



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY
12TH NILA HANSARD – 17 SEPTEMBER 2008**

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

Honourable Members I call on condolences, are there any condolences this morning?
Chief Minister

MR NOBBS

Thank you Mr Speaker, it is with regret that this House records the passing of Dorothy Ruth Macrae. Dot was part of the valuable heritage of this community. She was born on the 2nd February 1929 to Jack and Kitty Jenkins. Dot had a sister Glynn and a brother Joe, both have predeceased her. Dorothy went to school in the Island and afterwards moved to Sydney and attended Business College. Living firstly with her aunt Sally Darling at Double Bay and may also have flatted with Glynn in Paddington. Dorothy's mother died in 1946 and her father brought her home to look after him and keep the books of his shop. Here she went to work at Hillcrest, then a private board establishment, followed by a time working for Mrs Davis in her shop at Middlegate corner. In 1954 Dorothy commenced an era when she joined the Post Office, then located in the main Administration building at Kingston. A few years before in 1947, Norfolk Island issued its own postage stamps and very soon philatelic collectors were seeking our stamps in increasing numbers. Dorothy looked after the normal range of postal duties and also the philatelic orders. This side of the business grew significantly to provide postal income of hundreds of thousands of dollars each year. The Philatelic staff grew to match and separate from the Post Office, occupied half of the top floor of the main Administration block, and then the whole ground floor of the present Administrator's building. This whole developing philatelic operation was principally under the daily supervision of Dorothy Macrae. The meticulous care in preparation of First Day Covers, mint condition and cancelled stamps, the special demands of collectors were all attended to by Dorothy and what became, her team of ladies. Norfolk Island's reputation as a reliable and quality Philatelic source was legendary. Dorothy enhanced Norfolk Island's international reputation for some forty years, until she retired with the apt title of Chief Philatelic Officer in 1994. Of course, she didn't really retire. She immediately went to work across the road from her home at Foodlands. Dot had two children. Alan and Kathleen. Both are now married with families of their own and have given Dot grandchildren and great grandchildren. She was much loved by them all. Dorothy was a very giving person and this was reflected in her community duties. She was an active member of the Sunshine Club, commencing with its founder Kathleen Welsh. She for decades kept flowers on the Kingston cenotaph; she was a Life Member of The Bowling Club, not that she regularly bowled but she for decades generously allowed the club the use of her adjoining property. She was an active member of the Church of England. In recent months Dorothy became ill and went to Australia for treatment. She made good progress but regrettably other difficulties developed. She and her family knew her time was limited and Dorothy wanted to come home. She did come home a few weeks ago and spent most of that time in her home on Norfolk Island. She passed away in hospital last Friday night, the 12th September. She was in her 79th year. Dorothy Macrae will be sadly missed by this community and to Alan and Kathleen and their families, to her extended family and her

many many friends, this House extends its deepest sympathy. Mr Speaker, may she rest in peace.

It is with regret that this House records the passing of Martyn Peter Sheridan. Martyn was born in Sydney, Australia on the 10th March 1961 the 3rd child of Christine and the late Warren Sheridan but grew up on Norfolk from a very early age. Martyn was a brother to Debbie, Timothy, Sam and Lynette and loving partner to Jindaporn, father to Samuel, Jocelyn, Jonny and Mai. Martyn was also an Uncle to many, Sita, Hari, Dhani, Tiger-Lilly, Samantha, Hayden, Kaitlyn, Ashleigh, Shae, Anya, Kylie, Jacob, Ngaire, Jenna and Jessie as well as Uncle to many of his extended families. Sadly, Martyn was diagnosed with an incurable brain cancer some four years ago, and even though he was not supposed to live as long as he did, Martyn defied the odds to see the apple of his eye, Jonny born and enjoyed thoroughly the four years given him to watch Jonny grow. Martyn especially enjoyed the time that his family went on holidays to Thailand in May 2004 to show off Jonny to Jindaporn's parents. Martyn passed away at the Norfolk Island Hospital early on Saturday 13th September 2008 after spending his last fifteen weeks in hospital combating the cancer which had devastated his life. Martyn spent all his school years here and some of his teachers, such as Ian McCowan, Julie South and the late Faye Bataille could vouch that he made teaching an exciting pastime with never a dull moment, when he was present! He excelled in various sports especially Rugby League for which he had a great passion. He played for the Longridge Club, the Blues and represented Norfolk Island on occasions in matches against visiting teams. One of the great Blues icons, Syd Cooper reckons that pound for pound, Martyn would have been one of the toughest competitors to play the game on Norfolk, terrorizing the Reds and the Greens like a bull terrier, never giving them a moment of peace. As always, he would be the life of the party at victory celebrations and can be remembered for the mug that he found at the tip, which was utilized for the player of the match to drink from. Martyn was very proud to be a Norfolk Islander; he loved his Island and the people. Martyn could never stay away from the Island for long, always finding his way back home. He led an amazing life, did what he wanted, when he wanted, was very stubborn and committed in his ways. Martyn was a cheeky, lovable character, who spent his years working as a jack of all trades in the building game, not only on Norfolk Island, but also all around Australia; Sydney, Perth, Darwin and North Queensland plus points in-between. He also spent a lot of time on fishing trawlers working out of Darwin and Cairns fishing the Gulf of Carpentaria. Martyn was very proud of himself when he started working his own business on Norfolk, starting up a rubbish run and was expanding his business when unfortunately he had to sell because of his sickness. Martyn also spent time with the Salvation Army in Sydney participating in their programs. He made some very good friends there and it was only a couple of months ago that friends from the Salvation Army visited him in hospital here. His easy outlook and love for life meant that he enjoyed life to the fullest and would always be able to find a party to attend, no matter what time of the day or night it was. Martyn was a kind and gentle man, who would often spend his time doing chores for other people and asking nothing in return. In his last few years of life when he was struggling to come to grips with the knowledge that he would not see his children achieve their potential, he savored each special day that he had with his family, especially his inner eye, Jonny. Birthdays, Christmas, Bounty Day all took on an extra special meaning as he always thought that it would be the last time that he celebrated this special time with his family. Martyn was always the one who gathered the family together to celebrate occasions. To Martyn's mother Christine, to Jindaporn, Samuel, Jocelyn, Jonny and Mai, to Tim, Sam, Debbie and Lynette and their families and to Martyn's wider family and many friends this House extends its deepest sympathy. Mr Speaker may he rest in peace.

MR SPEAKER

Thank you Mr Nobbs. 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

LEAVE – MR TIME SHERIDAN MLA and MR IAN ANDERSON MLA

MR N CHRISTIAN Thank you Mr Speaker I seek leave for Tim Sheridan and Ian Anderson please

SPEAKER Leave is sought Honourable Members, is leave granted. Leave is so granted

PETITIONS

Are there any petitions this morning?.

GIVING OF NOTICES

Are there any notices?

QUESTIONS WITHOUT NOTICE

Are there any questions without notice?

MR B CHRISTIAN Thank you Mr Speaker a question for the Minister with responsibility for KAVHA. Have the specifications for the Site Supervisor's position in KAVHA recently been amended to require computer skills and the time frame for the contract period been extended from two to five years, and is this specifically done to exclude any applicant that might have all the relevant experience and skills required for the position but may not necessarily have the computer skills

MRS JACK Thank you Mr Speaker I'm not aware of all the changes that may have been reviewed under this position. I know that the position as I've stated the CEO was going to be reliant on having to work with the new site manager and the site manager has advised me that there were a couple of changes that he wanted to include. I'm not aware of all the changes. Certainly those that Mr Christian has alluded to have been mentioned to me. I know that with part of the service there was a problem in using the length of extension of taking it from a two year contract to a four year contract. I don't have those concerns and I personally will be pushing for an acceptance of a greater term of contract because it was something that the staff within KAVHA alluded to when they met with the Chief Minister and I in the Chief Minister's office some time ago. It is no attempt to keep anybody out but rather designing the job to fit the changing times Mr Speaker

MR B CHRISTIAN Thank you Mr Speaker one for the Minister with responsibility for Telecommunications. Could the Minister give an update on the proposed fibre optic cable installation, and is it the intention of the Minister to include all potential users of the cable to be involved in usage negotiations

MR N CHRISTIAN Thank you Mr Speaker. Yes. Negotiations continue with respect to bringing fibre optic to Norfolk Island and over the course of the next few months the Norfolk Island Government will be entering into discussions with individuals, organisations and the like who would be interested in buying some of the capacity at the cable office

MR B CHRISTIAN Thank you Mr Speaker just one more for the Minister for the Environment, some fifteen months ago we had pursued the possibility of allowing for the importation of some fruit. Is this issue ever going to be resolved

MRS JACK Thank you Mr Speaker the drafter for the legislation is coming over in October, I think from the 10th to the 17th of next month. All Ministers have

been asked to supply the Acting CEO with the priority of legislation that they are requiring and the importation changes to the Plant and Fruit Diseases Act is certainly on my list and that will include the importation of fruit to be included

MR B CHRISTIAN Thank you Mr Speaker a supplementary question, so could the Minister give an indication of when this issue might progress to a stage where fruit may or may not be able to be imported into Norfolk Island

MRS JACK Thank you Mr Speaker with the Commonwealth through the Office of the Administrator I've had discussions or letters going between Attorney General's Department and AQUIS and I would like to think that those discussions will assist in an earlier signing because the importation is a quarantine matter, that's a schedule three matter, so I would like to think that the discussions that have been undertaken will assist in reducing that time frame in having to get the amendments to the Bill at a lesser time for signature. I'm sorry I'm not prepared to give dates. All I can say is that I am progressing the matter albeit, it is taking some time

SPEAKER Thank you. Any further Questions? We move on

QUESTIONS ON NOTICE

Are there any questions on notice?

MR N CHRISTIAN Thank you Mr Speaker I wish to respond to a question which was placed on notice by Mr Sheridan and for the benefit of the listening public I shall read that question. The question is broken into three parts. A) How many Norfolk Island businesses were registered under the Goods and Services Act at - i. Start of business on 1 July 2007; and ii. Close of business on 30 June 2008; and b) What was the total value of GST collected by registered businesses in each month of the financial year 2007/2008 based on their declared gross sales revenue less claimed GST free sales ie the sum of Line B4 in the monthly GST remittance forms; and c) What was the total amount of input credits claimed by registered businesses for businesses operating in each month of the financial year 2007/2008. Mr Speaker what I plan to do is respond to part 1 directly, but part B and C, what I've done Mr Speaker to make it easier to follow is I've broken it into parts 1 to 5, and they will be declared gross sales; GST free sales; GST collected; Input Tax Credits and Duty Drawbacks and then at the end of that I will table this document so that it is available for public scrutiny. Mr Speaker at the start of business on 1 July 2007 there were 554 Norfolk Island businesses registered under the Goods and Services Tax Act 2007 and at the close of business on the 30th June 2008 there were 588 Norfolk Island businesses registered under the Goods and Services Tax Act 2007. The declared **Gross Sales** for the 2007/2008 financial year split into the monthly columns as I've been asked to do, is as follows –

July 2007	\$ 8,067,768.42
August 2007	\$ 9,455,048.89
September 2007	\$ 9,213,270.30
October 2007	\$ 11,580,460.26
November 2007	\$ 11,639,604.00
December 2007	\$ 12,202,824.69
January 2008	\$ 10,735,436.94
February 2008	\$ 11,720,859.99
March 2008	\$ 11,499,738.74
April 2008	\$ 12,569,430.13
May 2008	\$ 12,268,480.55
June 2008	\$ 11,241,709.23
TOTALS 07-08	\$ 132,194,632.14

Mr Speaker that gives a total **gross** revenue for the island in the 2007/2008 year, an amount of \$132,194,632. Mr Speaker **GST Free Sales** for the corresponding period broken up into monthly amounts are as follows –

MONTH	GST FREE SALES
July 2007	\$ 1,431,242.61
August 2007	\$ 1,993,682.89
September 2007	\$ 1,586,833.10
October 2007	\$ 1,824,306.30
November 2007	\$ 2,344,014.76
December 2007	\$ 2,647,824.62
January 2008	\$ 2,629,685.13
February 2008	\$ 2,706,777.52
March 2008	\$ 2,750,012.71
April 2008	\$ 2,818,894.81
May 2008	\$ 3,183,644.14
June 2008	\$ 2,743,602.59
TOTALS 07-08	\$ 28,660,521.18

Mr Speaker that gives a total of **GST Free sales** for the island in the 2007/2008 year, an amount of \$28,660,521. Mr Speaker **GST Collected** on a monthly breakdown for the financial year is as follows –

MONTH	GST COLLECTED *
July 2007	\$ 548,477.19
August 2007	\$ 610,857.71
September 2007	\$ 629,943.71
October 2007	\$ 809,098.17
November 2007	\$ 767,815.67
December 2007	\$ 788,929.13
January 2008	\$ 669,525.56
February 2008	\$ 744,563.21
March 2008	\$ 723,000.45
April 2008	\$ 805,392.02
May 2008	\$ 750,407.49
June 2008	\$ 701,616.37
TOTALS 07-08	\$ 8,549,626.68

Mr Speaker that gives a total of **GST Collected** for the financial year, of \$8,549,626. Mr Speaker **Input Tax Credits** which were claimed during the financial years are as follows –

MONTH	INPUT TAX CREDITS
July 2007	\$ 111,103.74
August 2007	\$ 122,010.71
September 2007	\$ 132,168.51
October 2007	\$ 187,025.86
November 2007	\$ 168,065.99
December 2007	\$ 166,759.78
January 2008	\$ 166,926.02
February 2008	\$ 158,470.47
March 2008	\$ 183,892.82
April 2008	\$ 184,989.38
May 2008	\$ 185,232.76

June 2008	\$ 179,978.41
TOTALS 07-08	\$ 1,946,624.45

Mr Speaker that equates to a total **Input Tax Credits** amount for the financial year, of \$1,946,624. Mr Speaker lastly the **Duty Drawback** components which were paid out monthly in 2007/2008 are as follows –

MONTH	DUTY DRAWBACK
July 2007	\$ 60,024.79
August 2007	\$ 60,299.27
September 2007	\$ 57,683.24
October 2007	\$ 55,700.23
November 2007	\$ 100,745.63
December 2007	\$ 48,394.32
January 2008	\$ 37,125.28
February 2008	\$ 47,666.35
March 2008	\$ 38,842.37
April 2008	\$ 45,851.49
May 2008	\$ 36,966.02
June 2008	\$ 29,202.83
TOTALS 07-08	\$ 618,501.82

Mr Speaker that total of **Duty Drawback** which was given back to the commercial sector of Norfolk Island in the 2007/2008 financial year, of \$618,501. Thank you

SPEAKER I noted that you asked that the paper be noted and tabled

MR N CHRISTIAN I so do

MR GARDNER Thank you Mr Speaker, if I'm permitted to move that the paper be noted

SPEAKER Honourable Members the question is that the paper be noted

MR GARDNER Thank you Mr Speaker, a question for the Minister on maybe his observation on the figure of \$132m being the gross takings, I guess for the economy of Norfolk Island it's significantly higher I understand than any guesstimates that had been made in past years in relation to the size of the Norfolk Island economy and I just wonder whether the Minister has any comment on that. It appears as though it's some 50% greater any former guesstimate that has been taken in the past

MR N CHRISTIAN Thank you Mr Speaker yes, it's the first time I think that the Norfolk Island economy has accurately been measured. That's part of the picture. I don't think at this stage, it is the total picture because not all airline tickets sales for instance would be in there, if fares were sold off shore. The GST free sales there of \$28m obviously form a part of that where that would account for airline tickets sold in Norfolk Island. It would also account for accommodation packages sold in Norfolk Island where the wholesaler doesn't pay the GST but the service provider gets caught later down the line but this is very encouraging and if we can maintain and grow this trend its very encouraging and it's also worth noting that the input tax credit system is working fairly well. You can see the total GST collected there is about \$8.5m but we gave back about \$1.9m to the consumers. That wouldn't have happened if we had an NSL type arrangement where there was a compounding effect so you can see the equity coming into the GST

system that we've provided and you can also see that we've given back \$618,000 to the commercial sector of Norfolk Island in recognition of duty previously paid and the important point to note here is that over the next few years, as the duty drawback liability is paid off, that \$618,000 or its equivalent thereafter, flows directly to the revenue fund in increased GST receipts so its been a pretty resounding success Mr Speaker

SPEAKER Thank you Mr Christian. Further debate Honourable Members. There being no further debate, the question is that the paper be noted and I put that question

**QUESTION PUT
AGREED**

SPEAKER Thank you. Any further Questions? We move on

PRESENTATION OF PAPERS

Are there any Papers for Presentation this morning Honourable Members.

MR GARDNER Thank you Mr Speaker, just in accord with the Annual Reports Act 2004 and in particular section 6 of the Annual Reports Act 2004 and in accord with the Norfolk Island Government Tourist Bureau Act 1980 and in particular section 19 of that Act which requires a reporting mechanism and obviously for the Executive Member in this case myself, to table an annual report of the operations of the Norfolk Island Government Tourist Bureau for the previous twelve months I table the Annual Report for the Norfolk Island Government Tourist Bureau to the 30th June 2008-09-17

Thank you Mr Speaker again in accord with the requirements of the Annual Reports Act section 6 of 2004 and in accord with section 38 of the Norfolk Island Hospital Act 1985 which requires the presentation and tabling of a report before the Legislative Assembly on the activities of the Norfolk Island Hospital Enterprise, I table the Norfolk Island Hospital Enterprise annual report for the year ended 30th June 2008

MR N CHRISTIAN Thank you Mr Speaker section 2b(2) of the Customs Act 1913 make provisions for the Executive Member to exempt goods from duty where the duty payable is less than \$200. Section 2b(5) of the Act provides that where the Executive Member has exercised his power he shall lay a copy of the exemption on the table of the Legislative Assembly. Mr Speaker I so table those exemptions and for the benefit of the listening public I will identify them. Mr Speaker there have been two in the sum of \$36 on the importation of a printer by Kiernan Agencies for St John Ambulance on Norfolk Island and secondly the sum of \$150 for the importation of sporting equipment for the Norfolk Island Junior Rugby League

MR MAGRI Mr Speaker, I table a schedule of recommended road names in respect of roads that are required to be named and move that the paper be noted

SPEAKER Honourable Members the question is that the paper be noted

MR MAGRI Mr Speaker as a result of a decision to implement a rural address system for the island in August 2007, it became apparent that there was a need to have those roads that remained unnamed be identified with a name. There were 58 roads identified as requiring a name and these included those whose title vested in old estates, some owned by private individuals, others owned by the Administration of Norfolk Island and others owned by the Commonwealth. In formulating a draft recommendation of names for the roads a schedule of names for those roads based on historical context was compiled. A public exhibition was held at the Norfolk Mall on the 26 July 2008 in order to

receive any submissions or to answer any queries. Submissions continued to be accepted from the public until the end of August 2008. Submissions were received in respect of 26 roads with the balance of recommended names being provided by the Registry Office. Mr Speaker, I am now required under Section 7 of the Official Survey Act 1978 to provide the following: "Where a road required by section 6 to be shown on the Official Survey — (a) has more than one name; or b) is unnamed, the road shall be referred to on the Official Survey by a name determined by the Administrator." As the Administrator would require a recommendation from the House prior to the formal naming of any road, a schedule of those roads that are recommended has now been tabled and at a subsequent meeting of this house will move that a resolution is made by the House to the Administrator in respect of those names in the Schedule and for the Administrator to notify the Surveyor General so that the Official Survey can be amended to that effect. Thank you Mr Speaker

SPEAKER Honourable Members the question is that the paper be noted and I invite debate. Mr Gardner

MR GARDNER Thank you Mr Speaker, I commend the Minister in bringing forward his paper to the House for the naming of roads. Clearly there is a great deal of confusion in relation to the number of issues and he's highlighted one of those pertaining to the use of roads and that is the rural numbering system. In relation to that I wonder if the Minister proposes to have all of those roads declared to be public roads and in the absence of some of those being formed roads as I understand it, whether it is proposed that those roads be formed for the purposes of the act

MR MAGRI Thank you Mr Speaker and thank you Mr Gardner for the question. Most of the roads are already Administration roads but as Mr Gardner quite correctly points out, some of them are still old easements and we are most of the way through the process of accepting those roads that are in old easements to be part of the administration's road network and all of the roads that are on this list have already had the agreement of the appropriate land holders to do that. As far as the question goes in relation to forming the roads, unquestionably the intention is the form the roads and to make them as good as we possibly can but I think as you will be aware, this will take time and money and it will be joined to the roads programme. Most of these roads have already joined the roads programme whether it's through a process of making them safe with the application of a road base and hard fill and some of them in the next few years will certainly be tarsealed. Thank you Mr Speaker

MRS JACK Thank you Mr Speaker just a question for the Minister I notice in just a quick review of the names, peoples names and that, there have been roads where the Norfolk Island language has been used and I'm just wondering which spelling has been used for those

MR MAGRI Mr Speaker there's 58 roads. Probably it's a little difficult for me to recollect all of the names just looking through them now, but it appears there are probably two roads or names that have used the Norfolk Island language in the application and rather than getting into a debate on which particular language have been adopted I have taken the recommendations of the people who provided those names to me rather than getting into specific spelling issues

SPEAKER Thank you. Further debate Honourable Members. There being no further debate, the question is that the paper be noted and I put that question

QUESTION PUT
AGREED

Thank you Honourable Members that paper is so noted

positive readings, most appear to be metals. Apart from chromium, the levels appear to be comfortably below the Health Investigation Levels cited in the Contaminated Sites National Environmental Protection Measure. I would need to give some further thought as to why the reported levels of 'surrogates' for organochlorine, organophosphonate and phenoxyacetate pesticides all appear to be positive results, while individual members of the classes are below the Level of Risk (LOR). I am unable to allocate any time over the next three weeks to this task, since I will be attending meetings interstate and overseas during much of this time". Prof Priestley did not specifically recommend any further action, although he added that "...you may want to seek advice from one of the commercial consultants which specialise in contaminated site Health Risk Assessment." Based on the results and analysis from Administration staff, ALS, Dr Deere and Prof Priestley, it was decided in May that no further testing was necessary. The results for dioxins in water, soil and sediment had been so low as to be virtually unmeasurable. None of the experts consulted had suggested any further action in relation to dioxin, which had been the issue raised by Headstone residents. I should add that there has been no evidence presented to me or to the government in the period since late 2007 to date which has linked any actual medical problem or other measurable detriment to dioxin or other contamination in the Headstone area. The single resident who has raised issues has conceded that the tests from Two Chimneys produced similar results to those around Headstone, all of which were well below the Health Investigation Levels established across the Commonwealth. Because of the misunderstanding of the situation, the resident involved has suggested that professional recommendations have been ignored or that the Assembly has been misled. Those suggestions are without foundation. Mr Speaker, the Assembly has not been misled over this matter. This is confirmed by Prof Priestly, who advised in writing on 8th September as follows: "*You will note that none of my correspondence carries any inference that the Minister has misled the Norfolk Island Legislative Assembly in relation to the report which I prepared for the Norfolk Island Government*". In dealing with the residents' concerns, the Government has acted at all times on the best available professional advice, obtained at considerable cost from independent and highly regarded external expert sources. Recommendations from those sources have been accepted and actioned, and I have kept the affected residents and the entire community fully informed. This has included sending a copy of Prof Priestley's report to all those potentially affected, publication of details of the testing and the outcomes, and the implementation of temporary measures to supply residents with bottled water while the tests were carried out. Mr Speaker, I remain of the view that no further testing is indicated at this time. Of course, if any MLA or community member brings to my attention credible information of test results other than those already obtained, or professional opinion on individual medical effects or other public health risks, the position will be reassessed to determine whether any additional testing is required. Thank you, Mr Speaker.

MR MAGRI

Mr Speaker, I refer to the Question without Notice on the last Assembly by Mr Brendon Christian concerning the number of outstanding motor vehicle registrations. It is advised that as at 30 June 2008 there was a total of 503 vehicles that remained unregistered which included cars, trailers and motorcycles. This number has increased from the corresponding period in June 2007 from 469. As there is now a vehicle registration sticker issued for each motor vehicle registered to assist the Police in the enforcement provisions of the Road Traffic Act 1982, we continue to meet with the Police to explore the most appropriate method for dealing with the issue. With the introduction of Compulsory Third Party insurance coming into effect on 16 March 2007, it is mandatory that the owners of motor vehicles take out third party personal injury insurance that will insure the owners and drivers of motor vehicles. As the protection of the community by way of third party insurance is important, the legislation also provides severe penalties for driving or allowing a person to drive an uninsured vehicle. Those people that fail to carry Compulsory Third Party Insurance and Registration should consider the severe penalties for non-compliance including the possible horrific implications of being involved in an accident. The Police Sergeant, Ed Sjollega added that as there are a number of motor vehicles unregistered, there would be an ongoing concerted effort by the Norfolk Island Police to inspect motor vehicles in a roadside campaign and to focus on the issue of

unregistered/uninsured vehicles on a regular basis. Police action in relation to unregistered vehicles depends on the circumstances of each particular incident, and has included verbal cautions, traffic infringement notices, and summons to appear before the court. The Police have also continued to bring the matter to the attention of the community through the weekly Police newspaper column and radio segment. The cooperation of the public is also sought in the return of number plates for motor vehicles that have been abandoned or for which the registration will not be renewed. Any further queries in respect of this may be directed to the Police or the Registrar of Motor Vehicles

MR N CHRISTIAN
noted

Thank you Mr Speaker I move that the paper be noted

SPEAKER
be noted

Honourable Members the question is that the paper

MR N CHRISTIAN
Thank you Mr Speaker I just wonder whether the Minister would concede the following and that is, that it is not necessarily that all the unregistered vehicles are actually being used on the roads. As a result of compulsory third party being introduced, I would assume that Mr Magri is comparing the actual number today to some previous number of registered vehicles so owners may well have made the decision not to re register vehicles, and therefore have taken them off the road so I would put it to you Minister that not everybody who has a vehicle that is unregistered is in fact committing an offence

MR MAGRI
Mr Speaker that is exactly correct. Hopefully I didn't insinuate in my statement that people would be committing an offence and that all of these 503 unregistered vehicles were committing a specific offence although I do think that there is an obligation under law to return the number plates to the Registrar whether the vehicle is being used or not so I think that I do acknowledge in my statement that some of these, and I think probably the vast majority of these may have been abandoned or are on vehicles of which the registration will probably not be renewed. Thank you Mr Speaker

SPEAKER
Thank you. Further debate Honourable Members. There being no further debate, the question is that the paper be noted and I put that question

QUESTION PUT
AGREED

That Statement is so noted thank you. Any further Statements of an official nature. No. We move on

REPORT FROM STANDING COMMITTEES

Are there any Reports from Standing Committees?

There is one. I speak to and table the Report under the Legislative Assembly Register of Members Interest Act 2004. Honourable Members subsection 11 of the Act requires that the Speaker must no later than 30th September each year, prepare and submit a report to the Legislative Assembly on complaints received under the Act by the Speaker or Deputy Speaker and the Committee of Privileges in the twelve months from the preceding 30th June. I have to report that the speaker, the Deputy Speaker and the Committee of Privileges have received nil complaints under the act in the twelve months to 30th June 2008 and I table the report.

MR GARDNER
noted

Thank you Mr Speaker I move that the paper be noted

SPEAKER Honourable Members the question is that the paper be noted

MR GARDNER Thank you Mr Speaker, my question just in relation to that is what activities has your office or the office of the Legislative Assembly taken to promote the provisions of the legislation in regards to peoples complaints being satisfied or even being aware of the fact that there are provisions that enable complaints against Members of the Legislative Assembly actually being addressed

SPEAKER My experience Mr Gardner, to answer your question, is the public and Members of the Legislative Assembly have the right to make redress to the Legislative Assembly, to the Speaker and to the office of the Clerk and I would take it that we are all well aware of that and the public as well but to promote that.....

MR GARDNER Thank you Mr Speaker, do I take that as some sort of binding agreement that you'll actively be promoting the provisions of this to the community at large

SPEAKER Not necessarily. Not a binding agreement. But I'll take the advise of the House on the matter

MR GARDNER Thank you Mr Speaker, I certainly would hope that your office would take it on board to ensure that the community are fully aware of the provisions of the legislation pertaining to the provisions of that legislation in relation to the laying of complaints about Members of the Legislative Assembly

MR NOBBS Mr Speaker perhaps I can add a little light on this in that in amongst the other access that we have endeavoured to gain with regard to both the ICAC and the Commonwealth Ombudsman and the Ombudsman's with the ability for management of complaints and looking at ways that we can have independent assessment I've also promoted on the radio a number of times the fact that we do have that Committee of Privileges and I tend to see where the Minister is going with this in that we quite often get inferences or insinuations in the public whether its in the media or whatever other means to made directly to individuals and it is quite frustrating that for some of the Members around the table that there may be insinuations made and there is a system there through the Committee of Privileges whereby if someone has a genuine complaint and would like to see it addressed they can go through that Committee of Privileges process and it will be properly evaluated and reported back to the House

SPEAKER Thank you Chief Minister, I totally agree. Further debate Honourable Members. There being no further debate, the question is that the paper be noted and I put that question

QUESTION PUT
AGREED

Thank you. We move now to Notices Honourable Members

NOTICES

ANNUAL REPORTS ACT 2004 – EXTENSION OF TIME TO PRESENT REPORT

MR NOBBS Mr Speaker I move that this House in accordance with section 12(1) of the Annual Reports Act 2004 grants an extension of time for presentation of the Annual Report for the Administration of Norfolk Island, and fixes the day of 17 December 2008, as the day by which the report must be presented to the Legislative Assembly. Mr Speaker subsection 12(1) of the Annual Reports Act 2004 provides that the responsible Executive Member for an annual report may request the

Legislative Assembly for an extension of time to present the report. The Legislative Assembly may extend the time by either setting a period within which the report must be presented to the Legislative Assembly or fixing a day when the report must be presented to the Legislative Assembly. Mr Speaker this motion today seeks an extension of time for presenting the annual report for the Administration of Norfolk Island and that the Legislative Assembly fix the 17 December 2008 as the day by which the reported will be presented. Mr Speaker let me assure the community and Members that the preparation of the annual report for 2007-2008 is well progressed but due to time frames in other pieces of legislation and other practicalities it is difficult to meet the timeframe set by the Annual Reports Act 2004. the community will be aware that within the annual report we include a consolidation of the Financial Statements for the Administration. While preparation of our Financial statement for the 2007/2008 financial year is well under way, they will not be audited until the first half of October. I am sure that with the ever present scrutiny of our finances it would be unwise to table unaudited financial statements. Our external auditors are due to review our financial statements and positions in the first half of October as has been the case in previous years. Another factor in delaying the production of financial and annual report is that under the Healthcare legislation Members have until 30 September to make a claim for the previous year and this coincides with the timeframe for presenting the annual report that is, three months after the end of the financial year. It is my intention to introduce an amendment bill to amend the Annual Reports Act 2004 to provide that annual report be presented by 30 December each year. This timeframe would allow for the audited accounts to be included in the annual report and would remove the necessity each year to seek and extension of time. Thank you Mr Speaker

MR GARDNER

Thank you Mr Speaker, I welcome the Chief Minister's move in this regard. As you would be aware I tabled the Norfolk Island Hospital Enterprise Report and the Norfolk Island Government Tourist Bureau annual report earlier as public sector entities as a requirement as I said at the time under the Annual Reports Act 2004 and interestingly enough in those reports the Tourist Bureau report does provide some financial comparisons and a profit and loss statement basically for that period. However its true that they are unaudited figures and there is always a danger in presenting unaudited figures. The Hospital Enterprise doesn't have attached to it any financial figures as such but it does have quite a significant commentary on performance against budget which provides a degree of information for the purposes of the annual report but by the same token until those figures have been audited it would be in my view unwise to table any financial detail as such as part of that report and that is the reason that, that hasn't occurred. The Annual Report Act being fairly recent, 2004, probably immediately ran into some conflict with all of the other legislation establishing a number of things, including the hospital, Tourist Bureau, things like the Healthcare Act, Legal Aid Act and when I say conflict I'm referring to the provisions of those pieces of legislation which suggest as soon as its practicable is the wording that is used on the legislation that the Executive Member shall table, or there shall be a report prepared and then as a consequence of that, the Executive Member will table the report before the Legislative Assembly and I think its probably fair to say that when those pieces of legislation were promulgated the intent was that you didn't want to bind them to a necessary time frame as such, taking into account that our auditors don't appear on the island until October and there may be other circumstances that would prevent a time frame being set. Clearly something that we overlooked and in particular myself, because I think I had carriage of the Annual Reports Act back in 2004, that we probably overlooked when we were giving consideration to the provisions of that later legislation. That effort back in 2004 was to try and curb the criticism about our annual reporting mechanisms which resulted from some of the Joint Standing Committee enquiries into Norfolk Island and that effort in 2004 was done in good faith. We clearly wanted to demonstrate that we were committed to ensuring that we had a robust reporting mechanism across all of our public sector agencies in the Administration of Norfolk Island generally and we I think remained committed to that. However, it has an legislation can be like that, has presented us with some difficulties and that has been clearly demonstrated today with the Chief Minister's move to look to extend that time frame for reporting. He's given the reasons for that. I recognise those difficulties and support what he's proposing and we hope that though he's

extended the reporting time frame I think out to December of this year, that we would certainly hope that the bulk of our reporting processes may be finalised well in advance of that and in that regard I refer to things like the Legal Aid committee and the requirement for reporting I would expect that I will receive that any time. We have actually been quite timely in the presentation of those reports. The financials are not greatly complex for a body like that. The Healthcare Fund which is another one of my areas of responsibilities certainly does have a greater degree of financial reporting and figures that are attached to that report but I see that this really does provide us with a little bit of flexibility and will negate in future the need for us as the Chief Minister has said to bring a motion to the House looking to extend the time. I think that we are conscious of the issues. We have seen the difficulties that the provisions of the 2004 Act have presented and quite rightly we are moving to address those, but as the Chief Minister has said, not in such a way that we are looking to defer public scrutiny of the accounts in any form or fashion, its just simply matters of a practical nature that we are moving to address and I commend the motion before the House

SPEAKER Thank you. Further debate Honourable Members. There being no further debate, the question is that the motion be agreed to and I put that question

QUESTION PUT
AGREED

Thank you. That motion is so agreed

MUSEUM TRUST ACT 1987 – RE-APPOINTMENT OF MEMBER

MRS JACK Thank you Mr Speaker I move that this House resolves for the purposes of subsection 5(2) of the Museum Trust Act 1987 that the executive member re-appoint Owen Edward John Walsh as a member of the Norfolk Island Museum Trust for the period 21 September 2008 to 20 September 2010. Mr Speaker this is a reappointment, as I stated and I would like to thank Mr Walsh for agreeing to be reappointed as we often say down here, its extremely hard to find interested persons and Mr Walsh as the Acting Administrator has certainly been on this Board before and I appreciate his giving of his time to stay there and I commend the motion to the House. Thank you

MR N CHRISTIAN Thank you Mr Speaker I just wonder if I could seek some clarification from Mrs Jack. I understand that Mr Walsh has performed sterling service on the Museum Trust but this appointment is through until the 20th September 2010, it is likely that Mr Walsh will be replaced as the Acting Administrator and the Official Secretary well before that time frame and does this appointment terminate on the departure of Mr Walsh from the island or does he remain a Member of the Museum Trust if he's elsewhere

MRS JACK Thank you Mr Speaker I'm sure that I certainly don't want to get into the area of preguessing movements in the Commonwealth but should there be movement at the station I'm sure that the appropriate resignations would be instigated

MR N CHRISTIAN Thank you Mr Speaker I still seek clarification. The appointment is through to the 20th September 2010, and what I'm seeking in simple terms is if somebody is not on the island, do they have to resign as a member of the Museum Trust or do they continue as a Member of the Museum Trust no matter where they choose to live

MRS JACK Thank you Mr Speaker I imagine that if they are no longer a resident of Norfolk Island and have left and taken up positions elsewhere the position would falter but if the Minister wishes me to leave it on the table while I seek

clarification if he has a concern with it, or if he's not satisfied that the Acting Administrator would do the correct thing and resign then I'm prepared to do that but I'm sure that he would do the correct thing and I'm sorry I have no problem in moving with this motion

SPEAKER Thank you. Further debate Honourable Members. There being no further debate, the question is that the motion be agreed to and I put that question

QUESTION PUT
AGREED

Thank you. That motion is so agreed

CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

MR N CHRISTIAN Thank you Mr Speaker I move that under subsection 2B(4) of the Customs Act 1913, this House recommends to the Administrator that the goods specified in the first column of the Schedule imported by the person specified opposite, and on the conditions mentioned, in the second column of the Schedule be exempted from duty, and Mr Speaker Column 1 identifies the goods as Christmas Cakes and Column 2 identifies the importer as the Lions Club of Norfolk Island and the amount of duty applicable is \$240.00. Thank you Mr Speaker this is a process that we go through on a regular basis. The Lions Club on the sale of their Christmas Cakes form a major part of their income for which they then use that money to perform charitable services within the community and I certainly would hope that my colleagues around the table today would support the motion that is before the house. Thank you

SPEAKER Thank you. Further debate Honourable Members. There being no further debate, the question is that the motion be agreed to and I put that question

QUESTION PUT
AGREED

Thank you. That motion is so agreed

ORDERS OF THE DAY

FIREARMS (AMENDMENT) BILL 2008

SPEAKER 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, continuing on from last months introduction of the Bill to the House I've had some representations from some Members of the community in regard to some of the matters that are addressed by the provisions of this legislation. Particularly in relation to some collectable items. There are provisions in the body of the primary Act or the Act which exists now, which aren't intended to be amended by these provisions that do allow for certain permits to allow for the collection in other words the maintenance of collections of that type of material, and I consider that the provisions of this amending legislation will allow those measures to be continued. We have also had some discussion around this table as Members of the Legislative Assembly about some of the other for want of a better word, dangerous construction tools and in that regard I refer to things like ramset guns, powered staple guns and nail guns and the like. Clearly if that was to present itself as an issue we would move to ensure that the provisions don't provide any onerous measures that are non sensible. We will take a commonsense approach to those types of issues as and when they arise. There are

provisions within the amending legislation, for example under the definition for a firearm to list under regulation those things that are not considered for the purposes of the Act to be firearms and if it was felt necessary for us to address that, that way we can do that under regulation so I'm confident that with the commonsense approach to things we can clearly address those concerns. Some might laugh off the fact that they have a particular purpose however in the wrong hands they can become an incredibly dangerous weapon though highly unlikely that they would be easily concealable any of those things that I've referred to. So that said though I've had those representations, I'm confident that the provisions of the legislation don't disenfranchise people for the wrong purposes and for the wrong reasons. Clearly it does establish a better mechanism for the control of the importation of those things that are listed as prohibited weapons in Norfolk Island but importantly in that, as I said last month the original amendment provisions were to allow for some better flexibility in the provision of a permit or licencing regime for visiting shooters to Norfolk Island. Number one, clearly is from a tourism perspective to support our sporting organization in their endeavours to host events on Norfolk Island and to ensure that there isn't too much red tape necessarily to have to subject visiting people to enable them to compete in events in Norfolk Island particularly when the bulk of our visitors from Australia or New Zealand are subjected to at least if not more tougher than we have in Norfolk Island for the ownership and use of firearms particularly in relation to things like our clay target shooting and black powder shoots that the Norfolk Island pistol club undertake. That said, unless other members have other concerns I would commend the passage of this Legislative Assembly today through the House

SPEAKER Thank you Mr Gardner. Any further debate? The question is that the Bill be agreed to in principle Honourable Members and I put that question

QUESTION PUT
AGREED

Thank you. That motion is agreed to. The Bill is agreed to in principle

Is it the wish of the House to dispense with the detail stage. Yes. Mr Gardner I seek a final motion

MR GARDNER Thank you Mr Speaker, I move that the bill be agreed to

SPEAKER There being no further debate? The question is that the Bill be agreed to Honourable Members and I put that question

QUESTION PUT
AGREED

Thank you. That motion is agreed to. The Bill is so agreed

CEMETERIES BILL 2008

SPEAKER Order of the Day No. 2. Honourable Members we resume debate on the question that the Bill be agreed to in principle and Mrs Jack you have the call to resume

MRS JACK Thank you Mr Speaker. No. I'll be putting it off again. I'm going to wait until I have more drafting instructions back in October. There'll be some changes to that

SPEAKER Thank you. Mrs Jack seeks leave of the House for the bill to be withdrawn from the Notice Paper

MRS JACK No. To adjourn it. Mr Speaker I will be seeking to remove it, but I want to do it at the time when the new draft is being done so it's a swap over so I want to adjourn it

MR GARDNER Thank you Mr Speaker, I so move

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

QUESTION PUT
AGREED

Thank you. That motion is agreed to. The matter is so adjourned

FIXING OF THE NEXT SITTING DATE

Thank you Honourable Members we move to the fixing of our next sitting day

MR B CHRISTIAN Mr Speaker I move that the House at its rising adjourn until Wednesday 15th October 2008, at 10.00 am.

SPEAKER Thank you Mr Christian. Is there any debate Honourable Members. The question is that the motion be agreed to.

QUESTION PUT
AGREED

The motion is agreed to

ADJOURNMENT

MR MAGRI Thank you Mr Speaker I move that the House do now adjourn

SPEAKER Thank you Mr Magri. Is there any further participation in adjournment debate Honourable Members.

MRS JACK Thank you Mr Speaker I would just like to inform the Norfolk Island community and I do hope that Mr Simon Bigg doesn't mind, but a few weeks ago I was approached by Mr Bigg regarding a very interesting seminar he had attend in Australia and it had to do with sustainable agriculture and Simon felt that he had such a benefit from it that he had come seeking my view of it and would it be possible for the Norfolk Island Government through the Administration to give support to bringing that type of seminar to Norfolk Island. Simon put up a very good argument and I spoke with my colleague the Minister for Finance and so it's great that I'm able to announce that the Norfolk Island Government through the Administration of Norfolk Island is going to sponsor an abbreviated, instead of the four day seminar, a two day seminar run by the person that has so benefited Simon. In fact the gentleman is coming on the 1st to the 5th October. He'll be giving seminars on the Thursday and Friday. On the night of his arrival, the Wednesday night, he is also going to be giving a seminar regarding the secrets of longevity. I just want to say that Mr Graeme Sait is a co-founder of a company Nutritect and he's a sought after key note speaker at conferences around the world and is currently running this four day course with his agronomous team and has been doing so over the past decade. Thousands of growers and consultants around the world have increased production and reduced their requirement for toxic chemicals based upon the new skills and strategies they've acquired, at his course. This includes all types of food producers and numerous council landscapers and Government bodies on four continents.

Woolworth's in South Africa for example have obliged all of their suppliers to attend this course and they will soon begin marketing their fresh produce under the NHT nutrition farming banner. He is a specialist in profitability beyond petro chemicals so he's in increasing demand around the globe as the devastating implications of peat oil become apparent. He also specialises in the critical role of agriculture and horticulture in reducing omissions of greenhouse gasses and the sequestering of co2 from the atmosphere back into the soil where it changes from an environmental liability to a precious resource. It also says in his bio notes that this win/win reduction in carbon footprint is of equal importance to farmers, councils, developers, golf green keepers and the home owner. Mr Speaker I think this will be an extremely valuable course to all of Norfolk Island and I thank Simon for bringing it to our attention. It is also nice to note that today I've been advised that Mr Brook Watson is also coming to the aid and sponsoring part of this programme through the National park and Wildlife Service. There'll be more information being put out over the coming week and I can only encourage the community to make use of this service that the Government is providing. Thank you

MR NOBBS Mr Speaker at this time as usual I just remind everyone that the radio forum is on tomorrow for anyone to have questions passed on to the Ministers and MLA's are invited to attend and I think that commences from around 9 am. In other areas we currently have the senior officers from DIAC on the island at the moment. That's the Department of Immigration and Citizenship. We invited them to Norfolk Island some time ago to collaborate with us on exploring how our Immigration system is working and how we might enhance them and I met with those officers yesterday and that is going very well. One other thing that I would like to bring up prior to finishing is that I now have all the nominated Members of the Council of Elders and so within the next week I'll be sending out letters to each of those nominated Members to agenda and provide a date and meeting place for the first meeting of the Council of Elders

MR N CHRISTIAN Thank you Mr Speaker, I wonder if the Chief Minister would be able to tell us whether it's his intention that the Council of Elders usurps the Norfolk Island Legislative Assembly

MR NOBBS Thank you Mr Speaker. No. The Council of Elders have some specific roles for us, mainly in the areas of culture and language and holding on to a few of our traditions and gaining their insight and the benefit of their experiences but in answering Mr Christian's question, the answer is no

MR MAGRI Mr Speaker I just wonder if the Chief Minister can tell the House what the selection criteria was for the Council of Elders

MR NOBBS Mr Speaker I left the selection criteria entirely up to the families. What I did was distribute a letter to each of the eight families on Bounty Day and enclosed in that letter was some information about the establishment of a Council of Elders and an invitation to each family to provide me with two nominated Members and in some of those cases the families have provided a list of ten Members and asked if I wouldn't mind to suggest some different outcomes from that which I have done and then passed that back to the families involved, and I actually think that's an admirable thing. I think it shows the level of respect and the level of abilities that people are recognising in their families and I've really appreciated the communications that I've had with everyone that's been involved in it so far

SPEAKER Thank you. Is there any further participation in adjournment debate Honourable Members There being no debate I put the question that the House do now adjourn

QUESTION PUT
AGREED

Therefore Honourable Members this House stands adjourned until Wednesday 15th October 2008, at 10.00 am

