



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY
13TH NILA HANSARD – 19 MAY 2010**

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

LEAVE OF ABSENCE FOR MRS RHONDA GRIFFITHS

MR KING Thank you Madam Speaker, I seek leave of the House for Mrs Rhonda Griffiths

SPEAKER: Thank you Mr King. Honourable Members, is leave granted? Thank you. Leave is granted?

CONDOLENCES

Honourable Members I call on condolences, are there any condolences this morning?
Mr Snell

MR SNELL Madam Speaker it is with regret that this House records the passing of Agnes Nancy Violet Lindsay. Nancy, one of Norfolk Island's daughters, and Peter Lindsay's wife of 62 years, died in Orewa, New Zealand, but was laid to rest in the place she loved so much – her home – Norfolk Island. She was born in November 1926 at Potts Farm, the 4th child of Herbert (Berty Jules or Brudsey) Christian and his wife Telly, nee Menges. Her mother died when Nancy was only 7 years of age, and she went to live with her Uncle, Stephen Menzies (Wacko) and his wife Annie, in Steeles Point. When Nancy finished her schooling, she went to work at Burns Philp at Middlegate and she held this job until she left Norfolk in 1948. Pete Lindsay came to Norfolk Island with the RNZAF in 1945 and two years later, they were married in St Barnabas Chapel. After the war, they left to live in New Zealand, with their first son, Bruce. Four more children completed the family – Anne, Kay, Dean and Joy. Nancy loved Norfolk Island and was proud to tell people of her heritage, and she passed this legacy on to her children. Nancy was a lady of many talents – many of them self taught. She would make the kids clothes, cook, bake, wallpaper and paint. Most remember her pies. Sewing was her specialty and she worked at this trade for many, years, earning the well deserved respect of her staff and management. She never forgot birthdays. To Pete and their children, their partners, grandchildren and subsequently great grand children, to her relatives and many friends, this House extends its deepest sympathy. May she rest in peace.

Madam Speaker it is with regret that this House records the passing of Peter John Welsh on Sunday, the 9th May. Peter was born on Norfolk Island on in 1938, first son to the late Charles and Kathleen Welsh (nee Metcalfe). He was born at Bishops Court and spent his childhood, along with his brother Ian (Huggy) and sister Catherine living at their original 50 acre family homestead "Waveney", now the Castaway Hotel and South Pacific complex. Peter attended Norfolk Island's Central School and at the age of 13 went to board at Wesley College in New Zealand to complete his high school education. Once finished he happily returned to Norfolk and took up working for his father, the then local butcher. As much as Pete loved island life the bright lights of Auckland beckoned once again and at 18 he began his life long career in mechanical engineering and

industrial painting. In 1961, after breaking many a young ladies heart, he met the niece of his close friend and boarding house proprietor Bill Gilbert and in March 1964 Helen Mary Gilbert and Peter married in Auckland. Triumph motorbike and leather jacket were given up for family life with the birth of their son David and four years later, daughter Susan. 1971 saw Peter and his family move to the city of New Plymouth where he started his own industrial coatings business which, by the time he fully retired in 2003, had grown into a successful company. Like his father Charles, Peter was a keen gardener and spent many hours tending his vegies and garden. He loved his sports and over the years played badminton, bowls, golf, he even had a hole in one! and recently croquet. Proud of his Norfolk heritage and family Pete loved his visits 'home', keeping alive their "New Waveney" with Huggy and Cath. These times brought many laughs and much happiness for Pete, reminiscing on the verandah with life long friends, successful fishing trips and constant pottering on the property. A dedicated and loving Poppa to his three grandchildren, Rowan, Brooklyn and Bella they always sparked a twinkle in his eye. Peter will be remembered for his quiet caring manner, loving ways and inner strength. He spent his last days on Norfolk Island and is laid to rest here, where he began. At the time of his passing, Peter surrounded by the love and care of his family, relatives and friends and to those people, this House extends its sincere sympathy. May he rest in peace

SPEAKER Thank you Mr Snell. 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 the matter of petitions. Are there any petitions this morning?.

GIVING OF NOTICES

Are there any notices?

MR BUFFETT Madam Speaker I give notice that I will be bringing forward amendments to the Public Service Management Act in some amending form so that we might give clarity to some of the processes within that piece of legislation and possibly in associated legislation

QUESTIONS WITHOUT NOTICE

Are there any questions without notice Honourable Members

MRS WARD Thank you Madam Speaker. My question is to the Minister for Community Services, does the Minister intend to move forward at this stage with the development of a homecare service

MR SHERIDAN Thank you Madam Speaker and thank you Mrs Ward. In regard to the homecare service there have been a couple of documents provided, one by the Norfolk Island Hospital Enterprise Director in regards to the way forward with a homecare service. At this point in time there has been some discussion, not necessarily all in agreeance with the proposal, and so in regard to that I intend to review it, but I must say that it has not been allowed for in the next years budget so I would envisage that it may take at least twelve months to review all the necessary criteria and to get such a service provided for the island but I do have that on my agenda and it will move forward within the next twelve months

MR KING Thank you Madam Speaker, a question for Mr Nobbs. At the last meeting of this House the Minister advised that a briefing document relating to the Telecom business undertaking and which forecasts a significant and

unexplained 100% increase in operating income for the 2010/2011 year was in fact a draft document but he would nevertheless seek an explanation. Would the Minister now offer a plausible explanation for this mysteriously projected windfall of \$2m and as the document containing this apparent significant error is a draft, whether any of the briefing documents provided to Members are credible and can be relied upon

MR NOBBS Thank you Madam Speaker the document referred to in the draft format apparently was worked on in the previous Legislative Assembly with some expectations out of particular interest in the area of gaming and e commerce and as a result of that, I think between the accounting and the Telecom areas there were some proposed figures generated in the lead up to the budget and the budget preparation that we've been going through we've obviously rationalized all figures back to what are realistic incomes and outcomes

MR KING Madam Speaker a supplementary question please. Is the Minister saying that it was a significant error. He has not responded to that part of my question which asked whether other briefing documents can be relied on

MR NOBBS Thank you Madam Speaker I would assume that the briefing documents that came through from the Public Service particularly when in their final format are worthy of reliance upon. As I already indicated there were some figures that were in the earlier draft document that were on purported interest in e business. At that time they may have committed to an interest and we have things in the lead up to the budget however that interest did not obviously come to fruition

MRS WARD Thank you Madam Speaker my question is to the Minister for Tourism, is the Minister able to describe the impediments that are in place to stop the conversion of the Norfolk Island International Airport becoming a domestic route between Norfolk Island and mainland Australia and if the impediments are surmountable, why has this conversion not taken place

MR NOBBS Thank you Madam Speaker and thank you Mrs Ward for the question. This has been an ongoing area that has been pursued by Australia and New Zealand as the Trans Tasman gateway and also by Norfolk Island when it first raised it's profile was something that was underway. We welcome the idea that Norfolk Island in particular would be able to gain access on a domestic basis rather than an international basis. This creates an efficiency with regard to handling of our passenger movements as well as cost reductions as well as removing some of the complications I suppose for some of the travellers who need passports to travel. In each case where there has been some movement with regard to the Trans Tasman gateway through information outlines that have come through to the Government or have been released through media, we certainly reiterated our interest in moving forward on this and to the point of direct communications with the Federal Minister at the time, particularly when this was commenced to ensure that we were amongst those around the negotiating table on this where ever possible. In addition to that, this offers an opportunity for Norfolk Island to have the automated travel authority system implemented on Norfolk Island and that is something that I would also welcome. In a nutshell we are certainly doing everything we can to advance it on our travel landscape, however, it really is determined by the movement of Australia and New Zealand in finalising those arrangements

MR KING Another question for Mr Nobbs can the Minister inform the House what level of interest he has in the financial decline of Norfolk Telecom reported over the last five years, what he has identified as factors contributing to this decline and what measures he is to implement to reverse these long term trends

MR NOBBS Thank you Madam Speaker actually I'll cover this in some detail now, but I do actually cover it to a greater degree in answer to a particular question on notice that talks about this, and part of that questions deals with "is the

Minister aware that Norfolk Telecom operates overall at a financial loss” and I’m answering that in the context of the question from Mr King in the question without notice. The 2008 financial year profit for Telecom was \$582,000. The 2009 financial year profit for Telecom was \$276,000. Having said that, I do recognise that there is certainly room for us to enhance our profitability, certainly room for us to enhance some of the technical capacity and the ecommerce that could come out of that so as a result of that I commenced the development of a prospectus for Telecom so that there was a clear indication of what our capacity is particularly when we went into the marketplace to promote for additional revenue systems that may come in the form of ebusiness and things like that on Norfolk Island. Thank you

MR KING Madam Speaker I would respectfully suggest to Mr Nobbs or any other Executive Member around the House, I beg your pardon, I’m entering into debate and I’ll come back to the question if I may. The Minister appears to be reporting profit figures which are before depreciation. The House cannot or the Minister cannot swap between profit before depreciation and after depreciation. Can the Minister confirm that the profit after depreciation in 2009 was in fact in the order of \$500,000, and the profit for 2007/2008 was in the order of zero dollars, the profit for 2006/2007 was in the order of \$500,000 showing a marked and progressive decline of \$500,000 each year

MR NOBBS Thank you Madam Speaker the issue of counting depreciation across the areas is one worthy of mention and just regard to that within the 2008 financial year or what that meant was that after deprecation there was a profit of some \$10,000 however, what is not encapsulated within the depreciation global figures is the fact that there are consistent upgrades going on, whether it be software within the exchange systems, whether it’s upgrades that are part of expansion of the wireless network or whether it is upgrades within even the training and the copper infrastructure. Thank you

MRS WARD Thank you Madam Speaker my question is to the Minister responsible for the airline. Can the Minister describe the current configuration of the Airline Board and whether or not there is an intention to change that configuration

MR NOBBS Thank you Madam Speaker and thank you Mrs Ward. The current configuration of the Norfolk Air Board is the Executive Members of the Government and that in effect gives a community representation within that Norfolk Air Board vis a vis democratically elected Members from the community who are here to represent the interests of the community. Having said that we also as many people are aware have invited comment on a number of levels from areas such as meetings with the Chamber of Commerce specifically about Norfolk Air operations and things like that, so that will give you the current consistency of the Board, however, future discussions will look at the structure of Norfolk Air as a body outside or inside of the revenue fund as we move forward in the budget process

MR KING Madam Speaker a question for the Chief Minister, will the Chief Minister inform the House of the progress for the review of the Education Memorandum of Understanding. Whether he will be adopting changes promoted by the previous Minister in this Legislative Assembly or whether he will be inviting all current Members in the consideration process

MR BUFFETT Madam Speaker I have received correspondence from the department of Education about the current Memorandum of Understanding. The current Memorandum of Understanding concludes its currency in this year so there is a need to have some revision process. My predecessors in this particular portfolio undertook consultations and communicated some suggested adjustments to the present Memorandum of Understanding. However, the letter that I’ve received from the Department of Education a) seeks confirmation of that and b) seeks any further

legal opinions or to offer advise to Members of the Administration that they are acting unlawfully and to desist

MR SHERIDAN Thank you Madam Speaker no, I don't intend to offer legal advise to anybody within the Administration just in my area, I will form an opinion and I will take advise and I will issue instructions accordingly

MRS WARD Thank you Madam Speaker my question is to the Minister responsible for electricity. Does the Minister intend to fully consult with the owners of solar electricity generating systems before determining whether or not to modify the current credit system

MR NOBBS Thank you Madam Speaker I think on a technical level we certainly have looked at this issue from the accounting perspective from the installation and capacity of reticulation perspective from the electricity management perspective and from the revenue perspective. I don't have any issue with getting feedback from those who are currently on that network if they would like to contact me. If that suitably answers your question Mrs Ward

MR KING Thank you Madam Speaker can the Chief Minister advise the House if he is to make a statement on the Territories Reform Bill of the Commonwealth

MR BUFFETT Madam Speaker I do have a statement to make when we come to statement time

MR KING A supplementary question Madam Speaker will the Chief Minister be including in his statement, advise on how much money it is proposed to spend on lobbyists and whether the engagement of lobbyists has the unanimous support of the executive

MR BUFFETT I'll cover that matter when we come to statements
Madam Speaker

MRS WARD Thank you Madam Speaker my question is to the Minister for Finance. Has the Minister sought short term financial relief for Norfolk through the Federal Minister responsible for Territories and if so, to what amount and has there been a response

MR ANDERSON Thank you for the question. Yes the previous Legislative Assembly had an existing application for financial assistance that they had forwarded to the Commonwealth Government in February they responded requesting additional information. We had the election in March and I have resurrected that application in March. We've provided the information. The amount originally sought has remained the same which is \$3.5m and at present we have not had a response but we have had an acknowledgement that they have received the information we forwarded

MR SNELL Thank you Madam Speaker. I direct a question to the Minister for Tourism, is it the Minister's intention to make a statement on proposed changes to the Norfolk Island Government Tourist Bureau

MR NOBBS Thank you Madam Speaker and thank you Mr Snell for your question. At this stage I'm happy to answer that as a question on notice. As Members around this table are aware, I have had significant discussion on a number of levels with regard to the structure and efficiencies and other capacities within the Norfolk Island Government Tourist Bureau. As a result of that I've had particular discussion with the executives on consideration for moving the current Board system of the Norfolk Island Government Tourist Bureau to an advisory Board capacity. That is not a fait

accompli, that is something that I am investigating in all avenues at the moment and as a result of that I've formally written to the Members of the existing Board to ask them for their feedback on how they see the Board moving forward and what they see as the best options. In my view the current structure spreads the ability to commit the Tourist Bureau and therefore the Administration and the public purse on too many levels to not necessarily scrutinise expenditure and there could be long term, ongoing and expensive items so what I'm seeking to do is to revise the structure so it is at its most effective and also it's most accountable

MRS WARD Thank you Madam Speaker my question is to the Minister for the Environment, can the Minister describe what a controlled matter is in relation to the burning of tanalised timber

MR SHERIDAN Thank you Madam Speaker. A controlled manner? If the Member could expand on what she means by the term "a controlled manner"

SPEAKER A Member must be mindful to not ask for a legal opinion if that is the direction you are moving in

MRS WARD Thank you Madam Speaker my question to the Minister was really whether there are standards or regulations in place for the burning of tanalised timber on Norfolk Island and whether they were perhaps the same as Australian or New Zealand standards

MR SHERIDAN Thank you Madam Speaker and thank you Mrs Ward, as far as I'm aware we currently don't have as I'm aware of, standards for the burning of tanalised timber. I do know that is the method of disposal of tanalised timber on Norfolk Island at this point in time but I'm sure that I could follow up on standards and if they are deemed to be completely necessary to go down that path I suppose we could look at a different method of disposal

MR KING Thank you Madam Speaker will the Chief Minister be including in his statement of the Territories Reform Bill an explanation of where the money was found to pay for lobbyist when money couldn't be found for other purposes like timely warm weather treatment for the Argentine Ant crisis

MR BUFFETT Madam Speaker I'll present the statement and Mr King can make his comment when he hears it and draws whatever conclusions he would like to draw out of those

MR KING I'm sorry but the question sought either a yes or no answer

MR BUFFETT Madam Speaker I have given Mr King an answer at this stage

SPEAKER It lies with the Minister how he responds Mr King

MR KING Thank you. A question for Mr Sheridan. Will the Minister be making a statement in relation to the course of action proposed for testing for ground water contamination

MR SHERIDAN Thank you Madam Speaker no, it wasn't my intention to make a statement on the testing of ground water. If I just may say that at this point in time we have made contact with a couple of international companies who specialise in waste water treatment and the object there was to obtain their advise with regards to the testing of the Water Assurance Scheme and when I say that I mean the testing of the pipe work and the pumping stations etc to ascertain their 100% effectiveness, and that

concept, it cannot be passed on by the handling of food or just talking to a person so in that respect there is no concern. It is the only isolated case of this on the island, there have been other as they quantify them, as contagious diseases and that's how it is referred to under the Contagious Diseases Act and the only reason we are aware of it is that it is a notifiable disease and we are aware of it, we are on top of it, and there are no concerns

MR KING Madam Speaker a question for the Minister for Finance in his responsibility for Immigration, given that a major objective of the Norfolk Island Immigration system is the protection of job opportunities for local people, how can the Minister justify a job advertisement bearing the words TEP renewal or words of that nature as being a genuine attempt to attract local job applicants

MR ANDERSON Thank you Mr King for your question. I have noted more recently looking at the advertisements in the paper the tendency of the advertisements to become less and less wordy in respect of the applicants requirements relying too much probably on the words TEP renewal. Or this is a TEP renewal. I understand this is the situation that was addressed previously by the Immigration Officer by giving some directions and I agree that it needs to be revisited. It seems to have reached the stage where the advertisements are merely a compliance with the formalities rather than a genuine attempt necessarily to find alternative applicants and I'm happy to take it to the Immigration Officer and we will seek some way of again reminding the community of their responsibilities. Thank you

MRS WARD Thank you Madam Speaker my question is to the Minister for Community Services and I'm happy that he take this on notice. Can the Minister inform the House as to whether or not child care centres on the island have safety requirements and if so, are these requirements regulated by predetermined standards

MR SHERIDAN Thank you Madam Speaker and Mrs Ward. Whilst I will take that question on notice and provide some further information to Mrs Ward, I will just say that the child care centres at this point in time are unregulated on Norfolk Island and when I say unregulated, there is no Act determining their function. I will say that when we did the child care review in regards to subsidy payments to either the child care centres or to the parents affected who put their child in care back in 2008 I believe it was, a comment was made in the report then that these areas were unregulated but then it was noted that any increase or degree of regulation would certainly increase the cost to the parents who were putting their child into daycare so the only way that we do provide certain aspects of safety is when a development application is put before Planning to start up a child care centre such as the recent one, the Montessori one, or if somebody needs to start up a child care centre from their home, they would have to apply for a change of use from their centre if they are getting paid, they would have to put in for a change of use, from their private residence to a child care centre and it is then that the Planning and Environment board under their planning regime, they then do ensure that there is sufficient fencing, safety features etc in regards to the building itself so that it's safe for the children and safe for the activity that they plan to do. At the moment you might say, this is the only area that we can have any input into, the safety standards, OH&S areas of a child care centre but it is one area that does needs some further attention and whether it's down in an Act or whether we could present a Bill for child care services, that's yet to be decided and it's something that I'm quite willing to take on board

MR KING Could I ask the Minister for Finance Madam Speaker if he is aware of any change in long standing creditor terms for the Administration in recent times

MR ANDERSON Thank you Mr King I'm not aware of there being any changes that have occurred or have been requested other than by the receiver of the All Seasons Colonial who in order to assist their cash flow I understand have asked for more rapid settlement of some of their accounts but otherwise there's no requests from any suppliers that I'm aware of to change the terms of their payments

MR KING Thank you Madam Speaker a question for the Chief Minister if I may. Five weeks ago at the last sitting of this House the Chief Minister indicated a Programme of Legislative and Administrative Priorities might well be brought forward within four weeks. If this programme is not able to be tabled or debated at this meeting can the Minister advise what progress has been made in the development of priorities and can he now update his timetable

MR BUFFETT Madam Speaker last time I did indicate when Mr King raised a question on that occasion, that there were plans afoot to endeavour to draw together the various legislative provisions that we might need to embark upon but it was a long way before that could be in a conclusive form at that time. I did give an estimate of four weeks. That has not been practical at this time. I have asked Minister's to draw together in their respective areas those things that they would project to have in a conclusive sense for legislative needs. That is progressing at this time. Whether or not I am able to give a substantive report in terms of its finality at the next sitting, again, I wouldn't want to be conclusive about that but to explain that, that is progressing in the manner that I've just mentioned. I am aware Madam Speaker that various Minister's have proposed legislation at this time. We see some of it on the Notice Paper. There is no difficulty whatsoever in that. I'm not trying to draw that relationship with it. What I need to be about is to have a collation of all of the areas that will project legislation so that we can see our way forward for a number of reasons. One that Members will know what we're about and also it would project our financial and other needs in the particular context

MR SNELL Thank you Madam Speaker I direct this question to the Minister for Finance. The Minister will be aware of the recent successful fundraising effort organised by staff and others of the Norfolk Island Hospital for the purpose of building a new hospital. Can the Minister please inform the community if any assistance programme has been considered by this Government to assist in this matter

MR ANDERSON Thank you Mr Snell for the question. In respect of the organisation's conducted fundraising, an exemption from their operations in relation to GST has been provided and there's also been an exemption in respect of payment of stamp duty on their cheque account. That is the only request for assistance that they have forwarded to me and both of those have been provided

MRS WARD Thank you Madam Speaker my question is to the Chief Minister. In your statement Chief Minister on the Territories Law Reform Bill will you be giving a detailed description of the process followed leading up to the engagement of Crosby Textor

MR BUFFETT Madam Speaker I'll be mentioning the engagement of advisors when I make that statement

MRS WARD Thank you Madam Speaker a supplementary question thank you, will the Chief Minister be including the tender process in that

MR BUFFETT Madam Speaker I can say now there has been a tender process if that's what Mrs Ward is seeking at this time

MR KING Madam Speaker can the Minister for Community Services have compiled for tabling in this House a report on any stockpiling of hazardous chemicals and the arrangements for removal from the island of dangerous and unusual and unsafe material

MR SHERIDAN Thank you Madam Speaker and Mr King, yes, I can collate that information of what is currently outstanding and table that in the House if Mr King so wishes, I don't have a problem with that. But I will just say in regard to the chemicals that have been collected at the Waste Management Centre over many a year that recently, I would say last year, we had a Chemcollect company, that's the name of the company, Chemcollect, they assisted the Administration. They came over here and reviewed all the stockpile that we had at the Waste Management Centre at that time, and they sorted through it all and split it into different piles and the current practice is that chemicals that can be utilised such as paint and insecticides, they currently have been used for their purpose, they re use them. Accelerants that have been stored have been used when they start the burning of waste at the Headstone area and other chemicals have been neutralised, diluted, and fed gradually into the waste water treatment plant again under the guidance of Chemcollect, to dispose of those ones but at this point in time as far as I'm aware, we had something like two 44 gallon drums of unidentified chemicals located at the Waste Management Centre and they're awaiting approval and funds to transport back to the mainland for disposal and when I say awaiting approval, we had to get in place a system where we can send our recyclables off the island so that Australia will accept them and that is what's holding the disposal of these two 44's up at this point in time

MR KING I have a question if I may Madam Speaker to the Chief Minister. Can the Chief Minister advise when and how the organisation known as CIRCA which commenced life as a non government organisation, morphed into a quasi Government body and what is it's cost to the public purse

MR BUFFETT Madam Speaker if I might turn to Mr Nobbs in terms of that question

MR NOBBS Thank you Madam Speaker the CIRCA is a community information and resource, it is funded for all of its operations from its own fund raising as a non profit organisation. There was an undertaking by the Administration to enhance the availability and opportunities for the Tourism Officer in his capacity by relocating him up to Burnt Pine at the same time, he also made an officer to provide service within the CIRCA office for a half day a number of days each week. The community has certainly reaped the benefit from that both from within his capacity as Tourism Officer and the access that this has given, as well as those areas of the community that have sought information resource and successful funding grant applications through CIRCA as well I might point out. The provision of CIRCA is recognised as something of some great support to the community as such, we have the Governor General as the Patron and just to expand on it briefly, the Westpac Banking Corporation very recently recognised CIRCA as a valuable option for the community and has also committed to provide some resourcing both in training opportunity as well as trainers as well as financial contribution to ensure that we are able to provide the services out of CIRCA free of charge to the community

MR KING A supplementary question, given that CIRCA is funded from its own operations I take it that the Tourism Officer is not paid anything whilst he's in attendance

MR NOBBS Thank you Madam Speaker I think you'll find that the Tourism Officer is on the large portion carrying out his Tourism Officer duties whilst in the CIRCA office and that's the way it has been set up. This was done in accord with the

Chief Executive Officer for the Public Service to ensure that it was a good outcome for the Public Service

MR KING Madam Speaker just a final supplementary question I'm not questioning the value of CIRCA I'm just trying to determine how much it costs the public purse. On the one hand we're told that its funded by its own operations, on the other hand we're told that an Administrative Officer is housed or accommodated in that area. What portion of his wages can be attributable to CIRCA activities. That is a cost to the public purse

MR NOBBS Thank you Madam Speaker the opposite could be said for what portion of locating him up in Burnt Pine is being paid for by the Administration when that is covered by CIRCA however, at this stage the proportion of any cost to the public purse is unquantifiable however, it is obviously something that satisfied the Chief Executive Officer of the Public Service that it was going to create productivity out of that repositioning

SPEAKER Thank you. Any further Questions Without Notice Honourable Members. There being no further Questions Without Notice and we move on to Questions on Notice which today we have fourteen

QUESTIONS ON NOTICE

SPEAKER Honourable Members we move to Questions on notice and unless there is any indication otherwise from the Ministers I'm proposing to move through them starting with No 1

MR SHERIDAN Thank you Madam Speaker. In reply to the question, I will read the question out so that it's in Hansard and Mr King asked, "At the April meeting of this House the Minister of his own volition undertook to inform himself on the policy operating in relation to the definition of "income" under the Social Services Act 1980, particularly as it has been applied where income has been of a "one-off" nature. Can the Minister inform the House of the outcome of his enquiries and table the relevant policy?

Madam Speaker I have over the past month made myself aware of the principles that the Social Services department operates within, and in particular in regard to the query from Mr. King in regard to the definition of "Income". I refer Mr. King to Section 3 of the Social Services Act 1980 and in particular the definition of "Income". In part in states, "Income", in relation to a person, means any personal earnings, moneys, valuable consideration or profits earned, derived or received by the person for his own use or benefit by any means, and from any source whether within Norfolk Island or not, and includes - (a) a periodical payment by way of gift or allowance,; and (aa) the value of an interest in any property received by way of distribution from a deceased estate other than an interest in real property; © a payment that the executive member or an authorized officer determines to be in the nature of income, but does not include a payment that the executive member or an authorized officer determines to be not in the nature of income, or that, for some other reason, the executive member or an authorised officer determines should not be regarded as income. The words "for his or her own benefit" in the definition of "Income" provides the key to the question from Mr. King. There is currently no determination or policy regarding payments that are not income. Some of the basic income items that are considered as income but not limited to, are; wages, self employed income, superannuation payments, rents received, bank interest, sale of stock or palm seeds, inherited funds, sale of assets which generate personal earnings. A couple of facts in relation to Income and it's affect on a pension. This might make things a little bit clearer. Currently a married couple can receive a fortnightly benefit of \$514.40 each and have an income of \$121 each per fortnight without their benefit being affected. Combined this is a total of \$1,270.80 per fortnight. If a married couple had income of \$200 each per fortnight, their benefit would be reduced by \$39.50

each, thus allowing a married couple income of \$1,349.80 per fortnight. If a married couple earned \$300 each per fortnight their benefit would be only reduced by \$89.50 each, thus allowing a married couple income of \$1,449.80 per fortnight. On the other hand, a single person can receive a fortnightly benefit of \$616.80 and have an income of \$145 without their pension being affected. In the same vein as the married couple, if the single person earned \$200 per fortnight, their pension would reduce by only \$27.50, for \$300 per fortnight their benefit would reduce by only \$77.50. This next portion refers to one off payments which is what Mr King's question refers to. In relation to income of a "one-off" basis which is part of the question from Mr. King, if a Social Service recipient comes into a one-off payment this affects their benefit for a 12 month period, affect would depend on the size of the one-off payment. For example if a single person received a one-off payment of \$10k, which equates to approx. \$383.56 per fortnight, their benefit would be reduced by \$129.50 per fortnight, thus reducing their pension to \$487.30 per fortnight, which combined with the portion of the one-off payment would equate to \$870.86 per fortnight. If a married couple received a one-off payment of \$10k, which would equate to \$191.78 each per fortnight, their benefit would be reduced by \$35.40 each resulting in a benefit of \$479 each and when combined with the one-off payment would equate to \$1,341.40 combined for the fortnight. These formula's used for calculating a reduction in a benefit is similar to those at Centrelink in Australia. Mr. King has requested I table the relevant policy, I just would like to inform Mr King that the information as related to this question are all located within the Social Services Act 1980 and Regulations pertaining to the Act to which I believe Mr. King has access.

MR KING A supplementary question Madam Speaker. I missed the very last part of Mr Sheridan's answer relating to tabling of the policy

MR SHERIDAN Thank you Madam Speaker, there is no policy in regards to these payments, so all information that they work off are in the Social Services Act 1980 and the Regulations pertaining to the Act so there is actually no other document or what you might call policy. All of the documentation for their work, comes from the Act itself

MR KING Minister if I could demonstrate to you, that it is not the case that, that information is contained or reflected in the Act or Regulations, would that strengthen my demand for a written policy in this matter

MR SHERIDAN Thank you Madam Speaker if Mr King can show me then yes, I would be happy to look at providing a policy in regard to it

SPEAKER We move now to Question on Notice No 2, Mr King to Minister for Community Services

MR SHERIDAN Thank you Madam Speaker and the question from Mr King is, "At the April meeting of this House the Minister of his own volition undertook to return to this House with a policy in relation to disability pensions paid by the Department of Veterans Affairs and whether those pensions, unlike the practice on the mainland, should be regarded as "income" for the purposes of calculating pensions in Norfolk island. Can the Minister now state his policy?"

Madam Speaker I would just like to inform Mr. King and also the community and also Commonwealth Officers who have stated that, DVA disability pensions are exempt income for the purposes of the Social Services Act, this assertion that Department of Veterans Affairs disability pensions are deemed to be regarded as exempt income in Australia is totally false. Veterans Affairs disability pensions are considered here on Norfolk Island, as they are in Australia, as income for the purposes of Social Services benefits. Having explored the Centrelink's Departments website and the Department of Veterans Affairs website, and also contacted DVA themselves, it is very clear that for the purpose of assessing income for a benefit, that DVA disability pensions are deemed to be included as income. It is completely different when assessing DVA disability

pensions for the purpose of completing a tax return, where they are deemed not to be taxable, therefore exempt income. As indicated prior it is very disturbing when Commonwealth Officials in response to the Norfolk Island's RSL claims that their DVA Pensions should be exempt income when assessing their benefits, such as recently when the Joint Standing Committees latest report on the Territories Law Reform Bill 2010, where the reports state "while income received under DVA disability pensions on the mainland and in other countries is exempt from treatment as income, the Government of Norfolk Island has not fully adopted an exemption policy in relation to these services, and further indicated that the Minister for Veterans Affairs, the Hon Alan Griffin MP, wrote to the Government of Norfolk Island to advise "that the Australian Government supports amendment to the Social Services Act 1980 (NI) to exempt veterans disability pensions from that Act's income test and asked the Norfolk Island Government to consider that proposal, but to date has not received a response. The Minister at the time did respond to the Hon Alan Griffin with a letter dated the 25th March 2009, stating the Governments position and also to Senator Gary Humpries with a letter on the 3rd August 2009. This Governments Social Services policy in regard to the assessment of incomes virtually mirrors that of the Commonwealth, in that DVA pensions are considered as income for the purposes of assessment under the Social Security Act. I also note that the JSC report suggests "that redress of the issues raised by Norfolk Island RSL could be resolved by the proposed amendments which have been included in the Bill if enacted" and they are talking about the Territories Law Reform Bill, and then refers to the Attorney-General's department's submission to the JSC and I quote" In applying these amendments to the issues raised in the submission from the Norfolk Island Sub Branch of the RSL, this would enable the Commonwealth to intervene at two levels. Firstly, the responsible Commonwealth Minister may provide advice to the Administrator on the assent to Norfolk Island Bills, even where the matter is within Schedule 2. Secondly, in the event that the issue relates to existing legislation, then the responsible Commonwealth Minister, or the Governor-general, would have the authority to introduce a proposed law or amending Bill into the Norfolk Island Legislative Assembly for consideration. The legislative powers are intended to be used as a last resort if the Norfolk Island Government does not undertake action to ensure its legislation is consistent with the national interest and Australia's international obligations. etc". This is of concern where comments such as this is made, especially with the Reform Bill before the House in Australia, and an example of the heavy handiness of which the Commonwealth could apply, even when not in accord with their own legislation. If the Commonwealth would like to exempt the Veterans Pensions as exempt from the income test for the purposes of Social Security benefits, well this Government may review their own policy. I hope that this clears up the confusion that currently surrounds these payments and if there are other areas of concern, may I suggest that this may be as a result of Commonwealth Legislation and not Norfolk Island's legislation and suggest this gets taken up with the appropriate department in Australia.

SPEAKER We move now to Question on Notice No 3, from Mr King to the Minister for Community Services

MR SHERIDAN Thank you Madam Speaker and I think this is the last question for me. Mr King asked "At the last meeting of the House the Minister was asked, in the interests of satisfying Members that OHS and community health issues were being properly addressed at the tanalith plant, to advise the arrangements for pressure testing of the tanalith treatment plant including frequency outcomes. Can the Minister now so advise?

Madam Speaker I thank Mr. King for the question, and respond accordingly. I have sought advice from the Administration with regard to the pressure testing of the tanalith chamber and the advice forthcoming was that pressure testing was discussed with the manufacturer of the cylinder, John Stinton of Stinton Engineering, Toowoomba in March 1998. His advice at the time was that the cylinder was tested at the time of manufacture with 1.5 times the usual operating pressure. Cylinder should not be tested again, as

repeated testing can over-stress and weaken the vessel, leading to premature failure. Each time that a load of timber is processed the cylinder is virtually tested. Other advice was that in a CCA treatment cylinder the greatest pressure is hydraulic and therefore not explosive and if a failure occurred it would not be sudden and would likely be evidenced by a small volume, low pressure (because the pressure pump would not be able to maintain pressure) stream of liquid from the cylinder, and thus easy to clean up. No such leakage has occurred to my knowledge. The NI cylinder was constructed with 12mm plate which provides 1.8mm thickness on top of the required 1.5mm corrosion allowance and 1.5mm safety factor. As the NI cylinder is used almost exclusively to treat softwoods, less strain than hard wood treatment, therefore the trouble-free life of cylinder is likely to be greater than 30 years. I hope that this satisfy's Mr. Kings question.

SPEAKER We move now to Question on Notice No 4, from Mr King to the Minister for Finance and The Attorney-General

MR ANDERSON Madam Speaker the question posed by Mr King is, is the Minister satisfied that employers on Norfolk Island particularly larger employers of imported labour, are complying with the law in respect of minimum wages, working hours and other entitlements and is the Minister satisfied that officers authorised under the Employment Act are fully and properly empowered to conduct appropriate checks and to investigate and resolve non compliance?

I tank Mr King for his question. Employers large and small have the obligation to comply with the employment act in relation to minimum wages, working hours and their entitlements whether they relate to local or imported labour. There's really no difference. All employees be they local or imported, foreign nationals perhaps, have the right to make complaints regarding their employment conditions if they are concerned they are not being treated correctly. Section 55 of the Employment Act requires that complaints be investigated. The Employment Liaison Officer provides advise to anyone who requires clarification of their rights or obligations. Making a complaint provides the complainant with access to the process of inspectors making enquires, to the Employment Conciliation Board and if necessary to the Employment Tribunal to seek redress if that is necessary. Any breech by an employer would be dealt with or referred for further action. Section 57 of the Employment Act provides for the appointment of employment inspectors to investigate non compliance with the Act but if examination employment contracts and workers compensation levy returns are submitted to the Administration and do not reveal any irregularities, it is difficult in the absence of substantive complaint to justify an investigation of a perceived breech or a irregularity under the Employment Act. People must help themselves by providing evidence of non compliance when it affects them if they want action taken. Unless a complaint is received an inspector would not normally seek to enter premises for investigation purposes and while the opportunity for compliance orders might be available in the absence of information suggesting any investigation is necessary in a small jurisdiction like Norfolk Island there is adequate opportunity for concerns to be addressed with the Employment Liaison Officer, the Employment Conciliation Board and the Employment Tribunal. They are all available to resolve irregularities. A complaint must be acted upon if received and I'm advised that we have no recorded concerns involving large or small employers. If Mr King has any information to the contrary the opportunity is and has always been available for it to be considered. Thank you

MR KING I wonder if the Minister for Finance could be satisfied by me that there is not adequate opportunity for people to make approaches and that the powers under the Act are not adequate to deal with unreported yet genuine cases of employment exploitation, would he move to resolve those difficulties

MR ANDERSON Certainly. My information is that the opportunity is there at many levels. Advise and assistance is widely available but in the event that Mr King has some information that suggests there is difficulties on the part of some employees, then I'm happy to have a further look at it

SPEAKER
from Mr King

Question on Notice No 5 is also in your name,

MR ANDERSON

Thank you Madam Speaker. Question No 5, can the Minister advise the House what statistics justify the fact that over the past 30 years when the island population has remained unchanged, the size of the Norfolk Island Police force has more than trebled?

Thank you once again for your question Mr King. I have been supplied with a considerable amount of information by the OIC of Police in response to your question. In short the answer is there are no statistics to justify the proposition that police numbers have trebled. In fact, the true situation is in thirty years the permanent compliment is unchanged and the locally engaged officers fluctuate in numbers as the need arises and it has been constant for approximately the last twenty two years. The statistics show that the current compliment is the same that existed in 1976. The Nimmo Report in that year stated: The present Norfolk Island Police Force consists of three full-time officers - a sergeant and two constables. Special constables are appointed from local people as the need arises. This arrangement has been in place since 1979 and uses the secondment of three AFP Officers. It follows a similar arrangement with the Commonwealth Government prior to self government. AFP Officers are currently supported by four locally engaged Special Constables, with one currently on Leave Without Pay with leave the compliment at a total of six. In 1981 as a matter of interest there were three AFP officers and ten locally engaged special officers. In that year, with the compliment of 13, the number of police reports that arose from attendance at incidences numbered about 150 duties. This year to date the police have attended 500 incidents. I will table a full breakdown of the officers from 1975 to the present along with an analysis of the upward trend on the incidence and duties dealt with by police in the last ten years. Only the local engaged officer numbers have fluctuated as the need arose. The Norfolk Island Police when you take into account the broad range of duties is possibly understaffed and under equipped. Its responsibilities are constantly increasing and they've recently had the obligations of process server, bailiff and parole officer added to their responsibilities. And I table for information the information supplied by the Police in relation to those numbers.

SPEAKER

Thank you Minister. We move now to Question on Notice No 6 from Mr King to the Minister for Tourism

MR NOBBS

Thank you Madam Speaker the question relates to the cattle disease BVDV or Bovine Petty Disease, although not harmful to humans, represents a huge on-going cost to beef producers in Norfolk Island, which can be contained or removed entirely by low cost government intervention and cooperation. Can the Minister confirm his willingness to address this issue urgently in cooperation with industry?

Thank you Madam Speaker. The short answer Mr King, is yes I can confirm my willingness to address this urgently and it is something that I met with the Stock Inspector virtually immediately after the elections when portfolios were established to discuss where BVDV was currently at. We discussed the small time frame that might perhaps enable the earlier muster to carry out some tests. Unfortunately that time frame was just too soon to get all of the components in place however, just for the listening public in terms of BVDV, I'll just provide an overview of the virus. Bovine Viral Diarrhoea Virus or BVDV is spread by close contact between cattle, and it may be possible, but unlikely, that it can be passed from cattle to sheep. On Norfolk Island tests were done in April last year to identify the extent of BVDV in the cattle on Norfolk Island, and it was found that 72% of the cattle tested were BVDV anti-body positive. These cattle were not necessarily infected at that time, rather it could mean that these animals had been infected at some time in the past and that they had since built up immunity. The key to eradicating BVDV is to identify the cattle that have antigens present in their system, that is, those cattle that are capable of spreading BVDV, which is probably less than 1% of

cattle on the island. Some of these cattle with antigens present in their system will be "acutely infected", that is, they simply have the virus at the time and will eventually build up immunity, and others will be "persistently infected" cattle. Following on some recommendations from a number of specialists in this field, including Dr Peter Kirkland, Senior Principal Research Scientist at the Elizabeth Macarthur Agriculture Institute in NSW there have been a number of discussions on how a 50/50 operation can be carried out between Administration partially funding and the cattle owners also partially funding the immunisation programme. The feedback that I've had both through the Stock Inspector and our Planning Officer who has an input in this area, is that those stock owners are quite positive about moving forward on this as a 50/50 arrangement. As a result of that, I've signed a proposal paper that has gone back through to the Public Service on that as a way forward and as something that we need to approach in the budget allocations and so as such I think that gives an overview of both the urgency that I've put on it, the commitment that we have given it and the need to sort the issue out. Thank you

SPEAKER Thank you Mr Nobbs, Question on Notice No 7 from Mr King is also in your name

MR NOBBS Thank you Madam Speaker question No 7 comes in a number of parts and to do this in the most expeditious way possible, what I intend to do is read all the questions out at once and then provide the answers.

1. At the last sitting of the House the Minister referred to some commercial interest in sharing Norfolk Telecom's copper wire infrastructure and indicated some support for this expressed interest; does this support take account of the fact that a government embargo on leased circuits has been in place for 6 months without any sign of the embargo being lifted and no explanation of its expected duration ?
2. Can the Minister advise the House of the legislative authority for this embargo?
3. Is the Minister aware that Norfolk Telecom operates overall at a financial loss and that lifting the embargo under certain terms would result in much-needed additional income for Norfolk Telecom?
4. Can the Minister advise how long the process of consideration of this issue might take?
5. Can the Minister identify and inform the House of the standing of recent telecommunications consultancies; of the adopted government position in relation to those consultancies and when any reports arising from those consultancies might be available to interested parties?

Madam Speaker at the last sitting I suppose, our first real business sitting of this Legislative Assembly I gave some advise in terms of my commitment to have discussion with the private operators in this context and in keeping with that, I kept with the schedule of those meetings and I think the following Friday after the sitting I met with those people to cover this in the best way possible. I just might go back to something that was mentioned in Questions Without Notice in terms of the profitability although I have given the answer in terms of the figures one of the things that I didn't also advise in terms of impacts on Telecom's profitability is that on the advise of the figures for those periods also reflect the impact on a private carrier within Norfolk Island unlawfully redirecting the incoming telephony circuits for their own profit and benefit. Now I raise that because aside from the issues, this places on the public purse it also breaches several quality of service and privacy issues so I feel that we need to be aware of those issues as well in terms of our obligation of consideration of these matters. As I said before I followed through on the commitment to meet with the proprietors and I discussed their objectives and the issues that had been considered up to that point by our Legal Services Unit recognising that significant work had been done by Norfolk Telecom management with the Legal Services Unit for some time now to urgently develop appropriate terms and conditions suitable to allow for processing of applications, for access to the public telecommunications network and infrastructure where applications are for purposes of commercial resale of such access but that it was necessary to consider the costs of the utilised infrastructure and reticulation to ensure

ongoing capacity to maintain and improve on island equipment and cabling. It's worth noting that the previous 12th Legislative Assembly Members and Executive Members spent a substantial amount of time receiving briefings from Norfolk Telecom and the Legal Services Unit on the whole issue of the capacity of the Telecommunications legislation and the capacity of the network to allow for commercial resale of public network access by private consumers and private telecommunication service providers generally. The adviser at that time was an agreement by Price Waterhouse and Challenge Networks Consultancy advise that the Telecommunications Act should be reviewed, additional consideration was given to appropriate pricing to support areas that I've already listed. During my meeting with the private operators I suggested that a way forward would involve them presenting a series of scenarios involving a number of circuits being used and the financial cost and returns to Norfolk Island revenue being recognised through these scenarios in the form of line rental connection fees GST etc. the providers left my office satisfied with that course of action and some days later returned with a commercial in confidence document providing line usage scenarios based on their calculations and the subsequent return to Administration. I had already commenced a similar operation with Telecom and after receiving that data I carried out an analysis prior to my departure to the PITA Conference as this was a number of mere days away from that and I provided a substantial briefing paper to the Executives that I had prepared over that weekend. They gave advise on the two sets of scenarios as well as previous advise, as well as my proposal going forward. Upon return from the PITA Conference, I agended this paper for the Cabinet meeting to invite discussion. Following that meeting I requested a detailed cost of operation paper from the Service, which I will use to provide an assessment of the commercial options available to private operators on and off island as there has been wider interest in providing these services as a methodology to move forward. One of the statements I made quite clear in the last sitting was that to move forward on this I obviously wanted to be satisfied that whatever arrangements we made would look after the public's investment and these infrastructures and reticulation and the like. Just as an aside the Legal Services Unit has indicated that Australian courts have already indicated earlier this year, that unless businesses are completely stopped from operating at all, telecommunications network operators or carriers are free to do business or not do business with who ever they please, and essentially cannot be forced to provide access to anyone. The Legal Services Unit is further monitoring any developments on that. I can say this in regard to this question, Madam Speaker, that I am giving this a particularly high level of focus. It has had a high level of priority from me in terms of providing as much information to those who are interested in terms of what some of the limitations are as well as to those Members of the Executive and to the MLA's in general at various sittings, so I think that just about gets me down to Question 5 and I'll read that, "Can the Minister identify and inform the House of the standing of recent telecommunications consultancies; of the adopted government position in relation to those consultancies and when any reports arising from those consultancies might be available to interested parties?". I can inform the House that aside from the Price Waterhouse Consultancy that has given the advise that I've already mentioned with regard to the legislation needing to be reviewed and of course policies reviewed in the same capacity, this Government has not taken on any consultants specifically that I'm aware of, to provide advise on telecommunications on our way forward. At the PITA Conference I certainly had as many discussions as I could with industry players and I intend to provide the outcomes of those discussions in my report on the Pacific Islands Telecommunications Association Conference. Thank you

SPEAKER Thank you Minister. We move now to Question on Notice No 8 asked by Mrs Griffiths to the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker. I welcome the question. I also welcome Mrs Griffiths back to Norfolk Island and I hope she has a speedy recovery. The question is, "Given Norfolk's poor financial situation can the Minister advise the community of at least three revenue generating activities he has

planned to reverse our current financial trends?" There are a number of airline initiatives that we have put in place as a result of looking forward in terms of incoming tourism numbers as well as reading where we are currently at in terms of tourism interest. There is a continuation of the thirty kilogram extension of baggage as well which enhances the retail opportunities on the island. That is actually the CEO of the airline's initiative, so I'm certainly not going to take any of his foundation away there. There are a number of other initiatives that I'm discussing with both Air New Zealand and Norfolk Air and they involve dual promotion as our New Zealand market has significantly declined and I want to do some thing to address that so I've already commenced some discussion with those in management of both Norfolk Air and within Air New Zealand's capacity for initiatives such as the gauntlet which I've discussed with the Chamber of Commerce in a number of other areas and what that is, is a competition based programme where each month, two sporting participants in Australia and New Zealand get to compete over a month long period that enables promotion of Norfolk Island as a destination as well as the airline and the retail arms that will be able to be present at those competitions. There's a once month competition during which those promotions and banner are flown, at the completion of that there are two return tickets provided by Norfolk Air at this stage to enable those two perhaps for the sake of the argument, two bowlers to arrive on Norfolk Island to compete with similarly two of our own competitors who have reached that point of winning the two available positions for the Norfolk Island representation in a similar context, I've approached Air New Zealand to do a similar promotion as the cross promotion of this programme will have quite a number of offshoots and benefits and I won't go into it in greater detail than that other than to say it's on the drawing board at the moment. At this stage Norfolk Air has made a firm commitment to it, air New Zealand has shown an interest in it and we are yet to get back around the table to advance that. There are some other initiatives from Norfolk Air in that I've discussed with the CEO of the airline where we have unused capacity to bring in an entertainer or entertainers on a monthly basis, to enhance the appeal of Norfolk Island in that capacity. Moving on to gaming, not long after assuming the portfolio responsibility for gaming, I requested that the Director for Gaming complete a Prospectus which will enable promotion of Norfolk Island's opportunities and capacity off island to those areas that are in his bailiwick. Just to give some further advise to that at the recent budget meeting with the Gaming Director he also indicated that there would be an updating and expansion of the web presence to also enhance our opportunities there with gaming. With regard to financial services and e commerce, I've had quite a number of discussions with various operators who are keen to utilise Norfolk Island for its time frame, for its available technologies as well as the slightly expanded existing capacity for bandwidth and transmission on the island, as well as the future capacity through fibre optic options or other options that may come out. With regard to those, I should point out that I've had to sign a number of non disclosure agreements, so to a great deal, I can't elaborate on those other than to say there is a definite documented interest in Norfolk Island for those areas. Renewable energy. Today sees the arrival of the main man from Lloyd technologies who as many will be aware, I've worked with over the last couple of years to engage Norfolk Island with a renewable power option. Mr Lloyd has gone to the extreme as some people do with Norfolk Island in embracing what Norfolk Island has to offer as a demonstration and pilot site for renewable energy and as such has designed a system specifically for Norfolk Island that he is in the final stages of completion testing and we hope soon, installation and implementation. The reason I raise that as a revenue initiative is that as part of the installation Mr Lloyd has insisted that Norfolk Island be the training and assessment platform for other island areas that implement this energy system and as I said before, its quite incredible what he has come up with there and it certainly will advance our capacity in terms of electricity generation and lowering the cost of that as well. I mentioned earlier with regard to CIRCA that Westpac Bank had made a commitment to CIRCA. In amongst the discussions that I had had with executives from Westpac Bank from off island I sought a collaboration with them to use Norfolk Air amidst their promotions to all their customers if there were a change in account programmes or new initiatives that they would like to run competitions in the background of to inspire people to take on those new accounting options through their

bank. That was agreed only a number of days ago and already we've had the first opportunity for that coming up at the moment and we are compiling that through Norfolk Air and a number of other operators on the island. What that does is expands our promotion virtually at no cost because we are providing two seats on the aircraft that, actually wrong wording maybe in terms of no cost, but at minimal cost to expand our promotion through their network of promotion which includes brochures, posters within their branches, it includes online access and things like that so I see that as a major step forward. With regard to Telecom in just the same way as I have requested the Gaming Director to present and prepare a prospectus, so that we can invite industry partners, I've done exactly the same with Telecom and to their credit they've certainly put a great deal of work into that so far, and with some of that documentation I was able to use in the meetings with the Financial Services and e commerce and interested parties in earlier meetings. Cruise ships. Cruise ships have already delivered numerous visitors to the island and also a change of some of the focus of ways where we are able to deliver services. It's also provided some opportunities for initiatives in terms of return visitation, promotion, and they are things that we've also carried out a significant amount of work on. Additionally and finally, I have also written to Martin Fergusson with the Minister for Tourism as I've also written to other areas of the Commonwealth that are involved in the various tourism opportunities and promotions with regard to Australia to where-ever possible, co join us with some of our promotions and where we can co-join them with some of their promotions and the reason I say co join with us as well and it may seem insignificant however it is quite significant that towards the third quarter of this year, the world heritage listing decisions will be made and Norfolk Island is one of ten other World Heritage Listed sites up for decision by UNESCO later in this year. That provides for significant opportunities for expanded marketing as well as collaborations with those other sites and with the Australian Tourism Department so they are a fairly brief overview of the initiatives currently in place Madam Speaker

SPEAKER Thank you Mr Nobbs. Question on Notice No 9 is asked by Mrs Griffiths and addressed to the Chief Minister

MR BUFFETT Madam Speaker Question 9 has three parts. I'll just read each part as I respond to them. The first part is, a) Can the Minister advise the community of the differences between policy and legislation and which is more appropriate for Norfolk island?

Madam Speaker we will realise that really policy, is attitude and approach on a given subject and it can take many forms, including legislation but also by regulation, by the likes of Administrative guidelines, statements and a range of similar factors. The real difference between legislation and other forms of policy is of course that legislation is in the form of the law itself and therefore it is more immovable unless you change that particular law and to change that law it must mean that you come to this particular forum, the Legislative Assembly, and then the assent process to the Administrator and indeed in some instances, further to the Governor General depending upon the subject matter. Administrative guidelines, to pick another example which is a subsidiary form of legislation may not be so rigid and it may be adjusted or revised by lesser processes and I think probably to add some minor complexities, the word policy may be used in the wider over riding sequence that I've just mentioned but it also can be used to refer to as a policy document for example which is secondary to and in many instances supports legislation. For example we have an Immigration piece of legislation which sets out policy at a legislative level, then of course, you may have a policy document which sets out further policies in support of that piece of legislation so two levels of policy being exhibited in that context. In most places, and that includes Norfolk Island there is a mixture of both legislative and other forms of policies and of course the appropriateness of each of those methods really depends upon the objective that you've got in mind and what you are endeavouring to pursue. Government usually, though not exclusively, but usually, initiate policies in its various forms. So that's the first part of the question Madam Speaker

The second is this, b) Given the continuous confusion between policy, law and convention can the Minister advise the community of the capacity within the public service to develop policy and where these policies might be found?

Madam Speaker in response, the capacity within the service for policy development really depends upon the complexity of the policy objective that you are endeavouring to address. Three examples. In some cases the policy objective is reasonably straight forward and it might not inter relate with other areas and in those particular instances they may well be developed by relevant managers within the service of the Administration. The second example is, that there may be more complex policy development and they might be developed by senior management in consultation with managers and their respective Executive Member, so you see the various levels in this context. The third example, there may be significantly and highly complex policy matters with many inter related facets and in most cases they would generally be beyond the time and technical resources of the Administration and in those cases, it would need to be prioritised and put in the budget for the use of external resources to assist to develop policies in those particular instances. We see that in a number of instances, for example, the Minister has mentioned in the telecommunications area and whilst not necessarily in this financial year there have been engagement of people to assist us to develop policies and to have a grasp of what is happening in the bigger and wider world. Where can these policies, once established, be seen. Usually in the context of the Administration, in the administrative area to which it belongs. For example, Immigration policies in the form of legislation and accompanying guidelines will be found at the Immigration Offices. Land Planning similarly so. But additionally, I think can mention that I think it's all Norfolk Island legislation is available on the internet and so there would be some policy documents and plans to be seen in the legislative sphere by people accessing it in that way. Some policy documents are made available in the public library. There are a range of areas that these policy documents are available.

The third part of this question asks this, c) What are the future policy priorities for the public service; how are they developed and how often are they evaluated and reviewed? Madam Speaker the present policies relating to the Public Service are really set out in the Public Sector Management Act and the associated documents that relate there. There's an Act and there's an HR Policy that accompanies that. Both of those, I've got to acknowledge, is a review and I expect in the particular case there an initial review of possibly both to commence within the next month. That's No. 9 for me. There is one other for me but that will come later in the sequence Madam Speaker. Thank you

SPEAKER Thank you Chief Minister. We move now to Question on Notice No 10 asked by Mrs Griffiths to the Minister for Finance and The Attorney-General

MR ANDERSON Thank you Madam Speaker, the question "What is the process for enhancing the involvement of the Assembly in identifying priorities for the budget draft process for Norfolk's future and who and how have priorities been identified?"

Thank you Madam Speaker and I thank Mrs Griffiths for the question. In Mrs Griffiths absence, and I understand that may be partly why the question has been raised, the Legislative Assembly has had the opportunity to be intimately involved in the budget process and in identifying priorities during that process. This has been available from the first day of the budget hearings and will continue to at least the 24th of this month which is a further weeks. Many of the budget presentation sessions provided by the Public Service to date have been well attended by Members of the Legislative Assembly who have participated in the process identifying priorities of individual areas and considering them in the light of their conservative fiscal outlook that has underpinned the consideration of the Administration's financial resources for the next financial year. It is anticipated that very few capital or recurrent spending measures will be adopted and these will be determined by policy priorities agreed with the Executives and finally by the full Assembly during the sitting or sittings considering the Appropriation Bill in June. All

Members of the Legislative Assembly continue to be welcome at the remaining week of budget hearings and their contribution is greatly appreciated. Thank you Madam Speaker

SPEAKER Thank you Mr Anderson. We move now back to the Chief Minister and to two Questions on Notice

MR BUFFETT Thank you Madam Speaker I'll answer Question 11 at another time and I'll move on to 12 which is in two parts, a) How do the executives keep themselves informed of development activities and strategies in the region? Madam Speaker internet connection greatly assists this information networking and all Members as I understand it, are supplied by your office, not just the Executives, of this access. Ministerial networking is an essential tool to information gathering on their subject matters. We all know that Norfolk Island doesn't have resident representatives either in Australia or New Zealand in the region and therefore doesn't have this regular source of information. The various branches of the Public Service that is it's head, the CEO, the Secretary to Government and other senior officers monitor activities of relevance to their particular place or their particular task and they keep the Ministers informed. I think it can be said without a doubt that our location and our reasonable isolation from time to time may mean that we miss out on some items and learn to late of others, but we do engage meaningfully in what's happening around the place. In the principal industry of Tourism of course, we engage specialists both in the Australian sphere and the New Zealand sphere to tell our story and to learn in the marketplaces what needs to be done and how it should be done that will enhance our performance.

In terms of the second part of this question, "To what extent are the executives familiar with the United Nations Millennium Development Goals and their possible benefits for Norfolk Island?"

Madam Speaker I've received a report which advises me that there are eight United Nations Millennium Development Goals and in summary they are these:

1. End Poverty and Hunger
2. Universal Education
3. General Equality
4. Child Health
5. Maternal Health
6. Combat HIV/AIDS
7. Environmental Sustainability
8. Global Partnership.

There are a number of targets with each of these goals. The first one that I mentioned, End Poverty and Hunger. Target One in this case, and you will see that some of them may not appear to have direct relevance to our situation but I record it in terms of the question asked. Target One: halve between 1990 and 2015, the proportion of people whose income is less than \$1 per day. Target Two: Achieve full and productive employment and decent work for all, including women and young people. Target Three: Halve, between 1990 and 2015, the proportion of people who suffer from hunger. You will see from those, Madam Speaker that I and you will be confident that the services of the Norfolk Island community are sufficient to ensure that no-one lives in the sort of poverty and hunger situation that has been exemplified in those target arrangements and that Government services are provided but there are many volunteer organisations that help people who may be in need from time to time. We do not have conflict which leaves people displaced and impoverished in the context of those goals and we do have a minimum wage and we do not have child malnutrition which obviously some of those aims are endeavouring to eradicate and we do have Equal Opportunity arrangements for men, women and young people.

Goal Number Two talks about Universal Education. Target One there says,; Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling. You will know Madam Speaker and the Members will know

that this community already provides schooling not only for primary but secondary schooling and provides bursaries and scholarships for those who wish to continue into tertiary education and apprenticeships.

The third I read to you earlier is to Promote Gender Equality and Empower Women Target One was to eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015. Madam Speaker, Norfolk Island does not have gender disparity in education or indeed in other areas. In fact from the commencement of the Third Settlement in 1856, education was available to our young men and women and female suffrage came with the Pitcairn Islanders to Norfolk Island and has continued, and that was well before other places addressed in this particular report. Our legislation provides also for Equal Opportunities in Employment

Goal Number Four – Reduce Child Mortality. Target One: Reduce by two thirds, between 1990 and 2015, the under-five mortality rate. Madam Speaker, this relates to deaths of children under the age of 5 years and refers to the fact that vaccinations have slashed child deaths from measles in this particular case. We don't have child mortality in the same context as this, luckily in Norfolk Island. Our health and our hospital services are really superb and we do provide free childhood vaccinations.

Goal Number Five – Improve Maternity Health and two targets here. Target One: Reduce by three quarters the maternal mortality ratio Target Two: Achieve universal access to reproductive health. It must be said that these goals relates to sub-Saharan Africa and Southern Asia Madam Speaker as I read the report. Of course Norfolk Island provides hospital and health services to its community which I mentioned before and we also have in this context, radiography services which monitors child growth, we provide free dental services to those with child and if necessary we provide medical evacuation services for any persons in need, whether with child or not, but that particular reference was to improve maternal health.

Goal Number Six – Combat HIV/AIDS, Malaria and other diseases. Target One: Have halted by 2015 and begun to reverse the spread of HIV/AIDS. Target Two: Achieve, by 2010, universal access to treatment for HIV/AIDS for all those who need it. Target Three: Have halted by 2015 and begun to reverse the incidence of malaria and other major diseases. Again target one and target two mainly relate in this context to sub-Saharan Africa but I am pleased to say that we in our context Norfolk Island have to date been fortunately free of malaria and to some major extent tuberculosis although we do see some instances of return in the wider picture into some high density places but I am confident that the fully staffed and equipped hospital that we have, that our health standards in these areas will be monitored and well taken care of.

Goal Number Seven was to Ensure Environmental Sustainability and there are four targets in this area. Target One: Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources Target Two: Reduce biodiversity loss, achieving, by 2010, a significant reduction in the rate of loss Target Three: Halve by 2015, the proportion of the population without sustainable access to safe drinking water and basic sanitation. Target Four: By 2020, to have achieved a significant improvement in the lives of at least 100 million slum dwellers. Madam Speaker you will see that we don't necessarily deal in all of those things but these are part of the report that has been asked for in this particular question. We do have in our particular situation a number of pieces of legislation to assist in land conservation; protection of the environment, bird and plant species and we have recently developed a Fisheries Management Policy to improve fisheries management to ensure fish stocks are not depleted and we do hear in other parts of the world where depletion of fish stocks is becoming a difficulty

Goal Number Eight and we're almost there Madam Speaker. To Develop a Global Partnership for Development. There are five targets here. Target One: Address the special needs of least developed countries, landlocked countries and small island developing states. Target Two: develop further an open, rule-based, predictable, non-discriminatory trading and financial system. Target Three: Deal comprehensively with developing countries' debt. Target Four: In co-operation with pharmaceutical companies, provide access to affordable essential drugs in developing countries. Target Five: In

cooperation with the private sector, make available benefits of new technologies, especially information and communications.

Madam Speaker, Targets One, Two and Three are interesting in terms of Norfolk Island. There may be an opportunity to develop some global partnerships for development in Norfolk Island in a wider opportunity to seek assistance with our sustainability. We have, in terms of Target Five, been able to keep abreast of some developments in technology and telecommunications. The Norfolk Island Central School has a technology centre and is about to build a new Centre through a private bequest. We continue to monitor improvements in technology. The goal there is to provide computer laptop access for all students in Year 9. Madam Speaker, I know that, that was at some length but it was in context of the question that has been asked and I'm pleased to endeavour to have that researched and provided

SPEAKER Thank you Chief Minister. We move now to Question on Notice No 13 asked by Mrs Ward and directed to the Minister for Tourism, Industry & Development

MR NOBBS Thank you Madam Speaker. The question is what is the time frame for commencement of the SPIN project, the SPIN project being the South Pacific Island Network of Fibre optic interconnection. We had talked about this on a number of levels and what I will report in terms of the commencement time frame is the most recent notification I had was prior to attending the PITA conference and that notification indicated that the SPIN project would commence its Norfolk Island connection in the first quarter of 2012 however, if I could just expand on that in a small way, to say that there are a number of issues to do with the SPIN network and future opportunities for Norfolk Island that I'll talk about in the PITA Conference report that I'll present

SPEAKER Thank you Mr Nobbs, and finally Question on Notice No 14 from Mrs Ward to the Minister for Finance and The Attorney-General

MR ANDERSON Thank you Madam Speaker the question is, "Minister, at the April sitting of this House I asked what measures were you proposing to take to contain the upward pressure on the cost of living; in your response you shared your concern and indicated a willingness to have discussions with officers; is the Minister able to report on those discussions at this time."

Thank you Mrs Ward for your question. Rather than refer to the outcome of discussions, if I understand correctly the thrust of your question seeks a solution to containing or limiting the increases in the cost of living or in economic terms controlling inflation. This lies in part in controlling the cost basics of the economy and in our case the import costs that influence the price of goods and services on Norfolk Island. I understand that your specific concern is about the imposition of Government taxes and specifically amongst those the waste management levy. Whilst the levy has an inflationary impact on the island, the levy also assists the Government to pay for the services demanded by the community. The increase in the levy last year I am advised was designed to assist in raising the funds to complete our environmental programmes, such as the eradication of Argentine Ant as well as to encourage fewer waste products being brought onto the island. Government taxes influence the cost of living, however, external factors such as interest rates, the cost of crude oil, exchange rates the source of locally supplied goods and so on, also have an effect. These are matters over which the Government has no control. Taxes are just one of the many factors that relate to the price of goods and services, so I'm hoping that in some way answers the question that the Member posed. Thank you Madam Speaker

SPEAKER Thank you Mr Anderson. Honourable Members that bring us to a close of Questions on notice this morning and we move now to Papers

PRESENTATION OF PAPERS

Are there any Papers for presentation this morning Honourable Members

Inbound Passenger Statistics March and April 2010

MR NOBBS Thank you Madam Speaker I table the Inbound Passenger Statistics for March and April 2010 and move that the paper be noted

SPEAKER Honourable Members the question is that the paper be noted

MR NOBBS Thank you Madam Speaker I think it has been some time since we've had some of these papers tabled with regard to our passenger movement statistics and I'll just make it quite clear that I intend to table them whether they shine brightly or whether they don't so that we have an indication of exactly how we are moving forward. In regard to this one, whilst there has been a decline in inbound visitors travelling by air, compared to the same period last year I'm pleased to report that we've had a significant increase in visitors arriving by cruise ship. Now to the business at hand. In reviewing these statistics I've formed some notes and also invited the General Manager of the Norfolk Island Government Tourist Bureau to forward me some comments as well and I take this opportunity to welcome Wayne Emery in his General Manager role into Norfolk Island and I certainly look forward to working productively with him in moving forward. With regard to visitor statistics for March 2010 the total visitors produced, saw a reduction in visitor number compared to the same month in 2009 of 2757 and that created a reduction of some 13.7%. New South Wales continued to be the main source of visitors to Norfolk Island with 45.59%, followed by Queensland at 22.09%, Victoria 12.3% and New Zealand with 11.86%. This sourcing pattern remains constant with the 2009 figure, I should point out. New Zealand had the largest drop by 56% which may reflect the reduced level of consumer and trade marketing activity due to budgetary constraints. The average length of stay has had a slight increase and that's given us a positive note with regard to the length of stay from New South Wales visitors, improved by 3.8% with the average stay over the same time last year increasing from 7.33 days in March 2009 to 7.61 days in March 2010. This stream is also evident in the New Zealand length of stay with an increase from March 2009 of 7.57 days to March 2010 figure of 7.99 and that's an increase of 5.5%. March 2010 saw an increase as compared to March 2009 of 1.6% with 7.59 days in March 2010 compared to 7.47 days in March 2009. The embarkation Sydney provided the overall highest embarkation with 1090 followed by Brisbane 993, Newcastle 412, Auckland 388 and Melbourne 333. Moving on to the cruise ships that I alluded to earlier, Norfolk Island welcomed the Pacific Sun in March 2010 with an estimated 1550 visitors on the island from a manifest of 1701. A total of \$43,094 made up of tours and shuttle revenues was injected into the island's economy with additional amounts through the retail sector during the day visit remaining unmeasured by feedback to that is quite positive. I'll just restate that figure because it's a good figure. For March 2010 when the Pacific Sun came in there were 1550 visitors on the island from the manifest of the cruise liner of 1701 and a total of \$43,094 made up of tours and shuttle revenues was injected into the island's economy. Now as I said that doesn't include the private sector operations that were picked up whether it was through retail and the like, during their visit. Retailers reported a significant trading activity and a vibrant atmosphere during those days of trading, and also there were the additional initiatives of the stalls and other entertainments and cultural and cottage industries that came out of the opportunity through the cruise liners. The average income per passenger worked out at about \$27.80 for tours and shuttle. The combined visitation including cruise ship day visitors for the month of March, so if we add them into the mix we end up with a figure of 4307. If we move on to the visitor statistics and look at the total visitors, for April 2010 saw a reduction in visitor numbers compared to the same month for 2009, a reduction of 5.4%. New South Wales remained

the main source of visitors to Norfolk Island with a 4% increase on the same period last year, and that should be a comparison for the month out of year 2009. The pattern in reduced visitation through March and April was also evident in 2009 as it is in 1020. The length of stay in April is worth noting because there have been some changes in the length of time that people are staying on the island. The specific whilst only providing 24 persons in public accommodation had the most significant increase as compared to April 2009 with an almost double of day stays from 5.87 in 2009 to 10.75 in April 2010. Overall trends for the month showed as with march this year, a slight increase in length of stay as compared to the same time last year with 7.61 days versus 7.37 in April 2009 so an increase of some 3.2% and Victoria's visitors length of say also showed an increase from April 2009 to April 2010 with an increase of some 15%. Sydney embarkation provided the overall highest embarkation with 902 followed by Brisbane 751, Auckland 462 and Melbourne 390 and Newcastle 255. For April Norfolk Island also welcomed the Pacific Sun again and that had an estimated 1639 visitors on the island from a manifest of 1844. A total of \$37,613 made up of tours and shuttle revenues was injected into the island's economy and the average income per passenger worked out at about 22.94 for tours and shuttle. The combined visitation including the cruise ship visitors for the month of April work out at about 3,885 and of course we can't make a comparison for cruise ships from the year before. In presenting those figures there are a number of marketing activities that we've undertaken and I will just go over a few of those of the March April period as well and they include AOT or the Australia Outback Travel. We had two groups of agents visit the island for four days each in March, agents included NSW Holidays Reservations Consultants, Mike Geary from House of Travel New Zealand was on the island for a week as was Brian Field from Oxley Travel holidaying for a week whilst filming their new television commercial and I think I've already mentioned to many of the Members the meetings I've had with some of those operators and their enthusiasm for Norfolk Island and also their caution that we ensure that the experience for the arriving tourists is as promoted so obviously in their context they want to ensure that the visitors they send to Norfolk Island are fully satisfied. Shelly Gutrie from our New Zealand Trade Representation Company Hogan's, was recently also here and featured within the World of Norfolk. With regard to consumer shows for March and April there was representation from the Government Tourist Bureau Visitor Information Centre where they attended the Brisbane Travel Expo and wholesale packages and deals were part of the promotions presented during events along with the World of Norfolk presentation and that was delivered in the break out for those interested consumers as well. A representation from the Norfolk Island Government Tourist Bureau attended the Melbourne Travel Expo between 10th and 11th April 2010 and reported good genuine enquiries with attendees at the Expo having a strong awareness of Norfolk Island. This can be aligned with the timing of the recent media branding campaign held through October December 2009 in mainland Australia through PAYE TV and digital media. Over those periods I should point out that we've also had the departure of Nicole Moore from her role in tourism as the General Manager at that stage and she carried out some extensive work for us in setting some of the processes in place that both Wayne Emery as the new General Manager of Norfolk Island Tourism and myself are further advancing to assess any of the previous advertising campaigns and how they actually relate to a conversion of not only interest but a conversion of a tourist arriving on Norfolk Island as a result of that advertising. Thank you Madam Speaker

SPEAKER Thank you Minister Nobbs. 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

Financial Indicators March 2010

MR ANDERSON Thank you Madam Speaker I table the financial indicators for March 2010 and move that they be noted

SPEAKER Honourable Members the question is that the paper be noted

MR ANDERSON Thank you Madam Speaker the March indicators were not available at the April sitting in the same way that the April indicators are not yet available for this sitting. The Finance Manager is fully occupied in the preparation of the draft budget so I understand why he hasn't quite achieved the April indicators. With the delay in the figures becoming available in April I caused an analysis of the market figures to be released to the local paper and I set out there, the continuing concern for the deteriorating finances of the Government. I do not think it is necessary to repeat that analysis here and I'm happy to make it available to anybody if they haven't seen it. I did receive quite a bit of feedback from the community as a result of it having been put in the paper. In respect of the April figures, the financial situation as I understand it, is unchanged and remains serious. The budget process we are currently engaged in will shortly provide more information to the state of the Government's finances and will result in a budget that I expect will not be a cause for optimism. Thank you Madam Speaker

MR KING Thank you Madam Speaker I have to say that I welcome the frank expressions and interpretations of words used by Mr Anderson to describe the state of the public purse is refreshing indeed following on from what I regarded as scant and inappropriate and on some occasions untrue analysis that were put before this same House in its last composition. I can only hope Madam Speaker that the Members around this table who were Members of the last Legislative Assembly take on board Mr Anderson's words as readily as they did the former Minister for Finance's words

SPEAKER Thank you Mr King. 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

Public Moneys Act 1979 - Virements

MR ANDERSON Thank you Madam Speaker under section 23B of the Public Moneys Act 1979 where the astringencies of Government require it, provision is made for the executive member to direct in writing a transfer between division, subdivision and items that may be deficient or for which no funds have been provided. These are commonly referred to as the virements. Subsection 23B(2) requires that the executive member shall lay any written directions before the Legislative Assembly within two sitting days of the making of such a direction. I so table those directions

MR KING I move that the paper be noted Madam Speaker

SPEAKER The question before us is that the paper be noted. Mr King

MR KING I do so Madam Speaker for the purposes of examining the paper and contributing any appropriate debate at the next sitting of the Legislative Assembly and at an appropriate time I'll move and adjournment

SPEAKER Is there any further debate Honourable Members.
Mr King

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

SPEAKER The question before us 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 on the paper presented by the Minister

Honourable Members if there are no further Papers for presentation this we move on

STATEMENTS

Are there any Statements this morning Honourable Members

Gardasil Vaccinations

MR SHERIDAN Thank you Madam Speaker I have a couple of statements to make and I'll commence with Gardasil Vaccinations. As part of a commitment to the health of the community and in particular the health of Norfolk's young women specifically aged 19-26 years of age, I have recently extended the ability for these women to receive the Gardasil Vaccine for the prevention of Cervical Cancer free of charge. In July 2008 a program was commenced for young women aged between 12 to 18 years of age to receive this vaccination free of charge. Since then the NI Government has supported and funded a total amount of \$58,000 for early childhood immunizations and cervical cancer vaccine programs. I understand that since the commencement of this program there have been some 58 young girls vaccinated out of a possible 68. I also understand that there are only some 35 young ladies between the age group of 19 and 26 who would be eligible for this extended program and I urge them to take advantage of this offer. I fully support preventative health programs and after consideration and review of the initial program, I approved the small surplus of funds remaining in the original budget for this year to be utilized for further immunization. As a result the Government is offering free immunization for women who are members of the HealthCare Fund and are between the ages of 19 and 26 years of age. This program is only available until 30th June and will be conducted on a first in, first serve basis.

Report on attendance at PITA Conference

MR NOBBS Thank you Madam Speaker I would like to make a statement of my recent attendance at the Pacific Islands Telecommunications Conference. On the 26th April I attended a four day Pacific Islands Telecommunications Association Conference in Honiara along with Norfolk Telecom Manager. The conference was well supported with over 160 organisations and a huge array of island and country participation from areas such as Tonga, Fiji, Tahiti, Papua New Guinea, Malaysia, New Zealand, Australia, the Cook Island, Singapore, Samoa and China to name just a few. This was the 14th Annual Conference and continued the PITA objectives to improve, promote, facilitate, develop and provide Telecommunications services within Member and associate Member countries. PITA is a non profit organisation formed to represent the interests of the small island states and countries in the Pacific in the field of communications. The opportunities that this conference offer

Norfolk Island is worthy of mention and form a significant part of what I'm going to say now. Rather than list the daily conference agenda I've attached that background information to this document which includes session timing, topic and presenters as provided to all attendees. Throughout the four day conference Mr Kim Davies and I attended sessions that covered regional and national telecommunications. This session highlighted the need for adequate legislation if liberalisation of the Telecommunications legislation and services was to be considered. There was analysis of several island scenarios whereby legislation was not adequate to protect the community's or the Government's investment in technology, reticulation and infrastructure. As a result there was major concern with retention of suitable standards of service, a need for clarification of liability regarding privacy and quality of service, and a suitable protection structure to enable recapitalization of Telecommunications infrastructure in the future so that shows you that we're not on our own in these considerations. Internet resources and infrastructure were also discussed within sessions and these sessions covered trends and issues and the impacts of networks to the Pacific Islands. Submarine infrastructures and newcon activity sessions were held and they dealt with marine maintenance in the Pacific and fibre optic options for small islands. The World Bank Technical Team made a presentation on technical, commercial and financing options for implementing submarine cable projects and pilot cases. There were later suggestions on how similar project options may apply to Norfolk Island. A great deal of emphasis during the conference went towards protection of communication networks against misuse as well as regulatory frameworks to ensure ongoing viability of island infrastructure. An example of this session outline from the conference was, and I've extracted this directly from the agended sessions, Economics of NGN, avoiding a national catastrophe. NGN is Next Generation Networks. This session aims to bring a realisation of the economic impacts of NGN in Pacific Islands. Now the impacts of NGN technology and network design competition and poor regulatory framework and business models, eg revenue sharing will have on service providers import duties and tax base and national knowledge base. Several sessions were dedicated to Telecommunication data back all solutions, mainly utilised in the areas that located a central satellite system in one location and then beamed the data across to islands in close proximity thereby saving multi satellite sites or expensive cabling issues over difficult terrain. A number of sessions were focused upon new satellite technology and the soon to be achieved higher band widths and lower latency opportunities. These sessions were of particular interest to Norfolk Island's current and future direction options with the South Pacific Island's network delayed and rescheduled for the third time. We will have to consider how we will accommodate new industry partners and our own community requirements in the meantime. There was discussion at an industry level as to whether the SPIN project was likely to be completed even in the latest reschedule time frames or if in the terms of one of the presenters, it was a dead duck. From this information the Telecom Manager and I took steps to co ordinate meetings with those communications and infrastructure providers who could fulfill short term requirements for the island if SPIN is merely rescheduled and discussions were held with operators who may be able to satisfy our ongoing requirements if SPIN does become a dead duck. These meetings covered expansion of current satellite services and associated costs. Improved usage of available band width through new technology such as soft switching enabling all traffic to arrive in an ip format which in the case of telephony is converted at the soft switch and processed as a normal call through the proper cabling to the home or business. This was particularly relevant to us as the Erickson AXE exchange will not longer be supported by Erickson in the near future and a cost effective replacement must be sought. The comparison between an AXE type exchange and a soft switch exchange indicated that the soft switch is about a quarter of the price with ten times more capacity and a significant reduction in power consumption dn ongoing maintenance cost. This form of exchange optimizes current transmission technologies for satellite and for fibre optic systems. An exciting development for future satellite options was the introduction of the O3B satellite service. In our discussions with O3B representatives we were able to determine the footprint coverage from satellite to Norfolk Island as well the low orbit advantages of low latency high band width and no sun spot interference. The latency I'm referring to is the up and

O'Connor, the Minister for Home Affairs, invited our view on that particular Bill. It was also referred to the Joint Standing Committee on the 18th March in 2010 and the JSC in turn invited our view. The Norfolk Island Government and Members provided a substantial submission to the Joint Standing Committee on the 7th April and we also made a view known to Minister O'Connor. In brief we presented seven concerns, and I don't necessarily elaborate those here but I will table the document in a moment which gives substance to that but we opposed some parts of the Bill and in others we sought to work co-operatively to achieve outcomes realistically helpful to both Norfolk Island and to the Commonwealth. We provided a supplementary submission to the Joint Standing Committee and that was on the 16th April. The Joint Standing Committee in its turn, presented its report to the parliament on the 11th May, long past in 2010 and I would like to table three documents. One is the substantive submission that we made to the Joint Standing Committee, the supplementary submission that we made to the Joint Standing Committee and also the report of the JSC itself to the Australian Parliament. They have been available in other forms but for the fullness of documentation I table the documents here so they are part of the Legislative Assembly's records. This particular Bill remains in the House of Representatives and we are really unsure of the projected date of it being finalised in that House. It is expected that it will pass in that House and then it goes to the Senate. In the meantime however, notwithstanding that, there are discussions taking place at present in line with our recommendations for dialogue between Norfolk Island and the Commonwealth and the particular case that I'm mentioning to you in terms of financial provisions, and there are prospects of similar discussions on AAT and Freedom of Information and privacy matters and there is some prospect of mutually agreed outcomes. It remains to be seen but discussions continue in those particular areas. The next step for this Bill after the House of Representatives is the Senate. The scene there is quite different. Unlike the House of Representatives the Government doesn't hold a majority in the Senate and unlike the House of Representatives the Australian Government is not able to force legislation on their own numbers in that particular forum. May I make this clear. The Norfolk Island Government isn't about trying to defeat this Bill. That's not practical for us and we recognise that and indeed parts of the Bill are desirable to us. Not many but some parts of the Bill are desirable in the governance terms. We are about securing amendments of some parts of the bill which will maintain if agreed to maintain Norfolk Island's self governing status. As on many other occasions that we've had to negotiate and explain our case in the Canberra scene, we've engaged advisors who are experienced and knowledgeable in that theatre. Crosby Textor in this particular instance, and they successfully supported us the last time we needed to go through these difficult processes so just let me try and address a couple of queries that came in the questions time, and I'll endeavour to make some comments about some aspects here. The arrangement is that the cost of \$22,500. there was a tender process and I will explain that. The tender process was observed. That doesn't mean that in this particular case that there was an advertisement for tenders. The tender process provides this, when there are time constraints and when there expertise factors to be taken into account. And they were taken into account in these particular instances. Another query that was raised was the matter of funding. The funding of this particular exercise was not in the budget. You will know Madam Speaker and Members will know that the budget was prepared at the beginning of the financial year that we are now embarked upon and there was no budgetary provision to my knowledge. I wasn't a party to that particular process when that took place, and you will equally know that we are getting towards the end of the financial year now and funds do become tighter. Funds are tight anyhow but they become tighter at the end of the financial year and there was a need to virement funds in this particular case. But funds are viremented each week almost. Probably more frequently than that in a number of cases to meet needs, especially towards the end of the financial year and this was no exception to that. So I explain that so Members will know the context and know that the context is therefore not unusual although I expect that obviously some would want to make it unusual. We are at the stage now of securing appointments with appropriate parliamentarians next week in Canberra to pursue those amendments which we think

are important for Norfolk Island's self governing status. That is an over view of where we are at this moment Madam Speaker

MRS WARD
be noted

Thank you Madam Speaker I move that the paper

SPEAKER
paper be noted

Honourable Members the question is that the

MRS WARD

Thank you Madam Speaker, as the Chief Minister has explained, the decision to engage Crosby Textor directly relates to the proposed introduction of the Territories Law Reform Bill. The Bill proposes to amend the Norfolk Island Act and cement some already existing practices into place. The Federal Government has committed to protecting every Australian citizens human rights under international law and so this review of their own legislation is well overdue. The view I represent is that the Bill is not an attempt to roll back self Government. It is an attempt to clarify anomalies and to prevent inconsistencies. The vast majority of residents understand we need change. I ask this Government to be forward thinking and make every effort to find opportunity if the Bill is passed. There is a lot of work to be done in drafting Regulations that provide clarification and guidelines. I trust this Government would endeavour to support the relevant officers in developing sensible Regulations. This is a direction that will benefit all of us in the long term. A clause that may concern some people is the Governor-General's ability to dissolve the Legislative Assembly if it is incapable of effectively performing its functions or is conducting its affairs in a grossly improper manner. That would be a very serious situation and it could occur however, within 36 to 95 days after dissolution a general election would be called. This could be viewed as very disruptive but it gives the people an avenue to protest at the highest level against the performance of the Legislative Assembly. In the financial area the Commonwealth is moving in a direction that will assist in protecting all residents. If the Territories Law Reform Bill is passed mechanisms will be set in place which will allow this Legislative Assembly and the Commonwealth to identify challenges and put procedures in place to assist with economic development. There is a need for the Commonwealth to be able to monitor our ways, and their own, and with that information, better consider what Norfolk Island needs to ensure that infrastructure development progresses in a measured way and ensure that a stable economic future can be achieved. The clause in the Bill relating to the Appeals Tribunal, the Freedom of Information and Privacy provisions, which proposes to includes Norfolk Island into the Commonwealth arrangements is of concern. Not because these facilities should not be available to us. They should. But the cost of providing these services to the community is my concern. Any move by the Commonwealth that would in turn provide a further cost burden is a real concern right now and for the future and I would like clarification but it shouldn't stop us from achieving the best for this community in terms of equal rights and opportunity. To actively lobby against parts of the Bill because of the fear of the unknown or a fundamental belief that self Government must be achieved at any cost is a view I do not represent. Minister Brendan O'Connor commended this Bill to the parliament in Canberra. The same Minister that this Government is seeking short term financial assistance from. What our Government is having trouble appreciating is that the Government is trying to help. The Commonwealth Government is trying to help and this Bill is a fundamental step in that process. It is a first step to work towards creating a more robust form of self Government and addressing the burden of the 103 scheduled responsibilities. Responsibility and transparency may make some people feel uncomfortable but it is necessary to preserve democracy. This Government has grave concerns about some aspects of the Bill. I do appreciate that. Madam Speaker if I could just have one last point. The Joint Standing Committee has recommended a review of schedules 2 and 3. I am especially interested in this area because the number and level of responsibility that we are trying to administer is a major concern and some serious consultation with the Federal Minister on this matter should be a priority. Thank you

MS ADAMS

The Chief Minister has kindly tabled in the House today the report of the Joint Standing Committee and it is to that paper that I will direct my comments. Mr Deputy Speaker I have today sent a letter through the Office of the Administrator, to Senator Kate Lundy, Chair of the Joint Standing Committee of the National Capital and External Territories. In the letter I express my sincere concern in respect of one of the conclusions drawn by the Committee as reported in the Chair's Foreword to the advisory report of the Joint Standing Committee on the Territories Law Reform Bill 2010. And whilst my concern actually stems from evidence that I tendered to the committee, its not in the tendering of the evidence that gives me concern, it's the conclusion that has been drawn in the Chair's forward and I read from the Chair's forward. "The committee received evidence that the governance reforms will undermine the consensus style of democracy practiced by the Norfolk Island Legislative Assembly. This style of democracy ~ and I am quoting ~ was likened to that which operates on the Isle of Mann and the Canadian Northwest Territories. This is similar to how local government operates in other Australian jurisdictions and is not commensurate with the Norfolk Island Legislative Assembly's status as a Territory legislature." And again whilst that conclusion would seem to have been drawn from a number of separate references in my submission to consensus government they have been made in isolation of the overriding reference at page 30 of the Joint Standing Committee's hansard and i quote, "our hybrid model of representative government is a mix of Westminster, consensus and direct democracy can work and that the Isle of Man, with whom we have close historical ties, and the Canadian Northwest Territories parliaments have a similar mix." End quote. Whilst I certainly referred to consensus government in the Canadian Northwest Territories, and I quote, "a system of government which Norfolk Island basically mirrors today in its day-to-day operations". Quite clearly Mr Deputy Speaker if one were to read the guiding principles and process conventions of that parliament one would quickly come to the conclusion that it is not local government. And for the record I will quote the first two principles so there can be no misunderstanding of my intent – "1. Consensus government is not defined by the absence of party politics. It is defined by the ability and willingness of all Members of the Legislative Assembly to work together, within their respective roles, for the collective good of the people, in this case, of the Northwest Territories. 2. Consensus government is a unique combination of the British traditions of ministerial responsibility, cabinet solidarity and legislative accountability and the aboriginal traditions of open dialogue, inclusive decision-making, accommodation, respect and trust." And with respect, I would say that is how Norfolk Island operates. My submission Mr Deputy Speaker clearly pointed out that our system of governance today remains consistent with that envisaged for the island by the Commonwealth Government in 1979 and I said "that the bill before the parliament will change the basic fabric of our island democracy as it exists today." You may ask why I am so concerned about this particular conclusion in the Chair's Foreword. And I will try to explain. The Committee has drawn a conclusion in its report that consensus government is inappropriate for the Norfolk Island legislature. That conclusion is in direct contradiction to the intent of the Commonwealth Parliament when it passed the Norfolk Island Act in 1979; and I invite your attention to the following speeches recorded in this parliament which support that fact. The first in 2004 on the occasion of a ceremonial sitting to celebrate the 25th Anniversary of self government in Norfolk Island, and I turn to the words of the Hon. Bob Ellicott QC at that sitting and I quote in part, "...when self government came you had proportional voting and the purpose of that was to underlie one fact and that was that this island can only operate by consensus. I say to you at the end of the day whoever sits around this table has to get to a decision by consensus and that was a basic platform of self government". The second speech was delivered only just last year on the occasion of a ceremonial sitting to celebrate 30 years of internal self government; a speech from Her Excellency the Governor-General of Australia read to the Assembly by His Honour the Administrator, and I quote from Her Excellency's speech. "I am reminded of the address made to the first Assembly by the Hon Bob Ellicott QC. Mr Ellicott said: *As individuals, be prepared to abandon your own pet theories; adopt as your test what appears to be reasonable in the interests of all the people.* She goes on to say, "This is sage advice indeed. Mr Ellicott also asked the Assembly to focus on decision-making by

consensus.” Her Excellency says, “I realise that decision-making by consensus brings a certain burden. Those who speak must express their ideas clearly and honestly. Those who listen must do so openly. Alternatives and opportunities must be raised and considered. Consensus decision-making may take time. It may raise issues that are difficult or confronting. However, at the end of those discussions, there can be certainty. Certainty that dialogue has been open. Certainty that the best interests of the Norfolk Island community have been explored. I commend these ideals to you, as a central aspect of your self-government system.” That was only just last year by Her Excellency the Governor-General of the Commonwealth of Australia. So to sum up. The Federal Parliament of Australia in 1979 was of the view that representative government on Norfolk Island should be by consensus. This view has remained constant for 30 years. Her Excellency the Governor-General, to whom Norfolk Island legislation is referred for assent from time to time, concurs with that view as recently as last year. It is clear however from the report of the Joint Standing Committee that the Committee does not support the original premise on which the Legislative Assembly of Norfolk Island was constituted. Mr Deputy Speaker with the greatest of respect I submit that this calls into question whether there is true understanding of how governance operates on Norfolk Island and that for me personally, and I am only speaking for me personally, is a matter of grave concern. It is equally and as importantly, a matter of grave concern to me that the conclusion drawn in the Committee’s report about the inappropriateness of consensus government for the Legislative Assembly of Norfolk Island could equally be taken as derogatory to two member countries of the Commonwealth of Nations that their consensus form of government is no more than “local government”. Norfolk Island has a close historical tie with one of them; and a relationship through the Commonwealth Parliamentary Association with both of them. I trust that the reference to these countries in the report will not be misconstrued by them if brought to their attention and let us bear in mind, that Tynwyld in the Isle of Man has been in existence for a thousand years. That it predates the Parliament of Westminster by many centuries. I would offer those words to the ministry, if and when you move to talk with Members of the Federal Parliament if you try to help them with more understanding of how Norfolk Island operates. Thank you Mr Deputy Speaker

MR BUFFETT

Thank you Mr Deputy Speaker I may be not clear in my understanding, but it is my understanding that that was the maiden speech of Ms Adams and I acknowledge that

MEMBERS

Hear, hear

MR NOBBS

Thank you Mr Deputy Speaker. I have a very short and sweet comment to make. I will just endorse the process and procedures that the Chief Minister has undertaken. I think as has been highlighted in the Speaker’s statement as well there, that there has been recognition at a number of levels of the Government and governing principals that have worked for Norfolk Island for thirty years. In answer to some of the issues raised both in ongoing papers and in some of Mrs Ward’s questions, there has been no impediment to investment in Norfolk Island’s infrastructure by the Commonwealth at any stage and certainly in the twelfth Legislative Assembly’s term we discussed combined infrastructure investment, a Heads of Government type plan in moving forward both short and long term for Norfolk Island and in terms of the reason or part of the reason we have some concerns regarding this Bill that’s on the table, is that we need to be able to timely manage transparently manage and appropriately manage Norfolk Island and I if was to look back over the last two years where we were invited to apply for infrastructure grants, where we were invited to put in applications for funding, where we were invited to seek a submission regarding an alternative to a commercially acceptable refinancing of our fire tenders at the time, to sort out or to assist in what was a global financial crisis, and at the end of very nearly two years we are still waiting for answers on many of those issues. The concern I have is that if we trade off without looking at this paper appropriately schedule 2 management, we trade off our ability to manage not only for our community but for the economy. I

would advise all people to look long term on this issues, not just to look at one or two things that apply and may provide some incentive to take on the whole Bill. There is a great level of different insertions into our ability to manage ourselves in a timely and appropriate manner

MR KING Thank you Mr Deputy Speaker. I would like one day to have a fully blown debate on the issue of consensus Government. I would welcome that. I don't think it is the appropriate time to do that and I'm not going to go to any great length on that particular issue except to say that my position has been stated very clearly. I have said that I will not be party to a system which I know has been in place for thirty years, and I have a belief that it hasn't served the community well. I will not be party to a system, call it whatever you wish, if you wish to call it consensus Government, that's your choice, but I will not be party to continuing meeting in committee, adopting policy in committee, in secrecy where there is no hansard recorded. The commitments of secrecy where it is purported to reach decisions and positions. I will not be party to that. I will conduct my business and represent my constituents in this forum and somewhere along the line I will gain the respect that I sought in my initial speech in this matter and I am the Leader of the Opposition

MR NOBBS Point of Order Mr Deputy Speaker. How does this relate to the Statement that has been noted

MR KING Well indeed.

DEPUTY SPEAKER You are quite right Mr Nobbs. Mr King

MR KING I've completed my brief dissertation on that thank you. Mr Deputy Speaker I think that the Territories Reform Bill is, by comparison with the Lloyd proposal of 2006, a piece of cake. It's a walk in the park. Minister Lloyd wanted in those days to strip away self Government to significantly wind it back, and amongst other things he proposed to include Norfolk Island in the Commonwealth financial arrangements and it was very likely indeed that the intention was to extend the Commonwealth income tax system to Norfolk Island over time. Had that proposal been successful the island would not be in the parlous financial and economic situation it is at present. For example, there's no doubt in my mind that Norfolk Island would have benefited substantially over the past eighteen months or so from being a part of the infrastructure of Australian and other Commonwealth stimulus packages. Certainly to an extent in my belief which would have significantly offset any downturn in tourism caused by the global financial crisis. Instead Norfolk Island was left to beg and scrounge for a few shillings. Not so much to provide new economic stimulus but to keep the works teams gainfully employed. Instead we are confronted by provocative press releases from the Federal Minister letting us know the extent to which other external Territories benefit from being part of the Commonwealth financial arrangements. We are all aware of the press release by Minister O'Connor. Mr Snowdon raises his head once again in joining in that press release looking after Australia's territories. \$39 million to go towards air services. How much for Norfolk Island. Nothing. \$34 million for community services. Nothing for Norfolk Island. \$8 million for essential services. How much for Norfolk Island. Nothing. By now, had the Lloyd proposal gone through, most business people and wage earners would have ordered their financial affairs to fit the new reporting requirements and would have come to appreciate that being part of the Commonwealth financial arrangements and all that offers, means greater economic activity and more disposable dollars. Clearer economic and financial planning, greater job security. And importantly, a much improved ability by the local Government to respond to economic need through capital stimulus. It's likely that even now, almost four years on, that income tax would still be being phased into our community yet many previous skeptics would understand perhaps by now that being part of a more stable financial system means more retail expenditure, greater capital outlay in both public and private sectors, more jobs and working hours, and stable employment, all of which go a long way, and maybe all the

way in some cases, towards offsetting any income tax which might be payable. A few higher income earners would no doubt still be whinging but perhaps there would be less of them. Maybe a great portion would have come to realise by now that it's necessary for them to contribute perhaps a little bit more. Their willingness to contribute may have increased. Their willingness to contribute a little bit more towards living in this beautiful island and here we are three or four years on, we find ourselves confronted once again by decisions concerning our future. And why. Because we are Australian citizens and our Federal Government remains concerned that it's Australian citizens' here are not well placed to deal with the uncertainties and the challenges of the times. Not our unique situation but regional and international forces. It's not hard to understand their concern. Even though many in the island and some around this table continue to deny the extremely weak and vulnerable position that we find ourselves in. there is comfort in denial but the realisation is ugly. In 2006 Mr Buffett engaged some lobbyist to work on the Lloyd proposal. The same mob that he currently proposes to engage, Crosby Textor. He says they've served us well. It's important to understand Mr Deputy Speaker that many in the community welcomed the Lloyd proposal. Of course there were many opposed it and they took their fight up to Federal Cabinet led by Mr Buffett much to his credit. Right up to the Federal Cabinet door, Mr Deputy Speaker and against assurances by the Norfolk Island Government delivered by Chief Minister Mr Buffett, that changes would be made to secure a financial future for Norfolk Island, the Feds backed off and waved us on our way. Now we can talk about those assurances and what has happened since. But you've heard it all from me before and I don't feel that anything worthwhile is going to be achieved by my serving up to you my graphs and illustrations in relation to the public account and what has happened since 2006. I can take my graphs and fold them into aeroplanes and throw them around this room. They might poke a couple of people in the eye but they still won't make any sense to them, or they still won't be accepted. No one knows how many supported that Lloyd proposal or how many opposed it. Mr Buffett no doubt said then, as he's saying now, that Norfolk Islanders in general are opposed to change in Self-Government. I think it is untrue although like Mr Buffett I can't quantify that, but what I can do is offer a note of caution based on history and I mean no disrespect to Mr Buffett in raising this issue, but Mr Buffett as Chief Minister was entitled in 2006 after knocking off the Lloyd proposal to regard that as being his greatest political achievement. Yet only a few short months afterward, whilst still basking in his success Mr Buffett was dumped ignominiously by the electorate. We all know of course that the electorate is somewhat fickle but that can hardly be a ringing endorsement. I think the swing against him matched the records swing as against sitting politicians that were attached to myself and Mr Sanders in the '90's. In fact at that time, the community demanded wholesale political and policy change and they placed that demand at Mr Nobbs' feet. He didn't deliver of course but that's another story. Mr Buffett has said on more than one occasion in recent times, as he has considered the TRB, Territories Reform Bill that he...

MR NOBBS Mr Deputy Speaker could I call a point of order there, there seems to be an imputation there given that during my service as Chief Minister a number of implementations of strategies has laid out in my Strategic Plan has promised through programme delivery and I would seek you to recognise that as an imputation under Standing Orders from Mr King

DEPUTY SPEAKER Thank you Minister, I will seek some advise on that, but my tendency is to agree with you. Mr King, you're making a statement, with imputations on Members of this House. The subject matter is the Territories Law Reform Bill. Would you please restrain your comments to the matters about the Bill and not to imputations on Members of this House

MR KING I've just decided a couple of Christmas presents for the Deputy Speaker, one is the Reps rulings

MR BUFFETT Point of Order Mr Deputy Speaker. That is most inappropriate for a Member to try and make such remarks upon rulings of the Presiding Officer of this House

MR KING I'll withdraw that Mr Deputy Speaker

DEPUTY SPEAKER Thank you. You may continue Mr King

MR KING I was mentioning that Mr Buffett has said on more than one occasion in recent times that in considering the TRB, the Territories Reform Bill, that Norfolk Island has faced tough times before and has always managed to pull through. I accept that. I couldn't agree more that Norfolk Islanders are a resilient and resourceful people. They are deserving of much admiration for having successfully faced down adversity over many years, however with the greatest respect for Mr Buffett, for his many years, decades in service to this community, Norfolk Island has not in modern times, faced the degree of financial and economic hardship that it faces at present. Mr Buffett is astute enough to understand that situation. He knew enough in 2002 to urge his Legislative Assembly colleagues to understand that we have run down our assets and made inadequate provision for capital upgrade and replacement and we had plundered our GBE's and he knows that nothing has improved since. Norfolk Island's society has changed considerably in the three decades since we took on the present form of Self-Government and changes were not always welcome. Many were opposed and resisted. Television, mobile phones, tar sealing of the airport runway. All resisted. We are, what we have become. A demanding modern society. We demand to be kept in touch with the outside world. We demand the best education for our children and the ability to access further learning and education beyond what we offer here. Mobile phones have in fact become the norm. No one can do without them now, and if you're lucky enough to have a digital television, you can pick up six or eight channels and heaven help the Minister or politician who wants to take away any of those channels or charge for their access. We demand high speed internet access to strengthen our contact with the outside world and to maximise our commercial and economic interest. We demand that our roads be sealed. We demand protection of our waterways and our natural environment against contaminants, pollutants, introduced pests and disease. We are called upon to meet the basic demands of modern society, access to affordable health care, security of employment in the event of accident or sickness, protection of person and property and of course to support of our senior citizens. A group in this island which is aging at a rate three times that of the same group on the mainland. These are not expectations or aspirations, they are demands. Furthermore we strive to meet new challenges created by forces out of our control, like increased tourism competition and volatile financial and economic markets. All constituting a threat in one form or another. We've become a multi cultural society and have become home to people whose hearts are, I think it's fair to say, elsewhere than Norfolk Island while our own youth whose hearts are here in Norfolk Island move offshore to find security, thus contributing to a decline in our cultural awareness. We struggle to deal with those changes that surround us. It cannot be said that the TRB was unexpected or that it came out of the blue. I accept that there were a couple of provisions that came out of left field but in essence the Bill reflects objectives that were clearly reflected in JSC reports over many years. Perhaps we thought that once Lloyd was dead and buried that, that was it. It was all over. And that was a reasonable conclusion since we can fill up a room with Joint Standing Committee reports about which nothing was done or eventuated to our benefit. If we did think like that, then surely we were naïve. Federal Governments come and go, Federal Ministers change, the Joint Standing Committee is a bipartisan body that we often seem to overlook that and a Federal Labour Government is of course entitled to have its own view of the world of Norfolk. Did we really think perhaps that we would be left to sink further into the mire simply because some local people with vested interest were able to stump up some money to engage lobbyists who had the ear of senior Liberal Ministers? Minister Debus made it very clear I think in July or August of 2008 that he and his Labour Government had a different view. Surely we were once

again naive in thinking that because Minister Debus subsequently resigned, that the heat was off. How could that possibly be when things continued to decline dramatically. I do feel that the Commonwealth could have gone about this issue in a different fashion but I do not, like Mrs Ward, subscribe to the view, that intervention of this nature is unexpected or unjustified. Unlike my own belief the Bill seems to suggest a belief on the part of the Commonwealth that we still have some capacity within our present Government and administrative arrangements for us to redeem our position. They seem to be saying that unless we conduct ourselves more progressively and positively they will beat us with a big stick. Perhaps they are driven now by a realisation that it wasn't sufficient in 2006 to simply accept our Government's assurances in that year that we would have to secure our future. I of course preferred the Lloyd approach. That will come as no surprise for Members because it left little room for prolonged agony and hostility and it achieved what I believe to be the solution to our ills – inclusion in the Commonwealth financial arrangements. Unfortunately it was inevitable that this current approach would cause indignation and hostility from this side. The approach was ill considered and it provided no immediate answer to our financial problems. It was the perfect recipe for a stalemate, and a clouding of the real issue. The real issue being what is the way forward for a sustainable economy and public fiscus. I don't see where we have the capacity to satisfactorily address this question by ourselves. We are surviving on a day to day basis, we live in hope that some windfall might fall from the sky, we hope that Mr Anderson can perhaps juggle the figures and come up with a new and miraculous set of numbers of that Mr Nobbs can perform, well it's not a miracle, it's quite possible that tourism numbers can be restored, but do we have the capacity to suffer another trough which has been a part of our history. The idea that we can extricate ourselves from the mess we are in and provide properly for our community simply doesn't stack up against the facts and that is the real issue. If this Bill has pushed us closer to accepting the reality of our situation and closer to becoming part of the Commonwealth financial arrangements then I applaud it. Times have changed and the Norfolk Island Government is obliged to see Norfolk Island as it is now. A modern community. Facing those demands and challenges. The changes and struggles that essentially, or substantially didn't exist thirty years ago. Norfolk Island has a right to be proud of its successes but it's time to review its options. Successive Norfolk Island Government's since 2006 have been unable to secure a financially sustainable future and this Bill as unfortunate as it is to many, places the Norfolk Island Government in a position where it must open its eyes wider. The Government has stated that it is willing to go to the negotiating table and to use Mr Buffett's words, to formulate processes that are appropriate for Norfolk Island. I have some difficulty with the obscurity. I can't get a clear understanding of what those words actually mean and perhaps it's just another motherhood statement lacking substance like that of 2006, the Commonwealth should leave us alone to secure our financially stable future. Just what is it that Mr Buffett and his Government see as appropriate for Norfolk Island? I simply don't get it at all. What I see is an effort that is solely directed at retaining the existing form of Self-Government at all cost, economic, financial and social. I see the Chief Minister, Mr Buffett, Captain Buffett if you wish, standing on the bridge of his ship, with his arm tucked into his jacket, while the ship is sinking. It's not what I expected of Mr Buffett when I supported him as Chief Minister. I thought that unlike his predecessor Mr Nobbs who adopted a hostile belligerent posture with the Commonwealth...

MR NOBBS

Point of Order

DEPUTY SPEAKER

Point of Order Mr King. Please refrain from imputations against Members as I asked before

MR KING

Let me rephrase that Mr Deputy Speaker. I thought that unlike Mr Buffett's predecessor, Mr Nobbs who adopted an entirely inappropriate and unproductive posture in Commonwealth relations...

MR NOBBS Mr Deputy Speaker the basis I would imagine from Mr King making these statements is from the 12th Legislative Assembly publishing outcomes in the paper to make the community aware of what exactly was going on with negotiations. That did not temper them and I will quite openly state that we took on a positive negotiating role at every stance possible

MR KING Point of Order Mr Deputy Speaker

DEPUTY SPEAKER There is no Point of Order Mr King, Mr Nobbs is trying to explain to you Mr King, the Point of Order. Please continue but please refrain from imputations that again slur the Members of this House. Continue

MR KING Take three Mr Deputy Speaker. I thought that unlike his predecessor Mr Nobbs, who failed to get anything worthwhile on the table, that Mr Buffett offered the best hope for finding solutions...

MR NOBBS Point of Order Mr Deputy Speaker. There were a number of issues that we certainly got on the table in negotiation with the Federal Minister's and in terms of the reference to Bob Debus, I will provide some further input on his change of view as a result of his discussions with us and experience with us following Mr King's statement which I must confess is coming close to...

MR KING Are you dealing with the Point of Order Mr Deputy Speaker

MR NOBBS Yes I'm...

DEPUTY SPEAKER He's covering his Point of Order Mr King

MR KING He's contributing to debate

MR NOBBS No I'm not. I'm pointing out that you are heading towards a further point of order under section 68

DEPUTY SPEAKER Mr King will you continue but please as I've asked before...

MR KING No take four

DEPUTY SPEAKER This matter won't be allowed to continue

MR KING I'm trying to find words that put Mr Nobbs in the light that I consider him Mr Deputy Speaker

DEPUTY SPEAKER You are making improper and sometimes...

MR KING It's not improper to say..... while on the table, it's an opinion expressed on me. Nevertheless I shall move on. I finish that by saying that I had hoped Mr Buffett would be able to achieve solutions. Different or otherwise. Or more substantial. Or more worthwhile. Or more promising than Mr Nobbs had done, and that's why I voted for him as Chief Minister and not Mr Nobbs. All I see Mr Deputy Speaker is more of the same. All lines being drawn in the sand. More nothing. And I am solely disappointed. Mr Deputy Speaker I'm happy to hear that Mr Buffett, the Chief Minister, has indicated that he's heading off to Canberra next week and he may be taking some of his executive colleagues with him. That's good because that's what we voted for him to do. I don't have any objection for him getting in there and doing his job and fighting for what he believes is right. I would expect no less. But I do object to him and the Government farming out its responsibilities and essentially abrogating their own

executive responsibilities. The Chief Minister has said that Crosby Textor has been engaged to assist in consulting with the Commonwealth Government in relation to the TRB, Territories Reform Bill. Surely Mr Buffett is familiar enough with Commonwealth Government and parliamentary processes to understand that the consultation phase for the Bill is long over and it's been sent to the main Chamber, contrary to the indication given by Madam Speaker in her weekly contribution to the press, the main chamber is where non controversial and unopposed Bills are sent to go through their final motions. Not as indicated by Madam Speaker, in her weekly paper, that substantive debate on the Bill will continue in that Chamber. Has the Chief Minister and the Government perhaps missed all the hints in the Commonwealth Press Releases that the Bill has bi partisan support. Who are they going to lobby in the Senate when this thing hits. The cross benches perhaps. The Government should perhaps do the mathematics. Mr Buffett says that Crosby Textor was chosen to do the Government's job because of their previous success. Surely the Chief Minister is aware that Crosby Textor are not exactly the pin up boys for the Federal Labour Government. They have as much chance of getting an audience with senior Ministers as Attila the Hun. This engagement is throwing good money after bad. Not only that it is offensive that we can't find money for essential programmes to protect public health and native flora and fauna or a bonded quarantine area for dealing with our export materials. Or perhaps a new computer system to replace this 26 year old system which is about to topple over. A thousand things or even a new recording system here to ensure that all our blunders in this House are properly recorded. I can't understand how we can throw away money on this fruitless exercise...

MR BUFFETT Point of order. I'm not too sure it's worthwhile but we've had to listen to this for a while and I think maybe I should just point out that people are not entitled to make derogatory inferences about the decisions of the House Mr Deputy Speaker

MR KING Well perhaps after the meeting Mr Buffett might show me where that sits in Standing Orders as well. Let me close by simply saying that Crosby and Textor are having a lend of the Norfolk Island Government. They are taking money under false pretences and are offering false hopes. I object strenuously. I cannot be convinced that we or the Government are moving in the right direction. That is my contribution for the moment thank you

MR NOBBS Thank you Mr Deputy Speaker. Out of the preceding diatribe I would just like to make a couple of remarks if I might

MR KING That's a point of order Mr Deputy Speaker surely, calling my contribution diatribe. What's good for the goose is good for the gander. Even the Leader of the Opposition

MR NOBBS If it makes Mr King feel more comfortable I'll take that remark back Mr Deputy Speaker. I'll point out this. That there are areas within, and it's the TLR Bill just to inform Mr King, not the TR Bill, there are sections within the TLR Bill that we endorse. Many of those things we have pursued for years, in terms of providing levels of accountability and avenues to seek redress and other involvement through discussion and the like, and they are in areas such as the Ombudsman's legislation and things like that that we've spent a significant amount of time working on. The interesting thing with regard to the Crosby Textor engagement, as really that's what a great deal of this debate is supposed to be aimed at, is that the strategic timing of the release of the Territories Law Reform Bill worked so that pretty much the first we knew about it was in our election process. The 12th Legislative Assembly was going to the polls, the community was focused on where things were going to be in the new Assembly that would be elected, there were a number of processes that needed to be completed by the outgoing Legislative Assembly and there were a number of processes that would be completed in the course of an election. The release of that Bill on Norfolk Island was advised to us on I think some Friday evening just prior to the arrival of some

officials. The officials arrived, made a number of presentations, some of which they made to the Members of the 12th Legislative Assembly. When they acknowledged that part of the issues and part of the composition of the TLR Bill came out of ignorance of understanding how Norfolk Island operated, and the difficulties they sometimes had when presented with referred legislation under schedule 3, in finding someone within the halls of Canberra who could provide them advise on what they termed a round peg in a square hole. Following on from that in terms of the release and what I would almost term, strategic timing, the opportunity for comment and consultation was very minimal at the public meeting, the public meeting which at the time the operator of the local newspaper was informed not to release some of the comments from the public meeting where people were informed that they couldn't make any recording, of what was going on there, the public meeting that involved a small slide show on a very small screen in Rawson hall with a number of people who were interested in the de4tail that wasn't revealed within the slide show. There was great concern on Norfolk Island about the fact that this was a constitutional change, with an unconstituted short time frame for a process to be involved. Following that release the tabling of the document during budget process within Canberra is also meant that timing for meetings, timing for dedicated concentration of those matters contained in that TLR Bill has been quite restricted for Norfolk Island to engage with some of those areas of the ministry, particularly some of those ones who do not understand how Norfolk Island operate, has been particularly difficult over the time frames that this has commenced and is still under. I endorse and have endorsed earlier the engagement of Crosby Textor on the basis that the availability of many of these Minister and beaucrats is very narrow at the moment in the run up to budget so we do need to make sure that the best outcome, which is what the community is going to expect from all of us around the table, is a well consulted, well thought out approach that enables the appropriate management moving forward. One other area that I do want to touch on is Mr King mentioned the potential that we would have had funding available for similar areas as has gone to Cocos and Christmas Island by their engagement within the Australian financial system. Just by the way we did forward a paper regarding how much we currently pay into the Australian financial system which is significantly more than is put back in to Norfolk Island in indirect payments, however, there was a referral to the amounts of money put towards Cocos and Christmas Island in these media releases from the Home Affairs Minister. Many people will be aware I stay in touch with many of the executives on Cocos and Christmas Island and media releases do not always portray exactly what is going on there in terms of money that is proposed and what actually eventuates, so although the media releases may look like a ray of sunshine in some cases the outcomes are not specifically the most positive for those locations. One other reference was made to our discussions and even the statements that Minister Debus and how Mr King inferred that we might have been lucky that, that didn't progress from Debus. Minister Debus made the effort to arrive on Norfolk Island and do some investigation of his own following the advise of the beaucrats on how Norfolk Island operated and he was engaged enough to want to work with us to a positive consulted outcome that looked at the issues, many of which are in this TLR Bill but to look at them in a process that enabled us to get on board and many in the community of Norfolk Island will recall an open letter from Bob Debus and it may have even been the one that was co signed by myself as well that indicated the way forward would involve lots of consultation with the Norfolk Island community as well as the Government and there would be no surprises. In closing I'll just say this. There's also been numerous references to the 2003 Joint Standing Committee's Report that features as a part of the principle behind some of the Territories Law Reform Bill. The 2003 Joint Standing Committee's Report was fairly rejected by the Government of Norfolk Island and the Government of Australia at the time. What I will say though, is that recommendations by reports from Joint Standing Committees and Grants Commission reports over the last thirty years, Norfolk Island has endeavoured to tick the boxes on their recommendations in almost all cases where they are appropriate to Norfolk Island. When we completed a spreadsheet that showed the decisions that Norfolk Island had made on the basis of these reports, as opposed to what the Commonwealth had done on the basis of these reports recommendations to the Commonwealth, the report card

was not so good. I think the best way forward on this is the approach the Chief Minister is taking. It involves basically getting the opportunity to sit around the table and look at this TLR Bill with informed eyes and with a timely management of any implementation for change for the community of Norfolk Island and for the economy of Norfolk Island. Thank you

MR SHERIDAN Thank you Mr Deputy Speaker I won't keep everybody long because it's nearly dinner time but I would just like to make a comment with regard to the engagement of the consultants, Crosby Textor and just advise everybody that it wasn't a unanimous decision in the Cabinet. The initial proposal brought forward by the Chief Minister was substantially more than what we eventually agreed upon, it was tens of thousands of dollars more, and it wasn't agreed to initially, but after some negotiation you might say there were three stages to the initial consultation proposal, put forward and it was watered down upon the reluctance agreeance to some in the Cabinet with regards to the amount of moneys being expended and it's been watered down to virtually the first phase of the initial proposal. And this is where the \$22,500 comes from. Now whilst I wasn't particularly keen and Mr Anderson wasn't particularly keen, so we were split, but we've taken the view that we are representatives of the community and in that we know that there are some people who support the Bill and some who don't and so it was only fair that we do give it proper attention and in that regard we had some consultation with the Federal Government and in that regard we've engaged these consultants to do some homework for us so that when we do go over there, to put our case, and it's not to get the Bill rejected, it is to, there's half a dozen items that we've identified that we would like some amendments to, and this is what we'll be going to Canberra for, or whoever goes to Canberra, will be looking for, is a way forward of some amendments so that the Bill will fit comfortably with all you might say. Not just a portion of the community so whilst it may seem extreme and as Mr King said, we've found the money for this but we can't find it for other programmes, I totally disagree there, I think that we've provided for our community very well and in saying that, that is the reason why the decision has been made by the cabinet to go to Canberra and to try and get some appointments at this point in time, as the Chief Minister referred to, maybe at this point in time we are finding them hard to come by so this may not necessarily come up, but we believe it's the right way forward to fully represent the whole community, not just a section. We understand that there are, and I might be repeating myself now, but that there are some totally against it, there are some totally for it and some in the middle, so to put a full view, an educated view across, that's the reason why we engage those consultants and just before I complete this, if I know Mr King and the comment he made about our elderly population over here aging three times as quickly as the ones in Australia I'm just wondering whether it's something to do with their way of living or the fresh air

MR ANDERSON Mr Deputy Speaker I merely wish to endorse the comments made by Mr Sheridan and in fact he reflected many of the comments that I was intending to make. I agree that we have an obligation to pursue on behalf of the residents of Norfolk Island as far as we possibly can, their interests and their concerns. I have expressed my concern that given the strong report recommending that the Territories Law Reform Bill proceed to be passed by the Australian Government and particularly considering there was no minority report to which we might attach ourselves, I have expressed my concern and continue to express my concern with the advantage of pursuing a situation which is most unlikely to change. I'm happy to support the Government and to proceed to do what is necessary in order to achieve what can be achieved, but I'll just put on record my concerns that politically I think the situation is almost a fait accompli and I'm concerned that pursuing the course we are taking may damage the relationship that we are seeking to establish and which I have endorsed as necessary with the Commonwealth Government. That's really all I have to say, thank you

MR BUFFETT

Mr Deputy Speaker if I'm the last to speak I'm happy to speak now. We've had some dramatic presentations this afternoon. It's not my aim to contribute to that part of the debate. I made a statement about the situation in terms of the Territories Law Reform Bill. I really wanted to spread out in terms of information about it so that Members of the Legislative Assembly might have the benefit of where we are at, but also the wider community would know where we're at. Without a doubt in a place such as Norfolk Island there are varying views. We've experienced that forever. That's not new and in the electoral processes those views come to be represented around this table here. And that's part of the democratic process. People will have the opportunity to express their views. Mr King this afternoon has embarked upon what I call a fairly dramatic presentation about his view and he is at liberty to do that. It will represent some people and I understand that. We will know in this community that there are these three broad groups of people. There are some who would want to be integrated into the Australian scene. Mr King subscribes to that view. Substantially. He has indicated that. He indicated it in terms of Mr Lloyd's proposal which was an effort in that direction. There may be degrees in all of this, but I just make that observation. At the other end of the spectrum there are people who would want to be totally independent in Norfolk Island's context. And we hear that from time to time. That's not new. But what has been demonstrated over years and years continuously, in various methods that we've adopted to hear from the community that the majority of the people want to continue a self governing status as granted to us in 1979 and whilst that situation has certainly oscillated from time to time it certainly is my readings that that is the significant principal view. This particular piece of legislation challenges that. We've had other challenges at other times, but this one particularly challenges in some of its areas, not necessarily all of its areas. I've already signalled that there are some desirable parts of this particular piece of legislation. I think it was Mrs Ward who mentioned that in some areas, for example, the area of Freedom of Information, in areas of privacy and in areas of the Ombudsman, I just can't pick up my notes about that immediately, that they may well be beneficial to us, if they are done in the right way. Norfolk Island's view that it has put to the Joint Standing Committee is that we will welcome discussions for a positive outcome in terms of how some of these things might need to be amended. We are not opposing transparency. We are not opposing accountability and those particularly ones assist that process. What we are on about is that they should be done in a way that is manageable, particularly financially and this is the point made by Mrs Ward, particularly financially by this much smaller community whereas, what is proposed at this moment under this Bill is that the entirety of the Australian system for 20 million people be encompassed in this place and you will see some of the differences. I've got to say that there was mention of Human Rights in somebody's address. I don't see anywhere where Norfolk Island has abuse of human rights in terms of the things that we do. I might make a point that you could question as to whether the more colonial attitude in terms of Norfolk Island is a human rights situation for us which is quite the reverse of what think what was being suggested. Some made the point for example that this Bill would give more robust Self Government. Well I need to challenge that. I need to point out to people very clearly that the proposals of the Bill for example, in the Bill it proposes that Schedule 2 matters which are now entirely in our bailiwick, be no longer entirely in our bailiwick but that they should be subject to the veto of the Commonwealth Minister. That is not giving us more robust Self Government. That is challenging the Self Governmental process for us, and they are some of the things that we need to explain in a logical and a calm way to those who make these proposals. Hence our going to do so, but I just wanted to in a measured way, say that they are the things that the Norfolk Island Government is about. We are not challenging accountability. We are not challenging some of the other factors that are being made. We have had a significant address about some issues, I wouldn't necessarily call them side issues but they are not the main issues, and when people enter into debate about these things they try to grasp such things, such things that we've had significant debate about and try to give it a profile. Really that is only an effort to try and subject the Government to impair its capacity to get on and do the things in terms of the principal matter which is the Territories Law Reform Bill but I don't necessarily want to go on about that. I've set out quite logically I think where we

amendments. It is proposed that all comments received will be referred to the Road Safety Committee for their input to the issue of drafting instructions. I encourage the community who are interested in making submissions to obtain further information from the Registry at Kingston, by email to registry@admin.gov.nf or on phone 23691. Mr Speaker just as an aside I did note that Norfolk Online have been running a poll and the question is, in light of the serious car accident involving young Norfolk Islanders recently, should we rethink our law on seat belts and at the moment there's 92% yes, and 8% no so that's just as an aside to the statement

MRS WARD
noted

Mr Speaker could I move that the statement be

SPEAKER
paper be noted

Honourable Members the question is that the

MRS WARD
Thank you Mr Speaker. The Minister for Community Services will bring this Bill to the House in August and it is a controversial Act. There will be debate on the subject and any changes have potential to result in a drastic change to our way of life. This House has the power to determine that change and I encourage those interested to take the Minister's advise and make submissions to the Road Traffic Committee and through other avenues or to lobby your Assembly representative to consider and represent your views. Thank you Mr Speaker

MR SHERIDAN
Thank you Madam Speaker and thank you Mrs Ward for those words. Yes, that is quite correct. If anyone in the community wishes to lobby any Member of this Parliament for changes or for no changes, for whichever reason they want to, feel free, that's what we are here for, and as Mrs Ward indicated I believe I said at last months meeting, that the time line was about the August mark and that's what we will be aiming for and not to necessarily hold me to it, but it will be coming in the near future

SPEAKER
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

The Youth of Norfolk Island Sporting Trust Fund

MR SHERIDAN
Thank you Madam Speaker I have another small statement, just to make with regard to the Youth of Norfolk Island Sporting Trust Fund. This Fund was established by the Minister for Finance in 1986 to provide financial assistance to "promote and encourage the organised and safety conscious participation of persons under 18 years of age in sporting activities and to provide sports guidance, supervision and coaching". Jim Olsson, Tom Lloyd, Gaye Evans and Kevin Williams were appointed as Trustees in 1986. Kevin resigned in 1993 when he relocated to America and Chris Kenny was appointed. He resigned as his family were leaving for Australia, and in August 2003 Glenn Robinson was appointed as the new Trustee. The Trust has witnessed a steady advancement in sporting participation extending to areas of the world that were not envisaged in 1986. Countries such as Palau, Morocco, Samoa, Italy, Fiji at the South Pacific Games as well as throughout Australia. These are but a few and the Trust is justifiably proud of the role they have played in supporting the Island's young sportsmen and sportswomen to date and look forward to continuing to support and promote. Regretfully, Tom Lloyd was unwell during 2009 and earlier this

year Cheryl LeCren was appointed as a Trustee. I take the opportunity to welcome Sarlu, and I know she will be an asset to the Trust. Tomorrow, after twenty four years as a Trustee, Mr Jim Olsson resigns. As an outstanding sportsman himself, his Chairmanship has been invaluable and I sincerely thank him for the years he has given to the Trust.

MEMBERS

Hear, hear

Sesquicentenary of the Parliamentary Government in the State of Queensland

MR BUFFETT Thank you Madam Speaker. The month of May in 2010 is the Sesquicentenary of the Parliamentary Government in the State of Queensland. 150 years since the first elected Parliament in that State met in what is their old Prison Barracks. I would like promote that we all offer fraternal greetings to the Speaker and the Parliament of Queensland on this auspicious occasion for them

MEMBERS

Hear, hear

SPEAKER Thank you Chief Minister. Are there any further statements this morning . We move to now to Notices

PAPERS TABLED - Norfolk Island Museum Trust audited accounts

MR BUFFETT Thank you Madam Speaker before we commence Notices I wonder if I could just table these accounts. The Norfolk Island Museum Trust has provided audited accounts to me in the normal course of things and I have an obligation to table them and I so table them. Thank you

SPEAKER Thank you Chief Minister. No further statements or papers. We move to now to Notices

IMMIGRATION ACT 1980 – APPOINTMENT OF MEMBER TO THE IMMIGRATION COMMITTEE

MR ANDERSON Thank you Madam Speaker I move that for the purposes of subsection 6(4) of the Immigration Act 1980, this House recommends the appointment of Jenifer Ruth Magri as a member of the Immigration Committee for the period 20 May 2010 to 19 April 2012

SPEAKER Thank you Mr Anderson. Is there any debate Honourable Members. There being no further debate I put the question that the motion be agreed to

QUESTION PUT
AGREED

I think the Ayes have it. The motion is so agreed

CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

MR ANDERSON Madam 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 both matters relate to the Norfolk Island Volunteer Rescue Squad and they are in respect of uniforms for which there are no conditions noted. The amount of duty to be waived is \$362.61 and the second item is a Ford Trader Truck, the conditions are its use for the Norfolk Island Volunteer Rescue Squad and the amount of duty applicable is \$1,275

SPEAKER Thank you Mr Anderson. Is there any debate Honourable Members. There being no further debate I put the question that the motion be agreed to

QUESTION PUT
AGREED

I think the Ayes have it. The motion is so agreed

CHILD WELFARE (AMENDMENT NO 2) BILL 2010

MR SHERIDAN Thank you Madam Speaker, I present the Child Welfare (Amendment No 2) Bill 2010 and move that the Bill be agreed to in principle and I table the Explanatory Memorandum to the Bill. Madam Speaker I'll just read the explanatory memorandum into Hansard and make a couple of brief comments. This Bill removes from the present Act references to a community advocate and an official visitor. These positions, which are used in other jurisdictions appear be unnecessary in Norfolk Island and over complicate a system that is not, and is unlikely to be, burdened by the need for the services of such persons. The proposed amendments will not have an adverse impact upon the welfare of children and young persons. Madam Speaker clause 1, 2 and 3 of the Bill provide the usual short title, commencement and cross reference to the principal Act being amended. Clause 4 of the Bill sets out the amendments in a Schedule. Item 1 repeals a section providing for the community advocate to maintain records. Item 2 amends a paragraph that provides for the right of the community advocate to apply to the court for a final protection order and leaves it to the court to be able to do so on its own initiative or application by a person who is already party to the proceedings. Item 3 repeals a provision that would allow the court to limit contact

between a child or young person and the community advocate or official visitor. Item 4 deletes a reference to the official visitor. Madam Speaker just whilst reading out those schedules to the four items, it may appear that we are deleting something that some might view as being quite necessary to the Act but in the main, when they commenced the Child Welfare Act last year I believe it was, it was designed to be a simplistic, and when I say simplistic I mean a simple system to administer and certain sections were removed because they obviously took this from another jurisdiction and certain levels were taken out. Unfortunately a couple of references to the community advocate and an official visitor remained in the Bill and so you might say that this is more of a housekeeping matter than changes to the actual intention of the Bill. Thank you

MR NOBBS Thank you Madam Speaker and thank you Mr Sheridan for bringing this forward. I understand that it will sit as an exposure draft until the next meeting and just in providing the additional explanation there with regard to the community advocate I had some concern that what it negated would be change in the amendment but it negated someone to have another Member of the public advocate for them if they were incapable of representing themselves, however, as Mr Sheridan has pointed out in meetings with MLA's, as well as here today it doesn't negate that it actually is a recognised structural position in other jurisdictions that we don't utilise. Thank you

SPEAKER Thank you Mr Nobbs. Is there any further debate Honourable Members. There being no further debate I look to Minister Sheridan to move the motion of adjournment please

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

SPEAKER Thank you Mr Sheridan. I put that question

QUESTION PUT
AGREED

The Ayes have it. Debate is so adjourned Honourable Members

FIXING OF THE NEXT SITTING DATE

Thank you Honourable Members that brings us to the conclusion of formal matters before the House today and I look now to Mr Snell for a motion in terms of our next sitting day

MR SNELL Madam Speaker, I move that this House resolves to next meet at 9.30 am on Thursday 3 June 2010 at a Ceremonial Sitting convened for the purpose of welcoming the Queen's Baton into the Legislative Assembly Chamber and the proceedings of the day be as ordered by the Speaker to observe the dignity of the occasion. Madam Speaker we on Norfolk Island certainly look forward to welcoming the Queen's Baton and certainly into the Chamber on what will be the second occasion. After the ceremonial sitting Honourable Members it is envisaged that we will adjourn for a photo with the Baton of course, and morning tea, but just to elaborate a little bit more of course, the Baton is a major influence in bringing unity and camaraderie to sporting bodies throughout the Commonwealth and I encourage everyone to participate. Thank you Madam Speaker

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

QUESTION PUT

AGREED

The motion is agreed; we've fixed our next sitting day

ADJOURNMENT

MRS WARD
do now adjourn

Thank you Madam Speaker I move that the House

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

QUESTION PUT
AGREED

Therefore Honourable Members this House stands adjourned until Thursday 3rd June 2010, at 9.30 am

