



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY  
11<sup>TH</sup> NILA HANSARD – 22 DECEMBER 2005**

**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

**CONDOLENCES**

**SPEAKER** We move to condolences, are there any condolences this morning? Mr Tim Brown

**MR T BROWN** Mr Speaker it is with deep regret that this House records the death of Bruno Grube. Bruno a man who, together with his beloved wife Yvonne (affectionately known to all as Vonnie), loved the simple enjoyment of gardening and admiring the wonders of nature, passed away peacefully and suddenly on Tuesday 6<sup>th</sup> December 2005. Bruno was born in the New Hebrides in 1934. He was the youngest brother to Hilda, Ernie and Erma McCoy. Bruno moved to Norfolk Island in the mid 1930's and as a child stayed mainly out at Longridge, mostly with Olive Young at Beefsteak. Bruno went to school and left to care and support Olive. He worked for Bal and Kit Nobbs for many years and also worked for the Department of Housing and Construction. He was an integral member of the team at the Whaling Station and went to Byron Bay to work at the Whaling Station there for a while. He constructed the fuel tanks down at Ball Bay and Cascade; worked with Ken Prentice and Jim Anderson and then for the Administration for twenty nine years, receiving an Award of Merit on retirement in 1999. Bruno was a very talented man with a remarkable memory. He could methodically and precisely remember and recite the names of Norfolk people and lineage, the whaling station and its construction and operation, the engineering and welding needs of the fuel tanks, the significant dates and times to name a few. Very few structures on this island does not carry Bruno's workmanship. He even constructed the monument at Captain Cooks. Bruno married Yvonne Quintal on Valentine's Day in 1956. They had five children, Terence, Raymond, Corinne, Theresa and Jenny. They have ten grandchildren, Tanya, Natalie, Tara, Mitchell, Jamie, Kelly, Jaala, Nicole, Ebony and Courtney and one great grandchild Rianna. They also have special connections to Raycheal, Coane and Keeley. Bruno's health had a setback in October and he spent some time in Sydney before returning home last month. He passed away peacefully and suddenly on Tuesday 6<sup>th</sup> December. To his wife Vonnie, to his children, grandchildren and great grandchild, to his many friends this House extends its deepest sympathy

Mr Speaker it is with deep regret that this House records the death of Hazel Myrea Clarke, nee Gander. Hazel was born in Orange, New South Wales in 1940, the second youngest daughter to Neville and Myrtle Gander. She had three sisters and a brother. Hazel married Bob Thornberry in 1958 when she was working as a photographer for the Central Western Daily. Bob and Hazel had two children Mark and Tracie. During her years in Orange Hazel was involved in many community activities, she enjoyed car rally's and hill climbs and was involved in Go Kart racing with her son Mark. She was "Bagera the Black Panther" in the Boy Scout Association and turned her hand to modeling, fruit picking and small business operation. Hazel was quite a looker with a quick wit and a big heart. The family was often extended by children from the local orphanage at Christmas and holidays. When her children were finally out of school, Hazel left the nest traveling up the coast of New South

Wales in search of adventure. She settled at Crescent Head, then Lord Howe Island and eventually Norfolk, first to visit friends here and then to return permanently. She worked at the Castaway then Max's. She married Garry Clark in 1988 and the two of them were well traveled throughout Australia and New Zealand in their 4 wheel drive painted in Norfolk Island's colours and flying the Norfolk flag. They were wonderful ambassadors and made many friends. On Norfolk Hazel totally supported the community through the RSL, the Bowling Club, the Lions Club of Arthur's Vale and in a number of gestures. In 1996 she purchased Deye en Daa where she fulfilled a dream to pursue the family business of dealing in pre loved goods, her father having been an auctioneer and owning the original Mart in Orange. A keen traveler Hazel's last big trip was in 2000 to South Korea with Boof Quintal to visit her daughter Tracie. She welcomed Tom into her family as she welcomed life. Hazel will be sadly missed and to Gary, Mark, Tracie and Tom, to her many friends, this House extends its deepest sympathy.

MR SPEAKER Thank you Mr Brown. Honourable members as a mark of respect to the memory of the deceased, I ask that all members stand in silence please. Thank you Honourable members.

### PETITIONS

We move to petitions. Are there any petitions this morning?.

### GIVING OF NOTICES

Are there any notices?

### QUESTIONS WITHOUT NOTICE

Are there any questions without notice?

MRS BOUDAN Mr Speaker I have a question for the Minister with responsibility for roads. Would the Minister please give an update on the programme for J E Road and bring to the House a full report that will include the costs of this project

MR NOBBS Thank you Mr Speaker, thank you Mrs Boudan. Firstly a progress report in relation to that. J E Road has been ongoing for some time now. It was actually a project which commenced under the previous Government and is continuing still today. The present situation is that we were hopeful that the northern section, that is between the northern side of the bridge would be completed by Christmas and that was the proposal but there's been a couple of hold ups. There's been issues in relation to some private contractors. There's been a ship in this week and the roads section are still carting from the ship which is something we need to put our minds to, so that section will be sealed within days of the New Year. I'm sorry, another holdup. I'm just being reminded by my colleague Mr Christian that there's been boundary adjustments, which have been a real hold up in the road construction as well. To get back to it, the programme was to be that the northern section there would be a continuation of the existing concrete channeling on the side of the road would continue down as far as the bridge. That's been completed. The run off's are in place. The only problem that we have is that we haven't had the final seal on a short section there in front of Vonnie Grube's place. That will be done very early in the New Year, that's about two weeks away, and the guys because of the potential on the road they've asked people to drive there with care, of course as it's now a gravel road and they've actually put some base material in there and they've assured me that with care in case of rain, with care that road should be quite negotiable. As far as the southern side from the bridge upwards, it's proposed that in the New Year we will start boxing up and providing on one side a concrete lintel I think they call it which will take the water. The road will be

reshaped, and sealing will commence as soon as that boxing and the concrete works is completed on one side of the road. That's to allow for the carriage of the water. Now water as you know is a particular problem as far as our roading is concerned. My colleague Mr Christian in his time established a process on the other side of J E Road which contains the water and carries it away and it's done a good job and that road work is I think at least ten years old from memory and it's in very good condition. It's important that in the costing of these roads that we look at how we actually do them and I will definitely provide to Mrs Boudan a precise costing on the roadworks in that particular area and hopefully by the next meeting that construction will be well on the way. It's most important I believe that in doing these jobs that we do put in the proper ground work into the roads and that in itself is an additional cost but it's worth while I believe in the long run, particularly in providing for the disposal of water

**MRS BOUDAN** Mr Speaker I have a question for the Minister with responsibility for Community Services regarding funding of Medivacs. At the last sitting of the House the Minister indicated in response to a question without notice that moves had been made towards arranging for a Bill to be drafted to introduce, if it is agreed by the House, the Minister was hopeful that such a Bill would be available at the December meeting. Please would the Minister advise us as to what stage it is at

**MR BROWN** Mr Speaker drafting instructions have been issued. The drafting has not yet been completed to the best of my knowledge. I certainly hope that the Legislative Counsel will have time to complete the drafting within the next few weeks at least so that the Bill will be able to introduced at our next meeting. The proposal is to introduce a health tax on cigarettes in order to fund part of the cost and we have already increased the healthcare levy by an amount which is to be set aside to go towards the cost of medical evacuations. Once the legislation is in place in terms of the health tax the House will be asked to consider a motion dealing with precisely how the funding should work, that is, to determine the proportion which would be paid by a patient, and the proportion which would be paid by the fund, thank you

**MR SHERIDAN** Mr Speaker I have a question for the Chief Minister as Minister with responsibility for Museums. Chief Minister in this current financial year the Museum Trust allocated \$10,000 towards the production of a new play. Recently the writing of this new play has been given to a person who resides off shore and who was on island a short while ago gathering facts and meeting Museum staff. Considering the vast array of skill and knowledge available on Norfolk Island can the Minister explain as to why this job was not advertised on Norfolk Island so that islanders had the chance to be involved in this project

**MR GARDNER** Mr Speaker my understanding was that as was thought necessary at the time, a recognised playwright be encouraged to produce a new play to supplement and compliment the activities already provided by the Museums in the best interests of the Museums in trying to develop and engender new markets for the Museums and a very needy cash flow for the Museums operations. As to the selection process I wasn't aware of the selection process which was followed, in relation to that, that was a matter that I understand was managed by the Museum Trust in conjunction with the Director of Museums

**MR SHERIDAN** Mr Speaker I have a question for the Minister for Health. Minister two months ago during question time you indicated that you would be personally involved in the procurement of a full time counselor for the island and that advertisements would be placed shortly. Can the Minister assure the community that these advertisements have been placed and that a full time counselor will be employed directly

MR BROWN Mr Speaker I met with the Director of the Hospital in relation to this matter in the last few days. The Salvation Army is about to actually place the advertisements. The Director has now completed all of the work which needed to be done in preparation for that. The proposed counselor will be based at the hospital. The rooms for the counselor have been completed and are ready for occupation. If my recollection is correct, the advertisements are to be placed immediately after Christmas and it is hoped that an appointment will be able to be made early in the New Year. Thank you

MR CHRISTIAN Thank you Mr Speaker, I direct my question to the Minister for Finance with responsibility for Roads and my question is, will the Minister explore the possibility of extending the curb and guttering to both sides of the southern end of J E Road

MR NOBBS I can look at the proposal Mr Speaker. That's all I can say at this stage. It's not something that I can do off the top of my head at the moment but I will have a look at it definitely

MR SHERIDAN Thank you Mr Speaker. A question to the Minister for Finance I believe. Minister recently I believe the shell fuel tanks located at Ball Bay were offered to the Government to purchase but this offer was not taken up and now private enterprise has taken up the offer. Minister if this is correct would it not have been prudent for the Government to purchase the tanks, not only so that possibly the electricity could have been held in check but also it would have had the possibility of providing a good source of income for a cash strapped Government. Can the Minister explain if this was so, and if so, why was the offer not taken up

MR NOBBS I can't speak for previous Government's Mr Speaker except for the 2000 2001 Government but I can say that there has never been an offer to me in relation to purchasing the Ball Bay tanks. I have held some discussions when I discovered a few months ago actually what was happening with the Ball Bay facility but by then I understood that the deal had already been done and any interest that I had in the process was not possible because, the Government I should say, sorry, I'm not speaking just for me purchasing it, but the Government may have and it was not possible as the deal at that stage had been done and so that's all I can say on that process

MR SHERIDAN Thank you Mr Speaker, Mr Speaker, again a question to the Minister for Finance. Minister a couple of weeks ago a press release by yourself indicated that the Government had over \$11m available for general expenditure and thus implying that the Government was in a good position financially. Can the Minister explain where these moneys are and if any of these moneys are already committed for future commitments

MR NOBBS Mr Speaker it wasn't to be implied. It's actually a fact to be recorded in the financial statements for the year 2004-2005. that's fact and I reported fact as I normally do and there was at that stage \$11m in cash at the bank held by various entities within the Administration and that was right across the board. Subsequent to that the Acumen Report came out and as everybody is aware as it's now a public document that the \$11m for the end of September was also mentioned at that stage. They did indicate in that that there were three areas that were involved. Two actually. Three areas of accounts, the first one was the Government Business Enterprises and the Revenue Fund. As Mr Sheridan is aware from looking at the financial statements, that the revenue fund is dealt with, each Government Business Enterprise is dealt with, there are Trust Funds in there and there are loan funds. Now the Acumen Report mentioned \$11m and in that they stated that the trust funds were not included in that \$11m but the Government Business Enterprises and Revenue Fund and some loan funds were included. And that comprised the



MRS JACK Mr Speaker with the current situation that's unfolding I think it would be prudent at this point in time to ask the Chief Minister especially when you are looking at our visitor numbers down 20%, if looking at a calendar year to date in this report it states, visitor numbers down 20%, if he has anything to tell the community regarding the current situation and the possible way through it

MR GARDNER Mr Speaker I had proposed to make a brief Statement at Statement time in relation to the current air services but I think it's probably important to report to the community that at the last meeting that I attended of the Airline Working Group of the Legislative Assembly we had endorsed a proposal to put in place an additional Sydney service from February through until June next year which effectively would provide sufficient capacity subject to us being able to fill that capacity of seats available which would deliver us figures that would equate to those enjoyed in our best years of visitation to Norfolk Island during that period so of course there are risks involved in that and that is partially why the extra monies was sought to support the tourism initiative and so that said, if we are successful in filling that, which I believe we can be if we all turn our minds to it during that period and subject obviously to the stabilisation of air services which are in a state of instability right at this moment, I believe we can turn around the decline that we have been witnessing over the last few months and indeed over the last eighteen months or so but it will require a supreme effort by all those involved, both within the community, the business sector and around this table

MR BROWN Mr Speaker I am pleased that the Chief Minister has confidence that the situation will be turned around. Obviously the Chief Minister has done quite a deal of work and has plans that aren't yet known to the rest of us and obviously those plans will become known in due course but for the casual observer who is not a part of those discussions, this situation is extremely worrying. As a casual observer I cannot see what is happening to improve the present situation at this stage. What I am seeing is diabolical trouble within the marketplace. I'm seeing groups who want to book to come here next September being told they can't book. I'm seeing Qantas advising group operators of conditions which then the management, whatever the management may be of the Government's air service, says are actually a mistake. They are described in some places as misrepresented. Yesterday I'm aware that a local accommodation property attempted to get to the bottom of group cancellations which it was receiving because the group operators had been told that they weren't able to get seats. And right up until a few minutes ago, despite numerous phone calls to numerous different people, that property had not been able to find the right person to talk to within the Government's air service I would like to make a few suggestions. The first one is, we need to have a full time manager for that service. A full time manager who is experienced and who has current experience both in terms of airline management and in terms of sale and marketing. I would like to suggest that it is time for us to review the structure of the Tourist Bureau and the Visitors Information Centre. We need to ensure that every cent we are spending achieves the maximum possible result and to that end I would suggest that it is time to have a review, not a clouded review, not a blinkered review, but an open review of whether the Visitors Information Centre should continue to be part of the Tourist Bureau. In other parts of the world it is not and the funds which we presently spend on the Visitors Information Centre may be far better spent in other ways. I would like to suggest that we look at the membership of the Bureau itself. At present a number of local people try very hard to achieve results under difficult circumstances and I'm not being critical of them when I make this comment, but this is basically our sole industry land we have been leaving it to a volunteer group of board members who are provided with very little in the way of resources, and virtually nothing in the way of advice. I would like to suggest that it is time that we opened our eyes in terms of the structure of the board component and that a new board be created which includes substantial Australian and New Zealand membership so that we do indeed get advice from

people who are involved in the industry from day to day in terms of selling. I would like to suggest that it's time that some concepts be thrown out the window. For example, although it may not be the policy of the manager of the Tourist Bureau there is a real difficulty with policies which have been stated from time to time to the effect that the island doesn't want groups and to the effect that the role of the Tourist Bureau is to fill the smaller properties. Now as you know Mr Speaker and as Members know I'm a director and a substantial shareholder in a tourism accommodation property in Norfolk Island, the Colonial of Norfolk Island and I'm well aware through that situation of the continued statements which have been made, that the role of the Tourist Bureau is to look after the small properties. Now the role of the Bureau should not be to look after any particular property. It should be to increase visitation to Norfolk Island and to assist in increasing the beneficial results of that visitation for the whole of the island, not for one accommodation property, not for another. For the whole of the island. Mr Speaker it is time that we sat down and had an open review of the way we are running the Tourist Bureau at the moment. Of the funds that we are spending. They may be far too little but whatever we are spending at present, can in my view be spent much more wisely and more importantly, much for productively. The report that the manager of the Tourist Bureau provides is an excellent report. It's the best that I have seen in all of the time that I've been in this place, which goes back in terms of the Legislative Assembly back to the beginning of 1982 apart from a period of three years. The forward projections are more than a little bit alarming. They are absolutely dreadful. I don't think that we can continue to sit back and just allow things to happen around us. I appreciate the difficulties with air services at present, but we have to also confront the difficulties in terms of the remainder of the industry and we've got to be prepared to make the decisions that need to be made, thank you

MR NOBBS

I just want to make a very quick comment Mr Speaker. I understand that over the years over 60% to 70% of our visitors are by word of mouth and I'm just wondering is that such a significant figure normally, what's happening to our word of mouth at the present time. Are we really offering what the people want so that they go back and tell their friends and relatives and what have you about the place. Is that a specific problem. I would have thought so given the figures and I think they did something earlier this year, the Tourist Bureau, an independent did something, and that still showed that, that was a high percentage of our tourists were coming via word of mouth and I'm just wondering why we are dropping off. The airline situation is a problem. There are considerable difficulties with that, but the demand for the forward projections and the demand that you work out from that, are not good. My view very simply is, what's happened to the word of mouth

MR GARDNER

Mr Speaker I would like to respond to that if I could, I think it's been clearly demonstrated under Steve McInness's guidance and initiative when he's been running some of these exit surveys and things that word of mouth is still a very important factor in visitations to Norfolk Island or generating visitations to Norfolk Island but the reasons for the decline are many and varied and open to interpretation and debate and there's 400 different positions and views on the reasons why but I think it's important to point out that at the Australian Tourism Regional Conference recently held in Perth that many other remote and rural communities throughout this part of the world have evidenced equal declines in visitation for many and varied reasons. Some of those relate to competition that's available in the marketplace, many people are driven by the cost, the fare structure of different destinations and the attractiveness, I mean being able to fly a \$99 route between Sydney and Cairns return for example is a very attractive option over expending somewhere in the region over this last twelve months of anywhere between \$550 and well over \$1,000 just for a return ticket to Norfolk Island. Those are some of the examples that are given. Other examples are as Mr Brown has already advised, the difficulty in groups getting bookings on aircraft. There are a number of block bookings that have been evidenced both in the time the Government's been operating the airline and prior to that where because of policies that are in place, were in place, and have been promoted Mr Speaker that it has

effectively blocked out other groups being able to book on aircraft that have already been block booked and what has been evidenced, the closer you get to the travel date is then significant cancellations have occurred which has compounded the problems in achieving good loadings on aircraft. Suffice to say Mr Speaker that the loadings evidenced through November December even into January February are very high. That in itself though may be good for an airline as far as it's viability is concerned but it certainly is recognised by people in this forum and I'm certain in the community that, that is not good for the economy of Norfolk Island as a whole hence the Airline Working Group's position that was taken that it was imperative that the extra services be put in place, and as I said earlier, there is a risk involved in that, a financial risk, but imperative that they be put in place if we are going to generate the necessary recovery within the economy in Norfolk Island. I've just tried to touch on some of the reasons but to get back to the point that Mr Nobbs was trying to make earlier or the question Mr Nobbs was asking earlier, is word of mouth still an important factor, of course it is a very important factor and continues to be and I would envisage that will remain so forever and a day as far as the tourism industry anywhere on the face of the planet is concerned, however, we are up against significant stiff competition. There are arguments that we should be looking at rebranding. There are arguments as Mr Brown's already alluded to about the restructure. Those are things that are in train, have been taken on board by the General Manager of the Tourist Bureau but the priority at the moment is to turn around the visitations to Norfolk Island. He's endeavouring to do that. We have recruited offshore expertise as far as the marketing on the mainland is concerned and put in place somebody in the marketplace for the first time in ten years, back in the market place in Australia so assist in our promotion and marketing activities in that region and that is a step in an ongoing process of reviewing exactly what it is that the Government Tourist Bureau do but it is also important to point out Mr Speaker that the paltry sum of money, and that's the best way to describe it, that we direct towards tourism each year is just insufficient in a very very competitive environment. In discussions with the Executive Members prior to my departure ten days ago from the island, were developing a new focus on the way we go about our budgetary process and that is to focus and commit as a priority funding towards our major industry first and foremost and then to allow another matters to be catered for after that. Now picking the right figure and the right sum is a very difficulty and complex task but I am confident that we have the skills, the ability and competency of people avail be to us and if that means in future we have to expand that pool of skills and staff, so be it. That's something that is necessary to be achieved if we are going to be competitive going forward,. Thank you

MR SHERIDAN

Mr Speaker I would just like to say a few words in regards to Mr Brown's comment with regard to the shortcomings of the Tourist Bureau Board. Mr Speaker I speak from experience because I'm actually a board Member. I've been on the board for the last thirteen months you might say and we've met regularly usually on a fortnightly basis and Mr Brown's assertions that the Board has a negative feeling towards groups is absolutely false. The Board's commitment since I've been on that Board has been totally to encourage tourism numbers to come to the island and the Board does not support FIT travelers or groups in either way. They view visitors as visitors, and they do not favour any establishments and their main aim is just to encourage visitors to come to Norfolk Island and I can say that with authority because as I said, we've met regularly and I've been on that Board for the last thirteen, fourteen months. Thank you Mr Speaker

SPEAKER

Thank you Mr Sheridan. Honourable Members the question before us is that the paper the Chief Minister presented be noted and I put that question

QUESTION PUT  
AGREED

SPEAKER Thank you. Are there any further Papers this morning

MR NOBBS Mr Speaker Section 2(b)(2) of the Customs Act 1913 make 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 exemptions on the table of the Legislative Assembly. I so table these exemptions Mr Speaker and I'll just read them out very quickly. The sum of \$15.98 importation of two adult smart pads by St John's; the sum of \$199.99 in the importation of jerseys to the Norfolk Island Junior Rugby League, the sum of \$132.96 on the importation of confectionary by the Norfolk Island Youth Centre; the sum of \$19.20 on the importation of trophies by the Norfolk Island Netball Association and finally the sum of \$197.10 on the importation of Christmas Cakes by the Norfolk Island Lions Club

MR GARDNER Mr Speaker I table the Mediation Regulations 2005 and the Gaming Supervision Prescribed Authority Regulations 2005 and move that they be noted

SPEAKER Honourable Members the question is that the paper be noted

MR GARDNER Thank you Mr Speaker the first one, the Mediation Regulations 2005 establish a mechanism for the registration of mediators in Norfolk Island. As Members would be aware the Mediation Act 2005 was passed by this House I believe at the last sitting which provided just another avenue for the courts to be able to resolve disputes that have been brought to them by way of referral to a mediation type services. The regulations as I say establish the way that people can go about becoming registered as a mediator in Norfolk Island. The second matter Mr Speaker the Gaming Supervision Prescribed Authority Regulations 2005 relate to provisions within the Gaming Supervision Act that identify the ability of the authority to utilise services of what are termed in that Act, law enforcement agencies for the purposes of checking probity and such like issues and these regulations prescribe the racing, gaming and licensing division of the Northern Territory Treasury as one of those prescribed authorities for the purposes of the Gaming Supervision Act 1998. Thank you

SPEAKER Honourable Members the question is that the paper be noted and I put that question

QUESTION PUT  
AGREED

SPEAKER Thank you. Are there any further Papers this morning. Honourable Members. We have concluded Papers and we move to Statements of an official nature

MR NOBBS I table the monthly financial indicators for November 2005 and move that they be noted

SPEAKER The question is that the paper be noted

MR NOBBS Thank you Mr Speaker . the second draft of the revised budget currently is in deficit of \$1.719m, as I say at the outset. That's currently. As far as the income is concerned on the 30<sup>th</sup> November the revenue funds overall income is 93.9% of the first draft revised budget, that is the one I just mentioned and that is some \$267,000 short. Customs duty is \$254,000 short of budget and the sum total of other tax

categories is \$44,000 over budget. The revised departure fees are \$37,000 short but land titles fees are \$107,000 ahead of budget. The revised FIL budget is \$11,000 short and therefore the revenue funds revised budget income from the liquor bond is currently \$65,000 behind. As far as expenditure, overall expenditure which includes known creditors and outstanding orders raised in 2005-2006 is at the end of November on a pro rata basis is about 2.6% under budget. Medical expenses for social service recipients are \$66,000 over budget at the end of November. Should this trend continue the balance for the financial years medical expenses for social service recipients will exceed current budget provisions by \$160,000. At the 30<sup>th</sup> November 2005 the overall revenue fund budget has an estimated deficit of \$815,000 which is on a pro rata basis is \$135,000 more than that budgeted. Mr Speaker the Revenue Fund has issues which will require addressing immediately after Christmas, not the least being the current deficit of \$1.7m and that's all I have to say at the present time. Thank you Mr Speaker

SPEAKER  
Paper be noted.

Is there further debate? The question is that the

QUESTION PUT  
AGREED

The Paper is noted. Are there further Papers Honourable Members, then we've concluded Papers

#### **STATEMENTS OF AN OFFICIAL NATURE**

SPEAKER

Any Statements Honourable Members?

MR GARDNER  
Mr Speaker I have a brief Statement to make in relation to the current airline situation with regard to airline services to Norfolk Island from the Australian east coast. As Members around the table would be aware I returned from Brisbane yesterday but whilst I was away I had the opportunity to speak to a number of wholesalers in Brisbane had made direct contact with Qantas with the minister's office and others involved in the industry following reporting to me that there had been difficulties encountered with provision of the Air Nauru aircraft for this route. I can report that negotiations are ongoing with Qantas with utilisation of aircraft on the route for all intents and purposes they have reported to me that they are pursuing their best endeavours to ensure that aircraft are available to us into the foreseeable future with proposals to ensure that services are in place at least until April. At this stage subject obviously to ensuring that those aircraft are available and will be able to be locked into necessary contracts of supply and the like. In regards to that, I've been in contact with Minister Lloyd's office to see what pressure he can bring to bear to ensure that some of the misinformation and negotiations with Qantas are addressed and given added weight and impetus. Other airline operators or those with aircraft have submitted proposals for consideration and they will be considered in due course. There is some detail that has been sort from other providers in relation to that. I understand that as recently as this morning the Minister responsible for the airline for Air Nauru in Nauru, Mr Kiki has indicated that he is confident that they will again regarding the services of their aircraft for the provision of services both into Norfolk Island and their other destinations throughout the Pacific. However, I am not quite so certain that, that same sort of confidence is shared by our partners in the operation of the services to Norfolk Island yet the detail of that is yet to be released, and I'm hoping that I will be able to speak to Air Nauru directly today to see what development have occurred as a result of that interview with Mr Kiki this morning on radio. Mr Speaker the Norfolk Island Government will continue to negotiate the ongoing provision of airline services to Norfolk Island from the East Coast of Australia and necessary public and industry announcements will be made as confirmation of services is received. until that time I can assure the listening public and my colleagues



plants and seeds from medium and low-risk categories are also screened at Eagle Farm. The DPI Quarantine Facility's Manager, in conjunction with technical staff and AQIS will develop a quarantine protocol for approval by the Administration of Norfolk Island on a species by species basis. This is done individually as there are different requirements and time frames for different species. General Importation Principles to Norfolk Island. 1. All plants must be soil free and bare rooted. 2. The plants will be quarantined in an AQIS Accredited Facility (in this case the QDPI Quarantine Facility at Eagle Farm) for the designated period as recommended by the Quarantine Manager (or NI Quarantine) prior to exportation, in sterile potting (e.g. perlite, sand, vermiculite). 3. A phytosanitary certificate issued by AQIS must accompany the consignment. This should state 'The plants in the consignment were produced and inspected in the manner required by AQIS and found free of quarantine pests'. 4. Prior to export, an independent plant pathologist must check plants and verify they are quarantine pest free. 5. Each consignment of export plants will be clearly and securely labelled 'For export to Norfolk Island' and be directed c/o Norfolk Island Quarantine Service. The Exporter and Importer's contact details should also be shown clearly. 6. The importer must be in receipt of a valid import permit issued by Norfolk Island Quarantine for the consignment. 7. Advance notice (at least seven days) of the arrival of an impending consignment must be given to Norfolk Island Quarantine so that resources can be made available for inspection. 8. All plants will be packed in new, clean packaging and containers. 9. The consignment must be submitted on arrival to the Quarantine Inspector for clearance with the appropriate permit and paperwork. Post Arrival Quarantine. The Importer must liaise regularly with Norfolk Island quarantine to determine a stock control and records system to keep track of all plants for an initial twelve month period. Mr Speaker I consider this a major step forward for the Norfolk Island community. I believe that interested parties will be able to form co-ops and allow some entrepreneurial growth in the primary industry sector. In the next few years through the selective importation of various fruit trees I believe that the seasons for various fruits will lengthen and this can only benefit the local community especially when considered from a public health point of view. As stated earlier there is a one species only pilot scheme in progress. At present 20 of a total of 100 mango trees are in the AQIS facility and the time period for quarantine for this particular fruit is 3 months. A resident who is meeting all expenses is importing this consignment and for the purposes of this statement a consignment is defined as a quality of high health mango trees covered by a single phytosanitary certificate from a single AQIS approved source. Finally Mr Speaker, persons interested in this scheme should address all their questions to the Environmental Officer, Ms Diatloff on 23588 or 23595.

MR NOBBS

Mr Speaker I move that the Statement be noted

SPEAKER

Statement be noted

Honourable Members the question is that the

MR NOBBS

Mr Speaker all I can say is Hallelujah. It's about time this has happened actually and I congratulate Miss Diatloff if she's the one that pulled it off because it's something that we used to do, it was cut off for reasons that I don't know why and it's something that the island's actually paid dearly for over the last few years and it's about time this happened. I would suggest that if it's to be run properly, the girl has got the enthusiasm for it, Miss Diatloff, then she should be the one running the thing and that it all goes through that because that's the only way it's going to work, is to have somebody running it and coordinating the whole thing and I think from what Mrs Jack said, that's the way it's going to run, but we need it and we need it desperately and I congratulate her and it's good stuff. Thank you

MR CHRISTIAN

Thank you Mr Speaker, I would ask the Minister for the Environment to take on board an extension of what she's just done. Fruit is exported all around the world in this modern day and age and yet in Norfolk Island we're deprived of it.

I'm aware that there are a number of local producers out there who are trying to satisfy local demand but I fear that we will always have seasonal difficulties and therefore that will affect the ability of the consumer on Norfolk Island to access fresh fruit on a regular basis so I see no difference between the plant and the fruit so maybe Mrs Jack could take on board the task of looking into the limited importation of fresh fruit from suitably quarantined cleared areas within Australia. I mean, we already import potatoes and onions and things like that and I think the quarantine safeguards are there now and we can expand on that

**MRS JACK** Mr Speaker just my opinion and we can continue this outside this forum but the vegetable that we import have a much longer shelf life than fruit. My view on fruit is the limitation of our air services either it be through delayed flights, flights that have turned back, has the ability to see fruit just sitting, returned on the tarmac rotting, and a lot of money that has gone offshore for no result. I have a problem with that route and this is why I was very much in favour of bringing in the trees to expand on our current industry. I disagree also with Mr Christian to some extent because the way the fruit trees, the various species are being worked on, you are seeing seasons say for the growing of apples extending months, and the availability of that fruit being available for months and that is the view that I would take on the importation of these trees. We are not bringing the same in, we are increasing the season

**MR CHRISTIAN** Thank you Mr Speaker, I find it amazing that the Minister for the Environment has used the public health issue as the reason for justifying the changes to the quarantine policies to allow the importation of these trees. If she's using public health as justification why should we wait to improve our health until the mango trees are bearing when you can import the fruit tomorrow

**MR NOBBS** Mr Speaker I'm not getting into this argument except to say that I think you'll find, and that's what's been a holdup, is precisely what the Minister for the Environment says, is that there are other varieties around within each of the fruits which will extend the seasons considerably and we haven't had the opportunity to get those. We only had the thirty years or forty years ago varieties, and a few that have been dropped in or have fallen out of planes or however they came in here which have arrived and I think we need a planned approach to do it and hopefully what will flow from this is that and as far as the importation of fruit is concerned, I would have thought that we should be very keen to keep the price reasonable for the consumer on the island here and also provide an extension of the time that the tourist dollar, and we hear from Acumen that that's where we are getting all our money from, which is pretty right, that, that dollar stays a little bit longer on the island instead of coming in on the plane and going off on the ship so that's where I look at it and it's up to us then, or its up to the producers and I'm past it, to then get on with it and start producing the island's requirements and this is a really encouraging process and I hope it continues

**MR CHRISTIAN** Thank you Mr Speaker, I take on board what Mr Nobbs has said, and I fully encourage local primary production, however in economic terms what we have on Norfolk Island every time there is an industry established, there's a boom and bust situation so the poor farmer goes out there, gets his fruit ready for the market, he needs to produce a suitable quantity in order for it to be all economically viable and floods the market and next week can't sell any so you need to be mindful of that. Just the fact that we provide the facility for someone to grow the tree or import the tree doesn't of itself guarantee that you will down the line be able to buy fruit on a sustainable basis. If we look at transport on a global sense today, it's far cheaper to transport stuff around the world then it is to grow it in lots of instances and if you look at the Australian market at the moment and you look at stuff we buy in the local supermarket you will find that we are having peas grown in Egypt, corn grown in Thailand and all of that because it's cheaper to buy the stuff in the country it's produced, ship it to Australia and then ship it to Norfolk Island and I don't think



Grant Ernest John Tambling, Administrator of Norfolk Island furnish the following message under section 24 of the Norfolk Island Act 1979. In accordance with section 21 of the *Norfolk Island Act 1979*, I referred the Customs (Amendment No. 2) Bill 2005 to the Minister for Local Government, Territories and Roads for instructions as a schedule 3 matter. On 23 November 2005, I received instructions from the Minister to withhold my assent to the Customs (Amendment No. 2) Bill 2005. The reasons why assent to the Customs (Amendment No. 2) Bill 2005 was withheld relate to concerns the Minister raised with respect to the Customs (Amendment) Bill 2005 and the use of customs legislation to prohibit the importation of helicopters to Norfolk Island, given the clear potential for economic and social benefits. In providing his instructions, the Minister advised that considering the recent decline in tourist numbers, and the effect of changing demographics, which will require the Island to find innovative ways of attracting new types of visitors, a proposal to use a helicopter for sightseeing could prove to be a valuable asset to the Island. Further, the availability of a helicopter may provide benefits to the community in terms of search and rescue operations, fire fighting and similar activities and that message Honourable Members, is dated the 24<sup>th</sup> November 2005 and signed Grant Tambling, Administrator

MR GARDNER  
Office of the Administrator

Mr Speaker is it possible to note a Message from the

SPEAKER  
noted

Message No 28. The question is that the Message be

MR GARDNER Mr Speaker the withholding of assent, this is the second time that this has occurred in relation to this matter. It has been the very clear view of the elected representatives of Norfolk Island that there be implemented a system or necessary provisions for the control of activities such as that, the subject of the Bill that assent has been withheld to. Mr Speaker that in itself really is I guess, for want of a better word, a slap in the fact to this forum and the membership of this forum where clearly the will of the elected representatives, the unanimous will of the elected representatives of Norfolk Island has been ignored. The advise provided to the Minister without doubt has been carefully thought through, however, a major fault occurs in the provision of that advise when those giving the advise aren't living on Norfolk Island, aren't living in this environment and are not part of this community and recognise the values that this community holds in regard to its activities and its rights so to speak to legislate for those matters which are in the best interest of this community. Mr Speaker it think it is fair to say that the Legislative Assembly have endorsed a proposal to look at other mechanisms of controlling such activities. Probably something more akin to the ability of an executive member with the appropriate authority to be able to grant approval for such activities under certain circumstances and that will be vigorously pursued by the Legislative Assembly and there will be legislation that will be brought back to this House in relation to this matter at a later date. Thank you

MR BROWN Mr Speaker I'm dumbfounded at the Minister's advise and I'm more than a little surprised at the advice that appears to have been provided to the Minister. When the House first attempted to impose some controls on this situation I was not aware of any existing proposal and so far as I am aware there was no existing proposal. Later a person wrote either to the Minister or to the Administration in effect saying that although he's a General Entry Permit holder here to run a particular business he wants to start a helicopter business. Between that letter and the advise which apparently went to the Minister it all of a sudden became a proposal for a rescue helicopter. Well rescue helicopters these days are generally twin turbined engined helicopters, they are generally flown by people with considerable experience and with considerable experience in search and rescue type roles, it is not the situation a little sight seeing helicopter all of a sudden becomes suitable for all kinds of other tasks. It was suggested to us that this helicopter could be used for helicopter fishing. I think I asked a question at an earlier time whether the



subsection 12(7) of the Legislative Assembly (Register of Members' Interests) Act 2004 I table a report from the Committee of Privileges. Mr Speaker the Report documents fully the processes followed by the Committee along with its findings and recommendations. I provide a summary of the Committee's deliberations and findings. On 26 September 2005 a complaint of contravention of the Act by the Minister for Community Services, the Hon John Brown, was lodged with the Clerk to the Legislative Assembly who referred the complaint to the Speaker in accordance with section 11(1)(d) of the Act. The complainant is Crown Counsel, Mr Graham Rhead. The complaint is that, at the conclusion of an executive meeting on Tuesday 20 September 2005 at the "Executive Chambers", Old Military Barracks, the Minister for Community Services – a) assaulted (both verbally and by bodily gestures), intimidated and bullied the complainant; b) breached subparagraph 4(a)(i) by raising a matter in which his company is a subcontractor in a government contract; and c) breached subparagraph 4(a)(ii) of the Act by his behaviour. Sections 4(a)(i) and 4(a)(ii) of the Legislative Assembly (Register of Members' Interests) Act 2005 provide - "4. (a) Members shall – (i) accept that their prime responsibility is to the performance of their public duty and therefore ensure that this aim is not endangered or subordinated by involvement in conflicting private interests; (ii) ensure that their conduct as members must not be such as to bring discredit upon the Assembly;". The Committee took oral and/or written evidence from the complainant, from Mr Brown and from witnesses present at the time of the incident. Having considered all the evidence tendered, the Committee reports to the House under subsection 12(8) of the Act that the complaint was justified and that the Minister for Community Services has breached sections 4(a)(i) and 4(a)(ii) of the Act. Subsection 12(8) of the Act further requires that in the event that the Committee reports that the complaint was justified, it shall recommend to the Assembly what action it considers to be appropriate in the circumstances. Accordingly the Committee recommends to the Assembly that in the circumstances it is appropriate that Mr Brown be suspended from the Assembly sittings for a period of 3 months. Honourable Members subsection 12(10) of the Act requires that not later than 2 sitting days after presentation of the report, the Assembly must resolve to either accept or reject the report. In the event that the Assembly accepts the report it must further resolve what action under the Act to apply. Conversely, if the Assembly rejects the report it must state in the resolution its reasons for so doing. Mr Speaker in order to satisfy the requirements of the legislation, in accordance with subsection 12(10) of the Act, I move – That this House accepts the Report of the Committee of Privileges dated 13 December 2005. The tabling today of the Report, will be the first occurrence for members to examine the detail of this matter, and therefore I intend to move a motion to adjourn this motion of acceptance until a subsequent sitting, although it must be settled no later than 2 sitting days, so that members may give mature consideration to the Report

SPEAKER Thank you Mr Sheridan. Is there any participation before I call on the motion of adjournment

MRS JACK Mr Speaker just a question. It refers to two sitting days. Is it two sitting days or sixty days or is it the fact of two sitting days. I understand that when we are meeting next is February, is that correct and so it would take it to March, and the second sitting day would be March. It's not a number of days. So when's the second sitting day from today? March. It's not a number of days

SPEAKER Honourable Members, the legislation refers to attention to the matter within two sittings days, sitting days. The Membership has not decided when it will next meet at this moment, although the notice paper will show you that there is a proposal for a February sitting and that will be sitting one if that is the date that Members determine. If it determines another date, whatever date that will be, will be day one. Does that give some clarity to the situation

MR NOBBS Mr Speaker I'm not speaking on this because I've just been given the report on it but I'm a little concerned about this two sitting days bearing in mind that we have a two month break now and I know its been used in the past in this particular forum for holding it over people, but I wouldn't do that to a dog. It's terrible. We should get clear this issue out as soon as we possibly can and I think that in all fairness to Mr Brown, this has to be done, and I would suggest that we meet before the middle of January and decide it and have a special meeting, finish it. Get it out of the way. One way or the other. It's not fair on the Member to have such a thing hanging over his head Mr Speaker

SPEAKER Mr Nobbs and Honourable Members, that is available to Members of course. The report indicates that it be settled no later than two sitting days and it is available to Members to pursue it in whatever time frame that they would choose but no later than that

MR SHERIDAN Mr Speaker I move that debate be adjourned and the resumption of debate be made an Order of the Day for a subsequent day of sitting

MR NOBBS Mr Speaker can we make an amendment to that

SPEAKER I'm required in terms of an adjournment to put that question, and that question alone Mr Nobbs

MR NOBBS So there's no agreement Mr Speaker to bring the matter forward and deal with it. Not now because we couldn't be happy to deal with it at the present time, but deal with it at a special meeting in January

SPEAKER No. Adjournment at this time does not prevent you from making a further proposal to have a sitting to attend to whatever matter you would want to attend to including this matter

MR NOBBS Can I just clarify there for myself and also for the listening public, do I do that following the acceptance of this motion which I assume will be accepted or do I do it by requesting four other members or three other members or whatever the numbers to hold a special meeting

SPEAKER Mr Nobbs, I want to clarify that the Speaker's participation at this time is to look at the administrative processes, not addressing the report. There are a number of options Mr Nobbs in terms of people who want to bring forward sittings of the House. One option obviously is at the conclusion of this sitting we set a date and you may wish to consider it in that context. There is another process whereby a certain number of members, three if I remember correctly, may request a sitting of the Assembly at a certain time, and that is available also so there are a number of options for you to pursue the concern that you've exhibited amongst members

MR NOBBS Thank you Mr Speaker

SPEAKER And looking at the motion you asked me about whether you could adjust the motion which is the adjournment one, and that is not able to be adjusted, the processing of that one way or the other, does not impair those options that I have just mentioned to you. Does that give some clarify to the matter

MR NOBBS Thank you

SPEAKER Mr Sheridan

MR SHERIDAN Mr Speaker I believe I've moved the motion Mr Speaker

SPEAKER The question is that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

QUESTION PUT  
AGREED

The Ayes have it. Debate is so adjourned Honourable Members

MR SHERIDAN Secondly Mr Speaker on behalf of the Impact of Bills Committee I table Report No. 1 of the Committee in respect of the Social Services Amendment Bill 2004, which was referred to the Committee on 20 April 2005. This Report provides a response to the provisions of that Bill. Members will note from the Report when circulated that Report No. 2 is proposed for tabling at the first sitting of the House in 2006. That report will contain an evaluation of those matters not addressed by the Social Services Amendment Bill 2004. Mr Speaker I move that the recommendations be agreed to

SPEAKER Thank you. Is there any debate upon that Honourable Members, before Mr Sheridan brings forward a motion of adjournment on that matter so that Members can consider the report further

MR SHERIDAN Mr Speaker I move that the debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

SPEAKER The question is that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

QUESTION PUT  
AGREED

The Ayes have it. Debate is so adjourned Honourable Members

## **NOTICES**

### **LEAVE TO MOVE MOTION**

We move to Notices Honourable Members. First of all. Mr Nobbs you had indicated that you have a matter. Appointment of a Public Service Board Membership and you wanted to seek leave to bring that matter forward

MR NOBBS I seek leave to move the following motion Mr Speaker. That this House in accordance with subsection 10(1)(0) of the Public Sector Management Act 2000 recommends the responsible Executive Member appoint John Robert Hughes as the Member of the Public Service Board as a Member of the Public Service Board for the period 22 December 2005 to 21 December 2007

SPEAKER Is leave granted Honourable Members? Leave is granted Mr Nobbs

### **APPOINTMENT OF MEMBER TO THE PUBLIC SERVICE BOARD**

MR NOBBS Thank you Mr Speaker. This is an appointment to the Public Service Board as a Member. As you are aware the Mr Speaker Board has Member

and also stand by Members or a deputy to each of those Members. The Deputy Member currently on the Public Service Board wishes to remain in that position and that Mr Hughes has indicated that he is prepared to take up the position of the Member of that Board full time. Mr Hughes has served in a number of Boards for the Norfolk Island Government in the past and has always given great service and that, if I may at this particular point in time, just express my appreciation for those boards, particularly under my area. The Members of the Boards who have contributed over the time that I've been a Minister here, and I wish them all a Merry Christmas, but we'll get back to Mr Hughes. Mr Hughes I recommend to Members that the motion proceed. Thank you Mr Speaker

SPEAKER Any further debate. The question agreed is that this motion be agreed to Honourable Members and I put that question

QUESTION PUT  
AGREED

Thank you. That motion is agreed to

#### **IMMIGRATION PERMIT AMENDMENT BILL 2005**

By arrangement on the Programme I will not be calling on Immigration Permit Amendment Bill 2005 and I will move on to a matter that you raised Chief Minister

#### **LEAVE TO MOVE MOTION**

Chief Minister you were to seek leave in respect of the Gaming (Lotteries Amendment) Bill 2005

MR GARDNER Thank you Mr Speaker I seek leave to move the Gaming (Lotteries Amendment) Bill 2005 Mr Speaker

SPEAKER Is leave granted Honourable Members? Leave is granted cm

#### **GAMING (LOTTERIES AMENDMENT) BILL 2005**

MR GARDNER Mr Speaker I present the Gaming (Lotteries Amendment) Bill 2005 and move that the Bill be agreed to in principle

SPEAKER Thank you Chief Minister. The question is that the Bill be agreed to in principle

MR GARDNER Mr Speaker Firstly my apologies to Members and members of the public who look forward keenly every month to the production of the Notice Paper. Mr Speaker the development of this piece of legislation has been ongoing for a couple of months now and I had asked for the matter to be introduced to the House in my absence by with one thing and another I accept the difficulties of the last few days in relation to air services and that this matter was not as great a priority as other matters around at the time, however, Mr Speaker that does not ignore the fact that it is important that this information come to the House for consideration, particularly in light of our difficulties being experienced with our financial woes at the moment, and recognition of the fact that gaming has consistently and increasingly provided significant funds to the revenue fund through its operation as a GBE over the last two years, and in saying that it has been providing increased revenue Mr Speaker, it in every likelihood will continue to provide even greater income to the Norfolk Island Government both through bookmaking activities with the

licensing of world wide web totalisators and the OzTote merger now firmly in place. This also provides now the necessary structure and regulation enjoyed in other recognised states and territories for the ability to run online lotteries to the world. Mr Speaker the explanatory memorandum is fairly brief and so I'll read it into hansard. That explains the amendments that are proposed to facilitate lotteries under our gaming legislation.

xxx

Mr Speaker the Bill before Members was provided on the 14<sup>th</sup> December and since that time there have been comments that have been received from the Director of Gaming in relation to the provisions and as a result of that some detail stage amendments have been prepared in relation to this piece of legislation. I'm not seeking urgency on this legislation today Mr Speaker but those detail stage amendments I will endeavour to circulate to Members in the intervening period for their consideration. I don't see this Bill as being controversial at all. It really just adds to our arsenal of provisions to increase our ability to raise revenue through our gaming activities which have been particularly successful to date and continue to be successful as I indicated earlier. I would like Members to view this as a work in progress and certainly as Mr Nobbs indicated earlier if Members are inclined to wish to convene a meeting earlier than that which is proposed for early in the New Year I would be looking to hopefully have this attached to the Notice Paper at that time and for the programme for that sitting so that the matter can be dealt with. As I said, I will endeavour to provide those detail stage amendments to Members as soon as I possibly can, and will look to finalise the matter at our next sitting. Thank you

SPEAKER Thank you Chief Minister. Further debate Honourable Members. No further debate. Chief Minister

MR GARDNER Mr Speaker I move that the debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

SPEAKER I put the question that the motion be agreed to

QUESTION PUT  
AGREED

Thank you. That motion is agreed to.

Honourable Members we are now at Orders of the Day

### **ROAD TRAFFIC (PROVISIONAL LICENCES) BILL 2005**

SPEAKER Honourable Members we resume debate on the question that the Bill be agreed to in principle and Mr Nobbs you have the call to resume

MR NOBBS Mr Speaker since the last meeting the Road Safety Committee has met and they've put up some suggested amendments which I will deal with shortly which I'm asking Members to agree to and at this stage, the proposals that were put up really and I've had some calls about kids being able to go to war but they can't get a drivers licence on Norfolk Island and all this sort of thing, and I just want to clearly point out that under the proposals here, and that's the amendments, and what will happen if the amendments are accepted is this, that at 15 a person may get a motor cycle licence for up to a 185 cc. at 16 they may get a learners licence. This is a minimum age of course, they could be 66 and get one. At 16 ½ they are eligible to apply for a provisional licence but there are some restrictions on the provisional licences and that provision licence will be held for two years and at 18 ½ the person may apply for a full licence. That's the minimum age

groups involved and of course, if they are older than that, that applies so they are the general proposals that are put in place as far as that will allow for the actual licensing. As far as the other amendments are concerned, there were some concerns that people on a provisional licence were not permitted to drive between the hours of 10 pm and 6 am and that has been changed. The amendment proposed extends that to midnight and then there was another one in relation to the carriage of one passenger only for a provisional licence. That was a 24 hour requirement. It's now from 7pm to 6am which the committee thought was about dark till daylight. Those are the main ones I believe. There is a dropping of the requirement to provide for a learners plate and also a provisional plate to be displayed, unless a court may direct that, that apply. I think that's, as I said, the provisional licence for a person who gains one at 16 ½ lasts for two years and originally it was a proposal for three years. I think the best way is to see if there's any debate in relation to this and then to move the amendments Mr Speaker, is that the way to go

**SPEAKER** Yes. We are still on the question that the Bill be agreed to in principle so we are talking about the overall picture and we will come to the detail stage in a moment

**MRS JACK** Mr Speaker. Could I just ask for some clarification from the Minister. Are P and L plates still going to be a requirement or is it only if the court deems it so. I should imagine if there've been several traffic infringement notices

**MR NOBBS** Yes that's right. There is no need to actually display an L or P plate once a person becomes an L or P plater. Once they have a learners licence or a provision licence there's no need, but if they have some problems and end up in court, the court may direct that, that happens

**MR GARDNER** Thank you Mr Speaker I appreciate the efforts that the Road Safety Committee and Mr Nobbs have gone to in bringing matters to the House for consideration for amendments to the Road Traffic legislation. I also appreciate the more recent efforts and the provision of a letter to all Members outlining changes that had been proposed by the Road Safety Committee following debate on this matter at the last sitting of the House. I guess looking for a compromise, however as I indicated to Mr Nobbs a couple of weeks ago at an MLA sitting, it still did not am I guess dismiss or diminish my opposition at all to these provisions. As I said at the last sitting of the House I needed to be convinced that this was going to improve safety on the roads. This was going to prevent accidents. Because I understand that, that's what these measures are about and I am far from convinced that these provisions are going to provide any of that at all. Shifting the curfew so to speak from 10 am to 6 am I think that was what was proposed, only again intensifies my opposition to those provisions simply because of the potential for significant social problems to arise as a result of that. For example, taking your fifteen, sixteen and seventeen year olds now who travel with their sixteen, seventeen and eighteen year old friends and forcing them, because that's what it will do Mr Speaker, forcing them to then socialize in a more senior age group and age bracket has in my view significant potential for social problems that could arise from that. Simply because of the different interests in the age groups and the maturity and social development type applications. That is a significant concern to me and should be a significant concern to anybody. Any parent who has children within that age group. Genuinely out there looking to enjoy their time and lets face it, the bulk of kids in those age groups are very well behaved and are looking to participate properly and appropriately within this community. There's only a few who make it a mess for most others but I don't want to be passing this legislation in this House, contributing to further social problems within this community and that's I believe one of the major negative spin offs of the passage of this piece of legislation in its current form. I think also at the last sitting I spoke about enforcement issues, and since the last sitting both Mr Brown and myself have met with visiting federal agents to Norfolk Island and talked about enforcement issues and how those

types of things can be addressed. We have difficulty with drugs and speeding and black tire marks on the road and all those sorts of things and the police by their own admission in those meetings said it is very difficult to police that, simply because of the type of vehicles that are provided to them, the number of staff that they have available to them. How are we going to enforce, no problem where technically nobody would be doing too much wrong other than driving a vehicle at the wrong time of night when we can't even patrol now drugs coming into Norfolk Island and the wheelies on the road and those sorts of things. To me this is just adding fuel to a fire that we are desperately trying to put out ourselves now in ensuring that we have appropriate enforcement. I believe these things wouldn't be required if we were able to address the other side of things which is the enforcement issues. Mr Speaker as I said I really do appreciate the efforts that people are going to in looking at trying to address safety issues and things like that, but I am far from convinced, in fact I am not convinced at all in any form or fashion, that the provisions contained in this legislation will lead to the betterment of life on Norfolk Island, safety within Norfolk Island on our roads, or in the improvement of behaviour in any form or fashion and in actual fact all that its going to do is probably fuel the rebellious side of some of our younger people to say, well okay, we've got provisions in there now that make it harder on us. They're just going to work harder to try and work around those provisions and again, I don't think that, that's something that we can afford to have happen within this community at the moment. We need to be looking at more meaningful ways of ensuring that our laws as they are already established are not breached or broken in any form or fashion without unduly burdening the system with even more that I firmly believe, sincerely believe, simply will not be able to be enforced and will not deliver to this community any measurable benefit whatsoever. Thank you

**MR BROWN** Mr Speaker There is absolutely no point in passing legislation which is not going to be enforced. Absolutely no point at all. At a recent meeting the House decided against banning the fitting of what are known as boom boxes to motor vehicles. Banning their fitment might have been easier for the police because as a policeman they pull up a vehicle anywhere to check whether it was fitted or not, but the House in its wisdom decided that, that was an infringement on people's rights that it didn't want to be involved in. We do have a situation where the police are simply in the main unable to enforce our existing Road Traffic legislation. The tire marks on the roads are just one aspect of that. Noisy vehicles particularly at night are another. The Bill that's before us at the moment, does not propose to impose a curfew on people being out at night, it proposes to impose a curfew on those people driving if my recollection is correct. The Chief Minister is quite right. Any number of those people could be out and drive around all night as long as they've got someone who's old enough to be driving the vehicle but if we look at things as they stand today when those people can be out driving around, they are clearly not being picked up by the police for committing offences. And if they are not committing offences, why are we wanting to stop them from driving. If they are committing offences already then it speaks for itself. The police aren't able to apprehend them now, changing the legislation will make no difference later on. I think that there are more important things to do than pass legislation that we know will not be enforced. I don't propose to support the Bill

**MRS JACK** Mr Speaker I have to agree with the Chief Minister and Mr Brown. The ongoing proposals for any sort of road safety changes first took a dive in the last Assembly. These are far more detailed and I would assume they will take another dive but successive Assemblies have said, we must get to the source of the problem and you get down to either the bringing in of drugs and the selling of drugs on the island, or the illegal serving of alcohol to underage people and the education for better driving habits. Now all that I think has been addressed is some road safety methods to say, no don't drink and drive. In the Liquor Bill there's the not selling to underage adults, and the requirement for them if they are drinking in a licenced premises that, that alcohol must be bought by a person 18 years of age. If my memory serves me right. I stand to be corrected. But what has

happened really at those cold face issues, and there's really not much. I mean we are all very worried about drugs and their coming in but where's the money put aside for the dog at the airport. Where's the assistance needed with the Commonwealth when people leave Australia or the mail leaves Australia, not on an ad hoc basis but on a regular basis. You know I just feel it's pretty weak what we are continuing to do. I understand the need that some people have for wanting stronger requirements or restrictions on the youth. They are trying to say oh gosh, everything seems to be failing we'll go down this track. But I don't think this track would really add to anything. We've got to go back to the point of entry, the point of sale and really start hitting home. In other cases I've been going on about, to me the leniency of the judiciary in certain court matters. Mr Brown has assured me in the past that in his opinion we are quite strong in conditions set for drugs and alcohol. I suppose as a Member of the community before I came down here I always thought giving people months to pay alcohol fines or driving under the influence and destroying property fines has always been unrealistic but it's there. I don't know whether there's a need for this Legislative Assembly to look at the..

**MR BROWN** Mr Speaker Point of Order. The Minister in my submission is currently breaching the doctrine of separation of powers by involving herself in criticism of the judiciary and that is inappropriate

**SPEAKER** Yes I didn't quite interpret that, that were the case. I interpreted that she was maybe cataloguing some of the results of the courts decisions but if there is that interpretation maybe I should say to you Minister that there is a Standing Orders which reflects upon that and maybe you could exercise care about that. Thank you Mr Brown for raising that

**MRS JACK** Mr Speaker that's fine. It was a viewpoint held before I came into this House but there has been talk of maybe there needs to be modification set by this House on penalties or impositions put by the courts and that perhaps we as a legislator should be talking to the community over the appropriateness of that sort of action but as it stands today, I appreciate everything that the Road Safety Committee has done. They've put huge time and effort into it, it's to me very sad that I must take my stand because it's hard enough to get people to work on committees, it's certainly tougher when everything that they've worked for seems to be going down the chute but nonetheless I would ask them to remain there because I think they've certainly got some important things to say. I just hope that perhaps later on we as a legislator can start being honest enough and taking some of them on board and keeping them on board, thank you

**MR NOBBS** Mr Speaker I just want to make a couple of points. The Chief Minister brought up about older groups and I would say to him that somewhere along the line in this scenario that he provided that there would be a mixing of the groups, younger with older regardless, and that's the way it is and if he's so worried about that sort of thing we should have separation of these groups and I think there is in the youth centre a policy that over a certain age they are out so if we want to, we could extend that. The meeting with the Australian Federal Police, that I didn't have, I wasn't privileged to attend that meeting, but all I can go on is that the Membership on the Road Safety Committee includes the police and one of the sub committees from which this legislation came from, the legislation committee is in fact chaired by the police officer so their view seems to be different from that expressed here today that they are unable to enforce things. As far as the particular problems Members may have forgotten that a press release was put, I didn't read the paper but I thought I actually circulated the figures to them and this was in November, prior to the last meeting actually, and under that for the year 2004-2005 up til the end of October of course there was seventeen charges for driving under the influence, nine were drivers 19 or younger. There was six charged with negligent driving and four of these were 19 or under, reckless and dangerous driving, four charges and four were 19 or under, driving whilst

disqualified three charges and all three were 19 or under, burnouts, two charges both of them were 19 or under and speeding, one person was held up for speeding and they were 19 or under as well and charged so on those figures and you can take them as you wish, there is a specific problem. They show that area of 19 and under as a specific problem area of driving on the island here so the only issue that I haven't addressed really is it was suggested that the size or horsepower or whatever of a vehicle for provisional driver should be restricted. I took it back to the particular area in the Road Safety Committee and I've asked other people for some advice and we have at this stage, no clear and definitive recommendation in relation to that particular area so that's why it hasn't been included

MR BROWN Mr Speaker when one looks at statistics it's necessary to remember the old saying that there are lies, lies and statistics. Statistics can be made to say whatever you would like them to say if a person is clever enough. I remember the late Ed Howard, one of our former Members was able to turn any information into something extremely believable and there were many occasions when I was convinced that black indeed was white after spending long enough with Ed. We've been given statistics of some young people that appeared in the courts. What the Minister didn't tell us was that the overwhelming majority of the young people who appear in the courts for drink driving offences have significant readings, of cannabis and on occasions, other unlawful drugs. The Minister for the Environment commented on the fact that not enough is being done to sort that problem out. I agree with her entirely. But where I disagree with the Minister for Finance Mr Speaker is it would seem that it is a lot easier to catch the ones under 19 years then to catch the older ones. You can't tell me that the habit of having a drink and then driving stops at the age of 19 years. If one looked at the statistics that have been provided to us, one could go so far as to say in Norfolk Island it is a statistically proven fact that people stop drink driving at the age of 19. now that sounds silly Mr Speaker but it's no more silly then the converse. We haven't been told how many in those statistics relate to just one person. We haven't been told how many of those younger ones hadn't learnt the tricks of the older ones and had their cars put on the back of a truck and taken home. There's been no shortage of that in the past Mr Speaker. The bits of broken glass are the only evidence of the events of the night before. I think that the Bill is too harsh on the overwhelming majority of young people on this island, because I think the overwhelming majority are decent people. We are trying to use this Bill to stamp on just a few and it would be far better for us to find a way of having proper policing, and when I say proper, that is providing the police with sufficient resources to get out and do the job..

MR NOBBS Mr Speaker Point of Order. This is a continual attack on the Police

SPEAKER You are raising a Point of Order

MR NOBBS I'm raising a Point of Order Mr Speaker

SPEAKER What is your Point of Order Mr Nobbs

MR NOBBS Identification of people I think is one of them and the continual attack on the police obviously

SPEAKER I didn't interpret that as breaching 72a Mr Nobbs. If you have a view about that I'm happy to give you the call so that you might put your view about it but the Point of Order is not sustained

MR BROWN Mr Speaker I'm certainly not intending to be critical of the individual police. What I'm saying is we need to make sure that they have sufficient resources to do their job and if we expect them to be on call for 24 hours a day we need a

certain number in order to do that. They've got to have annual leave. Occasionally they'll be sick. Perhaps we're not providing sufficient resources although I must say that when the Chief Minister and I spoke with representatives of the police from Canberra recently I did not interpret what was said to us as an assurance that if we provided funds for additional resources that the resources would be provided. I felt in fact that we were told that the Australian Federal Police are starved for personnel and that it wouldn't matter what funding we provided, they would not necessarily be able to provide additional assistance at this time but in any event Mr Speaker I've said enough. I think that in general the young people in Norfolk Island are decent people. I don't want to stamp on them with this. I think that this Bill is tackling the wrong problem. Thank you

MR GARDNER Mr Speaker there was only one other point I agree with what Mr Brown was saying in his interpretation of matters discussed with the Australian Federal Police are correct but just one point that Mr Nobbs raised with I guess his surprise if the people in that younger age group, some of them were not already mixing with people in the older age group. I accept that. I accept that entirely. However what this does is that it takes away people's choice to either stay within their own group, which is that younger group and to be comfortable in that group, and I think that's an important choice that should not be removed from young people. I had raised with the police my concerns over I guess the social impact in regards to those age groups and they were quite open in saying they hadn't considered that at all and that they believed that was an important consideration to take into account. That is my primary concern. My primary concern is the social impact of this legislation. I believe that it is only going to compound the problems that we already encounter and I believe that it's unwarranted at this time to be introducing legislation at this time. Thank you

MR CHRISTIAN Thank you Mr Speaker, I believe the Minister is well intentioned in bringing forward this Bill. Unfortunately I don't think the Bill will achieve his aims. If this Bill was passed today what would it really achieve. All I can see this Bill doing is disenfranchising a section of our community at the moment, that is, it will be taking away an existing right. Secondly it would force L or P platers who run foul of the traffic laws to display L or P plates and all this is doing is to advertise the fact that they are fried drivers. And if they are fried drivers, they shouldn't be on the road at all so it does nothing to make someone a better driver or a less fried driver and on that basis I cannot support the Bill

SPEAKER Thank you Mr Christian. Further debate Honourable Members. I put the question that the Bill be agreed to in principle and if there is no further debate I'll put that question to you

#### QUESTION PUT

SPEAKER Would the Clerk please call the House

|              |         |
|--------------|---------|
| MR BUFFETT   | NO      |
| MR GARDNER   | NO      |
| MR SHERIDAN  | NO      |
| MR NOBBS     | AYE     |
| MR CHRISTIAN | NO      |
| MRS JACK     | NO      |
| MR T BROWN   | NO      |
| MRS BOUDAN   | ABSTAIN |
| MR BROWN     | NO      |

SPEAKER The result of voting Honourable Members, the Ayes one, the Noes seven, with one abstention, the motion is lost



MR NOBBS Yes. I'll enter debate. I really like this because I've asked Members to let me know what functions do you want me to cut. What functions do you really want. What services do you really want to cut. I still await. I still await some advice. Provisions, we've put up proposals. We have to do something. This measure here is something that regardless of what, it's something that people are getting away with. I think it's unfair and it's a process to bring them into line with those who sell land. If you have to sell land, that's fine. You get hit. If you don't have any land, if you are leasing a property and you have a business on that, you sell that business, the lease continues, there's nothing and I've seen some significant adverts in the Australian papers. Not here, because it's a bit embarrassing for businesses that don't include any land whatsoever. Nor do they include stock sometimes but there's significant money being asked for those sort of businesses and whilst it's not to hit business in particular who may be doing that sort of thing, the general principle I believe and this issue has been around for a number of years. I'm just the messenger so this issue's been around for a number of years and it's something that's fair and I believe it should be followed, but just tell me what services you want cut out. That's the first step. Thank you

SPEAKER Thank you. Is there any final debate? Honourable Members, then I put the question that the Bill be agreed to in principle

QUESTION PUT  
AGREED

MR BROWN NO

Would you like the House called Mr Brown? No. The ayes have it. The Bill is agreed to in principle

Detail stage Honourable Members. Is it the wish of the House to dispense with the detail stage? Thank you.

MR GARDNER Mr Speaker I think I was indicating that I would like to deal with the detail stage if I could

SPEAKER We are at the detail stage. Chief Minister I will call on you first

MR GARDNER Mr Speaker my query is in relation to the detail stage, spread across a number of clauses within the Bill, namely clauses 6,7

MRS JACK Mr Speaker, excuse me. When the Chief Minister said no, I was under the impression he was saying no we don't need the detail stage amendment. Is it possible for you to ask the question again because I was saying no to the detail stage and I was wondering if the detail stage.. My fault. Forget it

SPEAKER Yes. Could I just outline this normal process. The Bill is normally voted upon in principle. And then we normally progress to the detail stage. Each time I ask whether you would wish to dispense with the detail stage. It would happen unless we dispense with it and the Chief Minister indicates that he wishes to address the detail stage and so I've moved to the detail stage

MR GARDNER Thank you Mr Speaker as I said my concerns in relation to the detail stage extend across a number of clauses and just some examples of that are clause 6,7,10,13,36,42,47,50,62,66,67 and 75 through 78 and those are all clauses that refer to the Chief Revenue Officer. It's envisaged that the Administration of this

legislation will be done through an office called the Chief Revenue Officer. I don't believe that there is a position with the Administration that exists at this stage entitled Chief Revenue Officer. I'm also very conscious of the fact that we have imposed a freeze so to speak on any further new positions within the Public Service and subjected the service to a freeze on filling positions subject obviously to review of the position and the need for it. If we were to advance headlong into the passage of this legislation and its supporting legislation which is the next matter on the programme, I think it would be very clear that we would be endorsing the creation of a new position within the Public Service and I think that matter needs to be clarified before we go any further with this legislation if that matter can be clarified and obviously it is acceptable across the board without incurring any further imposts on the activities of the public service and the public servants at present and I would be happy to further consider the legislation but until such time, I have difficulty with the detail stage and would look to being satisfied on those questions

MR NOBBS Thank you Mr Speaker I thought we had cleared this issue up at the last meeting or was it the meeting before, I forget where it was. This issue has been brought up in the past around this table here and I clearly stated I believe that the situation is that somebody has to be responsible for the Administration of this piece of legislation and the Executive Member must appoint a person to be Chief Revenue Officer who has the general Administration of this Bill. There is no intention to provide any further appointments within the Administration to administer this Bill when it becomes an Act. There is no proposal whatsoever but there is need for some terminology so that it's clear who will actually administer this piece of legislation so it's up to the Executive Member to appoint that particular person and it's a designation for this in relation to this piece of legislation and it's probably something that will continue to be used I should imagine for further similar pieces of legislation but there is no proposal to increase it. I've put in a squeeze on the Administration now. They're running very short of staff I can tell you that. It's not my proposal to actually employ some new person to do it. In fact the only real recruitment that's been done in the last few months, I voted against it. I was outvoted by my fellow executives and I can tell you straight that there's no way in the world that we can afford to put on additional staff within the Administration and I still feel that and I believe there is an ability there to utilise people from other areas to fill in those positions, particularly the one we just recruited to. That's my view anyhow and I say there's no recruitment whatsoever

MR BROWN Mr Speaker if the House is of a mind to pass this Bill we need to address the question of transitional provisions. For example let's assume that someone entered into an agreement the day before yesterday to sell a business in an environment where there was no business transactions tax in existence. Are we proposing that there be a transitional clause to say that this act will apply as from a certain date, or are we taking a view that it will apply to every existing contract whether or not it was entered into months ago and hasn't yet settled or whatever

MR GARDNER Mr Speaker that's an important factor. It has been pointed out to me that the commencement provisions of this legislation provide that the Act will come into operation on the day that its thirty days after the day of publication of assent in the Gazette or on 1 December 2005 whichever is the earlier so the provisions within the Act do not provide for the safeguards that Mr Brown is looking for as far as transitional arrangements are concerned and I think that, that certainly is an important part of the legislation. If I could just get back to the Chief Revenue Officer's position, just to be clear in my own mind if somebody could explain why it is that we are not using the same language I guess that would extend to the collection of conveyancing fees and the like. Why is there a departure from that? Certainly somebody collecting conveyancing fees on land isn't called the Chief Revenue Officer. They've got another title. Is there a particular reason why there is a departure from that? I'm satisfied with the explanation that there isn't considered to be a need to further supplement the membership of the Public Service to provide for this



MR NOBBS Thank you Mr Speaker, I had the call I think. I move that the debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

SPEAKER The question is that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting

QUESTION PUT  
AGREED

The Ayes have it. Debate is so adjourned Honourable Members

### **BUSINESS TRANSACTIONS (LEVY IMPOSITION) BILL 2005**

SPEAKER Mr Nobbs given that development in terms of that matter which is Order of the Day No 3, did you wish to pause on Order of the Day No 4. Were you... did I have your attention or not Mr Nobbs

MR NOBBS No you didn't Mr Speaker. I'm terribly sorry

SPEAKER I was endeavouring to point out that given the development with that particular piece of proposed legislation I was really asking whether you would want to pause in respect of the next one. You've earlier explained that they are part of a package and it may be wise to consider that

MR NOBBS Thank you Mr Speaker

SPEAKER If that be the case I won't call that matter on

### **PLANNING ACT 2002**

SPEAKER Order of the Day No 5, therefore Honourable Members, the Planning Act 2002. Mrs Jack you did ask that we bring this matter on because you wanted to pursue the matter of its possible discharge

MRS JACK Yes Mr Speaker

SPEAKER Honourable Members we resume debate on the question that the motion be agreed to and Mrs Jack you have the call to resume

MRS JACK Mr Speaker I feel that this motion has been superceded and I seek leave of the House to withdraw the motion standing in my name on the Notice Paper

SPEAKER Is leave granted? Leave is granted. That matter is so withdrawn Honourable Members

### **SOCIAL SERVICES AMENDMENT BILL 2004**

SPEAKER Honourable Members we resume debate on the question that the Bill be agreed to in principle and Mr Brown you have the call to resume in this matter

MR BROWN Thank you Mr Speaker this Bill was introduced into the House on the 1<sup>6</sup><sup>th</sup> March 2005 and then when it was again considered by the

House on the 20<sup>th</sup> April 2005 it was resolved to refer the Bill to the Impact of Bills and Subordinate Legislation Committee. That committee has provided its report to the House today and there are three major recommendations. One relates to the period during which a person should if the Bill is passed, have lived in Norfolk Island during their working life. The second deals with gradual implementation of the increase in the pension age for female persons to 65 and the third, supports various other sections of the Bill. Although I would dearly like to conclude this matter today, it would not be appropriate to do so in a situation where we do now have the report of the Impact of Bills and Subordinate Legislation Committee and that report suggests that there be consideration of amendment of two parts of the package. What I propose is that we adjourn further consideration of the Bill today with the intention that the Bill be dealt with the finality at our next meeting and that in considering the question of dealing with the Bill to finality, the House have the opportunity once all of the Members have had adequate time to read the report of the Impact of Bills and Subordinate Legislation Committee that report be taken into account. So if no other Member wishes to speak Mr Speaker

SPEAKER Mrs Jack is signaling Mr Brown. Are you comfortable to pause on your adjournment matter at this moment

MRS JACK Mr Speaker I understand where the Minister for Community Services is going but reading the final page, page 6 of this report I find that this is merely the first of two reports and the evaluation of matters not addressed by the Social Services will be coming in, it says by the first Legislative Assembly sitting of the New Year so unless I can have that report beforehand I'll have trouble taking it to finality in the next sitting

MR BROWN Mr Speaker The report which was prepared by the Social Services Board back in 2002 contained a number of recommendations. The Bill which is before us at present addresses some of those recommendations. It is stage one of the reforms. There will need to be a stage two to address the remaining recommendations and if the Impact of Bills and Subordinate Legislation Committee is proposing to provide us with a second report in relation to what will be stage two, that will be extremely helpful but it will not in any way impact on whether or not we can deal with stage one at our next meeting. It's a two stage process

MRS JACK Mr Speaker, can I just ask the Minister if he feels confident that they will be totally independent reports, I mean that there is not going to be that blurring of edges on some of those issues raised in the second with regards to the first

MR BROWN Mr Speaker. There are certainly parts of the Report of the Social Services Committee which are not dealt with in the stage one Bill. And as they are not dealt with at all, I am confident that there won't be a blurring in that regard, but I'm happy to endeavour to have the stage two Bill ready for the House at our next meeting. I'm happy to endeavour to have it circulated beforehand and that indeed may be of assistance to the Impact of Bills and Subordinate Legislation Committee in finalising its report number two

SPEAKER Thank you Mrs Jack, thank you Mr Brown. Any further participation before I entertain Mr Brown's adjournment motion

MR BROWN Mr Speaker I move the adjournment Mr Speaker

SPEAKER Thank you. Then I put the question that this matter be adjourned and made an Order of the Day for a subsequent day of sitting

QUESTION PUT  
AGREED

The ayes have it thank you, that motion is adjourned

SPEAKER Honourable Members there are three matters that the Chief Minister has signalled to me that he would wish to seek leave to bring on today, therefore they would flow items seven, eight and nine and those three matters are, which I will call on in this order, the De Facto Relationships Bill 2005, the Commercial Arbitration Bill 2005 and the Administration and Probate Bill 2005 and of those three I firstly call the De Facto Relationships Bill 2005

### **DE FACTO RELATIONSHIPS BILL 2005**

Honourable Members, we resume debate on the question that the Bill be agreed to in principle and Chief Minister you have the call to resume

MR GARDNER Thank you Mr Speaker and thank you for that explanation. I apologise to Members in my absence, though I'd asked the matters to be listed on the Programme they didn't appear on the Programme but still remained on the Notice Paper. However Mr Speaker in my keenness to want to deal with the matters and following further reflection during the morning I don't think that it would be fair on the Membership of the Legislative Assembly if I were to progress those three matters, seven, eight and nine, the De Facto Relationships Bill 2005, the Commercial Arbitration Bill 2005 and the Administration and Probate Bill 2005 because I would expect that few Members other than myself would have access to the proposed Bills in the House this morning having not been made aware that I was seeking to bring them on and I would hope that you would consider me being in a position to adjourn those three matters and make them an order for a subsequent day of sitting

SPEAKER If that is your wish Chief Minister and provided the Membership is comfortable I'll just take one step back and not call either of these on. I think that would probably be the tidiest way to handle it but if Members have another view about it, please signal that to me and we'll tidy it another way. I think Members are comfortable that we do that. Chief Minister I won't call either of those three on then, in that context and you will give appropriate attention when it comes forward at another time. Thank you

So we've concluded Orders of the Day Honourable Members, and we are now at the Fixing of the next Sitting Day

### **FIXING OF NEXT SITTING DAY**

SPEAKER May I foreshadow this. Mr Nobbs you raised a matter in terms of the next sitting day and you might want to give some consideration to your earlier thoughts when this matter comes forward

MR CHRISTIAN Thank you Mr Speaker. I move that the House at its rising adjourn until Wednesday 11 January 2006 at 10 am

SPEAKER Thank you Mr Christian. Any debate Honourable Members

MR NOBBS That's fine by me thank you Mr Speaker. 11<sup>th</sup> January would be fine thank you Neville

SPEAKER Any further debate Honourable Members. I put the question that the motion be agreed

QUESTION PUT  
AGREED

I think the Ayes have it. Our next sitting day is the 11<sup>th</sup> January 2006. We are agreed on that matter and so we move to adjournment

### ADJOURNMENT

MRS BOUDAN Thank you Mr Speaker I move that the House do now adjourn

SPEAKER Thank you Mrs Boudan. The question is that the House do now adjourn. Any adjournment debate.

MRS BOUDAN Thank you Mr Speaker. May I take this opportunity to wish all my colleagues and Members of the community a peaceful and holy Christmas and a Happy New Year. Thank you

MR GARDNER Thank you Mr Speaker. I would just like to join Mrs Boudan in those wishes to the community recognizing that this has been a particularly difficult year for Norfolk Island. A particularly difficult year for Members of this Legislative Assembly in the range of matters that we have had to deal with and I think it's fair to say that those difficulties are not going to immediately depart the scene, and we need to pay significant attention to those matters well into the New Year I'm sure. That said, to all the people of Norfolk Island, this community, visitors to our shores and others a very Merry Christmas, a safe and prosperous New Year to everyone. I would like to thank the Public Service for their support of the Legislative Assembly for the work that they undertake, for all the Members and participants on statutory boards and authorities on Norfolk Island for their efforts during the year and to the community in general for their patience while we struggle to deal with a number of major issues that are confronting us. To all and sundry and particularly my colleagues and the staff in the Legislative Assembly, Thank you very much for your assistance, support and help over the last twelve months. I wish you all a very Merry Christmas and a happy, safe and prosperous New Year

MR T BROWN Thank you Mr Speaker. Ai jes laik 'tal hau guud es f' si orlem salan se hoem f' Kresmes en ai want 'wish orl yorli mere Kresmes ena Haepi Nyuu Yia

MRS JACK Mr Speaker, yes, ditto the Chief Minister and I think it was Mae West who may have said we've had a bumpy ride and I think that bumpy ride's going to continue but yes, to the Members of Boards that rest within my portfolio and the Committee's that I serve on, to my colleagues, the staff within the Legislative Assembly and to the Administration staff, to all people on Norfolk Island a Merry and a Safe Christmas and holiday period. I would also like to say how I'm looking forward to have all my family back this Christmas and what a treat it is to be at the airport to see those planes come in and I'm taking the positive view that I'll be there for the various flights, arrivals and seeing many happy faces as we all greet those ones returning to spend time with us. Merry Christmas to you all. Love and good cheer

MR SHERIDAN Thank you Mr Deputy Speaker. I would just like, as everybody else around the table, take this opportunity to thank all on Norfolk for all their support throughout what has been a trying year. The best cheers for Christmas and that Santa finds everyone well. I would also like to wish everybody a prosperous year in 2006 in what is shaping up as an extremely important year in the history of Norfolk Island and one in which all islanders should stand up and be counted for their beliefs. Thank you and God Bless

MR NOBBS Thank you Mr Deputy Speaker. I too would like to join other Members in thanking the community for their support and I wish all those who support me a very Merry Christmas, and all those who don't support me a very Merry Christmas because this is the time of the year you have to do that, but the situation is I would like to thank the Administration for their efforts over the time that I've had responsibility here. They've been excellent and the restraints that have gone on them are quite incredible I think and I thank them for their efforts. I would like to thank all the Boards for their effort. I've already thanked them and wished them a Merry Christmas. I thank the Lighterage Service. All those who I have some responsibility for. I wish them a very Merry Christmas and also to all Members and staff down here in particular I would like to thank them for their support over the year. It ain't been easy I can tell you that and I don't think it's going to get any easier in 2006 for this Legislative Assembly but I would hope that the pressure on the community itself will ease. That's about it I think Mr Deputy Speaker. Best wishes, Happy Christmas and all that to everybody, thank you

MR D BUFFETT Mr Deputy Speaker, thank you. As we've just voted this will be our final sitting for 2005 and the New Year of 2006, the Sesquicentenary year is but ten days away so can I remind Members of Norfolk Island's parliament that 2006 is the 150<sup>th</sup> year of settlement by settlers from Pitcairn Island as has been alluded to by an earlier speaker in the adjournment debate, and it's a year that we all want to celebrate. It's a celebration of the rich heritage of those original settlers and acknowledgement of the contribution of the lives and times of many who have followed. The celebrations commence in January 2006. The Queen's Baton will arrive for the Commonwealth Games on the 14<sup>th</sup> January and there is a celebratory arrangement that accompanies that. Open House at Government House in January the 18<sup>th</sup>, with a special gathering for Pitcairn Island descendants on that occasion. The Sesquicentenary wine has arrived. We are ready to celebrate. The major focus of course will be for June 2006. That is the 8<sup>th</sup> June. Anniversary Bounty Day. Two weeks of celebrations will surround that period. Descendant families from around the world will be back on island. Yes of course from Pacific Island places but also from as far afield as the United Kingdom, the United States, from Chile and various other widely stretched places and there will be visits by dignitaries including the Governor General we expect in Norfolk Island. I might say that in all of that context we are endeavouring to negotiate additional flights around that particular period and of course the celebrations will move through to a conclusion on the 29<sup>th</sup> November which will be Thanksgiving Day in 2006. These celebrations is a key incentive to assist in an economic recovery for Norfolk Island in 2006 and so I encourage Members to give it an impetus and a profile befitting of that. The Christmas session is now upon us and so certainly from Margaret and myself a Merry Christmas and a Happy New Year, to those who live on the Island and to my colleagues around the table, but also to the visitors who are amongst us for the festive season, I wish everyone a safe celebration of Christmas and a prosperous 2006 Sesquicentenary Year to All

MEMBERS

Hear, hear

MR BROWN Thank you Mr Deputy Speaker my mother often said to me if I had nothing nice to say it would be better to say nothing at all. There are many things that need to be said, that are not nice. There are some very hard decisions that

will need to be made during the coming year. Some big changes will need to be made. But now is not the time to talk about those. Now is Christmas and I would like to wish all of my colleagues, as Mr Nobbs said, those who support me and those who don't, I would like to wish you all a very Happy Christmas and I hope that you are all fit for the New Year because you'll need to be and to all of the community and to all of the visitors to the Island, best wishes for Christmas and the New Year. Thank you

SPEAKER Thank you Mr Brown. Any further debate Honourable Members. There being no further debate I put the question that the motion be agreed to

QUESTION  
AGREED

The motion is agreed to. Honourable Members this House stands adjourned until Wednesday 11 January 2006 at 10 o'clock in the morning

