

MRS JACK

Mr Speaker can I have a supplementary please. I hope the Minister and the Government will take on board and that when Minister Wilson Tuckey is here as he has always said that he is not the Minister of but the Minister for, express how displeased this Legislative Assembly is and indeed many of the Islands residents are over the lack of common courtesy over these issues. I hope this Government will take that on board

MR GARDNER

Thank you Mr Speaker I can assure Mrs Jack that I will continue to demonstrate the Norfolk Island Government's complete displeasure with the way that we have been handled in this matter and continue to be handled

MR NOBBS Thank you Mr Speaker I ask the Minister for Environment is it correct that the current tip contract has been extended until the 31st January next year, only two and a half months away, and also would the minister please advise the community on what equipment has been purchased to date for waste disposal and what other purchases are proposed in the immediate future

MR I BUFFETT Thank you Mr Speaker let me take that on notice and provide Mr Nobbs with a full answer to that at the next meeting. Let me explain why I take that on notice. The Executive Director of Environment and Infrastructure is currently away and during that time off island he is having some discussion in respect of waste management issues which touch on at least equipment type issues that Mr Nobbs mentioned and I would have a more definitive answer by the December meeting but if I get the answer before I would certainly circulate that to Mr Nobbs and have a full length answer for the community and the members at the December sitting

MR NOBBS Thank you Mr Speaker could I ask a supplementary to that. Isn't it correct Minister that a bobcat and two trucks have been purchased for the Waste Management Centre

MR I BUFFETT That is correct

MR NOBBS Thank you. I have one for the Minister responsible for electricity. As it's now twelve months since the comprehensive expert study of noise emitting from the powerhouse provide recommendations would he please provide a status report

MR DONALDSON Thank you Madam Deputy Speaker, yes, I'll take that on notice to provide a status report as to the current sound proofing of the powerhouse

MRS JACK Thank you Madam Deputy Speaker I ask this of the Minister responsible for Social Services. Would the Minister please identify just where the review of the Social Service policy is at, and owing to the burgeoning costs in this area are all sections of the current policy and Act covered in the review and will new factors be able to be considered

MR D BUFFETT Thank you Madam Deputy Speaker I really have a statement on this matter but I'm happy to try and respond to the question in lieu of that statement

MRS JACK If I could interrupt, if those questions are going to be addressed I'm prepared to wait for the statement

MR NOBBS Thank you Madam Deputy Speaker a question to the Minister for Finance in relation to the Liquor Act. I ask what progress has been made with the finalisation of the proposed new Liquor Licensing Act and when is the Minister scheduling its introduction into the Legislative Assembly

MR DONALDSON Thank you Madam Deputy Speaker regrettably there hasn't been much progress made since the last meeting although there has been a meeting between the Liquor Licensing Board and the Legislative Draftsman to discuss the concerns they had about the drafting style and what the Liquor Act actually said. Some of those issues were taken on board by the Draftsman and by the Administration

Staff who administer the Liquor Licensing Act and they are being auctioned at the moment. I expect that I will have that back to the House soon for discussion

MR SMITH Thank you Madam Deputy Speaker a question to the Chief Minister in relation to a news information about territories attacks and the Chief Minister is holding up a piece of paper that has Press Release on it. I wonder if he would inform us if that indeed is the information that I was asking about earlier on

MR GARDNER Thank you Madam Deputy Speaker Mr Smith is quite right, I do have in my possession a media release received just a few minutes ago, not directed to the Norfolk Island Government in this instance but to the Airport Manager but it is a media release relating to the security alert that I touched on earlier in today's meeting. I guess the most important parts of that are the last two comments by Senator Ellison who is the Acting Attorney General and Minister for Justice and Customs who said that the Australian public can be confident that the Government is doing everything it can to prevent the possibility of a terrorist attack and that the public can also be confident that they will be advised of any significant change in the situation as it relates to the safety of the Australian community. As I advised earlier I certainly will undertake to ensure that Norfolk Island is kept fully abreast of developments in that area

MR NOBBS Thank you Madam Deputy Speaker a supplementary. Chief Minister is the security committee per se which was established a year or so ago still in place and if not, who is actually co-ordinating security issues on the Island

MR GARDNER Thank you Madam Deputy Speaker I wasn't aware of a Security Committee as such but certainly I'm happy to talk to Mr Nobbs about that after the meeting to ensure that we are in a position to appropriately respond to any threat that may develop, to the people of Norfolk Island

MR BROWN I direct this question to the Minister for Community Services and Tourism, are the entitlements of senior administration staff to annual leave, removal allowances, gratuity and airfares consistently administered and if not will you please explain why

MR D BUFFETT Thank you Madam Deputy Speaker as far as I am aware there are consistent arrangements but I've got to say that I am not privy to every particular contractual arrangement drawn up and so there is the likelihood that there may be some differences over past times. There is at present an effort to have a standardized arrangement for contracts that are drawn and that employment conditions have a more standard arrangements than maybe there has been in the past

MR BROWN Thank you Madam Deputy Speaker, I apologise to the Minister if my question was unclear, but what I was asking was whether staff leaving the administration in recent times have all had issues such as, annual leave, removal allowances, gratuity and airfares dealt with consistently in accordance with their contracts or have some received favourable treatment and others have not and if that is the case will you please explain why favourable treatment is dealt out to some

MR D BUFFETT Thank you Madam Deputy Speaker yes, maybe I had misunderstood I'm not wanting to say that it was not well described to me. I'm very happy to have some conversation to explore those matters that Mr Brown has raised to see if I'm responding with the greatest accuracy that I am sure that he is seeking

MR BROWN Thank you Madam Deputy Speaker, before having that discussion could I draw to the Minister's attention to a letter written to the Minister by myself dated 31 October 2002. I don't propose to read that letter in the House but perhaps if the Minister could refresh his memory from that the nature of the question will become a lot clearer

MR D BUFFETT I thank you Mr Brown for that and I will examine that

MRS JACK Thank you Madam Deputy Speaker I ask the Minister with responsibility for the hospital, how is the telemedicine progressing, have any actual patients been put through the system and are all the necessary people properly trained to run this system or only a few; does the Minister know the costs involved in putting patients through this system and how long does it take to get a response which can be acted on and is it true this latest rumour I've just heard that a part of the equipment has been stolen

MR D BUFFETT Thank you Madam Deputy Speaker I'm not in a position to respond to all of those things. I'm certainly not aware for example that parts may have been stolen but I'm happy to forthwith enquire about it. My understanding is that there has been a training programme and that there are people on island now and before who has specific skills in the equipment that is now installed. N terms of costs for individual patients I don't have that in my head but I can make some enquiries about that. One of the major difficulties that remains in terms of using this equipment is the insufficient band width that is available for the international connection and that is being addressed also by the people within Norfolk Island who have responsibility for that and that is an inhibition to the use in its widest sense at this movement but for those other matters I will need to make some enquiries and I will do so

MRS JACK I'll put the questions on notice paper

MR D BUFFETT And I'm happy if that happens too, thank you

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for Environment, it is now some 18 months since the notice of the dispute over the Cascade Cliff Project, what process has been made on investigations and any subsequent legal action

MR I BUFFETT Thank you Madam Deputy Speaker as recent as a week ago some further instructions were given to the solicitor representing the Norfolk Island Administration and the case is still progressing. I can't give Mr Nobbs any more information in respect of that. I do sympathise with him, it has been a long time, those issues are still being progressed both in the dispute between the contract and all those people. It's still in that position that it was last time Mr Nobbs asked the question

MR NOBBS I also ask the Minister for the Environment, I think he's the Minister for crushing, if he's not then whoever it may be. Is it correct that as has happened previously the supply of stone for septic trenches has run out. If so, has the Minister looked for alternative to stone and is it not possible to as an example, utilize shredded tires or partially crushed glass in sullage trenches as an alternative for stone

MR I BUFFETT Thank you Madam Deputy Speaker I cannot answer specifically yes to the question that the supply for stone for sullage trench has run out. I was told yesterday afternoon or it was intimated to me that it was getting short. In respect to using the alternate products nobody has said to me that they have the quantities that would currently supply the demand. I would need to chase those questions up that Mr Nobbs has asked me and try and get back to the community as quickly as possible in respect of those

MRS JACK Thank you Madam Deputy Speaker this is the question that I am asking on your behalf and it is directed to the Minister for Community Services and I am asked to ask you Minister, will the Minister advise what regulations or licensing arrangements are in place governing the operation of child care facilities and should none be in place, what intention does he have to ensure that places operate at acceptable standards

MR D BUFFETT Thank you Madam Deputy Speaker both for your question and for Mrs Jack in raising it. There are no Norfolk Island regulations or licensing of child care facilities. The Public Health officer has reported to me that he has no registration of complaints in that particular area but if in fact this question is in a sense, registering a complaint I'm happy to examine that and to see if this really transposes into a need for formal regulatory arrangements. In terms of general knowledge I think that there would probably be something like four child mining centres on the Island and maybe plus on that but maybe four that has some size attached to them and maybe there are some smaller establishments. In addition to that there will be a preschool which is not necessarily a child minding but is talking about care for young people and I am also aware that some would have people who have trained people engaged within them. Some I am not as knowledgeable about but I am aware that there is that spectrum within the community and I just confirm that at present there are no licensing arrangements nor regulatory arrangements. There may be occasions where the establishments much as I have described, might need to undertake adjustments to building and things like that. They may well go through a process then but that is more a building application than a child care facility application and so I just mention that. I'm happy to make some further examinations and indeed hear representations not only from the people who have raised the questions today in the House but from community members if in fact there are some concerns that are wished to be expressed and you have used this as a vehicle to do so

MR BROWN I direct this question to the Minister for Community Services and Tourism it relates to the Norfolk Island Hospital. Does the Minister propose to make a statement today in relation to the inquiry into the management into the Hospital. If there is to be no statement today can the Minister please advise us of the present situation

MR D BUFFETT Thank you Madam Deputy Speaker I have what I would call a substantial statement to make today

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for Health, I've asked before and I wonder if you have it Minister the cost of malpractice insurance cover to the Hospital

MR D BUFFETT No I don't have that figure in my head, I can provide it however

MR BROWN I direct this question to the Minister for Community Services and Tourism can the Minister advise whether he has yet made

arrangements for an appropriate aircraft stretcher to be based in Norfolk Island in order to assist in medical evacuations by scheduled air services

MR D BUFFETT Thank you Madam Deputy Speaker I have pursued this on a number of occasions and I have to regretfully report that there hasn't been delivery of a stretcher at this time

MR BROWN I direct a further question to the Minister for Community Services and Tourism in relation to the hospital, minister is it a fact that monthly financial statements for the hospital have not been produced for the months of July, August, September and October this year. Is it a fact that the Hospital in a two page written scrawl bearing the notation "Is this submission a joke" signed Barry W. sought \$655,460 of subsidy. Is it a fact that a revision of that request sought a slightly higher subsidy of \$696,111. Is it a fact that those papers assumed that there would be an increase of \$127,000 in hospital fee income as a result of increasing fees. Is it a fact that the budget included an additional \$60,000 for malpractice insurance premiums over and above the amount provided in earlier years and finally, is it a fact that the budget contained a modest error in the region of \$3-400,000 as a result of having omitted at least a complete page of expenditure

MR BUFFETT Thank you Madam Deputy Speaker I'll try and walk through some of those issues. In terms of monthly statements provided to the Minister, no there have not been satisfactory monthly statements provided to the Minister in the context of the present financial year or maybe more appropriately said, since I have picked up the portfolio. I have raised this matter with a view to remedying that and I have raised that including with the external Auditors do that we can walk through a process in which there will be more adequate reporting on a monthly basis and the Auditors have just concluded their visit a week and a half ago now, maybe and the refining of that process is yet to be done but is well advanced and hopefully that particularly difficulty will be solved. In terms of the subsidy sought, I can't claim to have first hand information because I wasn't the Minister at that time but I do remember as a members we walked through the process with all of us in terms of examining some elements of the budget. It certainly has become clear to me that some of the projected fee increases, when I brought them to members for examination have not been endorsed and so they have not taken place. I do understand that malpractice insurance has been gained and is being paid although the question was asked of me earlier as to the exact figure and I will have to double check to be able to give you that figure. It is not in my mind at this moment but it has been taken out so there is appropriate coverage. In terms of the subsidy amount and the matter of how accurate the budget was, there are some question marks about that and indeed I have scheduled at the conclusion of this meeting and I raised that with the Auditors whilst they were here and at the conclusion of this meeting I have scheduled with the director a meeting and that will be one of the matters that I have scheduled for discussion and I have already highlighted that to him

MR BROWN Thank you Madam Deputy Speaker, one further question to the Minister for Community Services and Tourism in relation to the Hospital. Is it a fact that the theatre autoclave has not been connected to rainwater? Is it a fact that as a result the autoclave requires urgent replacement? Is it a fact that there is other equipment at the Hospital requiring urgent replacement and is it a fact that none of the urgently required capitol works are being attended to because of the fact that the Hospital budget was so poorly put together that the whole of the funds are being consumed by recurrent expenditure?

MR D BUFFETT Thank you Madam Deputy Speaker. In terms of the autoclave I have yesterday afternoon received documentation and some

examples in terms of equipment that might need to be put through that process with the explanation that the equipment is both aged and in need of replacement. The matter of rainwater and other water was mentioned. It may well be that that is a great contributor. Whether it is the total contributor to its difficulties at this moment I wouldn't like to be categorical about it but obviously it is a contributor, but may be its age is a principle factor in the process. Certainly there are other pieces of equipment in terms of capital items that are on the urgent list and again I mention that I have scheduled a meeting immediately after this sitting to walk through the urgency of those capital items and how they sit in the Hospital environment. Might I say that a copy of that letter in terms of the autoclave has been equally provided to each members of the Legislative Assembly and that was done yesterday when it was delivered to my office.

MRS JACK Thank you Madam Deputy Speaker if I could ask the Minister that at the bottom of that page it is signed by a Medical Superintendent. Indeed this Island is somewhat fortunate in having two. Is that the view of both Medical Superintendents.

MR D BUFFETT Thank you Madam Deputy Speaker I have the one document at this moment

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister for Health, is the recruitment of two full time doctors as advertised by the Hospital in late July, continuing

MR D BUFFETT Thank you Madam Deputy Speaker the only recruitment arrangement at this moment is contemplation of a renewal of one of the existing doctors. I know of no other recruitment process in the doctor area

MR NOBBS Thank you Madam Deputy Speaker are you not aware Minister that there was an advertisement placed in July for a locum surgeon for six months with a possibility of a two year extension and also for a GP/Surgeon and I wonder what has happened to that? What the advertising costs were to the Hospital enterprise not only in cold hard cash but also in the continued degradation of confidence in the Hospital Enterprise by potential doctors

MR D BUFFETT Thank you Madam Deputy Speaker I really haven't anything further to add to what I said earlier, that there is no recruitment process apart from that I have just mentioned

MRS JACK Thank you Madam Deputy Speaker ask this of the Minister for Finance and it is in relation to the Post office. When is the Post Office going to be able to best deliver and faster deliver local mail. Snail mail has been used by a members of this House when referring to local mail delivery. A letter posted last Wednesday as of late yesterday afternoon had still not been delivered so I ask again when is the Post Office going to better deliver our local mail

MR DONALDSON Thank you Madam Deputy Speaker the deliver of local mail has been a problem at the Post Office for quite a while now because local mail is not given priority when the ship mail comes in or when they have to prepare airmail for dispatch off the Island. Whilst speaking to staff at the Post Office yesterday they do confirm that regularly they receive delays on local mail of three and sometimes five days. I have spoken to the Executive Director in the Administration who handles this with the suggestion that temporary staff be brought in for eighteen hours per week specifically to address this problem. I hoping that that will progress in the next few weeks and come to some finality and perhaps this problem of local mail at the Post Office will go away.

MR NOBBS Thank you Madam Deputy Speaker I ask a supplementary on the Post Office. Has the Minister had the opportunity to look at the precise reasons as to why the mail is held up and the actual reasons. Some of it are mechanical and some of them are lack of human resources. Has he had a chance to look at that side of things and come to an understanding of it

MR DONALDSON Thank you Madam Deputy Speaker No I haven't been up to have a look at it. I have been invited up there to see what's going on but it is my understanding that it is purely a resource problem. They have four staff and a manager. Two staff work on the front counter and two at the back counter sorting and it's really just a matter of the amount of work they can achieve in a day. An extra person up there should alleviate the problem greatly

MR SMITH Thank you Madam Deputy Speaker a question for Mr Toon Buffett. About four years ago a proposal was put forward to investigate input replacement by the Government in the form of packaging and heat treating for example for milk, fruit juices and the like. Can the Minister advise if there is still any discussion taking place in the Government currently or if not, would the Minister take on board such a proposal and have it looked at again in the near future

MR I BUFFETT Thank you Madam Deputy Speaker the answer to the first part of the question is that it's only been touched on by the Government as part of the priorities that we talked about early in the life of this present Government. I certainly will take on board the issue that Mr Smith has raised. It had been my intention in the near future now that the land package is nearing its completion t once again look at some of those issues that fall in my portfolio and I will take that on board and keep Mr Smith and the community informed of where we go with it

MR SMITH Thank you Madam Deputy Speaker a question for the Minister for Finance. In the past it's been almost a tradition that Telecom would run a Christmas rate or New Years rate on international telephone calls. Has the Minister considered pursuing that avenue again for this Christmas period where Telecom reduces their rate I think in the past down to 99 cents a minute to Australia and New Zealand. In their association with Telstra has any thought been given to that in the near future

MR DONALDSON Thank you Madam Deputy Speaker I have aware that it has happened in the past. I'm not aware of any thought being given to it this Christmas but now that it's been mentioned I really think it is a good idea because it gives people the chance to ring home at a reasonable price for Christmas and I'll take the matter up with the Telecom manager

DEPUTY SPEAKER NICHOLAS Honourable Members time for questions has expired

MR BROWN I move that question time be extended by ten minutes

DEPUTY SPEAKER NICHOLAS I put that question Honourable Members that questions without notice be extended by ten minutes. It is so extended

MR BROWN Thank you Madam Deputy Speaker, I direct this question to the Minister with responsibility to the Hospital. Minister are you aware of a letter signed by some thirty-two members of the staff of the Norfolk Island Hospital which reads as follows – "the undersigned are members of the nursing staff; office staff

and domestic staff of the Norfolk Island Hospital Enterprise. We are very concerned at the deterioration in the morale of the nursing and other staff which has occurred during Mr David Connell's term as Director of the Enterprise and at the lack of resolution of privacy, financial and medical issues which has come to light during that person's term. We write this letter in order to express a vote of no confidence in that person. Please note that the overwhelming majority of us are long term residents of Norfolk Island" If the Minister is aware of that letter what action has he taken as a result of this

MR D BUFFETT Thank you Madam Deputy Speaker I am of course aware of that document which was delivered to my office and also following that particular letter with all of those signatures I had a meeting with representatives of those people in which they elaborated their concerns. The concerns that they have made are part of the review arrangement on which I will make a major statement when we come to statement time. I'm just trying to say that there is a response to that in the review process thank you

MR NOBBS Thank you Madam Deputy Speaker a question to the Chief Minister. Is the Immigration Task Force proposal still active or is it not.

MR GARDNER Thank you Madam Deputy Speaker Mr Ivens Buffett circulated during my absence from the Island in September a letter from Wilson Tuckey's office, the Federal Minister's office in relation to the convening of the Immigration Task Force. He in consultation with his colleagues both from the Ministry of Immigration and also the Attorney General's office had given a deal of consideration to the proposal that was put forward early by me this year in relation to the re-establishment of that Task Force. The Commonwealth's view was that they believed there would be more mileage made with the Task Force being established amongst officers to deal with specific issues and in relation to that I have ask the service to identify those specific issues so that we can get on with it. I am pleased to report however that as far as the Immigration review is concerned, that whilst we have been waiting for the response from the Commonwealth that the Service have been undertaking an internal review of our Immigration functions and I have only this week received the final draft of that Immigration review which looks at management practices and processing of permit applications from the Norfolk Island perspective so to cut a long story short, the Commonwealth have responded. All members were copied with that letter so I understand from the Commonwealth. I have asked for those issues for discussion by officers to be identified so that we can advance on that, and one of them will be advanced during Minister Tuckey's visit to the Island next week relating to the removal of unauthorised boat people to Norfolk Island and the internal review has been finalised because it seems to make sense before we go looking externally at the things we need to make sure that we are doing things properly internally and I'm pleased to advise that the report has finally hit my desk and I'll be circulating that to members for consideration and discussion in the next week or so

MR NOBBS Thank you Madam Deputy Speaker does that mean that there there's a continuation of appeals going to the Minister for Territories. Is that still the current arrangement

MR GARDNER Thank you Madam Deputy Speaker that is still the current arrangement under the Norfolk Island Immigration Act.

MR NOBBS Thank you Madam Deputy Speaker does the Federal Minister for Immigration have any role in that. Has that been taken up. His offer was originally to come involved in that

MR GARDNER Thank you Madam Deputy Speaker I'm able to report that there have been a couple of proposals put forward with regard to the handling of Immigration appeals. One of those was certainly one that was keenly held by Norfolk Island and the Commonwealth I understand that the Immigration appeals be held on Island by the establishment of a Review panel similar to the ART. Certainly my view is that the ART is an appropriate body to deal with those sorts of issues and that is currently being considered

MR NOBBS Thank you Madam Deputy Speaker a question for the Minister for the Environment. Given the ongoing problems with the crusher site proposal at Ball Bay is the Minister prepared to look at other sites on the Island to locate a crusher which may be less confrontational

MR I BUFFETT Thank you Madam Deputy Speaker the answer is yes

MR NOBBS Thank you Madam Deputy Speaker one for the Minister for Finance. What progress has been made with the proposed debt policy Minister

MR DONALDSON Thank you Madam Deputy Speaker that is still work in progress at the moment. There has been no work in formulating a debt recovery policy since the last meeting when I answered the question then

MR NOBBS Thank you Madam Deputy Speaker a question to the Minister for the Environment. What progress has been made in formalizing arrangements to ensure that the box around Norfolk Island is a legal entity to which Island fishermen have automatic legal rights to fish

MR I BUFFETT Thank you Madam Deputy Speaker there has been an ongoing discussion in respect to fisheries matters in Norfolk Island. As members of this Legislative Assembly may or may not know, the Report commissioned to look at fisheries in Norfolk Island and to suggest management policies in respect of fishing in Norfolk Island is one that's been out for comment in the community and the current situation with that is that we are finalising the comments. As of yesterday when I checked with officers, that comprehensive report and some suggestions and policy issues to the Norfolk Island Government and Legislative Assembly will need to address have been identified and I would hopefully prior to the December meeting circulate that to all members of the Norfolk Island Fisheries Consultative Committee. One of the interesting aspects of fisheries is that during this last twelve month period the responsibility for fisheries in the Federal sphere had a slight change of direction. Previously it used to be under AFMA which is the Australia Fisheries Management Authority. Those issues are transferred to AFA. Now if that sounds a little bit double Dutch it is because that is the Australian Fisheries Forestry and Agriculture and that means that things have been held up slightly. Also other issues have been raised in how fisheries are generally managed in the Commonwealth including some impacts from the Environmental Biodiversity and Conservation Act. That paints a different picture on some of the issues being discussed. They are being worked through and as I have mentioned hopefully I will have that paper and request members to look at those and also draft legislation. It's taken some prompting to get responses and clear directions from parties in respect of this issue. I will have a statement for the December meeting

MR NOBBS Thank you Madam Deputy Speaker I ask the Minister responsible for electricity another question if I may. Would the Minister please

advise the community the reasons for trenching activities by the Electricity Undertaking in the Peters Highway Longridge Hill area which will save me answering them

MR DONALDSON Thank you Madam Deputy Speaker I'm not up to date with what is happening up there but the intention was to underground the power at the ends of the runway in the Peters Highway area and I guess that is what's happening now

DEPUTY SPEAKER NICHOLAS Honourable Members time for questions has expired

MR NOBBS I move that question time be extended by five minutes

DEPUTY SPEAKER NICHOLAS I put that question Honourable Members that questions without notice be extended by five minutes. It is so extended

MR NOBBS Thank you Madam Deputy Speaker. Would the Chief Minister please advise the community as to the current status of discussions or other communications with the Australian Government on the recommendations of the Joint Standing Committee related to the proposed changes to our electoral system or is he making a statement on it later

MR GARDNER Thank you Madam Deputy Speaker. I'm encouraged by the level of support that was demonstrated by the tabling of the Petition in the House earlier today. I understand that Standing Orders doesn't prevent me from discussing that issue in answering a question but as I said, I am encouraged because I had felt that maybe support for the Government's position may have been waning. Certainly I hope that all members around this table has been encouraged by the degree of support that has been demonstrated by the signatories to the Petition that was circulating in the community. I am able to report that subsequent to the Honourable Wilson Tuckey writing to me on the 14th October seeking the Norfolk Island Government views on the three recommendations contained in the Joint Standing Committee's Report on Norfolk Island electoral matters that was tabled in Federal Parliament on the 26th August 2002 that following consultation with members around this table, I have followed their instructions to the letter and indicated to the Minister who has portfolio responsibilities for Territories that the Norfolk Island Government hold true to the submissions that were made to the Joint Standing Committee, that is both the submissions made, in response to this matter and for want of better words basically rejecting the Commonwealth's advances in this area

QUESTIONS ON NOTICE

MR D BUFFETT Thank you Madam Deputy Speaker there are two Questions on Notice directed to me and I will respond to them both if I have your indulgence. The first is Question No 33 and I will read through it to give context. Is it a fact that over \$5 m of the current budget expenditure which represents close to 50% of the fiscus goes into Public Service salaries and wages, and given that Legislative Assembly members agreed that nothing should be excluded in relation to the review and that all possible options for expenditure control and revenue raising should be considered, why is it that certain components of the Organisational Review, namely spread of hours and time off in lieu of overtime have been put aside rather than forming a valuable part of the Focus 2002 project. The response that I give is one that I'm giving in collaboration with my colleague who has responsible for Focus 2002 and I have some responsibility in the Service area. The response. Prior to the commencement of Focus 2002 the need for an organisational review had been

identified so that issues such as productivity, spread of hours, time of in lieu of overtime could be examined in detail and that review of course involved some sensitive investigation, documentation and some element of negotiation of course. The Acting CEO has advised me that in the revenue fund \$5.109 m has been budgeted for salaries and wages this year which represents something like 44.9% of the revenue fund budget and so in answer to the first part of the question, yes, it is a fact that over \$5 m of our current revenue fund budget expenditure goes in Public Service salaries and wages. All Legislative Assembly members have agreed that "nothing should be excluded in relation to the review and that all possible options for expenditure control ... should be considered". I can confirm that Focus 2002 has not put aside the issues of the organisation review but has in fact identified specific concerns within the Revenue Fund and Government Business Undertakings in relation to these issues being spread of hours, overtime and time off in lieu. Let me clarify that the role of Focus 2002 has really been to identify issues and recommend solutions. However, this has not been extended to include involvement in the sensitive negotiations that might be required to address employment conditions. Clearly this is an appropriate consideration in the responsibility of the Corporate Management Group, consultation with the Consultative Committee and the PSA and that mix of players. The resolution of these issues of course still lie with the Organisational Review and through other mechanisms. I have received confirmation from the Acting CEO that he is expediting consideration of these issues and considers the Focus 2002 has played a valuable role in identifying where these issues have considerable impact within the organisation so there is the combination of Focus 2002 and management of the Service that continues to assist in addressing those matters

May I now turn to Question No 34 and I will read this first as well. If it is a fact that in the financial year ending June 1998 the Hospital and Medical Assistance transfer of funds to the Norfolk Island Hospital Enterprise totaled more than \$303,000 and for the year ending June 2002 the amount was more than \$609,000 which represents more than a doubling of the funding requirements over the four year period –

- a) where on the list of the Minister's priorities does investigation into this significant escalation of costs fit
- b) what process does the Minister intend putting in place to prevent possible abuse of the facility by those presently able to divest themselves of assets immediately prior to applying for benefits from the scheme and
- c) what account will the Minister take of the policy review paper prepared by the Social Services Board and discussed at length at an informal meeting of members of the Legislative Assembly in April of this year

The response will come in two parts. There will be a response in terms of a significant part of the question there and then I will at statement time give a statement on the Social Services Review which I earlier referred to and it is a mix of those to provide information about this matter. Firstly, the figures quoted in the question of \$303,000 rising to \$609,000 over the four year period are essentially correct. This subject is the subject of a very detailed investigation which co-incidentally is part of Focus 2002. now this means that a significant amount of material has been analysed and this is producing some clear patterns which is expected to give information data on this difficulty. The investigation has included an analysis of a number of recipients of HMA support, the types of treatment, the number of incidence of each treatment, the associated costs in each particular area, an analysis of those factors over time as well as structural issues associated with such things as HMA and Healthcare. The process there is that once identified in those sectors it will give individual areas of increase and then we can address the causes of those particular areas and that is part of the process that is continuing at this time. In terms of the possible abuse of this system and access to the welfare arrangements and the Policy Review Paper I have a statement in a movement and we are almost at that stage as I understand it, to provide information of those aspects but it will demonstrate that there are steps designed to reduce and

obviously eliminate if possible any abuses and overuse of the system and most certainly the Policy Review Paper that is referred to in this question is part of the consideration of remedy, thank you

DEPUTY SPEAKER NICHOLAS Thank you. Any further answers to Questions on Notice. No. We move on

PRESENTATION OF PAPERS

MR GARDNER Thank you Madam Deputy Speaker I table an exposure draft of proposed Regulations to be made under the Administrative Review Tribunal Act and move that the paper be noted

DEPUTY SPEAKER Thank you Chief Minister. The question is that the Paper be noted

MR GARDNER Thank you Madam Deputy Speaker the paper that I've tabled has written clearly on the top of it "Exposure Draft" and the purpose of tabling is to allow for some discussion on that letter over a subsequent period of time before I propose to take those matters to Exco and have those Regulations made but the intent or purpose of the Regulations are firstly to prescribe forms for applications, notices, summons etc under the ART Act and also for the prescribing of fees under the Act for an application. It's been an ongoing process. It arose as a result of a motion passed by this House in March seeking the Executive Member responsible for the Administrative Review Tribunal Act 1996 to bring before the House Regulations for the charging of fees and charges relating to matters before the Tribunal. I'm pleased to advise that after a lengthy period of time and a deal of consultation including circulation of those proposed Regulations to members of the Legislative Assembly that I am now in a position to take those to Exco subject to any further consultation and consideration given to them as a result of my tabling the exposure drafts this morning, thank you

DEPUTY SPEAKER Thank you Chief Minister. Any further debate? Then I put the question that the Paper be noted

QUESTION PUT
AGREED

That Paper is noted

MR I BUFFETT Thank you Madam Deputy Speaker I would like to table this morning exposure draft Regulations in respect of the Planning Regulations 2002; the Heritage Regulations 2002; the Trees Amendment Regulations 2002 and the Building Regulations 2002 and move that the House take note of those papers

DEPUTY SPEAKER Thank you Mr Buffett. The question is that the Paper be noted

MR I BUFFETT Thank you Madam Deputy Speaker at the special sitting of this Legislative Assembly last week we passed a package of legislation in respect of the Land Initiative and at the meeting before that we passed the revised Norfolk Island Plan. The Regulations that I now put on the table are exposure draft Regulations. All are regulations that will be necessary to make the whole package work. It is anticipated that in the period from today and when we receive actual assent to the pieces of legislation that we will be in a position to go through the regulations that I tabled today to sort out any difficulties we may have on the clear understanding that we may on the clear understanding that these regulations are procedural type issues

that arise as a result of the Bills that we passed. I would appreciate comments from members in respect of these Regulations and also from the community and I advise the community that if they wish copies of these they can contact Mr Peter Davidson at the Administration on telephone 22001 or myself or the Research Assistant to Government Mrs Alma Davidson on 22003. They are the Regulations in respect of the Land Initiatives. One other document which is not a Regulation but perhaps I could classify it as the presentation of a paper because it is not possible for us to deal with the matter as a Regulation. It falls in the category of the proposed draft Development Control plan and of course Development Control Plans cannot be put in place until we have received assent to the Planning bill which we passed last week and the plan is actually made so I would wish for this to be tabled as a paper and that is the Water Resources Development Control Plan. It is one of those documents which is part and parcel of the land package. It is one of the prerequisites which was determined as a prerequisite of the issue and I would wish to put that on the table along with the Regulations as a paper if that is possible

DEPUTY SPEAKER NICHOLAS It is a draft Mr Buffett

MR I BUFFETT It is an exposure draft that I'm really seeking comments on so that we can have those comments and deal with them fairly quickly when the legislation is assented to and the plan is deemed to have commenced

DEPUTY SPEAKER Thank you Mr Buffett. Any further debate? Then I put the question that the Paper be noted

QUESTION PUT
AGREED

That Paper is noted thank you. Are there further papers

MR DONALDSON Thank you Madam Deputy Speaker I table the financial indicators for the four months ended 31st October 2002 and move that they be noted

DEPUTY SPEAKER Thank you Mr Donaldson. The question is that the Paper be noted

MR DONALDSON Thank you Madam Deputy Speaker the financial indicators for the revenue fund reveal that receipts for the first four months of the financial year is running at 99% of budget and expenditure is running at 77% of budget. In dollar terms revenue is \$3,736,000 which is \$24000 short of budget and expenditure is \$3,663,000 which is \$129000 short of budget. It is pleasing to note that in the month of October some recovery was made in the income area with the cumulative percentage of budget moving from 96% for the three months ended 30 September to 99% for the four months ended October so this indicates that we had a better October than we had for the first three months. At the end of October 2002 the Revenue Fund was in surplus by \$73,000 as opposed to the budget prediction that we would have had a deficit of \$30,000. In interpreting these figures it should be remembered that expenditure was severely restricted in the original budget and that adequate provision was made for capital expenditure and some recurrent expenditure. The percentage of expenditure is either expressed as a percentage at an unrealistically low base. It is obvious that there still needs to be an improvement in income and a continuing monitoring of expenditure to ensure the ongoing liability of the Island's finances.

MR BROWN Thank you Madam Deputy Speaker, I worry when I continue to hear the Minister talk of increasing income. I worry when I hear Focus

2002 being spoken of with the revenue which it is spoken of by some of our Ministers. In my view Focus 2002 is one of the greatest wastes of time this community has seen for a long long time and one of the worst con jobs. In my view the Minister should cease talking about increasing income and should concentrate on ensuring that the taxes and charges and other monies that are paid by the community are all wisely spent before there is any talk of additional income. Additional income in the normal sense can only come from one place. From increasing taxes. I am not prepared to support that until such time as every cent that is being spent by the Administration is spent wisely.

DEPUTY SPEAKER Thank you Mr Brown. Any further debate? Then I put the question that the Paper be noted

QUESTION PUT
AGREED

That Paper is noted thank you

MR DONALDSON Thank you Madam Deputy Speaker I wish to table a paper detailing virements that have been made in October and November 2002. Section 32b of the Public Monies Act require that I table in this House any virements made between votes. Such virements are an internal reallocation approvals and do not increase or decrease appropriation for the year. Copies of the virements have been circulated to members prior to this meeting. I table those virements and move that the Paper be noted

DEPUTY SPEAKER Thank you Mr Donaldson. Any further debate? Then I put the question that the Paper be noted

QUESTION PUT
AGREED

That Paper is noted

MR DONALDSON Thank you Madam Deputy Speaker in accordance with policy established some time back I table the travel allowance and airfares that have been paid to staff of the Administration and the Legislative Assembly for the period 1st August 2002 to the 30th October 2002, a period of three months and I move that the paper be noted. Once again this paper was distributed to members last Friday. It shows quite a restricted amount of overseas travel by members of the Legislative Assembly and members of the Public Service. All up we've spent \$9,984.94 on travel allowance and airfares.

MR SMITH I guess I need to ask a question. The Minister has said that this is travel that occurred at that particular time. Does it include the Tourist Bureau and Hospital and other entities like it used to. Did nobody travel in that time

MR DONALDSON No it clearly only covers the Administration and members of the Legislative Assembly. I have received no information from the Hospital or the Tourist Bureau. They are not really Minister for Finance issues, they are to do with the Minister responsible for that particular business

MR SMITH Thank you Madam Deputy Speaker I asked that because I think in the past all those travel amounts were included. I seem to recall that. Maybe I'm wrong about that

DEPUTY SPEAKER Thank you Mr Nobbs. Any further debate? Then I put the question that the Paper be noted

QUESTION PUT
AGREED

The Paper is noted thank you

MR DONALDSON Thank you Madam Deputy Speaker. In accordance with section 32 of the Public Moneys Act 1979 I table a list of payments made out of the Executive members discretionary vote for the year ended 30 June 2002. Once again this paper has been circulated to members prior to the meeting and I move that the Paper be noted

DEPUTY SPEAKER Thank you. The question is that the Paper be noted

MR DONALDSON Thank you Madam Deputy Speaker. Just a brief comment on it. This is something that I mentioned earlier in the meeting about money that is given to the executive members to spend on discretionary things. Just looking down the list of expenditure items here, most of it relates to the Ninth Legislative Assembly and the previous Executive Member for Finance. The majority of the money has been spent on the Drug and Alcohol Awareness system for Consultations, telecommunications, etc. There has been a little bit of money, \$3,800 spent on medical counseling to do with the major crime investigation that was here on the Island and the total monies spent out of the Executive Members vote for that year is \$22,704.81.

DEPUTY SPEAKER Thank you Mr Donaldson. Any further debate? Then I put the question that the Paper be noted

QUESTION PUT
AGREED

The Paper is noted

MR DONALDSON Thank you Madam Deputy Speaker I table the approved exemptions under the Customs Act 1913. Section 2(b)(2) of the Customs Act 1913 makes provision for the executive member to exempt goods from duty where the duty payable is less than \$200. Section 2(b)(5) of the Act provides that where the executive member has exercised this power, he shall lay a copy of the exemption of the table of the Legislative Assembly. I so table those exemptions and move that they be noted

DEPUTY SPEAKER Thank you. The question is that the paper be noted

MR DONALDSON Thank you Madam Deputy Speaker there are five items here so for the sake of the House I will read them out. A sum of \$130.08 was waived on the importation of a football playing machine that was used for the Norfolk Island Youth Centre; the sum of \$20 on the importation of shoe ribbons was waived, imported by the Royal Agricultural and Horticultural Society; the sum of \$19.30 on the importation of Junior Netball Trophies was waived and that was for the Norfolk Island Netball Association; the sum of \$20 on the importation of bandanas by Travel world was also waived and the sum of \$150.57 on the importation of video games and equipment once again to be used by the Norfolk Island Youth Centre was waived

DEPUTY SPEAKER Thank you Mr Donaldson. Any further debate?
Then I put the question that the Paper be noted

QUESTION PUT
AGREED

That Paper is noted

STATEMENTS

MR D BUFFETT Thank you Madam Deputy Speaker the first Statement I would like to present is a statement about the Social Services Review and could I just remind that this Statement is designed to couple with Question on Notice No 34, because there are some common pieces of information that would be helpful to both the statement context and the question context. As members will be aware for some time we have been working through a review of the Social Services and essentially this has involved a process of updating and addressing areas of concern that have arisen in relation to the existing legislation and some of the policy areas. I would just like to read a list really of identification for inclusion in the review so that members will have an idea of the spread of things that are being looked at. The income; disposal of income earning assets; minimum residency requirements; aged discrimination; section 31 enquiries; termination of benefits; invalid benefits; death of beneficiary; qualifications for special benefits; qualifications for carers benefits; benefits to sole parents; long term nursing care; pension and benefit claim forms; premiums for private medical insurance; hospital and medical assistance; review of decisions; a range of things that are so encompassed by those. Now in response to an earlier matter that was raised whilst we were having Questions on Notice or otherwise, I do mention that in the process of this review that if any new factors emerge and I think it was the new factors that was raised, there is every prospect of that being included in the process as well and if in fact there was a thought that by raising that, that there are already identified some new factors I would welcome hearing about those. Now the terms of this review that is being pursued in that context, I've discussed the timing of this review with relevant officers and more recently with the Acting Chief Executive Officer because as members will know we have been a bit frustrated in delivering this report. Although there has been good will resources have not been readily available and I'm pleased to advise that resources are currently being put in place to expedite the review and I will shortly have a time frame for completion. This review has been conducted to ensure that a fair and an equitable system is in place for all people in the community. The review is intended also to assist decision makers by providing defined rules and guidelines for the processing of applications to ensure that we have an effective and financially responsible social welfare system. Can I just acknowledge a number of areas of assistance, the Social Services Committee has been very active and they have met with me including Mrs Jack who is a member of this Legislative Assembly and I value their input and their discussions with me and I want to say that I value the participation of the officers who have a significant task in administering this system. But that's just to try and give you an overview of the Social Services Review and to couple that with the answers in terms of the Question on Notice which was Question No 34.

If I might move on now to the next Statement. I have a number of Statements. The next Madam Deputy Speaker is about the Chief Executive Officer of the Norfolk Island Public Service. I made a public announcement on this matter about two weeks ago and today which is the first substantive sitting after that announcement I record this statement in this Legislative Assembly. Mrs Robyn Murdock concluded as the Chief Executive Officer of the Service on Tuesday the 5th November 2002. Mrs Murdock was appointed in July 2001. Her engagement contained a brief to undertake extensive and

widespread reform within the Service and she energetically undertook this and she made beneficial changes. The Administration as we all know covers the three tiers of Government and she had responsibility for some 173 established staff. Since her original appointment in July 2001 there have been a change of Government and a change of portfolio responsibilities as well. Subsequent upon these changes and other factors there has been a mutual agreement to conclude employment and I wish Mrs Murdock well in her future endeavours, and I reported that earlier in a public statement. Mr Luke Johnson who has a substantive role in the Service as an Executive Director has been appointed to act as the Chief Executive Officer for an interim period, probably until next year, and he has the Government's confidence in performing these duties. Thank you Madam Deputy Speaker

I turn now to a substantive statement I conclude about the Hospital Review and Inquiry. I foreshadowed a couple of weeks ago a programme to undertake an enquiry about a Review of the Norfolk Island Hospital. A programme which I undertook to elaborate at today's sitting. The motion of the Legislative Assembly in August requested me as the Minister to examine the effectiveness of the current legislation and management arrangements and practices of the Hospital. It requested recommendations of a sound management structure and appropriate supporting legislation for practical and professional delivery of hospital and related health services to the Norfolk Island community. It requested examination of the various issues which were raised in the petition relating to the Hospital which was tabled in this Legislative Assembly on the 5th June this year. A Review is at a stage now to be carried out by appropriately qualified people to cover these broad headings. Governance and management issues; human resources; quality of health services; corporate and environmental services and information assistance. These headings will be the major thrust but not excluding any other important aspects which may be identified as it progresses and that's all designed to respond to all of the points addressed in the Legislative Assembly's motion. A team of three will conduct this enquiry and Review. They are Dr Greg Stewart, Deputy Director General of Health in New South Wales and in this role he holds the office of chief Health Officer with a direct responsibility for public health. Prior to his current appointment Dr Stewart was the Chief Executive Officer of the Wentworth Health Service and before that he was the Director of Health Services in the Central Sydney Area Health Service. He has acted in the position of General Manager at the Royal Prince Alfred Hospital, he was a senior advisor to the New South Wales Minister for Health and he has held operational positions in community health. Including being responsible for general practice interface. Another participant is Mr Michael Wallace. He is the Deputy Chief Officer of the Central Sydney Area Health Service and he has been so since 1993 and prior to that he was the General Manager of the Prince Henry, Prince of Wales, Prince of Wales Children and Royal South Sydney Hospitals. He has spent a number of years working in rural areas. He is an administrative surveyor of the Australia Council of Healthcare Standards and advisor to the senior management training programme and has currently completed a six month secondment as the Deputy Director General of Health responsible for the operations of the Health system in New South Wales. This gentleman has completed reviews and surveys on a large number of hospitals and health systems in most states of Australia and a number of smaller country hospitals and health services and holds appropriate degrees in Health Administration. The third is Mr Stephen Haldane. Mr Haldane is a principle and director of Atkinson Capital Insight and an experienced Programme Project Director, a Management Consultant and study team leader. He has accredited training in value management facilitation. He has a background in Health Services and facilities planning, project management and capital works consulting specializing in Health Care Centres. He has provided services on a wide range of multi disciplinary projects in both private and the public sector. This is an exceptionally experienced team and Norfolk Island is very fortunate to secure their services and I do record appreciation to the New South Wales Minister for Health, the Hon. Craig Knowles, the Director General of

Health in New South Wales and the Chairman of the Central Sydney Area Health Services, Mr Chris Puplick and the three team members of course, themselves. The review and enquiry will include submissions from the public and such submissions can commence forthwith. They can be lodged in an envelope with my ministerial office at Kingston from today for collection by the Review Team. On my last conversation will arrive next Sunday but I've got to add a cautionary note, that was subject to confirmation but it will be within days, if not next Sunday and they will attend to their task as they see fit with inspections, with interviews and any other methods which they choose, including the benefit of submissions from the public. They won't linger on this task. They will conclude their on Island evaluations next week and they have said that they can provide me with a report within three weeks after that. May I repeat that this Review is on foot now and if the community would like to make submissions you can do it now and the team is to arrive as I have indicated. I had earlier said that I would introduce legislation for adjustment at the Hospital administration at this sitting. Given the immediacy of the commencement and the prospective delivery of the report, say within the month, I now think it practical to await that particular report. Some essential parts of this statement I'll seek to have published in the weekend paper

Could I now turn to the Hospital Board. The Hospital Board at present under the existing legislation has become inoperative. For a couple of reasons. There are not the numbers at this moment for it to be operative. There have been resignations, expiry's of time and there is only one person who is to be appointed who remains on the Board, the other is an ex officio member. Can I therefore in the context of addressing the Hospital Board say this. We have had resignations from Mr Larry Quintal and Mrs Colleen Evans. Mr Larry Quintal was Chairman of the board. They have both withdrawn. I do want to thank them for the time they spent on this task, a thankless task, a difficult task, especially in the context of some of the difficulties that have been in place over the past months. They have been community members who have wanted to make a contribution and I thank them for that. Mrs Janine Brown's time has expired in terms of her time on the Board and I thank her for the contribution that she has made. Mrs Sheila Grimshaw continues as a member of the Board and I thank her for her continuing contributions. Until the Review is concluded and the way beyond that given clarify I will seek to appoint two members to the Board so that it may continue to operate and at a later stage when we come to it in the sitting I will propose a motion to make that possible

May I now just in finalising in terms of the Review, say that I have received the audited report of the Hospital for the financial year that has just ended and I therefore am in a position to table that report. Thank you Madam Deputy Speaker

May I now turn to a statement in terms of tourism in Norfolk Island. Firstly I would like to table the monthly inbound passenger statistics. There are copies for all members and I table those also. They are for the month of October and of course they give not only October's arrangements but they give the progressive total for the year that we commenced in this financial year arrangement. In October 2002 we had a total of 3679. Last year we had less than that, 3151, in the year 2000 which was a better year obviously, we had 3729 so they are just some comparisons which you will obviously see in terms of those figures for that month. In terms of the progressive figures for this year we have 11,829, at this time last year we had 11036, in the year 2000 we had 12904 so obviously we have not yet got back to that much healthier situation of the year before last but I table those figures so that members will have them and the community will have an opportunity to also see those.

I would like to make a report in terms of tourism activities which have been on foot over the last couple of months. Arising from the symposium a number of things were mooted. One was the logo arrangements and branding in terms of Norfolk Island 's

image and a range of other things as well of course but I just wanted to report that the long term branding project in terms of logo image has been concluded by the Board and the board has asked me to facilitate a meeting with members which I have foreshadowed for next Monday for members to see this before it goes to a public presentation arrangement so that members will have a preview of that and subject to your concurrence that will take place. There have been co-operative advertising programmes, for example, the first of the Bureau's co-operative advertising programmes has been completed. That was a particular one with Tal Pacific and further campaigns for example with Fastbook Holidays, Norfolk Jet Holidays, Oxley Travel, Holiday Magic and Coral Seas have been finalised and some of those are currently underway. There have been Trade and Consumer Travel Shows, the Bureau has participated in three shows to date being Coffs Harbour, Melbourne and Sydney, the Board has reported to me that they were down on expected gate numbers, that's not individual arrangements at our booth but in terms of the total gate numbers for these activities, however, they say that the quality of people who present seem to be enthusiastic and genuinely interested about travel to Norfolk Island and members will know of course that they don't always have immediate responses. Sometimes they are longer term. There have been travel agent educationals, we as a Board have been instrumental in having the services of people go to Melbourne and Brisbane to spread the word amongst travel agents and other facilitators who travel to Norfolk Island. We have had a Board Member attend an eco tourism association conference to put our name in that particular arena and we of course have PR and media coverage with our MG media people and they report that they are busy and a great deal of media exposure has been achieved. In terms of prospective coverage for Norfolk Island the Today Show is scheduled to be broadcast live from Norfolk Island in December, Kim Baine Fishing Expedition which is a television arrangement, also in December and there are some publicity arrangements with some already established activities, such as golf tournaments that Norfolk Island's Tourist Bureau will be assisting in and co-operatively arranging. Operation Pilgrimage which is following in Cooks footsteps in a maybe unCooklike manner, it's a rubber dingy is underway which means that it's the East Coast of Australia that these footsteps are being traced. I'm not too sure how you trace footsteps on the water but nevertheless, that's not a problem for us. We are sponsoring the Lord Howe to Norfolk Island component of that so therefore there is publicity in that and that is scheduled for the beginning of 2003. Also in the beginning of 2003 there is an Art Exhibition scheduled for Artamon in Sydney which will feature Norfolk Island art. They are some examples of activities that have recently been undertaken and are prospectively so.

In terms of Board Members also there are two retiring Board members of the Tourist board. One is Mr Tony Cook and the other is Mrs Joanne Elliott. They will conclude at the end of this month and I will want to recognise amongst you the work that they both have done in this particular area. They have indicated that they would not wish to continue. Their contribution has been valued and I would want to say publicly on this occasion that I thank them both for their contributions whilst they have been Board Members.

I have also available the financial report from the Tourist Bureau for the year ended the financial year that has just ended that is the 30th June 2002 and I am in a position to table those set of documents today. Thank you

DEPUTY SPEAKER NICHOLAS Thank you Mr Buffett. Any further Statements. Any Reports from Standing or Select Committees? No

SUPPLEMENTARY APPROPRIATION BILL 2002 – MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

Honourable Members I have received the following message from the Office of the Administrator, Message No. 8. The Supplementary Appropriation Bill 2002. In accordance with the requirements of section 25 of the Norfolk Island Act 1979 I recommend to the Legislative Assembly the enactment of a proposed law entitled "A Bill for an Act to authorise supplementary expenditure from the Public Account for the year ending 30th June 2003". That message is dated the 19th November 2002 and signed by Owen Walsh, Deputy Administrator

NOTICES

SUPPLEMENTARY APPROPRIATION BILL 2002

MR DONALDSON Thank you Madam Deputy Speaker I present the Supplementary Appropriation Bill 2002 and will be seeking leave that the appropriate time to deal with this Bill as an urgent Bill. The purpose of this Bill is to authorise expenditure from the Revenue Fund to allow for the insurance monies received for the Millennium Marquee to be applied to the repayment of an advance, and that advance was made by a member of this community and the purpose of that advance was to fund the purchase of a marquee. This action honours the original agreement whereby the advance was to be paid by hire fees received. This situation changed slightly when the marquee was destroyed by the storm. A second smaller marquee was purchased again by the same community member and an insurance claim was made for the original marquee which along with hire fees to date has allowed for sufficient funds to finalise repayment of the advance. I would like to express my sincere appreciation to Miss Agnes Hain for her generous assistance in financing the marquee and thank her for the community now has a fully funded marquee for community use. Although this Bill authorises \$73500 to be paid out of the revenue fund in the current year, it is effectively offset by the insurance claim of \$73,416 received in March 2002. I commend the Bill to the House

DEPUTY SPEAKER NICHOLAS Thank you Mr Donaldson. Do you now seek leave

MR DONALDSON Thank you Madam Deputy Speaker. I now seek leave that so much of Standing Orders be suspended as would prevent the Bill being considered through all stages at this sitting

DEPUTY SPEAKER NICHOLAS Is there debate Honourable Members

QUESTION PUT
AGREED

Thank you, leave is granted

Any further debate?

MR DONALDSON Thank you Madam Deputy Speaker I move that the Bill be agreed to in principle

MR D BUFFETT Thank you Madam Deputy Speaker. One of the things that obviously must be emphasised in this is the generous participation of a members of Norfolk Island's community in sponsoring financially the marquee and this is a financial arrangement to tidy that, so two things, warm acknowledgment and a warm thank you and secondly of course, I endorse that the financial arrangements are tidied

MR NOBBS Thank you Madam Deputy Speaker it certainly was very generous of Miss Hain's to contribute. It is now fifteen months I think since the tent blew away and it's about six or seven months since we received the actual payout from the insurance people so apart from thanking her for her contribution I would also like to thank her very much for her patience because these things take time and it is eventually settled. I hope it's settled so that's something that's really good because it's been hanging around for some considerable time and that's all I wish to say Madam Deputy Speaker, to thank Miss Hain not just for her generosity but also for her patience

MR SMITH Thank you Madam Deputy Speaker I wish to reiterate the comments that have been made by members and I hope that the Minister for finance can get the cheque to Miss Hain as quickly as possible. It's been a long drawn out process which shouldn't have happened.

DEPUTY SPEAKER NICHOLAS Any further debate? I put the question

QUESTION PUT
AGREED

The Bill is agreed to in principle. Is it the wish of the House to dispense with the detail stage

AGREED

The detail stage is so dispensed with

MR DONALDSON Thank you Madam Deputy Speaker I move that the Bill be agreed to

DEPUTY SPEAKER NICHOLAS Any debate Honourable Members? There being no further debate I put the question that the Bill be agreed to

QUESTION PUT
AGREED

The Bill is agreed thank you

NORFOLK ISLAND HOSPITAL ACT 1985 – APPOINTMENT OF MEMBERS OF THE BOARD OF MANAGEMENT

MR D BUFFETT Thank you Madam Deputy Speaker. I foreshadowed an effort to bring forward this particular motion in the context of the situation I earlier described and so I seek leave to present this motion

DEPUTY SPEAKER NICHOLAS Is leave granted? Leave is granted

MR D BUFFETT Thank you Madam Deputy Speaker I therefore move that for the purposes of subsection 12(1) of the Norfolk Island Hospital Act 1985, this House resolves that Stephanie Victoria Anne Jack; and Chloe Barbara Nicholas be appointed by the Executive Member as Members of the Board of Management for the period 21 November 2002 to 20 May 2003. That's the motion Madam Deputy Speaker and it is in the context as I earlier described and this is an effort to have a functioning Board whilst in fact a review is being conducted so that this additional community mechanism is not ignored and we will then be able to receive the report and evaluate how we move from there so this is a period of six months designed to cover that situation. I think it is a generous spectrum in terms that I don't think we will have to wait

that long obviously and I've already foreshadowed that the review team have indicated delivery of the report within three weeks of their on Island evaluation and that is the context of this motion. I commend it to Honourable Members

MR BROWN Thank you Madam Deputy Speaker, I wonder if the Minister has sought advise as to whether a Board with only three members plus the Director is a lawfully constituted Board. My recollection is that the legislation contains provision for six members plus the Director and that the legislation goes on to provide that a quorum is four. I just hope that whilst I'm quite happy to support the motion, I do hope that the Minister will, if he has not already done so, check to ensure that there is an ability to have a membership of less than six members plus the Director

MR D BUFFETT Thank you Madam Deputy Speaker I thank Mr Brown for his cautionary words about that. My first thing to say is that the motion as I have cast it has the endorsement of the Legal Unit but that doesn't necessarily exactly answer the question that you have raised and it is a valid one. It is my interpretation and I've got to say that I haven't specifically tidied that but certainly I have had confirmation that four members and this will provide for four members, will be able to operate as a quorum but the other point that you have made as to whether there is some legislative compulsion in terms of the balance, I'm very happy to examine further. I feel that that is not a difficulty but if it is I will need to make some remedial action forthwith

MR SMITH Thank you Madam Deputy Speaker I certainly support what the Minister is doing here. I had actually proposed in my time earlier this year that there be two members of the Legislative Assembly promoted to the Hospital Board and I support the motion

MR NOBBS Thank you Madam Deputy Speaker the appointment of this has been long overdue and there have been some real concerns going around with no Board in place and it's definitely taken a while to get the message across. It's an interim measure and I hope that the four members will be adequate legally to do it. I thought they would be myself but I'm not a lawyer but there's also, and it should be advised that the Minister has the provision to appoint one of the members as Chairperson as the Chairperson really has a significant role that they must call meetings of the Hospital Board so I assume that the Minister will do that very quickly and get the Board back operational and as I was very concerned myself that there was legal implication with running the Hospital with the Minister and the Director as has been going on over the last couple of months, thank you

DEPUTY SPEAKER Further debate. No further debate Honourable Members? Then I put the question that the appointments to the Hospital Board and the motion be agreed to

QUESTION PUT
AGREED

The motion is agreed thank you

MOTION OF CONDEMNATION

Honourable Members Mr Brown seeks leave to move a Motion of Condemnation. Is leave granted. Leave is granted thank you.

MR BROWN Thank you Madam Deputy Speaker and thank you members. I move the motion that I have circulated to members a few moments ago, as

follows, that this House expresses its regret at the recent rushed passage of Commonwealth legislation regarding Greenwich University without any genuine consultation with the Norfolk Island Government and in the absence of appropriate transitional and compensation provisions, and condemns the responsible Federal Minister for refusing to meet with representatives of Greenwich University to discuss the issues, failing to respond to the Norfolk Island Government's attempt to consult about the matter, and misleading the Australian Parliament and the Australian people. Madam Deputy Speaker I don't seek for this motion to be dealt with to finality today. I would like to prepare a substantial bundle of material for tabling in the House at an appropriate time to go with the material tabled earlier today by the Chief Minister. This situation can only be described as despicable. The words which were used in the Senate this week in relation to all of Norfolk Island. In relation to our Parliament. In relation to our community and in relation to the people involved at Greenwich University were most inappropriate. The facts were not allowed to stand in the way of a good hanging party. There was a determination on the part of the responsible Federal Minister and the Labour spokesperson to ensure that the people involved in Greenwich University and the University itself were maligned to the maximum possible degree; were damaged to the maximum possible degree and were denied totally any form of right to be heard. In addition to the Chief Minister writing to Dr Nelson and not receiving the courtesy of an acknowledgement, let alone a reply, I made a number of attempts to meet with Dr Nelson and with Mr Tuckey and with the Prime Minister. Those attempts were in the main made through the Office of the Administrator so that there could be no doubt that the attempt had been made and frankly there can be little doubt at the degree of embarrassment suffered by the Administrator when initially Dr Nelson said that he would prefer to wait a few weeks to familiarise himself with the Greenwich matter then after he had had his few weeks to familiarise himself, my subsequent approaches requesting an appointment were totally ignored. Totally ignored Madam Deputy Speaker and they were requests made through the office of His Honour the Administrator. Not ignored by His Honour. But ignored by Minister Nelson. I then made a request to meet with Minister Tuckey who we've all seen and heard, have assured us that he is the Minister for Norfolk Island. His office too completely failed to respond and I was informed that Mr Tuckey was simply unwilling to meet with me because he felt the matter was within the purview of Minister Nelson. My request in desperation to meet with the Prime Minister was totally ignored by all camps. I wrote during the course of last week to every Senator suggesting to them areas that needed discussion. I did not receive a single reply to those communications. I sent a further communication on I think, Monday of this week to most if not all of the Senators who were not members of the major parties. And to give her credit, Senator Stott Despoja did respond to me after the Senate had put on its disgraceful performance in passing the legislation without the slightest concern as to decency, as to truth, as to whether the Senate and the Australian people were being misled. As to whether the House of Representatives had been misled. As to whether there should have been transitional provisions. And by that I mean that it would be normal in this situation if a requirement was going to be introduced that a university in Norfolk Island must comply with the year 2000 protocols about higher education, it would be normal to say, well these are the rules that are coming in now, you've got three months to make any necessary application, you've got a further nine months in which to get yourselves approved, and these are your appeal provisions. Now if that had been done, apart from the most disturbing personal attack on the Greenwich Directors, it would be hard to criticise. But that was not done. I asked, having regard to all the circumstances, that the Senate refer the whole matter to a Senate Committee. Again, so that the truth could come out. There is little basis for suggesting that because some Estimates Committee had listened to the rantings of a couple of totally bigoted members of the Australian Parliament that was enough. That clearly was not enough. What has been done is a total disgrace. I would like to expand on that at our next meeting although I would be happy for the motion to be passed today if members wish to do that because I can

always table documents at a later time but I certainly do trust that at even this late stage after the Chief Minister has gone to the extent of writing to the Governor General about the matter, I hope that the Federal Government will sit back, look at what they've done and reconsider the matter. But that may be too late to avoid a lot of harm being done to a lot of people. Greenwich University is not only Dr John and Pauline. They have a large number of Norfolk Island staff. Most of them are residents of Norfolk Island. And right now they're out of work. They have a massive number of students throughout the world and right now those students don't know where they stand. They have a massive number of former students and they have quite a substantial number of teaching staff worldwide. The Federal Government has not paid the slightest regard to any of those people. Madam Deputy Speaker I condemn the Federal Minister for the way he has handled this and in particular, for having misled the Australian Parliament and the Australian people

MR GARDNER Thank you Madam Deputy Speaker. I said a little bit on this, this morning and quoted from the draft Senate Hansard in some of the matters that Mr Brown has referred to and the type of language and the reference to the people and the people of Norfolk Island and the members of this Legislative Assembly but there's a couple of other things to support it and I'm sure Mr Brown will bring forward a number of documents that will demonstrate that every effort has been made both by the University and certainly by members of this Government and previous Governments in relation to Greenwich University to try and extract from the Commonwealth some very clear and concise documentation in relation to the perceived deficiencies in Greenwich University. It's clear that not only in the lower House from my understanding that the Minister who has portfolio responsibility for Territories, didn't enter into the debate in any form or fashion. That Senator MacDonald who signed off on the Greenwich University legislation as the then Minister and as a sitting Member of the Senate lay back and was soundly whipped in the Senate but clearly demonstrated that now he was no longer the Minister Norfolk Island didn't count one iota but I guess that's what's happening in this day and age. This Legislative Assembly came in on a clear note and I think was given a clear mandate to build a more constructive relationship with the Commonwealth. That wasn't a mandate to lie down and let the Commonwealth walk all over the top of us but that was to try and build some bridges. After twenty-two years or thereabouts of self-Government to be able to demonstrate to the Commonwealth that we've done a pretty good job in that time without doubt, and that's a credit to all, current members and previous serving members of the Legislative Assembly and members of the Council before that, that the situation was put into place in 1979 or the degree of self-Government and that it has steadily moved forward in that period of time. We've certainly attempted to build a more constructive relationship with the Commonwealth over the last twelve months however, as I exemplified this morning, again there has been a lack of consultation on a number of matters, whether it be Greenwich University, the electoral matter, the guns, which I exemplified this morning. I exemplified over-riding our legislation by stealth which is behind this motion now and the extremely short time frames that have been provided again and again and again for Norfolk Island to provide comment on matters before the Commonwealth Parliament. That's been taken up with the Prime Minister. It's been taken up with the Minister who has portfolio responsibility for Territories in an attempt to try and make sure that we are not forgotten but we continue to be forgotten. I sought from Mr Brown the other day and received his agreement to use some very tidy words, that he used in an informal meeting of MLA's a few weeks ago about the process that we followed over the last twelve months. This Legislative Assembly as I said earlier, came in wanting to build bridges with the Commonwealth. We were the ones carrying the olive branch and these are Mr Brown's words. "We were carrying the olive branch. We held it out in all good faith". As Mr Brown said, we've had that olive branch taken away from us. Now I've demonstrated that in the debate this morning. We've had it taken from us. The Commonwealth have stripped the leaves off that olive branch and probably not in

exactly the same terms that Mr Brown used, that olive branch has then been turned upon us to tan our bare backsides and that has been demonstrated in the three examples that I've given both this morning and earlier in debate. Unfortunately the arrangements that we set out upon and put in track to build those bridges is completely one sided. Norfolk Island has been able to demonstrate that we have taken a responsible and mature approach to building those bridges. That was ably demonstrated in my letter to Dr Nelson over the Greenwich University matter. A mature and appropriate and responsible approach to dealing with any perceived difficulties in that area, totally and utterly ignored. That is the way we continue to be treated. I don't think the Commonwealth have an argument against what I've just said. I don't think that they can demonstrate that we haven't responsibly and maturely been prepared to sit down around the table and have a good discussion about these things. Instead we are totally ignored and run completely over the top off. Mr Nobbs in a letter in the newspaper on the weekend referred to the Minister who has portfolio for Territories is the Minister for Territories with the "for" being highlighted. I'm sympathetic to the Minister because finds himself in a particularly difficult position. Conscience is one thing. Is an attribute that you don't have to have to be in the Senate or the House of Reps because you are driven by your party. Your party tells you what to do and no matter how much you might demonstrate to the people of Norfolk Island as the responsible Minister that you are there to represent our interest, it has been demonstrated that hasn't happened in any of these three areas. Certainly attempts have been made but they've borne no fruit whatsoever. So as I said, conscience is one thing you don't have to have. On Norfolk Island we all sit here as independent members. We have a conscience and we all chop and change. It's one of those very important and integral parts of why we do what we do with electoral matters but I'll certainly expand on that next week during the Minister's visit. I too regret and support this expression of regret that Mr Brown has moved today in this House. I regret that the Commonwealth have used – or by stealth are the words that I used in my letter to the Governor General – have used another vehicle to over ride Norfolk Island legislation. Clearly without appropriate consultation with the Norfolk Island Government and Greenwich University. Even though they say, well back in 2000 by gum, the MYCEETYA group decided that they were going to introduce some protocols. Not one University that I am aware of in Australia meets those protocols or has been through that process. Greenwich University has been singled out. They're not closing down any other University in all of Australia to say well until you blokes meet these protocols you cannot continue to trade. No. They've just singled out the external Territories. John Brown mentioned Senator Stott Despoja and her debate in the Senate earlier this week. She said that she was a little bit disappointed that all of the other States and Territory's hadn't acted upon those protocols even though she recognised that a couple of the States had passed some legislation recognising those things, but all the other States and Territory's haven't got to recognising the protocols at all. George Smith as the then Minister for Education requested on two occasions of Dr Kemp so I understand facts, figures and the discrepancies, the problems, the issues that were causing the grief with Greenwich University. Save for a very watered down and very generalized couple of statements that basically says, well look, they don't really meet what we want them to meet, to my view there has been nothing more specific than that, that has been received. Greenwich University took on an independent consultant in the middle of last year. That independent consultant had a look at the University, the way it does things, and at the end of the day says there's not a great deal that I can see wrong with what Greenwich University does. Wrote to Dr Kemp about that and received absolutely no response. The Norfolk Island Government and Greenwich University have sought some correspondence with the Commonwealth to say for goodness sake, we would like to resolve these issues. Please tell us exactly what they are so that we can deal with them. That hasn't happened and we see through the Senate, and I agree with what Mr Brown says, the Senate, the House of Reps, they've been completely misled on this issue. They've been fed a load of garbage. They haven't had the common decency to

consult appropriately and these are conventions that we've attempted over twenty-two years to establish with the Commonwealth. We continue to be ignored. You can read from things that Senator Carr says that he doesn't really give much credence to the legislature on Norfolk Island as though it's just something that probably shouldn't exist. Senator Carr, his namesake, usually when we've finished with them they end up over Headstone. But that's the sort of treatment that we should give to this sort of stuff because this is totally inappropriate. I agree with Mr Brown and his words and the motion that he has shown us. I support it wholeheartedly. People have been mistreated. There have been demonstrated attempts to try and resolve these issues and they've fallen on deaf ears time and time again. I'm not going to say too much more on it this morning other than to say that I again emphasise that I support this expression of regret and the motion before us

MRS JACK Thank you Madam Deputy Speaker. Mr Brown and the Chief Minister have both covered all areas that I would have wanted to address and it's just a very sad state of affairs that it has come to this and it has been unnecessary to come to this and I too have no hesitation in supporting the motion

MR NOBBS Thank you Madam Deputy Speaker I supported the introduction of Greenwich University and I listen with interest to some of the discussion that's been going on here just in recent times. Unfortunately it's all too late. Whilst I don't take offense at what was said about the incoming Government building bridges and the like, my suggestion to the now Government is this, that they've been tugging at the forelocks. They might be whipped across the buttocks now with an olive branch but you've been tugging at your forelock. There are different ways of doing things and one of the things that you have to do, or Norfolk Island should do, is develop relationships at a ministerial level. If you are a Minister in this organisation, you develop relationships with all the Ministers in the Federal Parliament and where appropriate, the legislatures in the adjoining States. I haven't seen one Minister come over here. I don't know how much discussion has been going on between the current Government and the Ministers in other Parliaments but I would say to you this. You haven't been building bridges. What you've been doing is allowing the Australian representative on Norfolk Island to do your legwork. And that is something that I disapprove of completely. I believe that if we are dealing then we deal directly with the Immigration Department on Immigration matters and build up a very close relationship with them, particularly the Minister. We heard earlier that there are now problems with the ministerial Task Force on Immigration and that they've pushed it back to officer level. I think there's some bridge building to be done right now and whilst I don't want to take it away from the debate because I'm actually disgusted with what's happened in this particular issue from the Australian Parliament's side of things, but there's always been a guy by the name of Senator Carr who's been hammering away for years now. Ever since Greenwich University commenced Senator Carr has led the charge and he's been quite ruthless in his criticism and that's the guy and he's eventually won which is unfortunate and it seems the whole show has rolled over. As I said, there was supposed to be some inquiry done. If it was the inquiry that was done in I think December 2000, that took half a day if that. I'm flabbergasted that this has been pushed through so quickly and I'm also very concerned that if that can be pushed through very quickly so can our electoral issue be pushed through very quickly so we need to start hammering, and building bridges to get into the political side of things because I believe that at this point in time, and I will be speaking more on this in the adjournment debate, that officers are running the show. We are being directed at officer level with what's happening and that's in both Governments and I refer again to the land issue which I will be speaking on later. Madam Deputy Speaker I understand what the other members have said and I understand what the Chief Minister has said. I believe that the community was misled on the status of the relationship between the Australian Government and the last Norfolk Island Government and it's taken twelve months for

this to come out. I say again that the community was misled. There were other issues that, that Government failed on and we recognise them but one ain't the relationship with Australia, I can tell you that now and as far as this business is concerned, it should have been brought out at the last meeting. We should have been hammering it before this point. Now we are off the back foot, we're worse than the Poms. We're going to lose by an innings and goodness knows how much at this rate. We've got to get on the front foot and we must get on the front foot in the electoral issue. I'm sorry for the people that own the University and I'm really sorry also for the people who were working there and have lost their jobs. I don't know where we can go from here but I don't think we should lay down. Thank you

MR BUFFETT Thank you Madam Deputy Speaker we've heard described to us the difficulties. We have heard described to us the goings on in the Australian Parliament. All of this as we all know – and this is just an expression of my participation – is appalling conduct. It's appalling conduct by Senators and interestingly without rebuff by their colleagues when these misrepresentations have been made. Outrageous treatment of the University. Maligned. Damaged. Denied. Outrageous treatment of Norfolk Island's elected representatives. Ministers and Members. But also residents of Norfolk Island in terms of resident staff at this institution. Total uncaring, unthinking attitude towards students. International students who have legitimately enrolled in this institution. This motion is a motion of condemnation. The Commonwealth requires being condemned in this situation. If you want to move it today I'll support it. If you want to pause I'm very happy about that so that there's some further body of information to come forward. But whichever way you handle it. You have my support

MR BROWN Madam Deputy Speaker on hearing members I am now of a view that I will not seek to adjourn the matter. I can table material at a later date but I will ask that the matter proceed today. There's one thing that I would like to reinforce. Something that the Chief Minister said. He said that to his knowledge not a single University in Australia has yet complied with the 2000 protocols that were the so called basis of this piece of legislation. I have not yet been able to find a single University which has complied either. I understand that the University of Tasmania is looking at it. I understand that many of the Universities take a view that they don't need to do anything anyway because they don't have to make an application to anyone. They are just going to take a view that I'm right Jack and just pick on anyone new that comes along but it is outrageous when there is not a demonstration at least that even one University has complied with those protocols. There is not a demonstration that even one university is part way through complying and I'm not aware of there being a single application form in existence by which one can apply for recognition of compliance and yet that has been used as the excuse to con the Australian Parliament, con the Australian people and malign everyone here in Norfolk Island. Thank you

DEPUTY SPEAKER Thank you Mr Brown. In light of the fact that Mr Brown does not intend to adjourn the motion, is there further debate

MR GARDNER I would just like to add a couple of things to that because I think it's a very important point. The concern seems to be with the external Territory's. The concern certainly was for Greenwich University. The concern continued with the registration with a body on the Island that doesn't operate as a university but just the registering of a business I understand that contained the name university. Yet in Senate Hansard itself, I think it is Senator Stott Despoja that refers to some of the bogus university's that's been operating in Australia and not one of them that she refers to are in the external Territory's. They are all in mainland States. So I'm absolutely bamboozled as to why on earth they've targeted the external Territory's when by Senator Stott Despoja's own admission as past leader of the Democrats she

turns around and says the problem has been mainland problems just as much as they've ever been external Territory problems. That's all I wanted to add to that, thank you

DEPUTY SPEAKER Thank you Chief Minister. Is there further debate? No further debate Honourable Members? Then I put the question that the Motion be agreed to

QUESTION PUT
AGREED

The motion is carried.

FIXING OF THE NEXT SITTING DATE

MR SMITH Thank you Madam Deputy Speaker I move that the House at its rising adjourn until Wednesday, 18th December 2002 at 10.00 am

DEPUTY SPEAKER Thank you Is there any debate. The question is that the Motion be agreed to.

QUESTION PUT
AGREED

ADJOURNMENT

MR NOBBS Thank you Madam Deputy Speaker, I move that the House do now adjourn

DEPUTY SPEAKER Is there any debate Honourable Members?

MR NOBBS Thank you Madam Deputy Speaker very quickly as the time is getting on. I would like to thank those who assisted in and also reinforced the Chief Minister's words of appreciation earlier today to those who worked to develop a position for the community at this point in time which is what the Petition I understand was really all about. The second point I would like to make relates to the land issue and I will at the next meeting be bringing forward a motion which I hope will reinforce the position that this Government will take in relation to the transfer of land. I've been a bit concerned and I spoke earlier about discussions being directed by officers. I'm a bit concerned at a meeting we had last week with members of the Legislative Assembly that there seems to be a change in the transfer of land issue and I want that clarified because one of the points that really is coming out now, is in relation to the reserves and the need for work to be done on the reserves but as to how we accept those and if we are going to get them should we provide funds to do work on what is Commonwealth land also some of the roads are within Commonwealth precinct and I wonder why we are providing funds for those directly but I'll have more at the next meeting. This is a most important issue and I'm very concerned that the present drive seems to be the freeholding of leasehold land and I think that the transfer of land to the Norfolk Island community is well beyond the freeholding of leasehold land. It's an integral part but I believe it goes further than that Madam Deputy Speaker

DEPUTY SPEAKER Mr Nobbs thank you. Is there any further adjournment debate Honourable Members? There being no further debate I put the question

QUESTION PUT
AGREED

Therefore Honourable Members this House stands adjourned until Wednesday, 18th December 2002 at 10.00 in the morning.

