



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY
13TH NILA HANSARD – 5 OCTOBER 2011**

SPEAKER Good morning Honourable Members, we commence with the Prayer of the Legislative Assembly

PRAYER

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

Thank you, Honourable Members, anybody wishing to remove their coats, please feel free to do so, and ensure your mobile phones are switched off.

APPOINTMENT OF PERSON TO ACT AS CLERK TO THE LEGISLATIVE ASSEMBLY

Honourable Members I have to advise that due to personal reasons the Clerk to the Parliament is unable to be here this morning and I look to you Chief Minister.

MR BUFFETT Madam Speaker I understand there is illness in terms of the Clerk, may I offer on behalf of this House best wishes for a speedy recovery in the first instance and in terms of the matter that you address, so that you are well served today Madam Speaker in terms of the Clerkship, I move that this House in accordance with Section 48 of the Legislative Assembly Act recommends that the Speaker appoint Sharyn Quintal to act as Clerk to the Legislative Assembly while the Clerk is absent from duty for this meeting, for this meeting on the 5th of October 2011.

SPEAKER Thank you Chief Minister, is there any debate Honourable Members? There is no debate, I put the question.

**QUESTION PUT
AGREED**

SPEAKER Thank you Honourable Members in accordance with the resolution that you have just passed, I will now formally appoint Ms Quintal as a person to act as the Clerk in the absence of the Clerk today, the 5th October 2011. Thank you very much Honourable Members for facilitating and I would ask the Acting Clerk to join me up here at the dais, thank you. First and foremost Honourable Members if I could look to you again Chief Minister.

LEAVE OF ABSENCE

MR BUFFETT Thank you Madam Speaker I seek leave of the House for Mr Sheridan, Mr King and Mr Anderson Madam Speaker.

SPEAKER Thank you Chief Minister. Is leave granted Honourable Members?

**QUESTION PUT
AGREED**

SPEAKER Thank you Honourable Members, leave is so granted.

CONDOLENCES

SPEAKER We move now to Condolences. Mr Snell.

MR SNELL Thank you Madam Speaker. Madam Speaker it is with regret that this House records the passing of **Lawrence Wayne Christian, John George Edward and Hazel Violet Martin**. Madam Speaker Lawrence Wayne Christian, affectionately known as Lau-Pop, was a much loved Island personality. Many have said an icon. Born in October 1957 Laurie was the 3rd son of Dalyell and Dolly and the brother of John, Gary and Meg. His days were always busy with his many jobs, and I recalled giving him his first job Madam Speaker being with me at the Norfolk Island Airport working with Qantas unloading bags from the DC4, a job he loved and never forgot. Also as an unofficial Security Guard, Usher, Barman, Glassy Caddy at the Clubs and also a Golf Caddy and all round Gopher. Laurie was at every aircraft landing and takeoff, unloading of the ship, disembarking and embarkation of the cruise ship, and checking that everything was okay for the Sunday Markets. Each day at dusk he patrolled both the Cascade and Kingston piers on his beloved motorbike. At age 32 Laurie decided he needed his own space and independence and moved to Meg and Slack's granny flat, taking his "Dorby Corner" sign with him. Laurie particularly enjoyed the annual Country Music Festival and was involved in every aspect from day one, from putting up the tents, patrolling each night wearing his official t-shirt and armed with his torch, belt buckle and key chain. Laurie had a gift for brightening each moment with his innocence and quick wit and an uncanny ability to always be in the right place at the right time. He was involved in all that happened on Norfolk Island and in 2005 his deeds were officially recognised with his receiving an Australia Day award for "Appreciation of Voluntary Services". To his mother Dolly, to John, Gary and Meg and their families, to all of Cascade and to all in our community, because his passing is a tremendous loss, this House extends its deepest sympathy.

Madam Speaker, John George Edward affectionately known as China, who was born here in November 1937 to Bert and Bussy Edward. He had 5 brothers, Bill, Homed, Frank, Jim and Paul and his sister Ruth. As a young adult China lived in New Zealand where he worked for Winstones, a large building supply company. After 13 years he returned for a while and then moved to Australia, where as a qualified boiler maker he worked for a large company at Hurstville. He stayed in Australia for 20 years then in 1980/81 decided to come home. Here he met Fran and they have been together ever since. China worked as a gardener at South Pacific, Hotel Norfolk and Hillcrest. For 16 years he was a baggage handler at the airport and also did security on the pier whenever the ship was unloading. China has eight children and over 20 grandchildren and great grand children. He was a very good sportsperson and in New Zealand excelled in rowing, football and competition swimming. He was a keen golfer and played every weekend whilst living in Australia. Later in life he became a crossword fanatic. China enjoyed a daily visit to the Leagues Club and with his crazy sense of humour would often produce some memorable one liners. He didn't like leaving Norfolk but agreed to go to Noumea with Fran, Paul, Clare, Margie and Ernie for a holiday. Over the last month China was in Australia in hospital undergoing many tests and treatments but sadly did not recover enough to come home to sit on his randah and watch the world go by. To Fran, his children, grandchildren and great grandchildren, to Bill, Paul, Ruth and their families and to his many friends this House extends its deepest sympathy.

Madam Speaker, Hazel Violet Martin was born in June 1909 in Auckland New Zealand. She married Alfred Robert Martin in October 1935 and they raised two daughters. In New Zealand Hazel played bowls but was more active in support of the local Rugby and Cricket Clubs. She was chief scorer for the cricket team that Alf and two of his brothers were members of. She specialised in growing orchids which were periodically sold at

the Auckland city auction markets. About 43 years ago they moved to Norfolk Island where Hazel continued her involvement with the Bowling Club and also played some golf. She was actively involved in community and service groups and was always willing to assist in their fund raising and social activities. She was a charter member of the Arthurs Vale Lions Club and at 102 years, was the oldest active member in Australia. Hazel recently expressed a desire to carry the Norfolk Island flag at the Parade of the Lions Convention in November. She was a keen gardener and won many prizes. An accomplished seamstress; a great cook and she excelled as a hostess. On her 102nd birthday Hazel recited the alphabet in reverse. She said she had plenty of time to practice. To her two daughters, five grandchildren and nine great grandchildren and their families and to her many friends this House extends its deepest sympathy.

SPEAKER Thank you Mr Snell. Honourable Members as a mark of respect to the memory of the deceased I would ask that we all stand in silence.

PETITIONS

SPEAKER Thank you Honourable Members. We move now to Presentation of Petitions, are there any Petitions please this morning? There being no Petitions I move now to Giving of Notices.

GIVING OF NOTICES

SPEAKER Are there any Notices to be given this morning? Being no giving of notices, we move to Questions without Notice.

QUESTIONS WITHOUT NOTICE

SPEAKER Are there any Questions without Notice this morning Honourable Members? Mrs Griffiths.

MRS GRIFFITHS Thank you Madam Speaker, my first question is for the Minister with responsibility for Gaming. Minister where can we find and read the long awaited printed Gaming Prospectus.

MR NOBBS Thank you Madam Speaker, thank you Mrs Griffiths for the question, it has been a long path to both the Prospectus and the website production, upon the Gaming Director's return I had asked him to make that presentation to all of us, at this stage we are still working out a schedule period that the Gaming Director can attend an MLA's presentation, but I certainly hope to have it very, very shortly.

MRS WARD Thank you Madam Speaker, my question is to the Chief Minister, the Commonwealth Department of Health and Ageing has recommended a comprehensive review of Norfolk Island Drug Legislation to ensure compliance with International Drug Treaties and consistency with National Drug Control Standards, Legislation and Policy. Is the Norfolk Island Government committed to addressing this recommendation and review?

MR BUFFETT Thank you Madam Speaker, thank you for the question. There is a review, and this has really commenced when the Norfolk Island Assembly proposed some adjustments to the Dangerous Drugs Act and the Commonwealth responded by saying that it deserved review of our Legislation in a number of areas. That is being undertaken, it is being undertaken by our Legal area, our Hospital area, that has administration of these factors, in conjunction with various Commonwealth instrumentalities. And there is a timeframe that has been set for this

and I understand that to be March 2012, I say that date hesitantly, because as you will realise today I am looking after the portfolio of my colleague, the Minister for Community Services and this is one of the areas that he looks after, but I think I have got that detail for you that might be useful. Thank you.

MRS GRIFFITHS Thank you Madam Speaker, my question is for the Chief Minister. Chief Minister can you advise where we are up to with the Public Service Review and will those who have contributed have an opportunity to comment on a draft version before it's finalised?

MR BUFFETT Madam Speaker the Public Service Review, as I understand it, well advanced, this is a review that is commissioned by the Commonwealth, so it is not something which is commissioned by the Norfolk Island Government, and therefore the report is not delivered to the Norfolk Island Government. I understand that the report is on track and if I remember the dates there correctly, it is due for some delivery towards the end of this month. There has been no advice to me that that has been extended in any way and that's how I understand it to be running.

MRS WARD Thank you Madam Speaker, my question is to Minister Nobbs. Can the Minister confirm whether or not Carnival Cruises have removed Norfolk Island from their 2012-13 visitation programme and if so, is the Norfolk Island Government using its new partnership arrangements with the Commonwealth to ensure the Islands future will involve guaranteed disembarkation of Cruise Ship passengers by improving a port facility.

MR NOBBS Thank you Madam Speaker, thank you Mrs Ward for the question. The answer to both questions is yes, as I understand it, we have been removed from the forward schedule 12-13, additionally it is worth pointing out that we've set port facilities as an extremely high priority to not only facilitate the Cruise Ship and the alternative revenues that Cruise Ship Tourism as opposed to Air Borne Tourism can bring, but also to facilitate better freight handling options and of course the reduced charges that are deemed to go along with those facilities.

MRS WARD Thank you, a supplementary Madam Speaker, what does the Government intend to do with the Pontoon, which is a half million dollar asset, and is it, or will it, be the ongoing responsibility of the lighterage crew to maintain?

MR NOBBS Thank you Madam Speaker, thank you Mrs Ward. Although that is an operational matter, I will say this in response to that, and that is, that in the foreseeable future, the Pontoon is a valuable asset for the unloading of the Cruise Ships.

MR SNELL Thank you Madam Speaker, Madam Speaker I direct this question to the Chief Minister in his role as Acting Minister for Community Services. Chief Minister could you please advise what progress, if any, have been made in removing the restrictions of the importation of fruit, especially apples, in particular Chief Minister, has any progress been made to identify what the plant, pest and diseases status is on Norfolk Island?

MR BUFFETT Madam Speaker, I do recall that we had some prospective legislation that we advanced, but did not reach finality in terms of the Commonwealth wish that there be further studies to be undertaken in this area, AQIS studies, pest and disease surveys. Those surveys are currently under discussion between the two Governments and I understand in the Commonwealth's sphere there is discussion between various departments that might have some element of responsibility for this. I do understand that the studies that are being talked about are extremely

expensive, we certainly don't have the funds to undertake them at this moment. And I understand that the Commonwealth are working through as to how that might be addressed. So there are current discussions taking place about that.

MR SNELL Thank you Madam Speaker, Chief Minister, in response to that, the restrictions as imposed that you have identified, which were detailed to us by the Administrator in a letter dated the 26th of May 2010, could the Minister give any indication or otherwise as to whether the restrictions imposed in that letter is an international requirement, and secondly is the restriction also applicable to importation of fruit from other places for example New Zealand.

MR BUFFETT I think if you let me have those on notice, so that I can have those pursued. I'm unsure, for example, if they are international requirements, or whether they relate to the Australian scene alone, I would think there would be a mix of both, depending on what you were talking about, but that is presumptuous of me to make that statement, I am very happy to research that so that you might be equipped.

Are there any further questions without notice Honourable Members? I believe we have concluded questions without notice and we'll move now to answers of questions on notice.

MRS GRIFFITHS Thank you Madam Speaker, my question is for the Chief Minister with responsibility for Justice. Chief Minister at the last meeting you agreed that there is a shortage of legal practitioners on the Island to service the needs of the Community, particularly on a pro bona basis. Have you as Minister for Justice taken any steps to fill this deficit in our Community?

MR BUFFETT Madam Speaker, no, at this stage, and indeed it's not something that can be remedied just by a flick of a switch, there are people resources with appropriate qualifications and funding aspects. Both of those two in the context that you have described in the question are in rather short supply, there isn't a ready answer to that at this moment.

MRS WARD Thank you Madam Speaker, my question is to Minister Nobbs and it is in the vein in seeking an update. Minister Nobbs referred to discussion taking place with the Department of Regional Australia to identify barriers and opportunities of Norfolk Island participating in Tourism Australia programs, has there been any action in that area over the last month and when could the Norfolk Island Community expect to see some secure programs put in place?

MR NOBBS Thank you Madam Speaker, as this point in time, the Officer level discussions continue for that access, however, I think might have mentioned at the earlier meeting, and I'll certainly mention it now if I hadn't, that we have been invited to the Tourism Australia Directions Conference and the Tourism Minister's Council, both not only provide those alignments into what is occurring within Tourism Australia and various marketing and strategies, but also provides and opportunity to expand our linkages and I suppose access to various resources in the Tourism field.

MRS GRIFFITHS Thank you Madam Speaker, my question is also seeking an update of the Minister for Tourism. Minister can you provide us with an update on your alternative energy arrangements?

MR NOBBS Thank you Madam Speaker, thank you Mrs Griffiths for the question. Very recently one of the Directors from one of the renewable energy systems was on the Island, we met and discussed the progress of their equipment and additionally, as that equipment is reaching a point in time they would see it relocating to

Norfolk, in their view, within the next two months, we also furthered the discussion on the mutual legal documentation required to make sure that everyone is covered.

MRS WARD A supplementary if I may Madam Speaker, is the Minister referring to Redemptech?

MR NOBBS Yes, I am referring to Redemptech.

MR SNELL Thank you Madam Speaker, Madam Speaker I direct a question to the Chief Minister. Chief Minister in consideration of the good partnership and the excellent service provided by Our Airline over the last four years or so, can the Chief Minister advise now that the tender to provide a new Air Service to Norfolk Island post March 2012 have been released, can you assure this House that a satisfactory agreement has been reached between Nauru Air Corporation Limited, trading as Our Airline, as you indicated in your press release, with regard to the termination of the existing contract, and in addition Chief Minister, is there anything that you may be aware of that would prevent Our Airline from applying for the new tender?

MR BUFFETT Madam Speaker, I made announcements on an earlier occasion about this, and that is, that quite separate from us, the Commonwealth are embarking upon a course to enquire about Air Services, the provision of Air Services to Norfolk Island, until we have the outcome of that, we have a business as usual arrangement with the Airline that we have at this moment. And Our Airline is being kept informed of all our actions, that is the Norfolk Island Government actions in these processes, I emphasise that.

MRS GRIFFITHS Thank you Madam Speaker, my question is for the Minister with responsibility for Tourism. Minister can you update us with your intentions with regard to Chinese Tourism? Is this something that you are going to continue to pursue?

MR NOBBS Thank you Madam Speaker and thank you Mrs Griffiths for the question, as Australia is doing a similar evaluation at the moment of inbound tourism and the best methodologies to improve their outcomes there, Norfolk is doing likewise, we are not necessarily restricting our incoming, or inbound tourism to Australia and New Zealand, for some time now, the Tourist Bureau has shown an interest in that through the former GM in the international markets that perhaps may have connectivity with regard to specifically Chinese Inbound Tourism, that also forms part of the Tourism Australia Directions Conference Agenda, so I do intend finding out where the positioning is with regard to that for Norfolk Island, and certainly it's an area that we certainly should consider, however, as I have mentioned earlier, there are a number of sensitivities in that progression for all us, we want to make sure that we get the best outcome, not just for inbound tourism, but also for the Community.

MR SNELL Thank you Madam Speaker, Madam Speaker I ask again a question to the Chief Minister. Chief Minister in the timetable for the Norfolk Island Economic Development Strategy and Action Plan, project consultation with the Community was scheduled to take place between 16 September and 14 October 2011, can the Chief Minister advise whether the project is on track and that community consultation will commence shortly.

MR BUFFETT Madam Speaker, we are talking about the Economic Development Study, I don't have those dates in front of me, I do understand that the Commonwealth are certainly about this task, as they too are commissioning this, not the Norfolk Island Government that is commissioning this report, the arrangements to pursue this are well in hand I am advised by the Commonwealth, but I probably need to

revise my thoughts in terms of the dates. I may be able to do that whilst we are still at the Sitting Madam Speaker.

MRS GRIFFITHS Thank you Madam Speaker my final question is to the Minister with responsibility for Culture. Chief Minister many months ago I brought it to your attention that valuable items of our tangible heritage were rusting away, I referred specifically to the engine out at Anson Bay and the Whaling Station at Cascades. Have you as Minister with responsibility for Culture taken any steps to preserve these irreplaceable items?

MR BUFFETT Madam Speaker, I'm happy to consult with a couple of authorities that might have interest in this. Since that question was raised with me, I haven't taken any personal action in terms of those items. I can do that.

MR SNELL Thank you Madam Speaker, Madam Speaker I direct a question again to the Chief Minister. Chief Minister as the amended Roadmap as published is now a public document, even though in an amended form I do believe, has this amended Roadmap been approved by the Australia Government?

MR BUFFETT Yes, Mr Snell is talking about amendments, I'm not aware of amendments.

MR SNELL Maybe I should clarify Madam Speaker, has the Roadmap, as published been approved by the Australia Government?

MR BUFFETT The 2nd of March Roadmap, there is the signature of Minister Crean and myself.

MR SNELL I'm sorry Madam Speaker, Madam Speaker I'm just a little bit confused at that, I understand that the Roadmap Madam Speaker that I wish to refer to is the Roadmap... I'll leave it there Madam Speaker, I won't go into that. But I do have other questions that I do wish to raise. Madam Speaker, if I could ask, with the latest Funding Agreement, whether it is a fact that the latest Funding Agreement for most, if not all, of Norfolk Island's Immigration controls to be surrendered and for the Commonwealth Migration Act to extend to Norfolk Island and Madam Speaker, Chief Minister, does this have any affect on the way the numbers for Policing here on the Island has increased, has it any affect on why the Police numbers appears to have increased in the last few months.

MR BUFFETT Madam Speaker there are a number of things in terms of how we will move under new arrangements, one of the things that we definitely are endeavouring to do, is to widen the scope of activity in the Island for our commercial benefit, so that needs to be said, that is part of the plan of the Roadmap. But I will come to the matter of policing, and in that context there may be movements in various areas, maybe it will have a reflection in the Police area as time moves on. But there is none exhibited to me at this moment, so I'm not trying to make any claim that if there are movements in the Police area that it's reflected as a result in the Roadmap at this time. It is significantly too early, I think, to be able to make that judgement. May I just point out one thing, that may be helpful, on the questions on notice, there is a question to me, and I might just find it, as it may have relevance here, it asks, will the Chief Minister detail in percentage terms the changes that have taken place in the present levels of police activity over the past five years and advise whether the Government has adopted a policy position in relation to significant changes and concern. Mr Snell may be referring to some areas there, I haven't got the answer to that question at this time, it will have to wait until I do have that, there may be something that may be helpful in terms of his present question however when I have that information.

MRS WARD Thank you Madam Speaker, a question to the Chief Minister, is the Chief Minister intending to table the latest Funding Agreement in the House today, thereby allowing discussion?

MR BUFFETT Yes.

MRS WARD Thank you.

MR SNELL Thank you Madam Speaker, again a question to the Chief Minister. Chief Minister could you please indicate if possible, if there have been any discussions between the Norfolk Island Government and the Commonwealth about staging any introduction of income tax and compulsory superannuation of a significant number of years and what has been the Commonwealth's attitude to these discussions?

MR BUFFETT Madam Speaker, the Roadmap addresses income tax and it addresses the progressive introduction. It indicates that from the beginning of the present financial year, that is the 1st of July 2011, there should commence a process and that process should be progressive registration and progressive lodgement of returns, but with no payment of tax over the next projected two years. That is a projection in terms of that. I've got to say that I've encouraged the Commonwealth to position people on Island to be able to equip the Norfolk Island Community to know what all of that means in terms of the taxation regime, that hasn't happened at this moment. And that really means that we are not equipped at this moment to comply with that particular condition, until the Commonwealth are at a stage to deliver those components to assist us to go about it. So that element of discussion has taken place and is recorded, there has not been the same sort of discussion that has centred around the superannuation arrangement that you mentioned, that hasn't received that element of discussion yet, but there are inter-relationships with all of those things.

SPEAKER Further questions without notice Honourable Members? There seems to be no further questions without notice, we move now to, answers to questions on notice.

ANSWERS TO QUESTIONS ON NOTICE

SPEAKER The first question on notice, Honourable Members is Question on Notice number 260, stands in the name of Mrs Griffiths to the Chief Minister. Chief Minister.

MR BUFFETT Yes Madam Speaker, thank you, 260 says will the Chief Minister inform this House the total amount of travel allowance that has been paid to each Member of the Assembly for the 2010-2011 financial year and the 2011-2012 financial year to date? Madam Speaker in response I advise that six of the nine members have received a travel allowance in the year 2010-2011, and it's in these terms: Robin Adams \$4,620, Andre' Nobbs \$5,760, myself as Chief Minister \$5,610, Lisle Snell \$2,310, Tim Sheridan \$931.79, Craig Anderson \$5,940 and the total there is \$25,171.79, that is for the year 2010-2011. In the present year which has commenced on the 1st of July 2011, there's only been one, that is myself at \$1,650. That is the total in those two years to date.

SPEAKER Thank you Chief Minister, I understand Chief Minister 261 which is in your name also you may not be...

MR BUFFETT I will answer that at another time Madam Speaker.

SPEAKER Thank you. 262 is a question from Mr King to the MI for Tourism, Industry & Development, Minister Nobbs.

MR NOBBS Thank you Madam Speaker, the question reads, will the Minister advise whether he has yet been able to provide to Members of the Norfolk Island Government Tourist Bureau Board any written guidelines for the performance of their statutory functions including the limitations of statutory power, and if not, to what extent will he therefore tolerate future aberrant conduct and impaired function? Madam Speaker both Legal Services Unit and the Norfolk Island Government Tourist Bureau have assisted in the preparation of draft Codes of Conduct, I've provided those draft documents to the Norfolk Island Government Tourist Bureau Advisory Board Chairman, who has recently briefed the Board and have provided me with feedback, I intend discussing the Code of Conduct with the Board Members prior to the adoption of any documentation however.

SPEAKER Thank you Minister Nobbs, the next question on notice is 263, again Mr King to yourself Minister Nobbs.

MR NOBBS Thank you Madam Speaker, the question reads, In a series of questions at the September sitting in relation to declining participation in the cruise ship industry the Minister responded in part by denying that a proper risk assessment would have identified characteristic disembarkation problems for Norfolk Island. Does the Minister stand by his position that the Government of the day properly assessed disembarkation risks before inviting the Community to participate and invest in a risky industry? Thank you Madam Speaker, Madam Speaker a risk analysis and risk management plan was prepared by the Administration's Risk Management Administrative Officer in consultation with stakeholders. And Version 1 was issued in February 2010. Madam Speaker I'm pleased also to advise that on the 22nd of February 2011 I requested the Officer to update the plan, I received this updated version, Version 3, in July 2011 for consideration. In all three versions disembarkation risks were identified in the risk register as item number one, being a very high risk and were also contained in the SWOT analysis as both a weakness and a threat.

SPEAKER Thank you Minister Nobbs, moving along to question on notice 264, again Mr King to Minister Nobbs. Minister Nobbs.

MR NOBBS Thank you Madam Speaker, my question reads, at the last sitting of this House the Minister undertook to ensure that in respect of lighterage operations "that all things are working as they should". Assuming that this response meant that the Minister would seek assurances that full equipment maintenance schedules were in place and were being carried out by properly qualified and fully resourced staff and that no unacceptable occupational health and safety risks were present, can the Minister advise what he has done to seek these assurances and mitigate any unacceptable risks? Madam Speaker the Service has been requested to ensure that operations are being undertaken as normal and I have been informed that the responsibility for lighterage operations has been incorporated into the duties of the Works Supervisor, this position is currently under recruitment and in the interim the responsibility has been taken up by the Acting Works Supervisor who is ensuring that necessary maintenance is undertaken.

SPEAKER Thank you Minister Nobbs, I'm going to move over now to 267, which is Mr King again to yourself Minister Nobbs.

MR NOBBS Thank you Madam Speaker, the question reads, at the last sitting of the House the Minister directed the House to the content of Hansard generally and to eight specific media releases, which he tabled, to satisfy question on

notice number 253 which sought information on how and where the Community was fully informed on the Government decision to spend millions of dollars of taxpayers' money on upgrading airport fire fighting equipment instead of opting for a modest less expensive category 5 service, the question then has (a) Is it a fact that neither Hansard nor any of the eight tabled media releases offered by the Minister contain any discussion or debate on the full range of options open to the Government or information on the widely differing costs or disclosure on the factors which drove Government expenditure including the reasons why offers of used equipment from Air Services Australia were rejected and the extent to which policy was driven by a desire for Norfolk Island becoming a hub for aircraft maintenance; and (b) Is it a fact that the Minister is unable to provide evidence of full disclosure and accountability in this issue? Madam Speaker I'm advised that on the 12th of December 2006 Tom McGuinness, Director Operations and Capability Aviation Rescue Fire Fighting Services, Air Services Australia, advised the Norfolk Island Administration that Air Services ARFF do not have any surplus vehicles at this time to provide to Norfolk Island. Madam Speaker the purchase of the two Rosenbauer Aviation Fire Fighting vehicles was a decision of the previous Government and there is nothing further to add.

SPEAKER Thank you Minister Nobbs, I will turn now to question number 265, which is Mr King to the Chief Minister. Chief Minister.

MR BUFFETT Yes, Thank you Madam Speaker, when will the Government issue a revised edition of immigration policy reflecting most recent changes? Madam Speaker a revised edition of these documents, or this policy document, is in hand, I'm hesitant to give an exact time, but I would hope that within the next fortnight we will have a new document that will be able to be released so that people will have these guidelines in a published form.

SPEAKER Thank you Chief Minister, the next question is again to yourself Chief Minister, 266 from Mr King. Chief Minister.

MR BUFFETT What arrangements are in hand to ensure continuity at the head of the Public Service beyond the expiration of the incumbent's term of appointment? Madam Speaker negotiations are in place at this moment to ensure that we have continuity and I should be in a position within this week to advise Members of the detail of that.

SPEAKER Thank you Chief Minister, moving to 268, Mr King again to Minister Nobbs.

MR NOBBS Thank you Madam Speaker, the question reads, in respect of the Runway End Safety Area work at the southern end of the runway can the Minister table both the original engineering specification and the advice that these works are still in line with the original specifications, both of which he referred to at the last Sitting of the House? Thank you Madam Speaker I table the drawings for the Norfolk Island Airport RESA Runway 11/29 and the requirements. Of the relevant part of the CASA Manual of Standards Part 139 Aerodromes, which describes what are the physical characteristics of an Aerodrome RESA, this part of the MAS sets out what the RESA characteristics should be. Madam Speaker I'm advised that the RESA works that are being conducted at present, whilst are being conducted as near to possible as required in length and width are not being completed exactly to the original drawings, this is because the Ferny Lane Road is now not being moved as was originally being planned. In terms of the manual of standards of requirements, the RESA at the end of Runway 29 are being completed in line with requirements, except where the closeness of the fences prohibit. I am further advised that at the end of the project CASA will be approached for a dispensation where required, the Airport Manager has advised that the

Aerodrome Inspector has been shown over the work and is aware that once the work is concluded that a safety case is to be put to him seeking approval for the RESA to be approved in its amended, slightly smaller form. Thank you.

MRS WARD Thank you Madam Speaker, I would ask the Minister if the drawings he has just tabled are from the original engineering specifications, which I understood came from Worley Parson's?

MR NOBBS Thank you Madam Speaker, indeed they are the Worley Parsons specifications and drawings.

SPEAKER Thank you Minister Nobbs, and finally question on notice 269, Mr King to yourself Minister Nobbs.

MR NOBBS Thank you Madam Speaker, the question reads, what are the expected completion costs of the current RESA project and can the Minister now table those costs estimates? Madam Speaker I think I gave some of this information at the last Sitting, however I will reiterate, the total cost to date is \$98,112.52, this is made up by internal public sector costs, to date of \$61,244.21 and machinery and hire costs of \$36,868.31, the total expected cost for RESA 29 is expected to be \$300,000.

SPEAKER Thank you Honourable Members that concludes answers to questions on notice, and we now move to presentation of papers.

PRESENTATION OF PAPERS

SPEAKER I understand Minister Nobbs you have regulations to table?

MR NOBBS Thank you Madam Speaker, Madam Speaker in accordance with Section 41 of the Interpretation Act 1979 I table the Electricity Supply (Amendment) Regulations 2011.

SPEAKER Thank you Minister Nobbs, further papers for presentation this morning. Chief Minister.

MR BUFFETT Madam Speaker I am required to table periodically the Legal Aid Report, and I do so, as the appropriate Minister for the period 1st July 2010 to the 30th of June 2011.

SPEAKER Thank you Chief Minister, further papers for presentation this morning? Chief Minister.

MR BUFFETT Madam Speaker in terms of papers to accompany the Budget that I tabled at an earlier Sitting, there are two areas that I need to provide supplementary information, that is the Budgeted Financial Statements for the Norfolk Island Government Tourist Bureau and also the Norfolk Island Government Hospital Enterprise, at this stage I table the first of those, that is the Norfolk Island Government Tourist Bureau and I foreshadow at the next Sitting I will be in a position to table the others to follow.

SPEAKER Thank you Chief Minister, further papers, Chief Minister.

MR BUFFETT Madam Speaker I do have to table this morning, the Funding Agreement for 2011-2012. As a prelude to that, may I just say these words,

Members will recall that in September, Friday the 9th of September in fact, I announced, this was a radio announcement, that the Commonwealth Government had agreed to provide \$14.1 million to support Norfolk Island for 2011-2012 and I briefly explained that that was funds to support us in terms of the General Fund, the Revenue Fund and the other would relate to Airline Operations. The Funding Agreement relates to that which is the normal operations, essential services within the Island and that Funding Agreement has now been concluded and I have made a statement about that also, but at this Sitting, I want to table that document, it is publically available I might say, on the website and the like, but I do that in the formality of the House, so I table the Funding Agreement for Norfolk Island for the period 2011-2012.

MRS WARD Madam Speaker may I move that the paper be noted?

SPEAKER Thank you, the question before the House is that the paper be noted. Debate Honourable Members? Mrs Ward.

MRS WARD Thank you Madam Speaker, I thank the Chief Minister for tabling the latest Funding Agreement. There are undeniably controversial items in the latest Funding Agreement and I would say that the major concern for most is a move towards open immigration and competition. We have protected ourselves for so long now that for many the suggested change is confrontational. And I think that the best thing we can do is discuss it in this forum and in the wider Community. We should perhaps all bear something in mind that when a Government enters a negotiation it is just that, a negotiation, there's give and take, there's finding a middle ground, there's compromise, concession, call it what you will. The point is that the Chief Minister, or this Government will not win every point. And it would appear that there are forces out there, stronger than the Chief Minister, but if we examine our electorate, most of us will be representing, some who want open immigration and some who don't. Some see the benefits, or the potential benefits and some see the opposite? I am referring to point 11 Madame Speaker and it does concern me but it's no reason to panic. I sit on the Immigration Committee and I can assure you that there is not a queue waiting to come in, however, I have raised concerns that I don't believe that The Plan is a robust enough mechanism to maintain a sustainable population and therefore as things stand now, it is even more important that the Norfolk Island Government use existing resources to monitor and report on the impact of the changes to the flow of people into Norfolk Island. The Planning officer has already done a report into population which addresses areas of concern such as our limited natural resources, including water, our limited infrastructure, and the potential threat to our sense of security and belonging. What interests me in the short term are the very tangible limitations such as power and Telecom land line supply. I think there is enough information in the Officer's report to form a population policy debate and I am sure that on Minister Sheridan's return we will certainly have that debate in full. Point B, letter B of the same point demonstrates to me that the Commonwealth understands that there may be impacts on the economy, the environment and our social structure. And it is also important to note that the extension of the Migration Act is subject to an implementation plan of access to Commonwealth benefits schemes, including Social Security and Medicare. So the point is, there is a way to go if people look at the Funding Agreement, they will see there is basically three time lines, there is action to be completed by December, by the end of the December, then by the end of March and then by the end of June, the suggestion of open Immigration is not until the end of June and not without those measures, or those things taking place as I've just mentioned. The other important point is that we all understand the potentially adverse impact of the changes if they are not addressed in an orderly fashion. But I do see that there is certainly effort by both Governments to try and obtain that, or ensure that happens. Ms. Adam's motion on the Notice Paper gives more time to debate the effects of immigration changes to culture and I think I will wait and use that

opportunity to raise those issues. Competition is in Minister Nobb's portfolio, right across the board I think, Industry Development and Accommodation, as well as Telecommunications. And I think that for those who are sitting in the back singing "are we there yet" need to bear in mind that this Assembly and both Governments are tackling a reform process or package that addresses not only taxation and social reform but the extension of laws which we have never had to deal with before and so to assess all the potential impacts we face, will take time. This is not an overnight job, this is a one, two, three, five year process, at least. The Chief Minister has already stated that the Socio-economic report, strategy and action plan will be developed by the Commonwealth and it will be our opportunity, and I am speaking to the Community Madam Speaker in this instance, that it is our chance to have input into how we feel we might be effected, adversely or positively, by changes to our existing structure. We need to bear in mind here that we are not renovating a single room here, or a house, we are renovating the whole property and that is a huge and sometimes daunting task. I think all I can do at this stage, apart from support the direction the Government has taken, is to encourage my Government to describe the best it can, how the reform process might proceed from here and most importantly to keep the Community informed on how they might be part of the process, because as we know, it is only through open communication can we understand each others points and settle our differences. But on some points we have to accept we may never agree but this Government has taken a stance for the good of the community as a whole. Staying with the Funding Agreement Madam Speaker, I think there is a positive point in this agreement that needs to be highlighted, it's on page 17, Schedule 2 point 1, a, b and c. This point guarantees that from now on, there will be open and transparent expenditure of public money outside the normal appropriation process. It ensures that no contract or agreement can be entered into, over \$50,000, without the CEO, or their delegate of the Service, approving a Government proposal and then, any direction given by the Norfolk Island Government must be gazetted and tabled by the relevant Minister at the following Sitting of the House and I am sure my non-Ministerial colleagues will back me up in saying, that as long as we sit here there will be debate, there will be discussion surrounding those proposals of expenditure of public money. There is a current example to demonstrate what I am talking about, at the last Assembly meeting, Minister Nobbs was asked whether or not future financial obligations like SPIN would be entered into without detailed discussion in this House, and the Minister responded and I quote "obviously on the consideration of these matters, they occur at a Government level first and foremost, it may well end up, that there is discussion in the House". Well I can tell you Madam Speaker, if there is a proposal which is approved by the CEO first, it will end up in this House, for everybody to see. That is open and transparent. There are other items of interest in the Funding Agreement, such as the revised management arrangements for KAHVA and of course the Airline which I think most people are fully aware of by now. For me Madam Speaker, there is a clause sitting very quietly and could easily go unnoticed but it will hold our future. And it is number four and it refers to the Public Service Review and the Economic development strategy. Because we don't have them in front of us yet, because they are incomplete or not even commenced, it is impossible to comment on them with any authority, obviously. But I will say that whatever the recommendations are, whatever the reports contain, and remember these are documents are documents that will go through a very open and transparent process, that is and has been and will be opportunity for the Community to comment and submission, whatever the recommendations are, whether it is our new model of Government, whether it's a new level of responsibility, whether it is a suggested tax regime or privatization of Government owned business, whatever it is there will be implementation of these reforms, as agreed by both Parties. These reports will not find a bottom drawer to hide in. But some might ask, what will happen if the parties can not agree? That is a good question, anybody who is interested should go to page 14 of the Funding Agreement and see Dispute Resolution. There is a fair process to try and reach an agreement but failing resolution the dispute will be referred to the Chief Minister and the Commonwealth

Minister, with the Commonwealth Minister as final arbiter or judge of any dispute. For many people I represent Madam Speaker, that is a good thing, they are reassured by that clause, because for them, all too often, recommendations for change have not been moved on and there are usually reasons why, they have either not been given a top priority or there's a lack of resources, there's a lack of political will or it is seen as political suicide or, very simply, it is too daunting, it's too big a task and without the partnership with the Commonwealth, which thanks to the Chief Minister we have today, I don't think we would see the changes suggested, or commenced that are essential if we are to continue as part of the real world but remain in the place we love. So in the main I support the Funding Agreement, but I will remain active in pursuing the areas of concern within the Community, such as maintaining a sustainable population, and if I refer back to the Roadmap under the section which deals with Immigration, Health, Welfare and Education, the Aspirational Goal is, a sustainable population, with access to Health, Social Welfare and Education Services, so I think a sustainable population is very much on the minds of both Governments, I hope that will go some way to reassuring the Community because I understand there are grave concerns from some. Thank you Madam Speaker.

SPEAKER Thank you Mrs Ward, further debate Honourable Members on the question that the motion be agreed too. If there is no debate, I put the question.

QUESTION PUT
AGREED

SPEAKER The motion is so agreed, the paper is so noted, are there any further papers for presentation this morning Honourable Members? Chief Minister?

MR BUFFETT I think I have done those I have on my list Madam Speaker.

SPEAKER Minister Nobbs, ok. I believe that concludes presentation of papers, moving now to statements of an official nature.

STATEMENTS OF AN OFFICIAL NATURE

SPEAKER Do we have any Statements of an Official Nature this morning Honourable Members? It would seem that we have no Statements of an Official Nature. I move now, Honourable Members, to Messages from the Office of the Administrator.

MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR - NO 21

SPEAKER I have to report Message Number 21 from the Office of the Administrator advising, it is actually from Government House. On 20 September 2011 acting pursuant to section 21 of the Norfolk Island Act 1979 I declared my assent to the following proposed law passed by the Legislative Assembly, the Appropriation Act 2011-2012, Act Number 12 of 2011, the message is dated 20 September 2011, signed by Owen Walsh, Administrator.

MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR - NO 22

I report Message Number 22 from the Office of the Administrator advising, on 20 September 2011 acting pursuant to section 21 of the Norfolk Island Act 1979 I referred the following proposed law for instructions of the Commonwealth Minister, the Customs

(Amendment No. 3) Bill 2011 and the message is dated 20 September 2011, signed by Owen Walsh, Administrator.

SPEAKER Honourable Members are we ready for me to move along to substantive matters?

PRESENTATION OF REPORTS OF STANDING COMMITTEES

SPEAKER I take it there are no Reports from Standing Committees. We move now to the substantive matters on the Notice Paper Honourable Members and I would ask the Deputy Speaker to please take the Chair as we move to Notice Number One.

NOTICES

IMPACT OF EXTENSION OF COMMONWEALTH LAWS TO NORFOLK ISLAND

DEPUTY SPEAKER Thank you Honourable Members, Honourable Members we move onto Notice Number 1, Impact of extension of Commonwealth laws to Norfolk Island and I call on Ms Adams.

MS ADAMS Thank you Mr Deputy Speaker. I move that 1) in acknowledgement that in the Memorandum of Understanding signed by the Commonwealth of Australia and Norfolk Island, the Norfolk Island Government agreed in broad terms to participate in the Australian taxation and social security system on the basis that there will be a net benefit for Norfolk Island and its Community and there is appropriate consideration of local circumstances; and 2) in acknowledgement that a) under clause four of Schedule two to the Funding Agreement for 2011-2012 signed on 22 September 2011 by the Commonwealth of Australia and the Administration of Norfolk Island. Norfolk Island has committed to supporting and cooperating with all Australian Government funded reviews, including but not limited to the Public Service Review and an Economic Development Strategy and Action Plan; and b) under clause 5 of the 2011-2012 Agreement, Norfolk Island has committed to work with the Commonwealth Grants Commission to update its 2006 review of the financial capacity of Norfolk Island, this House encourages the Commonwealth Government, and I repeat, encourages the Commonwealth Government to engage the Centre for International Economics to simultaneously update its 2006 study of the impact of extending Commonwealth laws to Norfolk Island, including but not limited to the impact on: a) Income on Norfolk Island; b) The price of goods and services on Norfolk Island; c) Employment and wage levels on Norfolk Island; d) The sustainability of Norfolk Island businesses and scope of investments; e) The level and composition of Norfolk Island's population including any likely changes in immigration to, and emigration from, the Island; and f) Any other proposal in the Roadmap likely to have resource, social and economic impact on Norfolk Island, and further, that the study also consider the impact of the extension to Norfolk Island of Commonwealth laws in the following areas: a) taxation; b) superannuation, including superannuation guarantee; c) markets, business and corporate conduct; d) workplace relations; e) customs, immigration and quarantine; f) social welfare; g) communications; and any other area of Commonwealth law if extended that may impact significantly on the Norfolk Island economy.

DEPUTY SPEAKER Thank you Madam Speaker, thank you Ms Adams! The question Honourable Members...

MS ADAMS No, Honourable Members if I may continue, the Roadmap of 2 March 2011, under the heading of extension of Commonwealth Laws to Norfolk Island gives as the Aspirational Goal "participation by the Norfolk Island

Community in the rights and obligations of members of the Australian Community” stating the importance of this goal as being “to promote economic and environmental consistency through legislation” presumably with the wider Australian Community, the Roadmap goes onto propose certain actions between the years 2011 and 2014 to consider extending defined laws to Norfolk Island. The Roadmap further states the intention in 2011 to 2015...

DEPUTY SPEAKER Ms Adams may interrupt please. Ms Adams you are speaking to the motion I do believe?

MS ADAMS Correct.

DEPUTY SPEAKER Ms Adams we haven't put the motion as yet.

MS ADAMS If you would like too, I will pause.

DEPUTY SPEAKER Honourable Members I put the motion that the question be agreed too, Honourable Members the motion.

MS ADAMS If I may continue.

DEPUTY SPEAKER Ms Adams, continue.

MS ADAMS The Roadmap further states the intention in 2011 to 2015 to progressively extend appropriate Commonwealth Laws and the associated support agencies to Norfolk Island on a portfolio by portfolio basis, including full Community consultation and education programs and finally, in 2012-2013 to develop a program for both Governments to work in partnership to further the extension of agreed Commonwealth laws to the Island. Mr Deputy Speaker, in 2006 the Australian Government gave notice of its intention to consider making changes to the governance model then operating on Norfolk Island. The March 2011 Roadmap indicates a similar intention at Item one under the heading of Governance Reform, suggesting the need for “an appropriate form of modified self government” that is consistent with contemporary models for state, territory and local governments, but is modified to take into account the unique circumstances of Norfolk Island. The bottom line in the actions proposed to achieve Governance reform is that in 2012 to 2013 necessary amendments will be made to the Norfolk Island Act to implement the agreed modified self-government model. Today's debate is not about the issue of whether or not the current self-government model needs to be changed. Today's debate, for me, centres around duty of care and ensuring that the impact of extending Commonwealth legislation to Norfolk Island is in the short and long term best interests of this remote and very vulnerable community. Knowledge which is essential before proceeding further with implementation of the Roadmap or with any of the agreements imposed under the various Funding Agreements. Mr Deputy Speaker the Planning Officer of the Norfolk Island Administration, Mr Alan McNeil has provided Minister Sheridan with two reports in respect of Planning and Population on Norfolk Island. The first report dated 3 May 2011 provides an overview of the Norfolk Island Plan. The second report dated 29 August 2011 relates to population and sustainability issues identified in Report Number One. Both reports are prepared in response to anticipated amendments to laws on Norfolk Island that would require the planning system to take on a more prominent role in establishing controls that effectively set a limit on Norfolk Island's population and I compliment Mr McNeil for the depth of these reports and the conclusions that have been drawn which cannot, and should not be ignored. I discussed with Minister Sheridan before his departure and I understood him to have difficulty in my seeking your leave to table his two reports. I so seek your leave Honourable Members for those reports to be tabled.

review of the financial capacity of Norfolk Island. The final paragraph, in what I understand to be the terms of reference for the Centre of International Economics 2006 reads where the extension of Commonwealth laws are likely to have a significant negative impact on the Norfolk Island economy, the consultant should provide options to alleviate these, including possible transition arrangements, I commend the motion to the House Honourable Members. This motion seeks to achieve the outcomes that I have referred to, at the outset, I would just like to say that I know that Mrs Ward would prefer an adjournment of this motion to a later time, and whilst normally I would have no difficulty with adjournments, however, for me, the timing of this is critical, and as it is only encouraging the Commonwealth, not requesting, not demanding, it is encouraging the process, I wouldn't be able to support an adjournment at this time. Thank you Mr Deputy Speaker.

DEPUTY SPEAKER Thank you Ms Adams and please accept my apologies for the interruption, I didn't mean to defer from your debate whatsoever. Any further debate Honourable Members on the motion?

MRS GRIFFITHS Thank you Mr Deputy Speaker, Mr Deputy Speaker on the first point of the motion, I have no problem with the memorandum of understanding. I am pleased to see there is reference to appropriate consideration of local circumstance and this is critical to this community, however it is up to us to make sure that local circumstances are considered every step of the way, and we are the only ones that can make these points. I am also pleased to see the term net benefit used in this MOU, it is not used casually, it means something, standards Australia has defined net benefit as having an overall positive impact on relevant communities. Net benefit takes into account the costs and benefits relating against the following criteria, public health and safety, competition, economic impact, environmental impact and social and community impact, and I wholeheartedly agree that the reforms that we have to undergo must provide a net benefit to this community. On the second point of the motion, I know that the website for the Centre for International Economics makes reference to a report, however I haven't seen it, and hesitate to further endorse further work being done on something I haven't seen in the first place. Finally Mr Deputy Speaker, on the Funding Agreement, I understand that this agreement that this is very similar to State Funding Agreements, however I am confused as to why this agreement identifies the extension of additional legislation to what is already proposed in the Roadmap. In my view, if the Commonwealth requires the extension of additional or any legislation, the context and challenge the Legislation responds to must be explicit and actually the net benefit of the extension of such legislation must be clear, having said that Mr Deputy Speaker, I will support the motion.

MRS WARD Thank you Mr Deputy Speaker, just to clarify, the main reason that I was suggesting adjournment, was that we are three members down in the House today, and it just would have been beneficial I think to the Community to hear those Members view on this motion, however I am not pressing that issue now. I have received some feedback from the Community on this motion, which I will share, some describe it as a delaying tactic and argued that it covers areas that are already being updated by the Commonwealth Grants Commission team, they feel that an update of the Centre of International Economics report would be costly and to some extent a duplication, I share that as a Community members view. What I think this motion does is very effectively highlight the range of issues and challenges we are facing. I certainly appreciate, however, the level of resources that the Federal Government is already providing to our situation and I have faith that the Chief Minister and his people, and I have faith in the Federal Minister's intent and that of his Department. Again, a negotiation table is just that, there will be differences of opinion but what is being done at the moment is best for the Island as a whole, it is a path being taken to try and ensure an equitable and sustainable future and I trust that it is acknowledged, I know that it is

acknowledged by both Governments that we do need to tread carefully in order to find the right balance. In my opinion, the net benefit to the Community has already started to be realized Mr Deputy Speaker. By us partnering with the Commonwealth funding assistance is already at play and we can see that by the fact that the Government is continuing to provide basic services and people are still employed. No one should underestimate how close we came to being forced to scaling back Government services. How close we came to reducing the working hours of the Public Service and suffering the consequences of having those families without the ability to pay mortgages and rents. To hear the stories of the 12 families and people affected by the Airline change is bad enough, imagine having to hear the stories of over 100 people affected, by not accepting funding by the Commonwealth. I would not have supported a Chief Minister who chose that path. That would have been failing the very people we are put here to represent and the flow on effects to the whole Community, beyond the Public Service and provision of Government Business Service, would have been disastrous. So I think we all need to remember that the intent of this Government is to ensure net benefit to the Island community as a whole and not individuals. Although I don't intend to support the motion, because I don't intend to undermine the current agreed direction in any way, I would ask Ms Adams, and it was another reason I would have sought adjournment, to table the Centre for International Economics report when she was able to obtain a copy. I understand the report was commissioned by the Liberal Government in 2006, so that was around the Jim Lloyd time. But I don't want to see us going back to 2006, this is the thirteenth Assembly, this is the current Chief Minister, we have a new approach, one that still has a grave acceptance of its duty of care, and is following a process which is full of due diligence. I understand that a copy of the document Ms Adams refers to, can be obtained through the Freedom of Information, but honestly if there's nothing to hide in the document, then surely the Federal Department can release it, let it be put on the table for all to see, perhaps it would be useful? Obviously we have a Federal Labour Government, this was a Liberal Government document, but I'm sure it is sitting in a Department, and if it is useful, I have no doubt that the Departments will use it, they work under both Labour and Liberal Governments. Keeping something half-hidden though unfortunately only raises suspicion in a small Community such as ours. So if the document shows that we are going to be worse off in the short term but better in the long term, then let's be open about that. If there are funding challenges to be faced, then both Governments should use this development period to mitigate potential disadvantage to the Island Community. You know, surely it is better to take all reports into account all reports, I'm sure that is being done. Our legislative and geographical isolation puts our current economic structure in a different place, it has allowed us to evolve differently and the Community's ability to pay into a restructured taxation system which is aligned with a mainland one without due consideration to our situation would possibly cause displacement and that is certainly something that none of us want to see. There is no point us doing what we are doing today, and we have had this discussion around the table very recently, there is no point displacing us here now today to be replaced by a whole new set of people, that's certainly not what we are about. I certainly, as Mrs Griffiths has pointed out, prefer to refer to reports which have been made accessible to the public such as the 2006 Commonwealth Grants Commission Report which went through a public consultation stage, with submissions received and it was posted on the web. That is currently being updated by the Commonwealth. That's open and transparent operation and right now, it is the only process that I am interested in. It's no secret that major taxation reform for Norfolk Island is needed, the realization that we small group of just over 600 working people, can not sustain the needs of our Community, the big three being education, health and telecommunications, that realization is upon us and the fact that a return of 40,000 visitors would not fix our problems is acknowledged. We are committed to engaging in the development of Commonwealth funded reviews and strategies; we understand the need for the extension of some laws, or certainly parts of them. I think National Private Health Insurance. But at the moment I am satisfied that a solid process is being followed and I

Commonwealth Grants Commission does not highlight all, or discuss our capacity to pay, as members of the Community. But again, I trust that the Economic Development Strategy is what is going to do that. So the current process believes that the information within that document needs to be updated and carried through, fair enough, but I am certainly not encouraging or requesting, I have trust in the current process, thank you.

MR BUFFETT

Thank you Mr Deputy Speaker, a number of things to mention in terms of this particular motion, at risk of drawing your eye about trying to be pre-emptive about another motion. Let me just point out, there are two motions on the books today, this is one, and there will be another a bit later on, which have some common components, and so some of the things that I may say may well relate to the other. But I want to start by saying that the Roadmap is a way forward that we need to undertake, the plan is that it will give us long term sustainability, long term sustainability. It means significant changes from where we are at this moment, they are inevitable, financial difficulties have compelled us to move in this direction and I do understand that there are some directions that people would prefer not to take. There are no two ways about that, that is the difficulty of change, but we are compelled and we must do those things, we must do them. The Roadmap endeavours to set out, over a five year period, a way that we can move forward and it endeavours to benchmark various factors that we need to address as we move along this track, we don't know the answers to all of the factors at this stage. But they are progressively coming together. We've had information come to us out of the Wellbeing Study for example, we have a Public Service Review that is in place and running now and due soon for delivery. We have an Economic Development Study that is yet to be commissioned, Mr Deputy Speaker, you asked me about that, and I was absent from the House for a brief period of time to try and gain some information, and hopefully I can be helpful with that before we conclude today. But there are a number of things that are progressively drawing together information. The aim is, obviously, those components are not isolated pieces, but they gradually come together and we will hopefully see as we progress along some dovetailing of the information that gives us greater strength and knowledge to be able to move forward. But the long term arrangements is that we will be self sustaining, at present, we are mendicants, we go to the Commonwealth begging, we do not want to do that in the long term. And if we aren't to do that, we must make significant changes so that we are not in that position any longer, that is the absolute stark reality of the situation. These two motions, these two motions are observing how we are travelling along this difficult path, and it is making comment about it, I welcome the comment, I don't necessarily like all of it, but I welcome the comment, because that is the debate that the Community needs to have as we move along this track, we shouldn't take offense at these factors, we should readily see them and evaluate them as they come to us, and that is part of the essential part of the process, but it should not remove our vision, it should not remove our vision that we must track this difficult path. And therefore I say, if there are components here that are to delay the Roadmap they are not ones that meet with my immediate pleasure, because they are putting aside us reaching a stage where we will be no longer mendicants, we must get to that stage, we must not prolong getting to that stage. Let me just say this, I've said it a number of times, but it's worth repeating, some of these things do need to be repeated as we go along the track, there are two broad areas of financial need within the Community, one relates to what I term Mr and Mrs Average, or a sole occupant, a sole occupant, people who are in a business capacity, average, a person who is a young family, average capacity, maybe a retired capacity, all of those have a general Mr Average or Mr and Mrs Average, or sole person average. At present in the Community, those people are finding it difficult to make a living, many of those people are finding it difficult to put food on the table, that is a huge difficulty, there are some measures in place to assist those, not all can be regrettably, but there is great effort to do so, both privately and Governmentally. In that situation, if we are able to lift our principle industry, then there is every prospect that funds will flow into the Island and funds will therefore circulate in the Community and

therefore those people in that situation there will be able to see a lifting of the game, as they will be participants in the benefits that come from that. We certainly hope, and that is the aim in the Tourism area, to lift that game, and if you look at the figures over the past month or so, you will find that they are gaining, progressively, but respectable figures, the 700 lot, it's a long time since we've had those sort of figures, so there is some movement in that area, and we hope that will continue and lift further. But even if we are able, and I'm confident that we are able, to lift the game there, and there is greater sustainability by those people that I have exemplified, we have then got to look at the wider picture that surrounds all of us in that context, and they are infrastructure factors, they are infrastructure factors that relate to a Hospital, there are infrastructure factors that relate to education, there are infrastructure factors that relate to social welfare, there are infrastructure factors that relate to telecommunications and communications, harbour facilities and those arrangements, they are multi-million dollar factors and aspects, at present, we are not in a hell's hope of examining and solving any of those, and even if we lift our game in the category that I first described, there is not sufficient generation of funds to be able to meet those things that surround us. It's been shown that we can't afford them today, the Commonwealth funding assists us to be able to meet Hospital commitments and the like today, so it's proven to us at this time we are not able to meet those commitments. And therefore, what is the remedy? The remedy is obviously to move from why we are not able to meet those commitments, because our smallness of our pool does not allow us to do so, and so the remedy means that we need to migrate to a larger pool, where we make a contribution, but the larger pool has greater facilities, that can meet the needs of today. The Community of Norfolk Island has grown wonderfully, wonderfully over its past, we'll say 50 to 100 years, it has grown from being a agricultural subsistence economy to the vibrancy that we see today, not withstanding that we are almost at the bottom of the graph in our principle industry, but if you take the difference between today and 70 to 100 years ago, Norfolk Island is way, hugely ahead. Hugely ahead, and we need to then examine how we are able to maintain that impetus, and it means moving, migrating into a larger pool, and that's where the Roadmap is to lead us. The Roadmap is to lead us in that direction. There are difficulties in doing so, huge difficulties, huge changes, because in moving to a larger pool, it does mean that some of the things that we have done ourselves and some of the things that we can no longer do ourselves, will need to be done within this larger pool, and where we had authority before, it may not mean that we are able to maintain that same element of authority, it may mean some significant adjustments there. That's one of the debates in the immigration aspect of all of this. But coming to this motion, I'm trying to describe that Mr Deputy Speaker, so that you will see the context in my comments about this motion, in moving along this track, there are a huge number of things that we are yet to gather, including some of the information in this motion I must acknowledge, including we do need to know what these adjustments will bring in terms of impact on the income of the Island, the price of goods and services, the employment and wage levels, the sustainability of businesses and scope of investment, the level of composition of the Island's population, all of those things are valuable for us to know, some of them are being pursued in some of the reports, and I'm not therefore convinced that only the Centre for International Economics may be able to provide that. So I do recognise those in this debate, which is a welcome debate as we move along this track. For my part, I am involved in endeavouring to lead along this path, and these are things that people need to say to me in my capacity there about how they feel about it, so I am listening to all of this, hopefully the Commonwealth will be listening also, it is not a matter for me to vote on this, it's a matter to hear your views upon it, and I would welcome them. So I can see that there is value here, whether it is by this particular institution, I'm not trying to dictate that, in fact I wonder whether the motion should dictate the information comes from there, the information is valuable, I think the information will come from other areas as well, whether all of the information will come, I'm not trying to argue that, but I am trying to say that there is value, as these are things we do need to know and we may need to make adjustments as we go along the track, given the

answers that we have to these things. Mr Deputy Speaker I hope that might be helpful in terms of setting out, well my view, about how we do need to travel this path, we do need to have this sort of debate, but we must not be put off our vision of getting along the track, maybe you'd want to give some broader spectrum about encouraging, encouraging is the word here, it's a good word, encouraging the Government to in fact fully examine these matters without trying to be didactic about where you might get the information, again I'm not trying to be didactic either, I'm trying to have conversation about it, because these are conversations we need to have.

MS ADAMS

Chief Minister I am sure you know me well enough to know that I'm 100% behind you, in all of your endeavours to Norfolk Island and there is probably nothing that you have said that I wouldn't wholeheartedly agree with, it's just the processes along the way that cause me the concern, and cause the constituents that voted for me and with whom I talk share their concerns. I hear you, and it was an excellent point to make, why tie ourselves to the Centre of International Economics, that was just what was there in 2006, my brain didn't think any further, if you can find other words to supplement that, it was just the Terms of Reference that were the key, the Terms of Reference. And if I could take this opportunity to refer to, and they are only a draft, I am not privy to the final document, if there is a final document in fact, which are the Terms of Reference for the Norfolk Island Economic Development Strategy and Action Plan, and Members will remember when this was brought to our attention, I did at that particular time, raise the Centre for International Economics and thought at that time that we should encourage the Commonwealth to incorporate what I'm asking for in this motion, and let's be quite clear, the operative words are, encourage the Commonwealth and simultaneously, not instead of, simultaneously. So the Terms of Reference that were provided to us were these, and I would say from the outset, that what I am going to read is extremely valuable and to be quite honest, if we had had this document perhaps, three or six years ago, we may be in a different position to where we are today, that is not a criticism, it's not a reflection, it's wisdom in hindsight. So let me read these to you, as it's good to have these things in Hansard so people understand in the future what our thinking is. The aim of the Norfolk Island Economic Development Strategy and Action Plan is to, firstly, to provide a comprehensive and up-to-date understanding of the total economy of Norfolk Island, create an environment which is conducive to Tourism and other business and Industry Development, attraction and retention. Support existing business and industry as appropriate, encourage competitive, sustainable and innovative business, industry and work practices, encourage positive partnerships, effective business networks and alliances. Co-ordinate the promotion, marketing of whole of economy activities on Norfolk Island, enhance complimentary public and private sector planning in relation to the economy, plan and facilitate economic development. The Strategy will contain recommended specific policies and support measures that are required to create an overall enabling framework for sustainable economic growth and the action plan will underpin the strategy and service the vehicle for driving and guiding specific efforts required. It will outline the short and long term measures required to give effect to the broad recommendations contained in the strategy, and the consultant is to undertake the following activities in an open and consultative manner with the Australia Government the Norfolk Island Government, key stakeholders and the broader Norfolk Island Community and I think Mr Snell that you did make reference to this in an earlier question without notice and Chief Minister you have responded accordingly. And in the discussions to assess the social and economic impact of the recent economic downturn on Norfolk Island, develop a robust and appropriate set of whole of economy performance indicators which are comparable with national standards and allow forward tracking of economic conditions, and it goes on. All worthwhile, all very worthwhile, aims and goals, that is not to say that previous Assemblies have not been working in this direction, but this is going to give us an overall at the end of the day worthwhile document I feel to look at. I think I have said enough, I will save it for the next motion.

MR NOBBS Thank you Mr Deputy Speaker, first off, let me say that I thoroughly endorse the words that the Chief Minister has given with regards to the Roadmap. In my view one of the key factors that we seek out of our movement through the Roadmap is not just sustainability, but stability, Norfolk Island has, as I've said earlier, almost on a two yearly basis, been challenged for its position for its operating parameters, for its taxing arrangements, for a range of things. What this document seeks to do, the Roadmap is to move us through a progression that should certainly, in the Government's view bring a net benefit to Norfolk Island that is not merely a net benefit in terms of revenues and social outcomes, but it is also a net benefit in terms of long term stability and that to many of the people that I talk to is one of the key elements that has not only led to enormous stress within the Community, it has also impacted on investment, short and long term investment on the Island, and a range of other matters that have in many ways prevented Norfolk to advancing to the capacity that we all would have liked it too. While at the same time, the Community expectations have certainly advanced along the way. I just might start in by referencing a paragraph out of the Roadmap and this is on page four, and the last paragraph there reads, this Roadmap outlines the steps to reform for Norfolk Island, it represents the partnership between the Norfolk Island Government and the Australia Government to work together to seek input from the Community, and to embrace change to enable Norfolk Island to be strong and resilient. Mr Deputy Speaker, there are a number of key messages in that, the key message that I will take out of that, in this particular instance is the element there that is to seek input from the Community, and really in the broader scheme of things that's our overwhelmingly role in being Members of the Legislative Assembly for Norfolk Island. So in seeking that input and certainly, I think all of us seek it, and all of us are afforded the Community's input, their concerns, their worries, as well as what they see as the opportunities and the better outcomes. However, there is an area, that I think, from my perspective and certainly from the feedback that I've had, that I need to put on the table here, that is also reflected in the Norfolk Island Roadmap submissions feedback summary, within that summary there are a number of areas that input was requested from the Community and the feedback was quite substantial, but what seems to be a recurring trend in those feedbacks is the comment of not being sure, of not being sure to express an opinion on some of the proposed changes. Those changes which deal with Government reform, some 40% were unsure of how they might comment on that. Economic Development 35% were unsure, Public Sector Management 44% were unsure, Taxation 37% were unsure, Environment 45%, and the Extension of Commonwealth Laws 43%. The message that I take out of that is that the more avenues of information that, and I am in agreement with the Chief Minister that do not impede the progress of the Roadmap but that help to inform the Community and help to provide some confidence in understanding the path that we are travelling as well as establishing for them some stability within their industries and within their community life. The more information we have to support those outcomes the better. And so in regard to that, I do endorse the option that if we are to progress this motion, that a) it certainly doesn't, as I say, impede the Roadmap, but it may well be that this is information that is gathered through a number of areas and has been quite rightly been pointed out, may not be directed to a specific agency. In closing, there is really only one comment that I will make, and that is on the basis of where we are going, that forewarned is forearmed, the more information we have to work with the better the outcome we will be able to present to Norfolk Island and in effect, the better the outcome will be presented for the Commonwealth. Thank you.

DEPUTY SPEAKER Any further debate Honourable Members? There being no further debate, I put the question that the motion be agreed too.

QUESTION PUT

I wish to call the House. Please call the House.

Madam Clerk would you please call the House

Ms Adams	Aye
Mr Snell	Aye
Mrs Griffiths	Aye
Mr Buffett	Abstain
Mr Nobbs	Abstain
Mrs Ward	Noe

DEPUTY SPEAKER The results of the voting Honourable Members, aye's three, abstentions two, the noes one. I would seek some advice.

MS ADAMS I thank the House for having agreed the motion.

DEPUTY SPEAKER The motion is so agreed, thank you Honourable Members. We now move onto Notice number two, Public Sector Management Act 2000, Appointment of member of the Public Service Board. I call on the Chief Minister.

MR BUFFETT Thank you Mr Deputy Speaker. I move, Mr Deputy Speaker, that this House in accordance with subsection 10(1)(a) of the Public Sector Management Act 2000, recommends that the responsible Minister appoint David Sinclair South as a member of the Public Service Board for the period 6 October 2011 to 5 October 2013.

DEPUTY SPEAKER Thank you, any debate Honourable Members?

MR BUFFETT Mr Deputy Speaker this is a continuation of Mr South's membership of the Public Service Board, I acknowledge his previous service and I thank him for his indication of continuity. The period of appointment proposed is for two years, but I need to point out that there are prospective adjustments in the composition of the Board, this may or may not come out of the Public Sector Management Review, and so there may be adjustments in terms of time about this. That is a period of unknown, but never the less I have pursued it in the context that you see on the paper. In saying that I thank Mr South, may I also make this point wider, as there are other members of the Board and they all have from time to time a difficult task in pursuing their responsibilities and I want it to be clearly known, that we as a Parliament in pursuing this, are appreciative of their efforts.

DEPUTY SPEAKER Thank you Chief Minister, any further debate Honourable Members? There being no further debate, I put the question that the motion be agreed too.

QUESTION PUT
AGREED

DEPUTY SPEAKER The motion is so agreed.

NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ACT 1980, APPOINTMENT OF DELEGATE TO A MEMBER

We move to notice number three, Norfolk Island Government Tourist Bureau Act 1980, Appointment of delegate to a member of the Norfolk Island Government Tourist Bureau Advisory Board, I call on Mr Nobbs.

MR NOBBS Thank you Mr Deputy Speaker, I move that this House in accordance with section 6 of the Norfolk Island Government Tourist Bureau Act

1980 resolve that the Minister with responsibility for the Norfolk Island Government Tourist Bureau Advisory Board appoint Barry Hyatt to be a delegate member of the Norfolk Island Government Tourist Bureau Advisory Board for the appointed member David Bell and to act as the member if that member is absent or unable to discharge official duties, during the term that the member is appointed to the Norfolk Island Government Tourist Bureau Advisory Board.

DEPUTY SPEAKER Thank you, any debate Honourable Members? Mr Nobbs.

MR NOBBS Thank you Mr Deputy Speaker, just in brief, this follows on from the amendments to the Norfolk Island Government Tourist Bureau Act that enables the bodies to have a delegate in effect, it has taken a responsible view of ensuring that there is that representation wherever possible within the Advisory Board, I might also take a moment to mention that Mr Barry Hyatt's nomination was on the advice from the Chamber of Commerce, and I'd also like to thank past members of the Board, and just take this opportunity and recognize the efforts that they have put in in their own time, and certainly for Norfolk's benefit.

DEPUTY SPEAKER Any further debate Honourable Members? There being no further debate, I put the question that the motion be agreed too.

QUESTION PUT
AGREED

DEPUTY SPEAKER The motion is so agreed. Notice Number Four, protection of Norfolk Island's cultural heritage and I call on Ms Adams.

MS ADAMS Thank you Mr Deputy Speaker, Honourable Members I move whereas in 1979 the Commonwealth of Australia entered into a new partnership arrangement with the territory of Norfolk Island by the passage through the Commonwealth Parliament of the Norfolk Island Act of 1979, and whereas in the Preamble to the Norfolk Island Act of 1979 the Commonwealth Parliament of Australia a) Acknowledges the residents of Norfolk Island include descendants of the settlers from Pitcairn Island; and b) Recognises the special relationship of the said descendants with Norfolk Island and their desire to preserve their traditions and culture, and whereas on 25 November 2010 a Memorandum of Understanding was signed by the Honourable Simon Crean MP on behalf of the Commonwealth of Australia and by the Honourable David Buffett AM MLA on behalf of the Government of Norfolk Island, hereafter called the parties. And whereas the signing of the Memorandum of Understanding Norfolk Island has agreed in broad terms to change the 1979 partnership between the Commonwealth of Australia and the Territory of Norfolk Island "on the basis that there will be a net benefit for Norfolk Island and its community and there is appropriate consideration of local circumstances". And whereas the changes currently being proposed to the 1979 partnership between the Commonwealth of Australia and Norfolk Island could, contrary to the intention of the Commonwealth Parliament in 1979, adversely impact on the special relationship of the descendants of the settlers from Pitcairn Island and their ongoing desire to preserve their traditions and cultures, hereafter referred to as the rights of the Pitcairn descendants. And whereas the Legislative Assembly of Norfolk Island is of the view that a process should be put in place as a matter of priority to ensure that the rights of the Pitcairn descendants are in no way diminished. Now this House resolves that the Honourable David Buffett AM MLA enter into urgent dialogue with the Honourable Simon Crean MP to discuss an approach being made to Major General Jeffery AC, CVO, MC, former Governor-General of Australia, and the Honourable Robert "Bob" Ellicott QC, BA, LLB, former Federal Minister with responsibility for Norfolk Island in 1979, being eminent persons respected by the Commonwealth Parliament and the Norfolk Island Parliament, or in the event that

they are unavailable, such other eminent persons as are agreed between the parties after consultation with the Members of the Legislative Assembly, with a view to their being co-opted to independently oversee the changes to the 1979 partnership and thereby assist the Commonwealth of Australia, the Commonwealth Parliament, the Norfolk Island Parliament and the Norfolk Island community to have certainty that the proposed new partnership adequately protects the rights of the Pitcairn descendants and the rights of the Norfolk Islander and the rights of the long term permanent residents of this Island. And Honourable Members you may wonder at my choice of style of moving the motion I chose to use the style of the preamble to the Norfolk Island Act uses. On 22 September 2011 Mr Dan O'Brien for and on behalf of the Commonwealth of Australia and Mr George Plant, for an on behalf of the Administration of Norfolk Island, signed a Funding Agreement which amongst other requirements, binds Norfolk Island at clause 11 of Schedule 2 of the Agreement as follows, Norfolk Island will, a) i) by 31 October 2011 amend any current restrictions to allow self-funded retirees who are Australian citizens to live within the Norfolk Island Territory as part of the permanent population; ii) by 1 January 2012 remove immigration restrictions on Australian citizens or permanent residents arriving as tourists on Norfolk Island; and iii) by 30 June 2012 remove immigration restrictions on Australian citizens arriving and remaining on Norfolk Island to facilitate the extension of the Migration Act 1958 of the Commonwealth, to the Norfolk Island Territory. This condition is subject to the Commonwealth outlining an implementation plan for access to Commonwealth benefits schemes, including Social Security and Medicare. And b) in relation to these reforms the Commonwealth will review their impacts by 30 June 2014, including economic, environmental, including land use and social, cultural impacts. And as the Chief Minister in our earlier debate on Notice number one, pointed out that there will be an overlapping of debates, because the motions are deliberately apart, but never the less overlap. At the March 2011 sitting of this House following representation to me by members of the Community, in debate I encouraged the Chief Minister to give serious consideration to an independent party being brought to the negotiation table to oversight processes and to ensure that every change mooted by either side at the negotiation table is measured against the proviso in the Memorandum of Understanding signed on 25 November 2010, and we have heard this said already a number of times this morning, that there will be a net benefit for Norfolk Island and its community and there is appropriate consideration of local circumstances. I likened the role of the independent party to that of election monitoring. The concept is designed to give credibility to processes and security to those who may otherwise be adversely and/or unwittingly disadvantaged as a result of decisions taken. And I take the Chief Minister back to, what is now many years ago, that whilst it wasn't election monitoring, Norfolk Island was absolutely, what's the word to find, could be very proud of the fact that you, out of all the Commonwealth Parliamentarians in the world, were chosen, by the Commonwealth Parliamentary Association to go to St Helena to review their constitution, you were seen as an independent party, I liken this motion to that. Mr Deputy Speaker, I am quite sure all of you by now, clearly understand where I sit in relation to the Norfolk Island Parliament and how much respect I have for it. As for me the Parliament is the Voice of the People and clause 11 of the September Funding Agreement prompts me to question, and this is the question being asked of me, where is the consultation with the people in the decision taking? Where is the voice of the Parliament, the Legislative Assembly of Norfolk Island, which is the voice of the people? And as the Chief Minister said earlier in debate, he welcomes this discussion, these motions are before the House now, the only motion that has been before the House to date in this process is the motion proposed by Mrs Griffiths on the Terms of Reference for the Public Sector Review, it is time that we are here in the House having these discussions. And I have to make this point absolutely clear in my debate, these questions are not intended in any way as a criticism of the Chief Minister or the Norfolk Island Government, all of whom have tried their very best to keep the Members of the Assembly and the Community informed as best they could in all the circumstances, and we understand what the circumstances are, and all of us are quite aware of the

difficulties they have faced, and continue to face, in trying to get the best outcome for the Island in the negotiations. There is no criticism intended. However, due to our current economic circumstances, and Chief Minister you have referred to this earlier, and our need for funding, it appears that your hands have been tied and you have been required to enter into agreements which do not guarantee, from where I sit at this point in time, and I quote again, "that there will be a net benefit for Norfolk Island and its community" and there is appropriate consideration of local circumstances. Notwithstanding this fact, I put it to the House that we have arrived at a point where processes must be called to account and somehow, somehow, that further progress with implementation of the Roadmap and the conditions in the various Funding Agreements that affect our current governance model, somehow, I don't know how, but somehow should be paused while we all re-evaluate where the Roadmap is leading us, and when the road comes to an end, where will we find ourselves and who, as a people, we will be. As currently worded Clause 11b, leaves me, and others with whom I have spoken, in no doubt, that Clause 11a is to be deemed an experiment on the basis that the Commonwealth will assess the impact of this experiment by 30 June 2014, two years down the track, and as Mrs Ward said earlier, and I say in the words of the old Norfolk Islanders, by den a' horse se bolt, the horse has bolted. The assessment of our immigration and the impact of any changes should be undertaken before any changes are made, including the previously agreed Funding Agreement allowing self-funded retirees to enter into Norfolk Island. There would be no difficulty with that, if in fact the Commonwealth legislation extended here, but it doesn't, the Commonwealth's Private Health Insurance Act does not extend here and we have been left with no ability other than to allow people who are supposedly self-funded, they must meet our requirements, our legislative requirements and our policy requirements at this time. Is that proper process is the question? Extend the Commonwealth Act, make it a requirement for self-funded retirees to hold private health insurance before allowing such persons to remain permanently in Norfolk Island and we have the potential of further impacting on our already stressed healthcare system. With respect Honourable Members, we are a people, not an experiment; and whilst it might have been appropriate in 1856 for Norfolk Island to be regarded as an experiment, the fact which is clearly documented, clearly documented, in the various despatches from Governor General Denison at the time of the removal of the people from Pitcairn Island to Norfolk, and I have them all here if anybody wants to have a look at them, they are in our public library, they referred to us as a race of people, it was suggested in the initial discussions that others not be allowed to come here, now that would not have been a good thing, but however, that was part of the experiment, and it is interesting ready to see the history from which we have come. To experiment with the lives of the people of Norfolk Island today is not appropriate, it does not honour who we are, where we have come from, it does not honour us. I further submit to you Honourable Members that the latest Funding Agreement calls into question whether the intent of the Commonwealth of Australia expressed through the Commonwealth Parliament in the preamble to the Norfolk Island Act passed in 1979 continues to be honoured or relevant today. And that preamble to the Norfolk Island Act has been the guiding light since 1979 and which Norfolk Island has held its hat. It was hard fought for, by our Island people. The intent of the preamble is quite clear. It provides a historical timeline for Norfolk Island from 1843 to 1979, it is a statement of intent behind the Norfolk Island Act that was passed in 1979. The motion we are considering spells out two of those intentions, and I'll read them again, because they are very important. And whereas the residents of Norfolk Island include descendants of the settlers from Pitcairn Island, and whereas the Parliament recognises the special relationship of the said descendants with Norfolk Island and their desire to preserve their traditions and culture, the Preamble further spells out the intent of the Commonwealth Parliament and the wishes of the Norfolk Island people as follows, and whereas the Parliament considers it to be desirable and to be the wish of the people of Norfolk Island that Norfolk Island achieve, over a period of time, internal self-government as a Territory under the authority of the Commonwealth and, to that end, to provide, among other things, for the establishment of a

Pitcairn Island, it is true that the Norfolk Island Act recognises our desire to preserve traditions and culture and regardless of how hard it was fought for, I have to ask what meaning have given it? What have consecutive Government's and Assemblies done in the past 30 years to protect our culture and traditions, what have we done other use our culture as justification to reject other views and often to reject moving forward, I would argue that we have done nothing. I would argue that we have done more than tokenism requires. It is a disgrace that our place, which claims a unique culture, has no cultural officer, a position that every other Pacific Island nation and territory has, including Pitcairn Island, I would admit that we did get close in 1997 some 14 years ago, but dar se come a nothing. And it is our identity that suffers the consequence. Mr Deputy Speaker, most certainly Norfolk has seen the degradation and loss of our traditional knowledge and culture, its low visibility contributes to the low priority to its protection, preservation and promotion. The central role that culture plays in economic and social wellbeing and development is not appreciated here on Norfolk. At the same time Norfolk's legislative and policy framework for culture is inadequate. This can be rationalised by a lack of resources, a lack of trained policy makers or cultural managers, but it is most definitely however a lack of political will. For sure Norfolk has implemented a few rescue actions such as the Norfolk Island Language Act of 2000 and the Protection of Moveable Cultural Heritage Act of 1987. Unfortunately though, neither addresses the broader policy issues of preserving and promoting our culture. Mr Deputy Speaker, without a doubt the economic benefits of culture are ignored. Culture contributes to the economy through employment, creative industries and other opportunities, money spent on cultural products and institutions influences our economy for sure. Benefits can be expressed in dollar output, earnings or the total number of jobs that the sector supports, other industries benefit from the ripple or multiplier effect that link the cultural industry with the rest of the economy. Let us not forget that our institutions, community groups and individuals are largely unsupported on Norfolk, while they are generally responsible for safe guarding and promoting Norfolk's knowledge and culture, they often lack finances and or skilled human resources. At the same time the young people of Norfolk who are traditional raised in an environment that taught them their culture language and skills, are not being taught enough of the essential elements of their own culture or how to express it. Mr Deputy Speaker for our culture to survive it needs to be relevant to the community and promoted by we, the decision makers, for our culture to be dynamic it needs to have a high profile in community life. We need to develop cultural policies which do more than just support cultural activities, we need to change our way of thinking about the cultural sector, we need indicators to measure the impact of other development or political activities on our community and culture. We need to shift our view of culture from a subsidy to an investment based position. Mr Deputy Speaker, we need to increase community participation in our culture, we need to train people to practice it. We need to offer opportunities for adapting traditions to new realities, Mr Deputy Speaker, this motion calls for two eminent Australian's to oversee our reforms and make sure our rights are not diminished in the process, I'm all for that. In fact Members may recall several weeks ago, during an adjournment debate, I proposed that the Joint Standing Committee enquire into a report on the implementation of proposed reforms, specifically those goals set out in the Roadmap, with particular emphasis on the preservation and promotion of our culture and identity. I still support that view. What I am certain about Mr Deputy Speaker, for goodness sake, we have to do something, for se too laate.

DEPUTY SPEAKER Thank you Mrs Griffiths. Any further debate Honourable Members? Mrs Ward.

MRS WARD Thank you Mr Deputy Speaker, I'm always impressed by Mrs Griffiths passion. And I also note that Ms Adams ties the protection of Norfolk Island Cultural Heritage very much to immigration, which is interesting in itself. If I can just play devils advocate here for a moment, I think the Chief Minister expressed very

succinctly that this is an issue of time, of time and money, so I'm not going to support anything that is going to delay current process. When Ms Adams asked where is the voice of the people, I endorse her thinking, and it's wonderful to see these motions on the table so that this discussion can take place, and I thank Ms Adams for that. However the silent majority did vote last March, I wrote a letter to the Editor some time ago which highlighted a sentence of the nine representatives who were ultimately elected to this Assembly, there were varying views, I campaigned very much on a reduction of responsibilities to a level I hope is realistic in that it's a sustainable level, so I do hear what you are saying and I do understand your concerns of autonomy and reversal of. Mr Deputy Speaker I do respect that, but we have to make structural changes in order to survive. The Norfolk Island Act was established by the Commonwealth for Norfolk Island and it contains a preamble which acknowledges the presence of Pitcairn descendants amongst other residents on the Island. It recognizes their special relationship to the Island dating back to 1856 and it makes mention of their desire to preserve traditions and culture. Now between 1979 and the Roadmap which was signed earlier this year, has that intent been lost, no absolutely not, it states in the third paragraph on the front page of the Roadmap, signed in March this year, and I quote, and it's basically word for word what is in the preamble of the Norfolk Island Act 1979, I quote, "The parliament of the Commonwealth of Australia has recognized the special relationship of the descendants of the original 1856 settlers with Norfolk Island and their desire to preserve their traditions and culture." That's not lost, that's still firmly planted in the Roadmap and part of the direction that we are still taking. It goes on to say, "The Australian government supports the goals of the Norfolk Island Community through a mutually acceptable and appropriate modified form of self government". One that is achievable. The reforms within the Road map are needed to strengthen the Islands unique heritage and environment, its social cohesion and resilience as well as the economy. So to me, we have not lost sight of the original 1979 intention in terms of the relationship of the Pitcairn descendants with this Island. I suppose I should ask all Members around this table how they would envisage changes adversely impacting on the special relationship as I have just described? How would the changes threaten the rights of the Pitcairn descendants and are those rights separate to those of other residents? I wasn't aware that my children as Pitcairn descendants had certain rights that I didn't have? So I would ask Ms Adams to establish and point out the adverse impacts and diminished rights and point out perhaps what special interests the descendants have over non descendants and what special treatment they might be seeking? I genuinely think clarification for those points would be beneficial to Members of the Community who believe that as Australian citizens we are all equal, I appreciate that there are New Zealand citizens resident on Norfolk Island of course, but just for this discussion I think that is important. Part of the question before us is, could the extension of laws, change our way of life? Well let's use Ms Adams point, let's look at the extension of the Migration Act as an example. Could life change in the same way as happened in the late 1960's when an influx of mainland people came to the Island and set up business and raised their family, and the culture changed? Yes it could, and did the majority of Islanders embrace new objects and technology, and did Islanders who had left the island come back, come back home to take advantage of fresh economic opportunities, yes they did. And could this all happen again, yes it could. And during that time through the 60's and 70's, did the Island women stop baking, did anyone take the fishing rods out of our children's hands, did anyone break apart a close knit Community, did we lose our sense of security and belonging? No, I don't think so. I understand where Ms. Adams is coming from with this motion, and I certainly share her concerns in the area of immigration but I can't support a motion to have independent people oversee our process. Because we are the democratically elected people and I think we have seen today that Ms Adams is doing a fine job as a representative of a section of this Community. But as Members we must set aside the particular desires of any one group, and see what is the best for the Community as a whole, indifferent to whether they are of Pitcairn decent, Island born, long term or in fact a new resident,

because to do anything else is unfair, in fact it is discriminatory. I understand the sentiment that underlies the motion, but this Government is working to strike a balance, one that will improve the chance for young Islanders to have a future here, at the moment they are leaving and I don't want to see us lose or separate anymore families due to our economic situation. I asked those around me over the last few days, those who were of Pitcairn descent, because I'm not, I was only born here, but I asked how I should represent them today. And the overwhelming response from them was, only we can destroy our culture, nobody else can, no Government can take it away from us, and it picks up on Mrs Griffiths point, it is up to us, to give it value perhaps. But for me, a sense of cultural identity is such a personal thing. I see that Pitcairn descendants have a connection to the land and the sea that is special, they have a connection to each other. But that is no different to a Queensland or Tasmanian Community, that's human nature. Norfolk Islanders are special people, the tourists tell us all the time, but not so special or different that we don't deserve the protections and benefits that other Australian's receive. We deserve to educate our children well, we deserve to be covered by national private health insurance schemes, we deserve an equitable and sustainable taxation system. The motion talks of the rights of people Mr Deputy Speaker. And it is time the 1979 agreement was revised to fully protect the rights of Norfolk Island residents. We have young Islanders coming through, and this is the difficulty, they are modern, they received a New South Wales education, they have mobile phones, ipads, fast cars, they travel abroad, they wear braces on their teeth, so what is their culture? For me, it is their sense of identity, it is something that is passed to them or developed by their parents, family, their friends and wider Community. It is a sense of security and belonging, and knowing that a community will pick them up when they fall. Cultural activities such as weaving and dancing are growing again in popularity and the N'folk language is taught in the school and that appears to be thriving, we are even having children's story books published in the N'folk language. For so long N'folk was an oral language, and although not all Islanders can or will ever agree on a written version, the version which is written by Alice Buffett is used at the school and acknowledged by UNESCO is what we have today. Alice of course is a former member of this parliament who has never stopped working to ensure equality for the Norfolk Island people by having stronger ties with Australia and I acknowledge her contribution to the cause. If Ms Adams could clarify one last thing Mr Deputy Speaker, again in an attempt to have a discussion and help understanding. If we wish to protect the rights of the Pitcairn descendants, and the Norfolk Islanders and the long term residents where does that leave the people we will welcome into our Community on any given day or week or year in the future? Will the people who come to live and who we welcome into the Community have the same rights automatically? Because if we look wider and consider that we have all welcomed new members into the Community, some as partners or spouses, we would insist on them having the same rights and being treated with the same dignity and respect as we treat our own. I think, if a person's cultural identity is essentially tied to their hip-pocket for example when we talk about extension of taxation laws or systems, then we have a problem. If the issue is that the people of Pitcairn descent believe that we will continue to manage under a separate set of laws, then we can see those days are numbered. I'm being a little pre-emptive there, no one knows what is going to come out of the Public Service Review, but I think that we will see a reduction of responsibilities, because we simply can not afford to maintain the level of the Government we see today. What we do have here is a democratically elected Assembly with nine Members who have, in the main, have faith in the current process which is being carried out by both Governments. And the Government has decided on a path that will not please everyone, but it is a direction, it is not treading water and it is certainly not drowning and I am not of the view that we need anyone independent to oversight the democratic process which is currently in place. I have faith, particularly with Mrs Griffiths sitting at the table, culture, heritage and women's rights in particular, will hold front centre stage, I don't think we will need independent oversight to guarantee or understand that any better than Members who are currently sat around the

table. I'll close with something a little more personal Mr Deputy Speaker, when I asked my 11 year old daughter who is of Pitcairn decent when I asked her to define what she loved about her way of life, that was specific to Norfolk and she answered, and I'll quote, "fresh air, the beach is never over crowded, the majority of the Island is green, you know almost everyone, everyone is friendly, I don't know if being isolated is a good thing or a bad thing, we employ good Teachers, we've got our separate language, only we have Bounty Day and we have a good library. And we have both, we have a town and countryish areas". That was her response. And I think, as Members of this Parliament, if we can preserve those things and the smell of the pines for the next generation and at the same time develop and maintain a just and sustainable Island Community, with plenty of job opportunity, we will have done a good job. And in my opinion we certainly don't need independent oversight to do that. Thank you Mr Deputy Speaker.

DEPUTY SPEAKER
Members?

Thank you Mrs Ward, any further debate Honourable

MS ADAMS

Thank you Mr Deputy Speaker and thank you Mrs Ward, I'm saddened if for one moment you think that I don't regard you or your children as Norfolk Islander's. I'm saddened, in my address and reply in the inaugural Sitting, or the first Sitting of the Legislative Assembly, I made it quite clear, and I have made it quite clear at anytime I have entered into debate on this question, that today we are a multi cultural tapestry of people, and how blessed we are. But by the same token, we are also the homeland of the descendants of the Bounty Mutineers. And I'm not going to enter into the issue of racism or any of those things, as they are not in my being, they are not in my being. The motion in itself says, the proposed new partnership adequately protects the rights of the Pitcairn descendants and the rights of the Norfolk Islander, which I regard you as one, and the rights of the long term permanent residents of this Island. I could easily put on my Australian hat here and say that is the reason behind what I am saying, because I probably have more Australian heritage than any of you put together around this table. I can speak as an Australian, and how I would feel wearing that had, having lived amongst the people here since 1961, since living with my father's side of the family in Australia, a great county in which I was born and educated, to an excellent standard, and at the same time being blessed to understand that there is another way of life, there is another people, and I was brought up to respect that as well. And I see a diminution, a potential diminution, and I hear what Mrs Griffiths is saying about culture, the need to protect culture, was it not just two weeks ago, I raised at a meeting of Members with you, the new Tourism Bureau brochure, and how little, how little reference there is in that document to Norfolk Island homeland of the descendants of the Bounty Mutineers. If focuses around KAVHA, we understand why, because that is a potential money spinner for this Island, on the world platform and I support that totally. But equally, the Pitcairn people should be having equal acknowledgement, and Mrs Griffiths is quite right, we are probably, in some respects, our own worst enemy. This is about honouring the way of life that has evolved in this Community since late 1856 up until 2010, booms, busts, rising economies, depressed economies, an evolution of a wonderful people, a wonderful people. My only concern is that we do nothing, and as you say, it is entirely up to us, cos Norfolk liwe in yus heart en ef nor in yus heart, wal mean nothing. And that is the part that we are trying to ensure never goes away and Alan McNeil, and I mentioned this in my debate on the first motion, the sustainability of the Norfolk Island Community is also determined to an extent by social or economic factors that are more difficult to quantify, such as the extent to which migration of new residents from Australia could eventually impact on or dilute the Islanders way of life, including, including not exclusive, including the Pitcairn/Norfolk Island culture, or could result in a further fragmentation of the closely knit community, community spirit. These are the elements that I seek, is the word protect, perhaps that is not the best choice of word, you know protectionism isn't a good word in today, but what other word can I find, maintain, enhanced, enhanced. The bottom line of the motion is, sometimes we can get

caught up in the nitty gritty of all of this, sometimes an outside person, just as Chief Minister Buffett in St Helena went there as an independent person with an outside fresh look coming from a small community, could appreciate the nuances of a small community, that these people are eminent people, and sometimes it is helpful to have people that aren't too close to the coal face when something so enormous is happening to this Community, sometimes it is helpful to have a watchful eye just weighing the pros and cons of every stage of a negotiation, I don't hold them up as any more special as us, each and everyone of us in this community is more than able to say where they want to be, how they want to travel. But sometimes we are too close to the coal face, and with all due respect, the Commonwealth of Australia, Norfolk Ailen nor liwe in dems heart, can't, so we're helping them as well, these people could help as well, all parties to understand, that there is something very special here let's make sure we don't muck it up, because that is the bottom line. Nothing more to say.

DEPUTY SPEAKER
Minister.

Any further debate Honourable Members? Chief

MR BUFFETT

Mr Deputy Speaker, when we addressed the other motion, I made some words there, some of them were obviously welcoming debate, I continue to welcome debate. These are some of the hard yards about how we have to travel, there's been a lot made of historical progression, and I think on another occasion I made some comparisons about the Pitcairn community, that is the components that we are addressing today. First of all being in Pitcairn Island and needing to address their situation then, they were over populating that place, over populating didn't mean you had more people living next door to you, it was whether you had enough food and the like to survive, it was much more stark than we might see it. They faced a huge decision, whether they would upsticks and go and leave that place, most of them had never been anywhere else, not all, but most. But they recognised the difficulty of their present standing and needed to widen their pool, and that is no different from today, probably hardly any of them wanted to leave that place, but they did and they came here, and not withstanding the beauty and benefits that this place brought, some still wanted to go back, and did. You can't please everyone, no matter what you have at the end of the day. And that was a huge decision but they had to walk through it and they took it, and the benefits were huge in comparison, in comparison, the benefits were huge. And then I made further along the track the illustration of the Second World War and its impact on this place, nobody wanted a war, nobody wanted to do that, some of our people went away to be soldiers and never came home. Difficult times, but it too, notwithstanding all of those difficulties, brought huge benefits, it brought us an airport just to point out one that is obvious to us today. It brought a huge new outlook, people who again, had never been anywhere else but this place went elsewhere, at the Government's expense and maybe as a soldier, and not all of them looked to that in a kindly way, but nevertheless and others came to this place, so the spectrum was hugely widened. And we come to today and the difficulties we face, but can I just draw again a relationship between what happened historically in some of the other things that have been mentioned, again the move from Pitcairn to Norfolk Island and the coming here was to be, I think it was referred to as an experiment, and it was referred to as an experiment in those earlier documents. And no others were to come and be here, but others did come and were here, and it was the Island people themselves that chose that, notwithstanding the authorities said otherwise and the Island was enriched by that coming of those people. Their descendants are still here today amongst us. They widened the pool, we too are now coming to a stage whereby we have grown to a certain extent that we need to widen the pool again, and we need to see it again in that context and I see Madam Speaker is not necessarily nodding her head when I say that, but if you accept that the others have had benefits, then you need to examine what the prospect of benefits will be for us today, we can't live in those times of 100 years ago forever. So see those things in the debate, that we need to have and we are having today, see those factors also, I

just want to conclude by asking this, in your address Ms Adams you mentioned something about pausing and not proceeding with the Roadmap, if that is your intent with this motion, I will not support it, we can not stay where we are, we do need to progress and make changes, otherwise we will continue to be asking, and not only is that grating today, the asking, but those of whom we ask will grow cold to us, justifiably we need to make our own way and lift our game, and this the Roadmap, is about lifting our game for long term sustainability. Notwithstanding that it has difficulties. I said earlier in respect of the other motion, I'm going to say the same in respect of this, that these things you are saying to me, it is welcome debate and I need to hear them, for you to decide what you want to say to me in that context and I will listen, however, let me say this, and so I won't be voting, I will abstain as I did, but I will hear what you say. However, if you are saying don't do the Roadmap I will vote against the motion notwithstanding it has components of culture that I hold dear. I need to have a response to that.

MS ADAMS

My main concern is the potential to dismantle, I have acknowledged that you have agreed, and I have not disagreed with you, us entering into the Australian Taxation System and Social Welfare System at this time, because I agree totally with you, at this point in time, where else can we go. I ask only for caution, I ask only for caution. And repeat, whilst not intending that any process be disrupted, but there be a watchdog, I don't like that word, I don't like that word, but there be a independent monitoring of this fragile, tiny community, which you and I call home. We all want the very best outcome for this Island. We may not all agree on the way to get that best outcome. But processes will continue, let it be quite clear on my part, and I will thank the Commonwealth of Australia for the role that it is playing. But equally I must ask the Commonwealth of Australia, of which I am a member, take care, take care, take care of us, and where we are heading, and if it helps you in the caring, to look outside yourselves and the Government processes and bring on board somebody, some other people, and at the time I first raised this Chief Minister, I actually put the forward the suggestion of the CPA, that is a role they play in the Commonwealth, but I chose to come back in to Australia, to Australian's, to people that have played a role in the Australian scene, because I thought that was a good way to go, that's a good way to go. You may think I am not supporting you, but I have never ever said that I don't, that is the only answer I can give you at this time. I did not expect you to vote for the motion, it was never my intention that you did, and if the motion does not pass the House, that is okay too. But it has been in the House and Hansard will record in history the debate that we have had and as you said, you welcome the discussion. I don't know whether that can give you any joy in what I have said, other than to say again, I understand the road you are on, I understand that you see no other road at this point in time, and if that is the road down which we must track, well that is the road that we will travel, let us take care, I don't think there is anything more I need to say.

DEPUTY SPEAKER
Members. Mr Nobbs.

Thank you Ms Adams, any further debate Honourable

MR NOBBS

Thank you Mr Deputy Speaker, obviously for all of us we welcome the expansion of the debate on all of these aspects because the consultation process that is involved in all these evaluations for change, in change, are the important things because they are forming our decisions, forming our commitments, and forming our views. We certainly, and I can tell you right now that numerous approaches are made to myself in terms of questions, uncertainty, about the Roadmap, where we will end up, about potential displacement of community members, regardless of where their lineage lies. Concerns over outcomes for changes to the regulatory environment that they work in, that they employ staff in, that they put their children into with the Daycares, that they rely on for appropriate and industries that align with Norfolk Island and the communities wants and needs, we are certainly, I'd have to say, to a

degree, bombarded by people's views and concerns at the moment, and we have to welcome, we have to actually be positive to the fact that their engaging in that process, whether we get the positive or the negative. Certainly one of the negatives that has been thrown round, whether or not there are perceived agenda's from the Norfolk Island Government's perspective or the Commonwealth's Government, in outlining a Roadmap and going through the various consultation and report phases, we are certainly hoping to open all those doors to gain as much information, as I've said earlier, forewarned is forearmed with many of these changes. I'm certainly not planning to obstruct any advancement on this motion in that regard, because I do see the consultation, any manner of input, as I've said earlier, that doesn't impede the progression of the Roadmap timeframes and the like, I see that as a positive if we do get additional information, and in the consultation processes that have been engaged up to this point in time, we have certainly had the Chief Minister engaged with the community, we have had various groups engaged, certainly in my own area, the Tourism, Industry & Development consultative working group, Mr Deputy Speaker you tabled a document, I think it was entitled the Alternative Roadmap. Again, I commend yourself for putting it on the table, and I commend those people for getting involved, and putting these alternative views and options in place, it is worth recognising that Norfolk, although not in the optimum position at the moment, has certainly done some things well over the 30 years, and that has been recognised, certainly in areas locally. From my recollection we had a visit from the Joint Standing Committee a number of years ago, when they were reviewing the Indian Ocean Territories, they specifically visited Norfolk to see how they might use some of our modelling and our management and our delivery of services to enhance the outcomes of the Indian Ocean Territories, so it has certainly been acknowledged that we have some positives in place. I think that about wraps it up for me, in terms of my input to this, other than to say that, the overwhelming message that I receive is more information please, thank you.

DEPUTY SPEAKER Thank you Minister Nobbs, any further debate Honourable Members? Well Members there being no further debate, I put the question that the motion be agreed too.

QUESTION PUT

I think the aye's have it, but would you like me to call the House? You would like the House be called.

Madam Clerk please call the House

Ms Adams	Aye
Mr Snell	Aye
Mrs Griffiths	Aye
Mr Buffett	Abstain
Mr Nobbs	Abstain
Mrs Ward	Noe

Thank you, Honourable Members the results of the voting is the Ayes three, Noes one, Absentions two, the motion is so carried, thank you Honourable Members, I call on the Speaker to return to the Chair.

MARRIED PERSONS (EQUALITY OF STATUS) BILL 2011

SPEAKER Honourable Members we move now to Notice number five, the Married Persons (Equality of Status) Bill 2011 and Chief Minister I believe this is in your name.

77 women in tourism and hospitality, there were 37 men and 110 women in sales and executive and managerial positions there were 77 men and only 43 women. We need to review our employment legislation and ask ourselves, why doesn't our employment legislation provide for paid maternity leave. Madam Speaker women are the main victims of violence, both sexual assaults and domestic violence and I don't know if there's any systematic gathering of data in this area, I certainly couldn't find any, and if I could, we all know what is reported is not actual numbers, many acts of violence go unreported. Madam Speaker gender based violence is defined as violence directed against women because she is a women or violence that affects women disproportionately. And to keep ourselves on track in terms of gender equality, we need to ask ourselves when reviewing our legislation, are there specific domestic violence defences in our laws, is stalking a criminal offence, is a restraining order available in situations of sexual and domestic violence regardless of marital status, is there mandatory prosecution for domestic violence offences, is there mandatory prosecution for sexual offences, and are there minimum sentences for sexual offences. Madam Speaker I support the introduction of this Bill wholeheartedly, but it is, as I said, just a first step, I again commend the Chief Minister for this initiative and urge him to continue his efforts ensuring that gender issues are considered at any review of our existing legislation and the development of any new legislation. I'm happy to provide any assistance that I can, thank you.

SPEAKER Any further debate Honourable Members, Mrs Ward.

MRS WARD Thank you Madam Speaker, the Members and Mrs Griffiths will know that I'm not as passionate as she is over these issues, but I read something a couple of weeks ago in the paper which said that there is a special place in hell for women who do not support other women, and I'll step up Mrs Griffiths, it was Eleanor Roosevelt, somebody of quite eminent standing.

MR BUFFETT ...(unclear on tape) I'm not too sure that I am able to provide provision in this Bill for that particular area.

MRS WARD I will be relevant thank you Madam Speaker, I will just repeat one sentence under the explanatory memorandum notes, which is married persons equity to status, so again you have a big shift from this being a Married Women's Property Act, this is all about equity between genders, or gender equity, the broad intent of the Bill, and I quote, "the broad intent of the Bill is to affirm that, irrespective of gender, married persons retain separate legal personality and legal capacity as if they were single", I think that is just worth highlighting. Thank you Madam Speaker.

SPEAKER Thank you Mrs Ward, further debate Honourable Members on the question that the motion be agreed too. No further debate I look to you Chief Minister.

MR BUFFETT Thank you Madam Speaker, I table the Explanatory Memorandum in respect of this Bill and I move debate be adjourned, resumption of debate, made an Order of the Day for a subsequent day of Sitting.

SPEAKER Thank you Chief Minister, I put the question.

QUESTION PUT
AGREED

Debate is so adjourned.

ELECTRICITY SUPPLY (AMENDMENT) BILL 2011, A

SPEAKER We move now to Order of the Day number one, and it is the only Order coming on today, the Electricity Supply (Amendment) Bill 2011, and this resume that the Bill be agreed to in principle. Mr Nobbs you have the call to resume.

MR NOBBS Thank you Madam Speaker, what we have in front of us at the moment is the Explanatory Memorandum and the Amendment Bill for the Electricity Supply Act. And what I might do is just provide a recapping of the Explanatory Memorandum before we progress any further with it. The purpose of this Bill is to remove from the Electricity Supply Act 1985 the provisions that place an onus on the owner of the property for the payment of electricity charges incurred by an occupier other than the owner. It is the intention of the Bill that it is the occupier of the land being the consumer of electricity, who is to be responsible for the payment of the cost of electricity consumption, thus where the owner is not also the occupier, the owner is to have no responsibility for payment of electricity charges. A landlord will no longer be liable for a consumer tenants electricity. To assist with credit management, a person who has an unpaid debt for electricity charges (alone or jointly with another) may have an application for connection refused. The Bill provides in the first three clauses for the usual short title, the commencement of the Bill upon gazettal of assent and for the citation of the principle Act to be amended. Clause four provides that the amendments in the schedule are to affect. Item one in the schedule provides for the removal of the definition of consumer reference to the owner of the land where the occupier is not the owner, Item two amends section 11 to remove reference to the owner where the owner is not also the occupier and inserts a new section to make it clear that the Executive Member or Minister may refuse an application for supply if the applicant is in debt for electricity supply charges whether alone or jointly with another person. Item three amends section 23 by deleting references again so the owner is not liable, where the owner is not also the occupier and deletes subsection (6) that provides for the liability of the owner for payment of electricity supply charges, thereby removing that liability where the owner is not the consumer. Madam Speaker I have spoken at the previous Sitting on the methodology behind this amendment and in short, it's really to ensure that the consumer of the electricity is responsible for their consumption of their electricity. I have discussed this with the Public Service and in particular with the Chief Executive Officer of the Public Service to ensure that the Administration is comfortable with this change to the alignment or assignment of debt and they have assured me that they are. Thank you Madam Speaker.

SPEAKER Thank you Minister Nobbs, debate Honourable Members. Mr Snell.

MR SNELL Thank you Madam Speaker, Madam Speaker I would like to just give my support to this motion and I compliment and applaud the Minister for brining it forward, it's taken a long time, but it has been a complaint lodged before this House on many occasion of the unfairness of the previous law, and I applaud the Minister for bringing it forward and I certainly intend to support the motion.

MRS WARD Thank you Madam Speaker, I also intend to support the Bill today, and I thank the Minister for the recap, it does take the liability from the owner if they are not the occupier, to the occupier, in other words, yes, as the Minister says, the consumer pays. The challenge for that, if the Bill is passed today of course, is for the Electricity Manager and Accounts to monitor and mention the collection of money, and I thank the Minister for confirming for us that a debt collection policy has been developed and implemented as a part of this amendment if passed today. The policy I am sure is not going to allow preferential treatment, it's all one rule for everybody in the community, and the onus really is back on the Administration and Accounts collecting

money for usage. The community will realise very quickly that there is no point approaching individual Members or Minister's or senior Public Service, I say it because it has happened Madam Speaker, I have been approached, it is not for us, it is an operational issue, it is over there in the other compound with the Public Service, so members of the community, please don't come and try and pull our heart strings, there is a set Government policy been developed by the Thirteenth Assembly Government, full stop. I know that sounds hard, but we have appropriated a sum of money that forces the Administration to maintain a very tight control of the finances over the remainder of the financial year, so I wish them well if the Bill passes today, thank you.

SPEAKER Thank you Mrs Ward, further debate Honourable Members, there being no further debate, I put the question that the Bill be agreed to in principle.

QUESTION PUT
AGREED

We move to the detail stage. Is it the wish of the House to dispense with the detail stage Honourable Members? There being no detail stage, I look to you Mr Nobbs.

MR NOBBS Madam Speaker I move that the Bill be agreed too.

SPEAKER Thank you Minister Nobbs, is there any debate Honourable Members on that motion? No debate, I put the question.

QUESTION PUT
AGREED

The Bill is agreed too.

Well Honourable Members that concludes today's substantive matters, we move on

ANSWER TO QUESTION WITHOUT NOTICE

SPEAKER Sorry Chief Minister?

MR BUFFETT May I have your indulgence Madam Speaker.

SPEAKER Yes, I beg your pardon, yes.

MR BUFFETT When we were at Questions without Notice, Mr Snell asked me about the Economic Development Study, I said I would try and find out whilst we were still here, I left the Chamber for a brief period of time earlier in the Sitting to try and do that and the word I've got, it is a Commonwealth study, so I don't have the detail of when the signatures are fixed to this, I do understand that they have settled the documents and they are awaiting those to be signed by what they see as the successful tenderer. The indicators are to me, that that may well occur tomorrow, that's where we stand for that particular study. Thanks Madam Speaker for your allowing that.

SPEAKER Thank you Chief Minister, that was a response to an earlier Question without Notice to you, the minutes will record that.

FIXING OF NEXT SITTING DAY

We move now Honourable Members to Fixing of the Next Sitting Day and this is in the name of Mrs Ward please.

MRS WARD Thank you Madam Speaker I move that this House at its rising adjourn until Wednesday the 9th of November 2011 at 10 am.

SPEAKER Thank you, any debate Honourable Members, no debate, I put the question.

QUESTION PUT
AGREED

ADJOURNMENT

SPEAKER Finally Honourable Members Adjournment, Minister Nobbs.

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

SPEAKER Thank you Minister Nobbs and I had no idea the time was what it was. The question before the House is that the House do now adjourn, debate Honourable Members? Seeing there is no debate, I put the question.

QUESTION PUT
AGREED

I believe the Aye's have it, this House stands adjourned until Wednesday 9 November 2011 at 10.00am, thank you Honourable Members.