



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY
13TH NILA HANSARD – 6 JUNE 2012**

SPEAKER Good morning Honourable Members and invited Guests, please be seated whilst we wait for His Honour the Administrator to arrive.

CLERK Madam Speaker, Honourable Members, His Honour the Administrator.

SPEAKER Please rise to welcome his Honour the Administrator. Your Honour good morning, it is a pleasure on behalf of the Thirteenth Legislative Assembly to welcome you to our Diamond Jubilee celebrations this morning and to commemorate with us.

ADMINISTRATOR Good morning Madam Speaker.

PRAYER

SPEAKER And whilst we are standing Honourable Members and invited guests I will invite Reverend Bassett to lead us in prayers, thank you.

REVEREND BASSETT As we celebrate Her Majesty the Queen's Diamond Jubilee let us pray this prayer written especially for this occasion and commended by the Arch Bishop of Canterbury and York. God of time and eternity whose Son reigns as Servant not Master, we give you thanks and praise that you have blessed the United Kingdom, the realms and territories, with Elizabeth are beloved and glorious Queen. In this year of Jubilee grant her your gifts of love and joy and peace as she continues in faithful obedience to you her Lord God and in devoted service to her lands and peoples and those of the Commonwealth, now and all the days of her life, through Jesus Christ our Lord, Amen. Let us now prayer for Norfolk Island and our Legislative Assembly. God you have given us this Island as our home and our heritage, help us to cherish it and preserve it, guide us in our deliberations as we seek ways forward to prosper our Island and its people, give us wisdom and integrity and all our discussions and decisions, we pray that you will bless us and you will bring honour and glory to your name and we ask these things in the name of your Son, Jesus Christ, Amen. And I invite you all to join in the prayer of the Legislative Assembly. 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.

SPEAKER Thank you Reverend Bassett, be seated everybody. It gives me great pleasure this morning on behalf of my colleagues to extend a warm welcome to Mrs Pope on the occasion of your first formal visit to our Chamber. And may I also Honourable Members on your behalf welcome to the public gallery the Official Secretary, Mr Kenton Godfrey, Mrs Phillip Bassett, members of the Diamond Jubilee Committee, it is good to see you all again, Miss Sophie Donohoe, Speaker of the Youth Assembly, Miss Tariah Magri, Clerk of the Youth Assembly and their Mentors Mrs Magri and Mr Smith, who will be here very shortly he had to switch on the program first before he could come down here, and we have here this morning with us, a professional photographer here to experience and photograph our Diamond Jubilee celebrations and Bounty Day, M Frederic Mouchet, welcome, and he will be taking some

photographs throughout this mornings programme. Well this brings me to the first formal activity and I call on his Honour the Administrator now please your Honour to address those assembled.

ADMINISTRATOR Chief Minister, Madam Speaker, Members of the Legislative Assembly, distinguished guests, ladies and gentlemen and the girls from the Youth Assembly. I would like to go back to last Monday and pinch an issue that was raised by the Chief Minister with respect to his school days, the Chief Minister indicated up at Queen Elizabeth Avenue of times when he was at school and the issue with respect to the Royals. Well I go back to 1954 as a five year old and if anyone is quickly doing the maths, yes I am 63, 1954 was a visit by the Queen to Melbourne, I was a school child in Prep at Christchurch Grammar, which is in Melbourne, not in New Zealand, which is on the corner of Punt Road and Toorak Road. For those who may know the area, it is next to Falkner Park, the whole School was marched up to St Kilda Road to see the Queen in 1954, my brother was also there, he was in Grade Three, and I can remember it quite vividly, with our little flags and waiting for some time before the Queen went past and it was quite an occasion. I've checked the Herald, which is an evening Newspaper in Victoria which folded a few decades ago, on that occasion. And the headline that they had, was A Figure of Grace and Beauty. And she certainly was. There was also a quote from an old Boer War Veteran who waited five hours in St Kilda Road for the Queen to go past and he said, "God bless her, I fought for her Great Grandmother old Queen Vicky, and played two up in Egypt with her Uncle the Prince of Wales, so you can see I feel pretty fond of the Royal Family", that was 1954 in the Herald. It's a privilege being here today and I wouldn't have thought when I was five years old, watching the Queen go past that I would actually be representing the Queen of Australia as her delegate on Norfolk Island and it is an absolute privilege and one that I feel very honoured about, as does Jen with respect to our position here. I next saw the Queen in 1970, and she was at the MCG, and for those that know the MCG, and the old stand at the MCG, there is the Northern Stand, it is no longer there, I was on top tier and I was on the second row from the back, you can imagine that I didn't see much of the Queen on that occasion. The next occasion, and I mentioned this the other evening, when we were underneath the Norfolk Pine waiting for the lights to come on, and it was in 1982, I was a Member of Parliament and all Members of Parliament were requested to bring some community people to a reception at Government House in Victoria to meet the Queen, we brought along four people from the electorate that I represented and not believing of course that I would actually meet the Queen, I let the women stand in front of me, and I was about third back, and as John Caine, the then Premier was walking along with the Queen, he spotted Jen and turned the Queen, didn't touch the Queen, turned the Queen around and said "oh your Majesty this is the wife of one of our new Members of Parliament", Jen then engaged in a discussion with the Queen, with me up the back going, "hey what about me"! Being vertically challenged, I wasn't even seen by the Queen let alone meet her! So I felt a little bit aggrieved that Jen trumped me on that occasion! On the 6th of February of this year, the anniversary of the Queen's Fathers death, the Queen in her Diamond Jubilee message said the following, "In this special year as I dedicate myself anew to your Service, I hope we will all be reminded of the power of togetherness and the convening strength of family, friendship and good neighbourhoodliness", that's a hard one. "Examples of which I have been fortunate to see throughout my reign and which my family and I look forward to seeing in many forms as we travel throughout the United Kingdom and the wider Commonwealth". It certainly is a statement which one can apporportioned to Norfolk Island. In our short time here the community friendliness, the neighbourhoodliness, I got it right that time, has been magnificent. And as we, those of us from the Diamond Jubilee Committee and others who were silly enough at 10 o'clock on Monday night to be standing up at Queen Elizabeth II look out with the rain sheeting in horizontally getting drenched as we lit the gas beacon, there were two Norfolk Islanders out on the water, you've all heard about it, but it's indicative of this community, of what those guys did,

and I pay tribute to them. I spoke to one of them this morning, and it is just magnificent. Well the celebrations are, as we all know, are going on all year, the Royal Visit, the possible Royal Visit, is one of many that will be taking place by the family of the Queen, and we hope that we are able to pull that off in November, November 10th, with the Prince of Wales and the Duchess of Cornwall. We will certainly keep trying very hard, hopefully we will find out sometime in the very near future. There's been many songs written about many celebrities, and you only have to listen to the radio at anytime to hear a song which has been dedicated to a person, I'd like to read you something that was composed in 1745 by Thomas Augustine Arne, it's not a song, but I think it depicts this person aptly, it's the Anthem. And I won't sing it! As if any of you have heard my voice, you would know that it is not appropriate that I should sing it! But God Save our gracious Queen, our Queen, 16 visits to Australia, in fact, after she became the Monarch there has been 46 visits by Royals to this country, previous to that, about five. She is certainly our Queen, and of course in 1974 you had the honour of seeing her on this Island. Gracious, goes without saying, I think Jen summed that up the other day with respect to the opening of the plaque, gracious, charming, elegant. Long live our noble Queen, there's no doubt about long live, if she is anything like her Mother, she is going to be around for many more years, and you only have to see her last night, going down the steps of St Paul's, without assistance, at her age, and you know that she will be around for many years to come. Noble, I looked at noble as an adjective, and the definition thereof, grand, gentle, stately, sublime, highly minded, very apt for the Queen. It goes on, God Save the Queen, send her victorious, she has won over peoples through so many countries throughout the world, not just Commonwealth countries, but other countries, be it America, etcetera. Last year I was in the Republic of Ireland, I was over there, not to see the Queen, I was actually over there to play golf, but I was there a week after the Queen's visit, and for those of you who may have seen it on the television, how she won over the Irish people, given all of the history of previous decades, it was marvelous, so send her victorious, absolutely. Happy and glorious, those who watched last night, would have heard the Archbishop of Canterbury say last night, I quote, "I don't think it's at all fanciful to say that in all her public engagements our Queen has shown a quality of joy and happiness with others", that says it all. Long to reign over us, only Queen Victoria has reigned longer, and I'm sure that in approximately three years and eight months, it will indeed be Queen Elizabeth who will be the longest reigning Monarch that we have ever had. I conclude with the last line, God Save the Queen. Thank you.

MEMBERS

Hear, hear

SPEAKER

Thank you Your Honour, and I'm sure everybody here enjoyed that little walk down memory lane, I certainly did, I had a flash back, a few years older than yourself, I could see myself in the Sydney Cricket Grounds waving my little Australian flag when her Majesty was out in 1954. Chief Minister I would like to look to you now please to add some more words to this occasion.

MR BUFFETT

Thank you Madam Speaker. Madam Speaker on behalf of the House, and our guests assembled, I do acknowledge with appreciation the words of the Administrator upon his address to us, at this Ceremonial Sitting, to mark the Diamond Jubilee of Queen Elizabeth II. Madam Speaker Our Sovereign ascended the throne on 6th February 1952, she was 26 years old, married to Prince Philip, had two then, children Charles and Anne. She was on a Royal Tour in Kenya upon her ascension, that is, upon the early and untimely death of her Father, King George VI. She of course returned immediately to England, to be greeted at the steps of her aircraft by her first Prime Minister Winston Churchill. The Queen herself recalled on the 20th of March in her addresses to both Houses of Parliament in the United Kingdom, and I quote her, "At the last count I have had the pleasurable duty of treating with 12 Prime Ministers". End her quotation. If you do a quick calculation, and you will know that that's

an average of about one every 5 years! I rather think that needing to deal with two or three Ministers in the first instance would be demanding, but fancy 12 of them, and still counting Madam Speaker. Her coronation came 16 months later on the 2nd June 1953 at Westminster Abbey. The Queen's loyal subjects in Norfolk Island, the term British subject I might say Madam Speaker was still in use in 1953, the Queen's loyal subjects here in Norfolk Island gathered on Tuesday the 2nd of June at the Norfolk Island School and the adjacent Middlegate Reserve for quite a formal celebration of the coronation. An open air combined Church Service following an official form and the order of Service in the Abbey with a combined Church choir was conducted. Brigadier HB Norman was the Administrator at the time, Mr Ronald Hodge was Headmaster, I do note that Mr Ian McCowan was a young Teacher at the Norfolk Island School on that occasion. And the school gave a colourful display of singing and dancing. The residents gathered for a picnic lunch in that area, after which a parade of decorated cars, trucks, bicycles and horsemen, the writing said horsemen, I assume it may have been horsewomen as well, but all of that was held. I mentioned the other day, on Monday, that Queen Elizabeth Avenue was created, 45 Norfolk Island pine trees were planted. An RAAF detachment visited. They arrived in a Lincoln Bomber, which flew past a number of times at low level during the tree planting celebrations. And then a coronation ball was held at Rawson Hall to conclude that day. At a later time a coronation gift funded, a dental clinic in Norfolk Island. All that was now some 60 years ago Madam Speaker. Yet over these six decades the loyalty and the esteem of the Norfolk Island residents, has not diminished, one iota. In the world today, you can count on one finger of one hand, the number of Monarchs with 60 years of service. The Queen has demonstrated an unshakeable cornerstone of stability and continuity upon which Parliaments and upon which Governments depend. The Sovereigns example extends to all corners of the globe. There are 54 countries who claim membership of the Commonwealth, with Queen Elizabeth as Head of the Commonwealth. And she has encouraged throughout all of these countries; 60 years of security, certainty, sacrifice and her service. Although on the other side of the world to the United Kingdom, and although minute in size in comparison, we have had the honour of the Queen's visit, here in February of 1974 and many residents had joy in abundance upon meeting their Queen, here in this place. Norfolk Island residents have of course in turn been received by the Queen in London. John Forrester, a Norfolk Island resident, who shares the same birthday as the Queen, accompanied by Arianne Forrester joined the Queen for lunch at Buckingham Palace, with others of that vintage to celebrate her 80th Birthday. This week particularly, but continuing until the end of the year, are celebrations in Norfolk Island here to mark the Queen's 60 years on the throne. Just on Monday past, we renewed and had a reminder of Queen Elizabeth Avenue. Illuminated a Pine Tree at Government House. Lit a Beacon on the hill at Queen Elizabeth lookout, but there will be Show Day in October, recognition on Thanksgiving Day in November, a community card, signed by all, to be sent with a gift to the Queen, and possibly as alluded to by His Honour the Administrator, a possible visit by Prince Charles and the Duchess of Cornwall. Madam Speaker we all rejoice in the Sovereign's Diamond Jubilee.

SPEAKER

Thank you Chief Minister and I am sure my colleagues join with me in applauding your speech and the speech of His Honour. Any further contributions this morning Honourable Members? Minister Sheridan, thank you.

MR SHERIDAN

Thank you Madam Speaker, Madam Speaker I take the floor, to make a few remarks on the occasion of celebrating Queen Elizabeth II Diamond Jubilee, sixty years since her accession to the throne back in 1952. It is interesting to note that we may be all doing this again next year to mark the actual 60 years anniversary of her coronation of which was not held until the 2nd June 1953, seventeen months after the death of King George VI as it was deemed inappropriate to hold this coronation during the period of mourning following the death of the preceding Sovereign. Madam Speaker when I was only

fourteen years of age back in 1974, I remember being an official car door opener on the occasion of the visit by the Queen and Duke to Norfolk Island and clearly remember meeting them both along with Lord Louie Mountbatten. Madam Speaker this Diamond Jubilee has made me reminisce to some years ago when I was a seventeen year old and had joined my first ship in the Royal Australian Navy, the HMAS Melbourne back in 1977. I joined the HMAS Melbourne in April that year, and it was only a few days after joining that the ship sailed for England to participate in the Queens Silver Jubilee to mark her 25th Anniversary of her accession to the throne. My first deployment saw me leave Australia on the 28th April 1977 and not return to Sydney until the 4th of October, a deployment of some six months. During this deployment the Task Force took part in exercises with the British, American, French and Indian Navies and visited ports in Sri Lanka, Egypt, Crete, Gibraltar, the United Kingdom, the Netherlands, Belgium, France, Italy, India and Singapore, Madam Speaker as a first trip in the Australian Navy, one to remember. During this period along with HMAS Brisbane and HMNZS Canterbury, who represented Australia and New Zealand at the Spithead Review on the 28th June 1977, a Naval review was conducted in the waters of the Spit outside the port of Portsmouth, where war ships from the Royal Navy together with war ships from other Commonwealth countries and war ships from foreign countries were anchored in line, over 140 vessels in all witnessed the Queen aboard the Royal Yacht Britannia sail along the lines of ships, with all crew paraded on deck to salute the Queen on this the 25th anniversary of her coronation. Looking back through my cruise book this week it brought back so many memories of the trip and how this occasion overtook England for weeks, the scenes were incredible wherever the Queen went, as is today. It is now thirty five years on and we are celebrating a great achievement in the Queen ruling over her vast Commonwealth for sixty years. Madam Speaker, I believe that a lot in the community on Norfolk Island still regard the Queen with admiration and it is on this occasion that I would like to pass on my personal regards and that of the community to wish the Queen well in her year of celebrations to mark this Diamond Jubilee. Thank you.

SPEAKER Thank you Minister Sheridan, are there any further contributions Honourable Members? Deputy Speaker Snell.

MR SNELL Thank you Madam Speaker, Madam Speaker, I wish to add to the kind words, and the memorable words of our Chief Minister and those of Minister Sheridan in acknowledgement, and I also wish to acknowledge Madam Speaker, the help of those, especially the Diamond Jubilee Committee, for all the help that has been extended to commemorate this historic occasion here on Norfolk Island, and I thank them personally. The older generation Madam Speaker of this Island, as mentioned by the Chief Minister, descendants of the Bounty Mutineers and of Pitcairn Island, have always shown a staunch royalist approach to Her Majesty, we have honoured the Royal Family and have responded to her call for help when requested over the period of 1856 onwards. Norfolk Island was gifted to the Pitcairn Islanders in 1856, a gift we have always treasured and protected and will never forget. Madam Speaker may the Queen always be blessed, thank you.

SPEAKER Thank you Deputy Speaker, and it occurs to me that we have a community card being signed and a gift that is awaiting being despatched to her Majesty, and I think that the words that have been spoken here this morning would be wonderful to accompany the gift because the words have been truly very moving. Thank you all. Is there any further contribution? If there are no further contribution, we reach that stage in the proceeding, where I am going to suspend the Sitting and I'm going to thank you all very much again for having come, and to join us please next door for some refreshments.

SUSPENSION OF SITTING

This House stands suspended until 11am this morning.

RESUMPTION OF SITTING

SPEAKER We resume our Sitting this morning, Gentleman please feel free to take off your coats if you would like to at this stage of the proceedings, make sure your mobile phones are turned off, thank you.

CONDOLENCES

SPEAKER I turn now to condolences, and look to Mr Snell.

MR SNELL Thank you Madam Speaker. Madam Speaker, it is with regret that this House records the passing of Dianne Norma Snell, Gary Robert Clarke and Enid Mary Weslake. Dianne Norma Snell was born in Upper Hutt, New Zealand in 1942. Like many who were born during the war years, Dianne spent her first two years living with her mother Daphne, older brother Ray, aunties and cousins at her grandmother's house. When her father returned from the war the family moved into their home. Dianne started school aged six years due to the polio epidemic sweeping New Zealand. Later she attended the Heretonga College. During those years her love of handiwork, sewing and knitting began to emerge. Dianne believed her future lay in Upper Hutt, going to work by train to Lower Hutt, socialising with friends and generally enjoying life around the Wellington region. However, a young soldier by the name of Keith Snell convinced her otherwise. In 1965 they were married and came to Norfolk Island for their honeymoon then to Auckland to begin their life together. Their two children, Andrea and Jonathan completed their family. As Keith climbed the ranks from private to Captain he was sometimes absent for long periods but Dianne took this all in her stride. The family moved location regularly with Keith's Army career until a family holiday on Norfolk Island in 1986. Persuaded by Dianne to retire, Keith willingly obliged. He retired from the Army a month short of attaining the rank of Major. Dianne flourished on Norfolk finding employment firstly at Hibiscus Motels and then at the School. She settled into her new home, had barbecues on the deck and spent hours in her craft room. Her hands were never idle. She made her daughter-in-law's beautiful wedding dress and also created a family heritage quilt, complete with fabric printed photographs, dates and other family information. Keith and Dianne returned to Blenheim to live and many Norfolkers visited their home. In 2003 Dianne suffered a shock diagnosis of cancer, which was followed by many months of treatment. Family events became her mainstay, celebrated not only for the occasion but also as an achievement to Dianne just by being there. In June 2010 the loss of her mother and husband within five days of each other rocked Dianne to the core and less than two years later Dianne passed on. To Andrea and Jonno, Jo, Croydon and Timi, to Dianne's relatives and many friends this House extends its deepest sympathy. May she rest in peace. Madam Speaker, Garry Robert Clarke, affectionately known as Clarkie was born in New Zealand in 1933, the second oldest of seven children, he grew up in Haumoana, a seaside village just out of Hastings. He loved to travel and at 15 years of age he cycled to the northern tip of New Zealand during his school holidays, a trip of approximately 800km. Garry took a sign writing apprenticeship and at 15 years and just before he completed this apprenticeship, his employer died. In an unusual move the apprenticeship committee allowed him to take over the business under the guidance of another sign writer. When he finished his apprenticeship Garry took a four month trip in his Morris van, sign writing his way around the South Island. Garry first came to Norfolk Island in 1965 on a suggestion from a friend of Geoff Ryan's that the Island could do with a sign writer. As is the case with many, Garry never left. Garry commenced his sign writing and engraving business in 1966 and catered to every business on the Island. He painted the majority of signage throughout the Burnt Pine business district, the Hotels and for anyone else who needed a sign

painted. Garry also undertook engraving all the trophies for sporting clubs, service clubs, school and Bounty Day trophies. He enjoyed Norfolk life to the fullest and after his marriage to Hazel in 1988, they spent years travelling extensively around Australia and New Zealand, and he always promoted Norfolk Island. During their travels they would always advertise and promote Norfolk. Gary loved music, entertaining, dancing and had played guitar in a band in New Zealand. He also enjoyed sport and in particular his bowls, with Garry being involved with the Bowling Club since his arrival on Norfolk. He was Club President in 1978 and 1995, and vice president on numerous occasions. He won many club championships throughout the years with a win in the major singles championship in 1998. He represented Norfolk Island in international tournaments and won a silver medal during the South Pacific Games in 2001. Garry also was the clubs first representative in the Champion of Champion Singles tournament at Warilla. Garry loved entertaining and who could forget the visit by the Queen and the Duke back in 1974 and the ballet display that Garry provided along with Alan Dyer, Graham Probert and Kenny Salt. Unfortunately Garry had a fall from a ladder in August 2007 which resulted in a bad head injury. He never really recovered from this injury and never climbed a ladder again. He struggled over the past few years with his health. Norfolk Island has lost a valued member of its community, one who will be hard to replace. To Garry's three children Alesa, Michael and Brent, to his five grandchildren and three great grandchildren and to his many friends this House extends its deepest sympathy. May he rest in peace. Madam Speaker, Enid Mary Weslake was born in November 1924 in Norfolk Island to Leslie Quintal, known affectionately as 'Pa Les', and Beatrice, known as 'Aunt Jinny'. Enid had five brothers, Ernest, Freddie, Greg, Hessi and Dan and five sisters, Ruby, Barbara, Helen, Leila and Mabel. Enid did her schooling at the Norfolk Island Central School and from the age of nine she lived with her Grandmother known as 'Darling Ma' until she was 16 years of age. She worked in the passion fruit factory and also worked squeezing lemons for seed and juice for Cottee's Limited. Enid worked privately in the home of the Burns Philp Managers and the Manager of the Cable Station. She was a member of the Girl Guides which she loved. Enid planted one of the pine trees in front of Administration Buildings, the New Military Barracks, for the Coronation of King George VI, some 70 years ago. With the onslaught of World War II her brothers Ernie, Freddie and HESSIE joined the Australian Army. Unfortunately HESSIE was taken prisoner at Singapore and remained there until the war ended. Returning to Australia he paid Enid's fare to travel to Sydney on the "Morinda" where he looked after her for some months until they both returned to Norfolk Island. Enid met Ralph while he was stationed here with the Royal New Zealand Air Force and they were married in Auckland in 1949. In 1952 they purchased their property on Headstone Road. Enid lived a busy life, raising five children and helping with the milking of up to 20 cows by hand until the milking machines were introduced. She was a passionate gardener and her gerbera seeds were sold to Yates. Enid loved ballroom dancing and the Ballroom Dancers graciously gave her life time membership. Enid was a member of the Sunshine Club from its early beginning and spent many years as either Secretary or President as well as being active in the Parents and Citizens committee at the School. In 2009 Ralph and Enid celebrated their 60th wedding anniversary with a big 'do' in Sydney put on by their children Ken, Graham, David, Joy and Lance and their families which included 16 grandchildren and 5 great grandchildren. To Ralph and his family and to Enid's many friends this House extends its deepest sympathy. May she rest in peace. Thank you Madam Speaker.

SPEAKER

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

PRESENTATION OF PETITIONS

SPEAKER Thank you Honourable Members. Right, Honourable Members we move now to petitions, are there any petitions for presentation this morning, no petitions.

GIVING OF NOTICES

SPEAKER Giving of notices, any notices to be given this morning?
No notices.

QUESTIONS WITHOUT NOTICE

SPEAKER Moving to Questions without Notice. Are there any questions without notice Honourable Members? Mrs Griffiths.

MRS GRIFFITHS Thank you Madam Speaker, my question is for the Minister with responsibility for Telecommunications, Minister is it a fact that you had discussions regarding a proposal for telecommunication services which would have enabled us to continue our service and extricate us from our debt with Telecom New Zealand? Would you like me to repeat that?

MR NOBBS Madam Speaker I would suggest Mrs Griffiths clarify it, I'm not exactly sure what you are referring to.

MRS GRIFFITHS I'll repeat the question, is it a fact that you had discussions regarding a proposal for telecommunication services which would have enabled us to continue our service and extricate us from our debt with Telecom New Zealand?

MR NOBBS Thank you Madam Speaker, there have been ongoing discussions for services that we can use through the telecommunications to bring revenues to Norfolk Island, it is worth pointing out that the Telecom New Zealand debt is, the outstanding debt, is fully paid off and that is the information that was provided to Members during the budget papers discussions in this Chamber.

MRS WARD Thank you Madam Speaker my question is also to the Minister for Tourism, did the Minister find time in the last month to contact Worley Parson's about releasing the incomplete Harbour Report and if so, what was their response?

MR NOBBS Thank you Madam Speaker, thank you Mrs Ward for the question, I actually commenced the writing of that letter of the lunch break when we had the Sitting at the May Sitting, and received a response from Worley Parson's after that to say that if we were prepared to pay for the Report to be finalized, errors to be corrected and information to be configured in a way that they were happy for it to be released, then that was an opportunity, I took that message to Cabinet. Discussed it at Cabinet whether we wanted to spend further money, which I will point out that we had made an earlier decision to not spend further money on that report, so that that decision was reconfirmed at Cabinet at this point in time we have no intention of spending more money on that report.

MRS WARD Thank you Madam Speaker, so is the Minister saying that without further expenditure, that the report will not be made available to the public?

MR NOBBS Thank you Madam Speaker, that is precisely what I am saying, I have made it available to Mrs Ward, and she currently has it in her possession.

MR SNELL Thank you Madam Speaker I direct a question to Minister Sheridan, the responsible Minister I believe, could the Minister please explain Government Policy for and when Government Assets are sold in relation to I believe the selling of DCA Houses, please explain.

MR SHERIDAN Thank you Madam Speaker, I don't know whether this actually falls into my area or not, but I have done some homework for Mr Snell, and the disposal of Government Assets, as in the DCA Houses actually goes through a process and the process is the same for disposal of most Administration Assets, is that they go through a tender process and then depending on that process the Tender Committee signs off on it, upon a recommendation from the Administration and then that decision is carried out by the Administration. In regards to the DCA House that Mr Snell is referring to, I have asked the Acting Deputy CEO and she provided the following information that currently the disposal of the DCA Houses that is currently being undertaken, or have in the past few years, actually refer back to a Ministerial dated the 13th of August back in 2009 where it was obviously agreed that the removal, or sale and removal of five DCA houses was to occur, and if not sold demolished. Now that Ministerial has been referred over to me, and I haven't seen it as yet, so I can't provide any more information with regards to that process for that decision. The last one that was put up for tender, there was no tenders received, and after the tender process was closed an offer was received for some \$5000.00, this was accepted that on the basis that for the Administration to demolish the building it would have cost \$10000.00. So that is all the information that I can provide to Mr Snell at this time.

MR SNELL Yes Madam Speaker if I could, just a supplementary to that, is it Minister policy that Administration Assets could be sold without the knowledge of any of the Executive Members awareness?

MR SHERIDAN Thank you Madam Speaker I can't really say for surety that the Minister's or Cabinet is fully aware of all Government Assets that are sold, that would be in the purvey of the CEO as he runs the Administration, but items that go through the Tender Process, they do come to the Tender Committee which is made up of the three Executives.

MR KING Thank you Madam Speaker a question for the Chief Minister, can the Chief Minister advise in general terms when and in what circumstances the Government might assist financially in maintaining primary production in the farm sector?

MR BUFFETT Thank you Madam Speaker, thank you Mr King for the question. We do have an example of where, in recent times, where the Government has assisted primary producers, this really particularly related to the shortage of feed, stock feed, fowl feed and the like, and should there not have been assistance there was the prospect of animals being put down, that in turn means a lack of fresh primary produce within the Norfolk Island community and in that context there has been assistance to do so. So that is one example where there has been assistance. Mr Nobbs has carriage of that particular matter, I'm not too sure if he will want to elaborate on that, but he is welcome to do so in that particular situation. This is like, but it's not necessarily in primary produce where the Government had entered the list where we had a fuel shortage and the like, I know there is some controversy about some of the fuel arrangements, I'm not trying to go there, but I'm trying to say that where there is need demonstrated, whether it be in the primary production area or in other areas the Government has endeavoured to enter the lists. Hopefully with that example about primary production might be useful to Mr King.

MR KING Thank you, a supplementary Madam Speaker. Chief Minister it is useful, but I'm really looking to understand how, how the Government might, sorry, in addition, I'm looking to understand how the Government might measure the extent of assistance that they might make available?

MR BUFFETT Madam Speaker it really depends upon the issues of the time. As to the extent and what measures might be adopted, to use the example again that I have just referred, the Governments assistance was an effort to be able to produce food to growers to Norfolk Island in various categories, at the same cost that would be available if they imported it in the normal way. So it was assistance basically in the freight differential. That was the particular exercise, that was an example as to how Governments may enter the list, and that was what happened on this particular occasion.

MR KING Thank you Madam Speaker, a question for the Minister for Tourism, in the absence of published data on visitor statistics can the Minister advise the number of visitors to the Island to the end of May for the on entry year? And how that figure compares to the same period last year, of the expected visitor numbers might be for the year ending 30th June, and the visitor number underlying the 12/13 budget.

MR NOBBS Thank you Madam Speaker, thank you Mr King for the question. At this stage I can tell you that the projected visitor number for the remainder of this financial year to the end of June is projected to be just under or just on 24,000 visitors, that information is provided to me by the General Manager for the Tourist Bureau. With regard to a range of the other data that has been requested, that's still a work in progress, and I just need to clarify that the Tourist Bureau does not generate this data, the Tourist Bureau relies on the data to be generated from the Immigration Section so that we can then use that data for decision making and process. Certainly the GM for the Bureau has offered his assistance and has been part of trying to assemble some data to assist and I'll provide a bit more of a response to that in a Question on Notice that also deals with that.

MR KING Supplementary Madam Speaker, yes I understand that there is a question on notice in relation to the gathering of statistics, Minister if you are able to project the figure for 11/12, the year 11/12 at 24,000 then you must be able to make a comparison to that same period last year, how does that 24,000 expectation compare to the visitation of last year and by now, the Government must have established a figure, an underlying tourist number figure for the budget, surely that is not a work in progress.

MR NOBBS Thank you Madam Speaker, I am just looking for my notes regarding some of these matters, Madam Speaker in the budget discussions that were had recently, there was not only discussion on the six month appropriation figure, but also discussion on the figure that had been assessed both through the Bureaus marketing initiatives and the like, and the assessment through the Service of visitor numbers projected for this 12/13 financial year, that figure was 25,500 visitors.

MR KING A supplementary, part of the question remains unanswered Madam Speaker, can the Minister advise how the projected visitation number, tourist visitation number for 11/12 24,000 compares with the visitation number of 10/11.

MR NOBBS Madam Speaker I will take that Question on Notice.

MR KING I'm sorry is the Minister saying that he doesn't know whether the current tourist number projection closing in about three weeks time is on the rise, whether it is stabilised or is it continuing to fall.

MR NOBBS Madam Speaker generally stabilised, but as I said I am happy to provide the detailed data on that.

MR KING Generally stable will have to suffice Madam Speaker.

MRS WARD Thank you Madam Speaker may question is to the Chief Minister it relates to the recent upgrade of the IT System across Administration, is it a fact that the transfer from Burroughs to Smartstream is running over time and is over budget and if so, what are the reasons and to what amount, and when will the transfer be fully operational?

MR BUFFETT Thank you Madam Speaker, there are a number of major applications being run on Burroughs and I give these examples, the Billing and Receivables in the accounting area, payroll, immigration and visitor statistics which lead to healthcare and electoral rolls, customs which leads to the lighterage billing system and some other functions such as Crown Leases, Absentee Land Owners Levy, Post Office Box Rental and a range of those like things. To address the first, Billing Receivables, the migration of the Billing Receivables System from Burroughs to the Smartstream platform is running overtime and it is over budget. The Commonwealth in the Funding Agreement in December 2010 provided \$200,000 for financial management information systems. The original projection was to have the Billing Receivable System fully functional in early 2012, the consultant in terms of that exercise is back on Island this week with the aim of having full functionality before the end of June, that is before the end of this month. The cost of completing this project will be approximately \$230,000, including the \$200,000 provided by the Commonwealth. Another one, payroll that I mentioned in that first list, the Commonwealth funding only financed the Billing Receivables System, the Burroughs payroll function, developed problems in September 2011 and the decision when that happened was to install the Attache payroll system, that was at a cost of \$11,000 in respect of that. This was an off the shelf system and it was installed in a number of weeks and that was how that particular component runs today. In terms of Immigration and Visitor Statistics, this system had a rather similar fate to the payroll system, I am advised that there is no off the shelf solution to that one, and so that system is not yet running satisfactorily, but I think my Minister colleague has an answer to part of that, that particular part, Immigration and the like, in Questions on Notice, so that might be covered when he comes to that. The other functions that I mentioned in this list, are still on Burroughs, and that's a matter of progressing as resources are able to be found for them.

MRS WARD Thank you Madam Speaker another question to the Chief Minister, it is a fact that a Capacity Building Team is on Island, and if so, what is their first task.

MR BUFFETT To save me fossicking amongst some papers at this moment, can I just respond by saying this, when we come to Papers, I will be tabling the Financial Report, and I think that's where the detail of where that is, and if it is not, I will pick it up in another way, but I will respond to that particular question as we move through Papers this morning, because there are people on Island now, and I'll be able to quantify that.

MR KING May I ask the Chief Minister what Financial Report he is referring too? Is he referring to the financial accounts for the year 10/11 why have they not been circulated to Members prior to his tabling them?

MR BUFFETT Madam Speaker when we come to that, I will address it.

MR KING Thank you Madam Speaker, Chief Minister if I may, is it a fact that the qualifications for the recently advertised position of Senior Government Adviser were altered dramatically after questions were raised in this House regarding the genuineness of attempts to attract qualified applicants.

MR BUFFETT Madam Speaker I don't recall that being the case. It would be inappropriate for there to be a political pressing of components in terms of recruitments and I don't recall that situation happening that Mr King is endeavouring to describe.

MR KING Well, may I ask a supplementary, is it not a fact that from one advertisement to another, the latter appearing after questions were raised in this House, the qualifications for that position in respect of academic qualifications changed from a Bachelor of the particular Science to a Masters, and that the qualifying period of engagement in the area of relevant activity rose from 10 years to 15 years.

MR BUFFETT Madam Speaker I'm happy to go through and examine if there have been such adjustments, I doubt that they would be the result of a question being raised in the House, but I can examine that to see if Mr King is on the right track or not.

MR KING Yes, I have a supplementary, given that there is one month, normally, between this meeting and a subsequent meeting, can the Minister advise the community, who is concerned about why these qualifications should have altered, in writing, in the paper, the local paper.

MR BUFFETT Madam Speaker, as I said, I will examine it and I'll see what action might need to be taken, if any.

MRS WARD Thank you Madam Speaker my question is to the Minister for Tourism, is there money in this current Budget or supply Bill for a port feasibility study to be carried out in conjunction with the Commonwealth and if so, what is our commitment to the project, and what is the Commonwealths commitment and have a terms of reference been set for the project?

MR NOBBS Thank you Madam Speaker, thank you Mrs Ward for the question, there is certainly commitment both in the Road Map and imbedded within the budget to work on, in terms of the wording within the Road Map it deals with port feasibility study and the like. At this point in time I would have to say that the bulk of that focus is on the feasibility study for barges which have the capacity to carry the sea freight containerization as well as disembarkation of cruise ship passengers and really the key reasons for that is that that is an achievable process within a reasonable amount of time, that both Governments can focus on which can improve a lot for Norfolk Island.

MRS WARD A supplementary thank you Madam Speaker, it's not really, it's just asking the last part of the question, which the Minister may have missed. It was whether a terms of reference had been set for the project or for the barge feasibility study, and I will just tack onto that, what amount we have committed in this budget, and what amount has been committed by the Commonwealth.

MR NOBBS Thank you Madam Speaker, thank you Mrs Ward, from recollection I think our component in the Budget is somewhere around \$160,000, there is also

an amount that has been committed by Carnival Cruises to also facilitate the gaining of technical data and expertise and there is an amount by the Commonwealth. The terms of reference that Mrs Ward refers to, that has certainly been discussed at the Departmental meetings and at the current point in time, that forms part of the overall feasibility study information that is being worked on by both areas, however there is also a collection of data that is being awaited to further refine any of the terms of reference to make sure it comes out the way we need too.

MRS WARD Thank you, a supplementary if I may Madam Speaker, so do we have any idea how much the Commonwealth has committed at this stage, and how much Carnival Cruises are prepared to commit at this stage?

MR NOBBS Thank you Madam Speaker, the Carnival Cruise commitment, although I don't have the data in front of me at the moment, is in the vicinity of \$100,000. The Commonwealth commitment I think, is in the vicinity of \$200,000, but I am happy to provide that data to Mrs Ward outside the meeting.

MR BUFFETT Madam Speaker Mrs Ward asked me earlier...

SPEAKER This is a response, not a question?

MR BUFFETT Yes.

SPEAKER Thank you Chief Minister.

MR BUFFETT Yes, I just said I would try and find my notes in the paper, and I have done that now and so I might provide that detail to her, as I was aware and have prepared something to be informative about this. The Capacity Building Team was the question, three members of the Capacity Building Team recently arrived on the Island, Jeremy Wood, an experienced Manager in Information Technology, arrived on the 25th of May, Lesley Warren brings a strong finance background has arrived and Robin Gillies, an experienced Human Resources provider arrived yesterday. Time will be provided for the team members to find accommodation, as they will be here for a period of time, attend to some personal matters and settle into their surroundings, and the team will then attend an orientation session which will include their introduction to key stakeholders, as is appropriate within the Administration, and following this, members of the Team will begin to assess the requirements of their area of expertise and in conjunction with Administration Staff Madam Speaker, formulate plans which includes key deliverables, assessment criteria and timelines. So that's the overall plan in the immediate arrangements and I thank you for that question.

MR KING Thank you Madam Speaker, a question for Minister Sheridan, can the Minister advise whether the Government has considered and adopted a plan of action in relation to the apparent, the apparent, import of a new pest, a spotted potato ladybird beetle.

MR SHERIDAN Thank you Madam Speaker, thank you Mr King for the question. Yes, this 28 spotted ladybird beetle came to light about this time last month. At this point in time, the initial enquiries with the Quarantine Department, he has attempted to ascertain what methods can be utilized to control it, initial investigations have indicated that it can be controlled by spraying, and I forget the type of spray, or as a lot of the literature says, it is a long laborious task of squashing the beetles. But my intention of, and I've got another question here in regards to the Asian Paper Wasp, and it is my intent for the 28 spotted ladybird bug, the

Asian Paper Wasp and also the Argentine Ant, that some fact sheets will be provided to the community, I have completed one, I've completed the Asian Paper Wasp, which will detail their cycle, their life cycle, and some recommendations on how people who do encounter this problem can attempt to control it within their environments. So that is about where we are at with it at the moment, because it is an ongoing process.

MR KING Madam Speaker a supplementary, Minister did you just say, well I think I heard you correctly, when you said that you have just completed one fact sheet, is it your intention that you, the Minister should complete this fact sheet, would you not have resources in the professional area, in the permanent wing of the Government?

MR SHERIDAN No, I provided a draft to the Service in regards to the Asian Paper Wasp, I did some homework myself and came up with the concept, with the sub-headings and put in some words and yes, I have asked the Quarantine Service that they be provided for the Argentine Ants and also one to be provided for the 28 spotted ladybird bug. Yes, it is the intent that the Service will provide these and they will be distributed throughout the paper and be available on line for people who will be interested on a local fact sheet, instead of just the information they can obtain from the net.

MRS WARD Thank you Madam Speaker my question is to the Minister with responsibility for Gaming. Does the Minister intend to table a report under the Bookmakers and Betting Exchange Act today.

MR NOBBS Thank you Madam Speaker, quite some time ago, I wrote and communicated with the Gaming Authority and the Gaming Director about the reporting's, at this point in time I intend on tabling Gaming Reports that go all the way back from 2009 all the way forward to 2012 at today's Sitting, and there are some further reports coming to me shortly. With regard to the Bookmaker Act Reports those are to be tabled, hopefully at the next Sitting.

MRS WARD Supplementary, yes, no, thank you.

MR KING Thank you Madam Speaker, I will wait to the chatter subsides Madam Speaker. I wish to direct a question to the Chief Minister, but he is a little preoccupied Madam Speaker.

MRS WARD Thank you Madam Speaker, my question is to the Minister with responsibility for the environment, the Plans of Management for the Reserves were due for a total review and due in January originally to us, would the Minister explain the time delay and tell us when we can see a complete review of the report?

MR SHERIDAN Thank you Madam Speaker and thank you Mrs Ward for the question, at this time I can't unequivocally give a time that the Plans of Management Review will be ready, at the last discussions with the Service, is that the major part of Part A had been completed, and the Conservator was working through each Reserves Plans of Management, I haven't had any further update so I am unable to give a timeline on when these will be ready, it is frustrating Madam Speaker, I was expecting, I was hoping to have these by the end of last year, obviously other events have taken precedence and these have been a long time coming, and I will follow that up for Mrs Ward.

MRS WARD Another question to the Minister in his role for Health, was the latest grant Application for a new Hospital successful?

MR SHERIDAN Thank you Madam Speaker and thank you Mrs Ward, the grant application that Mrs Ward is referring to is an application that the Hospital provided under the Health and Hospital Fund Commonwealth Grants and that was for 30 million dollars for a new Hospital and unfortunately again, for two years running Madam Speaker this has been unsuccessful, so the Hospital now will have to go back to the drawing board and see exactly what path they wish to tread in regards to the provision of a new Hospital for health delivery services.

MR KING Thank you, a question for the Chief Minister. Thank you Madam Speaker, I refer the Chief Minister to the statement made at the April Sitting of the House, where in he advised that he had established an inquiry into allegations of unsatisfactory Ministerial conduct of one of his Minister's, or breach of the Code of Conduct had occurred, is it a fact that one of the terms of reference of the inquiry was to examine the means by which persons unknown came into possession of certain documents that were sent to the Chief Minister and if this is the case, can the Chief Minister please explain, what, if anything, this issue has to do with how his Minister conducted himself?

MR BUFFETT Madam Speaker I will have a statement in respect of that inquiry and I will address that when we come to it.

MR KING Another supplementary, will the Chief Minister also be addressing in his statement this question, is it not a fact that the authenticity of the documents is not questioned by any party involved in the relevant conduct and did not form any part of the substantial questioning on the matter which took place in this House, and therefore how can the source of these documents be germane into any enquiry into Ministerial conduct?

MR BUFFETT Madam Speaker I will make a statement.

MR KING A supplementary. I ask whether in the Chief Minister's statement whether he would answer the following question, given that the Chief Minister decided that his Minister should not be stood down pending the results of the inquiry into his Minister's conduct, how long should the community or this House tolerate this matter remaining unresolved.

MR BUFFETT I have earlier said Madam Speaker that I have a statement.

MRS WARD Thank you Madam Speaker, a question for the Chief Minister, Chief Minister it is picking up on Hansard from last month, and a comment on your Road Map update, was it an Australian Taxation person had been on the Island, a Mr Hills, and that there was to be an outline of options to be developed for our inclusion in the Australian Taxation arrangements, I was wondering whether the Chief Minister could provide an update in that area?

MR BUFFETT Madam Speaker, no, I have no further news in respect of that, I was endeavouring to give an overview of the duties that he was about, I don't have any direct proposals or the like from him or from other officers at this stage. No doubt they are going through processes of examining options, and hopefully they will talk to us soon, as it is an important factor to progress.

MR KING Thank you Madam Speaker, a question for Minister Nobbs, I refer the Minister to a recent internal audit document circulated to Members, in relation to the

recent fuel crisis and enquire of him, in what format of the detail of that examination might be made available to the public?

MR NOBBS Thank you Madam Speaker, I personally don't have any issue of it being made available, but considering that it was...

MR KING [not audible on tape]

MR NOBBS There is a Speaker up there, why don't you go through the Chair?

MR KING Well Madam Speaker, let me clarify my question, let me make it clear, I am not asking for the internal audit report to be circulated, but given the level of interest in the community, as to what occurred and what lead to the crisis in fuel in the Island, what information will be provided to the community arising from that internal audit.

MR NOBBS Thank you Madam Speaker, thank you Mr King for the clarified version of the question, quite simply we could provide a summary of that audit outcome, and what some of the proposed actions are and publish it in the newspaper, and I will endeavour to get that this week, if possible.

MR KING Thank you Madam Speaker, a question for the Chief Minister, Chief Minister the Funding Agreement, I think at Clause or Section 12, establishes a date, 30th June 2012, that is about three weeks hence, by which barriers to commencement of new businesses by Australian citizens in Norfolk Island might be reduced, and that doesn't use the word removed, but reduced, can the Chief Minister advise this House whether that target date will be met?

MR BUFFETT Madam Speaker, adjustments made to the Immigration Policies that allows a greater freedom for new businesses to be established within Norfolk Island, that has been done.

MR KING Thank you, an obvious supplementary arising Chief Minister, are you saying that the only barrier identified by the Government is immigration, are there no other barriers?

MR BUFFETT Madam Speaker that was the principal barrier that was identified in discussions with the Commonwealth and we have responded to that. If there are other barriers from time to time that are exhibited, well we will examine those, but there have been no other major barriers that have not been addressed in the various papers that we have distributed. I mean another barrier to investment for example relates to the tourism accommodation arrangement, and that is going to be addressed in a piece of legislation proposed today. So there are some other factors, but they have been addressed in the paper that has been a public document and circulated and available for discussion.

MR KING A supplementary, in the same section, or thereabouts in the Funding Agreement, there is an objective met of developing and implementing local policies to promote competition and investment, and bearing in mind the contents of your answer now in respect to Immigration and Tourist Accommodation, can the Chief Minister advise of any other policies that are in the process of development to meet that objective.

answer to that is yes, but I also make the point that I was there also at that function, acknowledging with appreciation the sterling Airline work performed by Airline officers and also was the Minister for Community Services, so you will see that whilst there is mention of one Minister, there was a wide spectrum of the Ministerial representation. Three, is it a fact that both functions were either planned by, or held at the behest of the Minister for Tourism. The Minister for Tourism has responsibility in that area, but of course it was with Government endorsement that appreciation was offered to the Airline people in context of ceasing the Airline arrangement in Norfolk Island, the questions continue, four, five and six.

MR KING [unclear on recording]

MR BUFFETT Madam Speaker I am continuing to respond to this question. Four, five and six Madam Speaker, what aspects of Ministerial responsibility and accountability arise from these circumstances; if the government as a whole accepts responsibility was there not an expectation that the portfolio Minister observe the requirements of the law in carrying out the government's wishes; and, will the Chief Minister be considering any disciplinary action of his Ministers in relation to conduct surrounding these circumstances? Madam Speaker I have emphasised with Minister's the need to raise requisitions and follow those relevant parts of the Public Moneys Legislation, it has also led me to reinforce in writing to the CEO, the processes set out in the Public Moneys Legislation needs to be followed, I say those two things, that whilst the legislation provides that Minister's may sign appropriate documentation, but in the main, it is officers of the Service, upon instruction from Minister who undertakes the processes and completes those forms, so I give that indication to Members in response.

MR KING Yes, Madam Speaker, I'm trying to glean the answers from parts three, four, five, six. I didn't hear a succinct answer to part three, whether it was a fact that both functions were either planned or held at the behest of the Minister for Tourism. The answer was he has responsibility, was the answer yes or no?

MR BUFFETT Madam Speaker one of the, it is an interesting thing, Members have the responsibility and opportunity to raise questions with Minister's in terms of their tasks, what sometimes Members want to do also, and Mr King is trying to do it on this occasion is to also dictate the words that they want to hear in terms of the answer. I've given my answer, I have clearly indicated that the Government wished to make proper acknowledgement to those who had performed well in the Airline arrangement servicing Norfolk Island and it did so.

MR KING I'm sorry Madam Speaker, but I'm not finished my supplementary in respect to parts four, five and six, which weren't answered.

SPEAKER I understood that the Minister had concluded his response.

MR KING Am I to understand that the answer that he has given is the extent of what I am about to hear?

MR BUFFETT Well I'm not going to be here repeating myself all day Madam Speaker.

MR KING Well I don't want you to repeat yourself, what I am trying to do on behalf of my constituents, is pin down who was responsible and you are not telling me who was responsible. And if I don't know who is responsible, how can the person be held to

account, that is my wish, you have not given me sufficient answers which I can draw conclusions.

MR BUFFETT Let me just state it again, in case Mr King, for some reason has not for some, I rather think Madam Speaker that Mr King wants to prolong this matter and really just beaver away at it to try and give it more coverage than it in fact it is worth. Yes, there is an appropriate Minister who has responsibility in that area, and obviously undertook those arrangements, undertook those arrangements as the Government particularly endorsed those arrangements needed to be done.

MR KING I'm sorry Madam Speaker but has part six been answered? Considering any disciplinary action.

SPEAKER I believe that the Chief Minister has answered your question, thank you. Mr King. Chief Minister, the next question is in your name, 377.

MR KING A yes or no answer, that is all I need, if you are not about to exercise your authority Chief Minister, but...

SPEAKER Mr King, order please, order please.

MR BUFFETT Thank you Madam Speaker, 377 Madam Speaker, just let me find it now, 377.

MR KING Is my supplementary being ignored Madam Speaker?

SPEAKER Look I understand that the Chief Minister has answered your question as far as he is proposing to do so today, I can't give you anymore joy than that. It is up to the Chief Minister to respond, he has responded. We have now moved to Question on Notice 377 which is in your name Chief Minister.

MR BUFFETT And I am just turning to those papers Madam Speaker, and I think I am at it now, this is the question Madam Speaker, the Chief Minister announced at the last Sitting of the House that he had issued a directive to the Acting CEO to ensure compliance with all sections of the Public Moneys Act 1979 including sections 25 and of 26. Was such directive in writing, when was it issued and was it issued between the Chief Minister's first attempt at answering a question about contravention of those sections and his second attempt later in the Sitting during which he made his announcement? Madam Speaker, this was a directive in writing, and I signed this directive on the 11th of April 2012, prior to the House Sitting on that particular day.

MR BUFFETT Thank you, 378 Madam Speaker, the question is, to what extent has the private information of individuals been shared between departments of the Administration and to what extent is the practice now prohibited by the Commonwealth Privacy Act? This question has been with me since the Sitting before last, but this continued to be researched, information is shared Madam Speaker and in some instances it is shared, and I'm really trying to ask the officers to give me some real quantitative indication as to where that happens so that I might be more helpful in making a response so that is where that one is at this moment.

MR BUFFETT Thank you,

MR KING Madam Speaker, did the Chief Minister's response to 378 constitute an answer or will that remain on the Notice Paper?

SPEAKER It is not for me to determine.

MR BUFFETT No, I am happy that that remains, I am just trying to let you know where I am at with that, it is part answered as I am acknowledging that some information is shared.

SPEAKER Are you comfortable that it remains on the Notice Paper for the next Sitting?

MR BUFFETT Yes, I am happy for that Madam Speaker, no problems at all. 382 is the next in my name, can the Chief Minister advise the House of the success or otherwise of the Government's so called staff recruitment freeze imposed from memory in 2010, expressed in terms of staff numbers and dollars saved? Madam Speaker since 2010 there have been eight positions that have become vacant and not filled at a saving of \$320,000 per annum. I table a schedule which gives that Madam Speaker, but I do state this in terms of tabling this schedule, there are names on this, I don't intend that those names be public, I am mindful of Section 72A of the Standing Orders Madam Speaker, but it gives the positions and the monies and therefore the totals to support what I have just said when I table that Madam Speaker.

SPEAKER And I have understood from your response that that document is available under Standing Orders to Members only.

MR BUFFETT Pardon?

SPEAKER That that document is available to Members only in my office and not to be widely distributed?

MR BUFFETT Yes, but the figures are public, because I just announced them. 383, Madam Speaker, at this stage I don't have a fulsome answer in terms of this, but it asks this question, what is the result of the on-going discussions about community difficulties in accessing legal representation as referred to by the Chief Minister at the last Sitting? This continues to be a vexing matter Madam Speaker and how people might access legal representation and I'm having further discussions to try and give some greater clarity to it, and I'll speak further when I'm at that stage to do so.

MR BUFFETT 383 is in my name, but the question asks this, will the Chief Minister and Speaker, so Madam Speaker I just give clarity that I have consulted with you about responding to this question.

SPEAKER Yes, thank you.

MR BUFFETT Will the Chief Minister and Speaker provide to the House a report detailing contractual arrangements for the provision of all services to the Legislative Assembly and the Norfolk Island Government within the Old Military Barracks, including the name of each contractor, the agreed consideration, the term of each contract and the last date of which each contract went out to open tender? Madam Speaker I have a schedule here also, which I am happy to table, it provides the services for example, effluent services, cleaning services, administrative services, Road Map Adviser services, and the schedule contains the

detail asked for in that context, unless there are confidentiality provisions that might be applicable.

SPEAKER

And that document contains the same embargo.

MR NOBBS

Thank you Madam Speaker, the question reads, can he advise the House of the total cost to the public purse of government and/or Administration involvement in what is essentially a private sector initiative, including the estimated costs of 'in-house' legal work and other time costs? Madam Speaker this question refers to a previous question regarding Redemptech renewable energy system, the response to this question is that the Electricity Manager and the Crown Counsel have provided this data from 2010 to this point in time, and the total cost to the public purse is calculated to be \$2,750 for that period.

MR NOBBS

Thank you Madam Speaker, the question reads, would the Minister provide to Members, a list of each licence that has been granted, tabled and is currently active under each prescribed Act relating to Gaming in Norfolk Island? Yes Madam Speaker I will supply that list to Members.

MR SHERIDAN

The question reads, what is the reason for the Commonwealth funded pest and disease survey and how does it fit into Norfolk Island's Immigration, Customs, Quarantine and Trade requirements for the future? Madam Speaker originally the need for a pest and disease survey came about on advice from the Commonwealth when the regulations which allowed for the importation of apples was declined, and in part read thus, "As also explained in my earlier letter, a key issue is the need to determine Norfolk Islands pest status for quarantine purposes. Any justification for the adoption of quarantine measures would be largely dependent on Norfolk Island having a properly assessed pest status. Defining the Territory's pest status would ensure that quarantine measures are not applied to pests already on Norfolk Island and that any new measures are implemented to address only those pests which could adversely affect the Territory's economy and environment." Madam Speaker, back in April 2011 upon request to DAFF for assistance to conduct a plant pest, disease and weed survey, DAFF was unable to provide funding to assist in this process. I understood that this Survey was purely for Quarantine purposes so that Norfolk Island might following assessment commence the importation and export of produce, especially apples. In the 2011/12 Commonwealth Budget the DAFF provided to Norfolk Island a contemporary Microscope and funding for training in Australia for Norfolk Island quarantine personnel to understand how to utilise the equipment properly. Madam Speaker, since then and in conjunction with the Road Map process, discussions with the Commonwealth have resulted in \$1.5 million being allocated over the next two financial years so that the Pest and Disease Survey can be completed. Also contained within the Road Map objectives are changes that impact on Immigration and Customs, all Commonwealth Acts, which may require the Australian Government to amend some of its own legislation. Currently the Department of Regional Australia is negotiating with other Commonwealth Agencies in order to progress the Road Map commitments. As these negotiations unfold Regional Australia is being advised by the Agencies that the Pest and Disease Survey is vital. Over the past few weeks the pest and disease survey has been mentioned in a number of places, in the Commonwealth Budget, by the Norfolk Island Administrator, during the recent Senate Estimates Hearings and in press releases by the Norfolk Island Government. All of these comments have given slightly different reasons for why the Pest and Disease Survey should occur. I understand that this has created some confusion and concern within the local community. Madam Speaker, there has been discussion for some time about travel to Norfolk Island from the Australian mainland to occur through an Australian domestic terminal which will potentially reduce tourism costs. Minister Crean is a firm supporter of this, and it is also recommended as a cost saving for Tourism to Norfolk Island in the Fogarty EDR. In order to facilitate this, it would require the extension of Australian quarantine laws hence another reason for the necessity of a Pest and Disease Survey.

MR BUFFETT

Thank you Madam Speaker, the question is, to what extent has the Norfolk Island Government examined local revenue raising measures which are more closely aligned with those of mainland Australia? Madam Speaker the Commonwealth Grants Commission, update of the Financial Capacity of Norfolk Island 2011, Staff Findings Report, was released on the 2nd of December last year, and this report was tasked with analysing the capacity of the Island to raise revenue from a comparable range of taxes and charges levied by State and Local Governments and the average levels of these taxes and charges. The Government carefully examined this report, it is a publically available report and we have all had the opportunity to see it, the Government carefully examined this report and produced a discussion paper that included a discussion of Federal type taxes levied locally, along with those addressed in the report that I have just referred to in the grants commission report. That discussion paper was released for public comment on the 27th of April here in the Island and outlined that some taxes levied in Australian jurisdictions, such as payroll tax, would be unlikely to raise revenue commensurate with the costs of introducing and operating that tax on the Island, in other cases, such as stamp duties, motor vehicle registrations and user charges, the Government believes that the existing level of charging is comparable to those levied in Australia. In terms of the nature of revenue raising on the Island compared with Australian jurisdictions, the major differences occur in three respects, this is based upon this report, on Norfolk Island we do not levy property based taxes, land taxes and municipal rates, Government revenues are very reliant on earnings from Government Business Enterprises (GBE's), and the Island's Government does not receive any form of transfer payments from the Commonwealth for the delivery of State and Local Government services. The Government here has proposed joining the Australia GST system in order to be provided with regular transfer payments. This would remove GST on essential food stuffs, reduce the GST rate payable locally to 10%, it is presently 12 here, and provide input credits on all business capital investment, based on the Commonwealth Grants Report estimates, this would result in a transfer payment over a particular year of something like \$13 million to the Island, compared with the \$7 million that we collect from our own GST, these are rounded figures Madam Speaker. This however would not be enough to pay for State and Local Governments services at a comparable level to Australia and the Government has agreed to look seriously at property based taxes, it's compelled to do so in these processes, it hasn't made a commitment at this time to do it, but it must show maturity in examining these things, this will involve, as a starting point, valuing all the land on the Island, and following from this, locally in this Assembly, and with public discussion, then deciding on whether there is a scope for introduction or otherwise, and if so, the nature of the tax to ensure the community values, Island's landscape and affordability factors are taken into account, we can only do that once you have gone through the research process. Well our commitment is to properly and maturely examine it. Finally with respect to the Governments reliance on revenues from the operation of GBE's, this reliance will be reduced with the provision of transfer funds, under the Australian GST arrangement, however in addition to this, the Government has agreed to adopt the Competition Principles Agreement to guide the operation of public businesses. And these principles will be used to assess whether GBE's should remain within public ownership and if so, in what format, and if they remain, they are operated at arms lengths from the Government, often as corporatized structures, and they are not allowed to benefit from public ownership to unfairly compete with the private sector. And we see these processes of reviewing of the operation of the GBE's to follow the staged outlines in the ACIL Tasman Report which is the Economic Development Report prepared by Dr Fogarty, and it is also clearly seen that that type of examination will take some considerable time, probably over some period of years.

SPEAKER

Thank you Chief Minister, 404 Mr King again to yourself.

MR BUFFETT

Thank you, the question Madam Speaker, a, b and c, runs in what way does the Norfolk Island Legal Aid system differ from mainland jurisdictions insofar as

requiring assisted persons to repay all or part of the amount of assistance that has been provided? In particular do mainland jurisdictions require in most cases, the repayment of the full amount of the assistance that has been provided? And c) What are the established guidelines in relation to the exercise of the ministerial discretion contained in section 21 of the Legal Aid Act, that is the discretion to require repayments of part or all of the legal aid provided, and where can the community find a publication containing the guidelines? Madam Speaker I am advised that Norfolk Island is no different to other Australian jurisdictions in relation to the imposition of conditions for the grant of Legal Aid, each State and Territory has published guidelines for applications for Legal Aid. And the guidelines set out matters taken into consideration when determining the quantum of assistance granted and the contribution to be made by the assisted persons, for example assets, liabilities, ability to raise funds and the like. I do make the point Madam Speaker that receiving Legal Aid is only after there has been a full fair assessment as to the capacity of the individual person to meet those costs themselves on their own account. In each State and Territory it is the normal requirement that some monetary contribution, and in some circumstances, the full repayment of the Legal Aid funds, including the ability to take a charge over property to ensure such repayment. In Norfolk Island Madam Speaker, Norfolk Island Legal Aid Guidelines and Application Forms can be obtained from the Secretary to the Legal Aid Advisory Committee in the Administration or online at www.info.gov.nf. Madam Speaker I just make mention also because it is part of the question, that within those guidelines it gives the criteria as to how the Ministerial discretion is to be exercised, that is set out in those guidelines.

SPEAKER

Minister for Community Services.

Thank you Chief Minister, moving now to 405, Mr King to the

MR SHERIDAN

Thank you Madam Speaker, the question reads, what conclusions have been drawn by the Minister from his consideration of the wasp situation in Norfolk Island; specifically is there a conclusion that activity is increasing or decreasing; if activity is considered to be increasing what level of increase can be expected if the issue is not addressed? Madam Speaker, advice that I have received from the Quarantine department indicates that as with most organisms in nature, their population is dependent on food availability. Plenty of food usually means plenty of consumers of that food source. Asian Paper Wasps feed caterpillars to their larvae, and when we have good warm, wet seasons suitable for their food source, such as army grubs, the wasp numbers increase to make use of this food source. Last summer and autumn were favourable and therefore this summer and autumn there appeared to be an above average wasp population. In an attempt to inform the community on the life cycle of the Asian Paper Wasp, a fact sheet has been produced to be distributed and published, so that the community will know when is the best time to trap these wasps in an attempt to reduce their numbers. A whole Island eradication program would not be feasible to undertake but it is hoped that by community members who care about the environment these wasp numbers can be reduced. I will be discussing with the Administration Service as to how these traps can be set throughout the Burnt Pine township towards the end of winter into spring in an attempt to reduce the wasp numbers in the township. And also Madam Speaker as I mentioned before, the Service will also be working on factsheets for the 28 spotted ladybird bug and the Argentine Ant. And I do have a copy of the Asian Paper Wasp Factsheet here if Mr King would like to take a copy of that when he leaves.

SPEAKER

Chief Minister.

Thank you Minister Sheridan, 406 Mr King to the Chief Minister,

MR BUFFETT

Thank you Madam Speaker, the question is to what extent can the Retail Price Index be relied upon as a measure of inflation in the absence of adequate review and loss of integrity? Madam Speaker the RPI system, we will all know this, commenced in 1990, and the ABS, the Australian Bureau of Statistics has been approached in the past to upgrade that

particular program, but the cost was not able to be financed Madam Speaker, it was a significant cost. The RPI program faltered prior to the input of the December 2011 data and that couldn't be recovered, but it was fortunate that when we experienced that faltering James Fogarty and Joel Etchells of ACIL Tasman who produced the Economic Development Study were on Island collecting data for their economic development study. And they kindly offered to review our needs and develop a program that was suitable to meet those needs into the future, and that was without additional cost to the Norfolk Island Administration. Mr Joel Etchells has returned to the Island this week with that program that I have just referred to, and there are two elements to Mr Etchells' visit, installation of the program, and providing hands on training to a number of people on staff here locally, and there will be a degree of tidying of the RPI System with the revision of items and the inclusion of new items that were not relevant or did not exist in 1990, I have been provided with some examples about that, the deletion of cassettes and VHS tapes and the inclusion of DVD's and internet access to just state some obvious things, and Mr Etchells has gained input from relevant community members to ensure the relevance of the items that are travelling and to ensure consistency of sampled pricing into the future. It's interesting to note that the new system that Mr Etchells will be installing this week will provide comparative data back to 2005, and this will allow us to compare the RPI figures we have used from 2005 with the RPI figures from this new program. And once the system is operational the figures for December 2011 and March 2012, the most recent figures which normally would have been published, but have not yet been published, will be published and provide us therefore with comparative data back to 2005 and in explaining all of that Madam Speaker, I do thank Dr Fogarty and Mr Etchells for their help and expertise in being able to walk through this project with us.

SPEAKER Thank you Chief Minister, 407, Mr King to ask the Minister for Tourism, Industry & Development, Minister Nobbs.

MR NOBBS Thank you Madam Speaker, the question reads, can the Minister update the House on the processes undertaken in ensuring ongoing fuel supply to the island at best possible outcome for the community? Madam Speaker as I've discussed in the House a number of times, Norfolk Island is communicating with the Commonwealth Department on an ongoing basis, and to specifically answer this question, an extension to the roll over period for the contract was requested to ensure that the Department and Minister Crean were able to give appropriate consideration to Norfolk's ongoing fuel supply arrangements. The Acting CEO has kept regular contact with the Department to expedite this process wherever possible.

SPEAKER Thank you Minister Nobbs, Mr King to the Chief Minister.

MR KING I'm sorry, I have a supplementary to that, I'm sorry but Minister could you clarify if any notice has actually been given to the current suppliers of fuel with respect to the ongoing fuel supplier contractual arrangements, did I miss that in your answer sorry?

MR NOBBS Thank you Madam Speaker, as I stated in the answer, we have requested and been given, through the existing operator, the extension of the roll over period to enable the full consideration.

MR KING Sorry Madam Speaker could I ask what amount of extension has been given?

MR NOBBS Thank you Madam Speaker, 28 days.

SPEAKER Moving along, 408 to the Chief Minister.

MR BUFFETT Madam Speaker, 408 is in my name, there are four parts to this question and I'll walk through each of them. a) what is the current policy regarding the wearing of firearms by Norfolk Island Police and what changes, if any, have occurred in recent times? Madam Speaker the current policy is governed by the AFP Commissioners Orders in wearing of firearms in Norfolk Island and there have been no changes to those orders I am advised in recent times. b) if it is the case that firearms are worn, how can such practice possibly be warranted in Norfolk Island, save for special operational circumstances? Madam Speaker firearms are only worn when there is an operational need and this I have got to say has been explained by me in a question to me in this House on an earlier occasion. c) if it is the case that firearms are worn by locally recruited police who have not undergone the full range of training in the use and control of firearms, how could such practice possibly meet OH&S and community safety standards? Madam Speaker all current serving members of the Norfolk Island Police and at present we are talking about three people who are seconded as professional policemen from the AFP and three locally engaged Special Constables, all current serving members of the Norfolk Island Police have undertaken the operational safety training over the past 24 months, and each officer undertook all elements of training over an intensive five day period. All officers were deemed competent by the two instructors, I might say that those five days training were on Island, the two instructors were brought in from the AFP to provide that training, if they had not been deemed competent they would have not been operationally deployed. Each officer undertook the training willingly and no issues of concern had been raised up until very recently, some ten months after the training was successfully completed. d) ask Madam Speaker, is it a fact that a locally recruited police officer was recently stood down for questioning the necessity for wearing an accoutrement belt and a firearm and if so, does the Government consider this a reasonable response to soundly-based concerns? Madam Speaker yes a officer was recently stood down, but that person is now operationally. I do make the point however that there has been identified for a review needed within the Police area on terms and conditions, particularly for locally engaged officers, the wearing of equipment, pay and the like and that matter is one that is ongoing.

MR KING A brief supplementary if I may. Minister could you clarify or explain what is meant by your answer to the wearing of firearms by local Police in operational circumstances, does that mean whilst they are on duty, or is that special operational circumstances.

MR BUFFETT That means when the OIC of the Police Force in Norfolk Island determines that there is an operational need for the wearing of firearms.

MR KING A further supplementary, Chief Minister if it is a matter of an exercise of a discretion in relation to this matter, does not the Government have a policy in relation to it.

MR BUFFETT Yes, the policy is, that when the OIC of Police deems that there is an operational need for them to be worn.

MR KING So Chief Minister are you saying that you allow this matter to lie at the sole discretion of the OIC Police and the Government...

MR BUFFETT And that is framed how the AFP Commissioners Orders are framed.

SPEAKER Thank you Chief Minister, 409, Mr King to yourself again.

MR BUFFETT Thank you, are locally engaged police officers employees of the Administration and if not can the Chief Minister advise who is the actual employer? Terms and conditions of locally engaged police officers are set by the Administrator pursuant to a 1931 piece of

legislation, and Members will know that now, post 1979 that that authority is exercised upon advice from Norfolk Island Minister's, Police is a Schedule 2 matter. Having said that however, if people are so engaged in that way, they will be paid by the Administration and that is how it operates at this point in time.

SPEAKER Thank you Chief Minister, Mr King to the Minister for Tourism, Industry & Development.

MR NOBBS Thank you Madam Speaker, the question reads, what arrangements have been finalised for the supply of visitor statistics to the community and for that matter to MLAs? Madam Speaker I should make the point again that it is not the NIGTB's responsibility to generate these statistics, Immigration bears that responsibility, however the GM for the Tourist Bureau has provided assistance where possible regarding applicable data for collection. And I am advised that the Service is continuing to work on solving this problem, and that the consultant with expertise in this area is on the Island this week. Madam Speaker I was asked some questions about the visitor numbers last year versus this year versus the projection next year, they are just about line ball with regard to last year and this year, so unless we have this issue finalised it doesn't really sit easy with me to provide any other answer than I gave earlier, and to give you an indication 24,268 visitors last year, this year a projection of 24,000, next year a projection of 25,500. Thank you Madam Speaker.

SPEAKER Thank you Minister Nobbs, question 411, Mr King to the Minister for Community Services.

MR SHERIDAN Thank you Madam Speaker, the question reads what level of monitoring is undertaken to prevent contamination of the Ball Bay environs through hydrocarbon leach? Madam Speaker on advice from the Administration service I am informed that currently there is no regular ongoing monitoring of the Ball Bay area. An environment Site Assessment was carried out by Mobil in 2007, and a further assessment is budgeted in the Financial Year 12/13 full year budget as required under the lease agreement for the Ball Bay Fuel Farm. In addition, the Environment Officer is currently sourcing equipment which will compliment current equipment to allow for hydrocarbon testing. A procedure will then be developed to allow ongoing monitoring.

SPEAKER Thank you, 412, Mr King to the Chief Minister.

MR BUFFETT Madam Speaker, the question, what level of discussion and examination has taken place concerning deterioration in historic gravestones in the Kingston and Arthurs Vale Historic Area cemetery following concerns raised in the House at the last Sitting? Madam Speaker at the last Sitting mentioned that burials are really in two broad categories, the more Colonial era and one the 1856 onward period of time. The management of burials is the Norfolk Island Administrations responsibility in conjunction with the statutory powers of the Conservator. The cemetery is the responsibility of the Conservator, managed under Part 4A of the Public Reserves Act 1997, and the Sextons functions are regulated under Public Reserves Amendment Act 2009. The Norfolk Island Administration provides an annual budget to manage this role, and in 2011/2012 was around \$46,500, with ongoing discussions and reviews to achieve efficiencies and our statutory obligations of course. The Colonial headstones, and I rather suspect that the emphasis of the question, the Colonial headstones were inspected recently by the contracted Heritage Architect, Mr Eric Martin, under an annual inspection program, Mr Martin provides advice on other headstones and has also recommended additional conservation methods, including the sealing of the inscribed side of each headstone. The Administration staff working in KAVHA has programmed this work to commence later in the year, funding was provided for the sealant and related items which was off loaded in the recent cargo ship, that's a bye the bye in the

sense, but it does affect the program. And any stone masonry work which is required, needs specialised off Island tradesmen, and they're subject to normal operation and budgetary considerations.

SPEAKER Thank you Chief Minister, 413 is also in your name.

MR BUFFETT Thank you, 413 Madam Speaker asks, what is the result of the Chief Minister's examination of concerns raised at the last Sitting regarding the use of roundup in and around the KAVHA waterways and the possible implications for the eco systems and swimming waters? Madam Speaker the Administration staff uses Clearup Bio 360, for the control of weeds and for the surrounds of most structures in KAVHA, spraying around the structures reduce the impact of any mechanical damage from mowing, or wiper snipping gouging out bits of the mortar or affecting the stone, when it is too close to the world heritage buildings. In accordance with the Material Safety Data Sheet directions, Bio 360 is also an approved product for the control of emerged weeds in all bodies of fresh and brackish water which may be flowing, non flowing or transient. Bio 360 is used for weeds on the margins of streams, lakes, dams and drains in minimum quantities in accordance with that direction.

SPEAKER Moving to 414, Mr King to the Minister for Tourism, Industry & Development, Minister Nobbs.

MR NOBBS Thank you Madam Speaker, the question reads, what conclusions have been reached about the mail carriage and delivery arrangements following concerns of apparent detrimental changes? Madam Speaker I do have to ask what detrimental changes that Mr King is referring too, and I perhaps would have asked him at MLA's had he turned up, but perhaps I could give an overview of what is occurring within the Post Office area. Madam Speaker mail by air is received five days in a row, which when coinciding with 70 pallets of mail carried by Ship, certainly creates difficulties with mail processing timeframes. There is also a reliance upon customs to clear all incoming mail before it can be release. Local mail handling has to be incorporated into this process, as is the processing of all outgoing mail. Having listed the challenges faced by the Post Office and Customs, I have not been informed of any complaints regarding the mail handling within the Administrative Complaints Handling System, which is a credit to the Manager and Staff and the small staff contingent at the Post Office.

SPEAKER Thank you Minister Nobbs, 415 and 416 Chief Minister are both in your name.

MR BUFFETT Madam Speaker, 415 reads, why has there been a 19 year delay in commencing Section 16 (2) of the Legal Profession Act which if commenced would adopt the ACT standards for professional conduct? Madam Speaker subsection 16(1) off the Legal Profession act 1993 enables the responsible Norfolk Island Minister to make a written agreement with the ACT Law Society in relation to two things; firstly the professional conduct of practitioners holding a Norfolk Island practicing certificate and secondly the provision of professional indemnity cover regarding such practitioners. Section 16(2) of the Act provides that legal practitioners holding a Norfolk Island practicing certificate are subject to the same duties and obligations regarding professional conduct in Norfolk Island or a Norfolk Island Court, as would have applied to the practitioner in the Australian Capital Territory. Section 16A of the Act provides for complaints against legal practitioners to be referred to the ACT Law Society, the Act contemplates that the Law Society will conduct original investigations of complaints, and in less serious cases to issue determinations. Serious matters are referred to the Law Society to the Supreme Court. To date no arrangement has been made with the ACT Law Society, for that reason subsection 16(2) of the Act has not been commenced. However, I have now requested Madam Speaker that the Legal Services

in our jurisdiction commence conversations with the ACT Law Group so that we might move forward with giving implementation to this section and have applicability in Norfolk Island. This particular piece of legislation also requires some significant updating and there has been a request for those areas to be identified also so that I may bring them to the House.

MR BUFFETT Madam Speaker, this is the final one on the Questions With Notice, what action has the Chief Minister taken to communicate to the Federal Minister the concerns expressed at the last Sitting that the failure to implement the intergovernmental policy to remove barriers to telecommunications competition has denied the community competitive and better services and brought private operators close to financial ruin? Madam Speaker, I thank Mr King for the question, I do make the point that there has been no requirement to communicate with the Federal Minister regarding this implementation of policy, but under the Funding Agreement signed with the Commonwealth last year, which was an agreement at officer level, there was a specific requirement for the Norfolk Island Government to reduce regulatory or other barriers to competition in the area of telecommunication services. The initial deadline for this was set at 30th March in 2012. And I've earlier explained to the House that this deadline was extended by agreement of the Commonwealth until the 30th of June, that is the end of this month here, the extension was agreed to enable the Commonwealth, not us, the Commonwealth to provide the Government with information on accessing price to the Islands public telecommunications infrastructure and on other legal matters, and recently background information has been provided to the Government from the Department of Broadband, Communications and the Digital Economy on how access pricing of public infrastructure is undertaken. In total four reports from the ACCC were provided containing over 400 pages of discussion outlining the Commissions deliberations over the same issue but in Australia, which really demonstrates that it is a complex, and a highly technical process, and the ACCC has itself issued interim access, but not final pricing to apply from February 2012 in the Australian context. The Government here Madam Speaker wants to move forward in terms of interim access pricing for leasing of lines from the Norfolk Island Telecom in order to comply with the Funding Agreement, and we have sought a plan to be able to achieve that. This is a significantly complex with views on various sides of the argument, for example technical reports have indicated to us that we should be careful how we move in this direction, the Economic Development Study has clearly said that we should enter the broader spectrum with these areas and the Government has sought a plan to meet the deadline of determining this matter by the 30th of June.

SPEAKER Thank you Chief Minister, that concludes answers to questions on notice.

PRESENTATION OF PAPERS

DEPUTY SPEAKER Moving now to Presentation of Papers, are there any Papers for Presentation this morning Honourable Members, Minister Nobbs.

MR NOBBS Thank you Madam Speaker, I table the reports I earlier alluded to with regard to the Gaming Act Reports.

SPEAKER Thank you Minister Nobbs, further Papers for Presentation? Chief Minister, you look as though you have a few.

MR BUFFETT Yes, thank you Madam Speaker, thank you for pausing with me for a moment. Firstly I table in the normal way Madam Speaker the Schedule of Virement of funds that have taken place between now and when we last met, I table those.

SPEAKER Thank you, those papers are so tabled.

MR BUFFETT Madam Speaker I also table some provisions provided by the Customs Legislation, Section 22B(2) of the Customs Act makes provision for the Minister to exempt goods from duty where the duty payable is less than \$200. Section 2B(5) of the Act provides that where the Minister has exercised this power, he shall lay a copy of the exemption on the table of the Legislative Assembly, and I so table those exemptions, there are three of them in this particular case, they relate to, the three of them relate to imports by St. Johns Ambulance.

SPEAKER Those papers are so tabled.

MR BUFFETT If I may continue for a moment Madam Speaker, financial statements Madam Speaker. I have received the audited Financial Statements for the financial year ending the 30th June 2011. And on the basis of having received them so, I am obliged and I do so, table them. The delay in completing the statements was because the requirements for auditors to comment on the going concern principle at the time they signed the accounts, rather than at the 30th of June in the year being audited. The Auditors received the Administrations financial position after the exit from the Airline operations and concluded that the Administration would still require further funding assistance from the Commonwealth to 2012. I table the documents Madam Speaker.

SPEAKER So tabled.

MR BUFFETT I'd like to make an additional statement to accompany that if I may, that is the final report by CST Nexia, Chartered Accountants, in terms of their external report, and I warmly offer thanks to them for the role that they have performed for us over a considerable period of time. And it would be remiss of us not to make such an acknowledgement given the quality of their service and the time of their service. Now that that has concluded, the Australian National Audit Office will conduct audits of the Administration here in Norfolk Island, commencing in the year 2011/2012, we are already in that year. That office has appointed an executive director, Mr John McCollough and an audit manager, Mr Ron Wah, and these people were on Island this week for initial visit, following a hand over visit to Auckland with CST Nexia Ltd that I have just referred too. This hand over completes a long association between the Administration and CST Nexia and as I've mentioned, I offer them great thanks.

SPEAKER So tabled, thank you Chief Minister. Further papers for tabling this morning? It seems not.

STATEMENTS OF AN OFFICIAL NATURE

SPEAKER We move now to Statements of an Official Nature, Chief Minister.

MR BUFFETT Come back to me if you can.

MRS GRIFFITHS To give the Chief Minister a few minutes, Madam Speaker on the 16th of April the Steering Committee for the Commonwealth Women's Parliamentarians, or CWP Australia held its Annual Planning Workshop on Norfolk Island. This meeting was serviced by the CWP Secretariat which is based at the International and Community Relations Office from the Parliament of Australia. CWP Australia is part of the Commonwealth

Parliamentary Association which we hear referred to occasionally in this House, it's membership includes Federal, State and Territory Women Parliamentarians, and its role is to enhance women's participation in politics and advocate on issues relevant to women parliamentarians and all Australian parliaments on all sides of politics. In addition to developing its action agenda for 2012-2013 the committee members had the opportunity to meet with current and past women members of the Legislative Assembly, the women of the Council of Elders and the Women's Forum, these parliamentarians came away from Norfolk with an understanding that Norfolk is currently in transition with a Roadmap for it's future governance and ongoing discussion between the Norfolk Island and Commonwealth Governments. They understood that several reviews had been undertaken and reports received on Norfolk's future capacity to meet expectations in the area of health and the public sector and a sustainable economic development. Community representatives indicated to them that they were also looking forward to receiving constructive recommendations in the Child and Family Support Review to assist our Government to implement positive social change. They formed the opinion that these reports will be valuable resources to ensure Norfolk's long term sustainability, however they were told that there was a lack of focus on gender issues and gender equity in reports already received. Therefore these women, in a letter to Julia Gillard, Simon Crean and the Hon Julie Collins, Minister for the Status of Women, emphasised the importance of integrating gender equity into all Norfolk's future development an outcome I was naturally very pleased to see happen. Madam Speaker it was a pleasure to work with such a dynamic group of women, with different political philosophies that united in a common purpose, and I look forward to the next opportunity, thank you.

SPEAKER
nature, Chief Minister.

Thank you Mrs Griffiths, further statements of an official

MR BUFFETT
Thank you Madam Speaker, Madam Speaker I have a statement concerning the Inquiry. I made an announcement at an earlier time Madam Speaker that I had asked Mr Ron Cahill, a former Chief Magistrate in Norfolk Island to conduct an independent inquiry, giving three terms of the inquiry to him. He has not concluded the inquiry at this time, but however, upon his sitting last in Norfolk Island, and before he left, he provided me with an interim indicator of how this was travelling so that I may be able to make a public statement about it, and I would like to do that now. I read an email that he has provided to me. My formal findings on the three issues you requested me to investigate are as follows; one, (there were three matters), on evidence before me, I find no formal breach of the Code of Conduct under the Legislative Assembly Register of Members Interests Act 2004 by the Minister for Tourism, Industry & Development. Two, on evidence before me I find no actionable breach by Michael Donohoe, Public Sector Employee, of public sector general principles and applicable Code of Conduct under the Public Sector Management Act 2000. I should add that technically it is arguable that he should have initially sought approval before even entering discussions, but the following mitigating factors need consideration; the paid arrangements with Telstra/CBA had only reached quote, oblique discussion stage, the history of unpaid trouble shooting work for CBA and others, ignorance of need to seek prior approval for secondary employment, immediate admission of his role to Acting CEO, Acting CEO indicated that he would have given above approval if requested, in fact approval for such secondary employment has been given but prospectively. It is unclear at what point of the process approval must be sought, and obtained for secondary employment. The third point Madam Speaker, there were three points again that I asked him to examine, as mentioned in my earlier email today, by investigation into the access to emails sent to the Chief Minister requires further lines of enquiry to be completed, they at this time remain incomplete. On reflection I believe it is appropriate to reflect my findings thus far, and I have no issue with publication of this, and I so present it and therefore it is public Madam Speaker. When I have a final report Madam Speaker, I will report further.

SPEAKER Thank you Chief Minister, Mr Snell I understand that you would like to note Mrs Griffiths statement, I'm comfortable that that happen, thank you. The statement is definitely noted, Mr Snell.

MR SNELL Thank you Madam Speaker, Mrs Griffiths made your statement regarding, what I would call the rights of women on Norfolk. Your statement insinuated to me that women of Norfolk Island have been disadvantaged particularly in politics, employment, child care and other matters, and surprisingly from your statement, certain comments and a letter or statement has been sent to the Prime Minister, Minister Crean and other very influential parties within the Federal system, Mrs Griffiths can you give any analysis, statistics to state and prove where women have been expressly disadvantaged in Norfolk Island?

SPEAKER Debate Mrs Griffiths, it is entirely up to you whether you wish to respond.

MRS GRIFFITHS Thank you Madam Speaker, in several occasions I have given statistics where women are disenfranchised in certain areas, in employment, in health, in many particular areas, but I have also given many statements on areas where the womens issues are over looked in a number of the reports, so what I said today, nothing is new, nothing is not what I have said before.

SPEAKER Further debate Honourable Members?

MR SNELL Thank you Madam Speaker, Madam Speaker I just raise the concern that the implications of such a report, and the ramifications of such a report or statement within the Federal system could have far reaching effects on the situation that we have in our lifestyle on Norfolk Island. I personally don't believe that women are disadvantaged on Norfolk Island to the extent that has been outlined in Mrs Griffiths statement.

SPEAKER Further debate on the question that the statement be noted, no further debate, I put the question.

QUESTION PUT
AGREED

The statement is so noted. Chief Minister I think we may still be in your hands.

MR BUFFETT Yes, I have one final statement Madam Speaker if I may have the opportunity to do so, it is regarding the appointment of the new Chief Executive Officer. Madam Speaker Members will recall at the last two Sittings really, first of all appointed Mr Graeme Faulkner and then at the subsequent Sitting, the last one, set his terms and conditions. I have now signed that document, and so the appointment has been made and by mutual agreement, there has been a starting date for Mr Falkner, and it is Monday the 23rd of July 2012. And of course we look forward to the commencement of the new CEO in that context. In making that announcement of the commencement date, may I also offer some thanks to Mr Bruce Taylor who has been acting as the CEO, he has stepped up to the plate in a time where that has been needed, and there have been other officers in the Service also who have needed to take on additional duties whilst we have moved through this process, but I wanted to let Members know that Monday the 23rd of July 2012 is the date for the commencement of the new CEO. Thank you Madam Speaker.

SPEAKER
Sheridan.

Thank you Chief Minister, further statements, Minister

MR SHERIDAN

Thank you Madam Speaker, I have just have a short one just regarding the maritime incident that happened earlier this week. Madam Speaker on Monday evening the 4th June, Norfolk Island residents were once again asked to assist in an incident at sea. The Yacht Beau Geste which was participating in a race between Auckland and Noumea, with 18 people on board, when approx 90 nautical miles off Norfolk Island sustained major structural damage to its hull and asked for assistance. This incident was managed by the New Zealand Maritime Search and Rescue together with Norfolk Island based AFP police. Detective Senior Constable Tara Ducker and local Constable Aden Bruce were tasked with the co-ordination of the assistance from the local scene. Just after midnight that evening in terrible conditions, with heavy rain, huge swells of 4 to 5 metres and wind gusting to 50 knots, Darren Bates in his twin hulled 7 metre fishing vessel Advance II crewed by Dean Burrell departed the pier at Kingston to provide assistance. It was just after 3am when Darren located the yacht and provided support and reassurance until the yacht made anchor at Kingston at approximately 7.30 yesterday morning. Two other local vessels were also put to sea that morning to assist if required. Madam Speaker I would like to take this opportunity to personally thank all of those involved in this incident but especially to Darren and Dean who put their own lives at risk and that of his boat Advance II, in atrocious conditions to assist fellow seamen at sea. Norfolk Island has a long history of involvement with the sea and it is an unwritten law that when your fellow seamen are in trouble then it is the responsibility of other seamen in the area to assist. Darren and Dean provided this assistance without hesitance and ignored the dangers to themselves to provide reassurance to troubled seamen of whom they did not even know. This is the Norfolk Island way, and I give thanks to all personnel involved in this incident who all survived without injury. Madam Speaker as we used to say in the Navy "Bravo Zulu" which means well done.

MEMBERS

Hear, hear

SPEAKER

Thank you Minister Sheridan, any further statements Honourable Members. I would just like to make a very short statement, and to just publically acknowledge the support team in this Legislative Assembly that has over the last few weeks provided outstanding support in achieving the many projects that we have had over the last few weeks and I thank the team here very much for the efforts that they have put in. Right, moving along now to Messages from the Office of the Administrator.

MR BUFFETT

I'm sorry I thought you were saying moving along now to lunch Madam Speaker?

I'm sorry I thought you were saying moving along now to

SPEAKER

What a wonderful idea! Could I suggest to you that I deal with messages which then brings us to the substantive matters and we look at suspending then, are we comfortable with that? Good.

MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR – NO 27

SPEAKER

I have received two messages from the Office of the Administrator. The first, I am only going to deal with one at this time, I'm going to deal with Message Number 27, on the 22nd of May 2012, acting pursuant to Section 21 of the Norfolk Island Act 1979 I declared by assent to the following proposed law passed by the Legislative

Assembly, the Sentencing Amendment Act 2012, which is Act number three of 2012, dated 22 May 2012, Neil Pope, Administrator.

SUSPENSION OF SITTING

The next message that I was going to read is in relation to the Supply Bill, I will leave that until after lunch when we start on our substantive matters on the Notice Paper. Are we comfortable to suspend, I see nods, are we comfortable to suspend until 2.30pm, I see nods. This House stands suspended until 2.30pm this afternoon, thank you Honourable Members.

RESUMPTION OF SITTING

SPEAKER We resume our Sitting this morning, Gentleman please feel free to take off your coats if you would like to at this stage of the proceedings, make sure your mobile phones are turned off, thank you.

MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR – NO 28

SPEAKER In accordance with the requirements of Section 25 of the Norfolk Island Act 1079 I recommend to the Legislative Assembly the enactment of the proposed law entitled an Act to authorise expenditure from the Public Account for the period 1 July 2012 to 31 December 2012. The message is dated 5 June 2012 and signed Neil Pope Administrator.

SUPPLY BILL 2012

MR BUFFETT Thank you Madam Speaker. I present the Supply Bill 2012 and move that the Bill be agreed to in principle.

SPEAKER Are you proposing to table the, at a later stage ok. The question before the House is that the Bill be agreed to in principle. Debate.

CHIEF MINISTER Thank you Madam Speaker. Whilst moving this Motion I table the supplementary budget papers including the budget narrative for the performance budgets. That has been circulated I think earlier at the sitting whilst Members have been sitting around the table. It's that document should that not have happened. Madam Speaker this budget is prepared and is conditioned in the climate of Norfolk Island's continuing precarious financial position and its also presented in light of the Roadmap which sets out our way forward and I'd just like a moment if I may to restate the island's position here. We are a population of 1800 people and in that context we are no longer able to generate sufficient funds to meet our modern needs, our pool is too small. We have therefore erected a Roadmap to enter a larger pool, the Australian regime. For example joining the Australian taxation regime, its GST and health and welfare schemes, and this migration is designed to make payments into the Australian fiscal machinery according to our capacity to do so. When that is achieved, and then as a right, not as mendicance but as a right to receive benefits from that larger pool of funds, and if we do it in that context we are gaining an assurance about long term financial sustainability. But it must be said until we achieve this migration, until we achieve some major advancements which the Roadmap lays out we'll be compelled to seek annual financial assistance to continue to provide essential services within Norfolk Island. I might say in pursuing the Roadmap Norfolk Island has done all that's required of it to make advancements. To give further immediacy to progress the Norfolk Island Government has proposed firstly that we enter the Australian GST from the 1st July of this year and secondly we provide the proceeds

Commonwealth Financial Officer has had an involvement in the preparation of this budget with us and I think that's work a mention and also a some degree of thanks that that starts to establish a better network of understanding of the budgeting parameters for Norfolk Island, so I certainly welcome their involvement there. As stated earlier we are basing this budget and indeed the 12/13 year budget on the figure of 25,500 visitors, that's not to say that we are not going to be aiming for a much more substantial number than that through the Bureau and the work that we do. However that's the figure that we've based these figures on to suit. As the Chief Minister has pointed out the tourism marketing commitments are maintained in this 6 month budget and certainly the General Manager has given me feedback that ongoing commitments to campaigns and destination profile building and those contracts for industry representation are all accommodated within what we've got in front of us today. There's a, in a number of my areas I might just cover in some reform because this is really just the start of the process. Some of the issues that are being addresses through this period as well and this includes with regards to Norfolk Island Energy. There's around \$68,000 that's dedicated to looking after the bulk fuel facility addressing any OH&S issues and also enhancing the load unload facilities for when the tanker connects. As already discussed in the earlier part of the sitting with regard to the Telecom position. In recent days we've had no application from TNZI of the finalisation of that outstanding debt, roaming is still holding up quite well as a, or very well as a revenue item for the Norfolk Telecom operation. In the areas of Postal and Philatelic, Postal as we move on, we will need to take careful assessment of how the Postal Service is able to manage the change in online purchasing. The size and scale and quantity of the pallets as well as the weight of individual items that are now being passed through within the sea mail, and there may well be reason for us to consider in investing in some appropriate package handling equipment that can ensure that the employees aren't put in harms way with excessive lifting requirements and things like that. With regards to Philatelic, although many of the things remain the same there are some new initiatives that Philatelic are working on at the moment and its certainly a credit to them to see that even in the tight times we are dealing with they are looking to implement a display area and a sales area to encourage better outcomes for the Philatelic budget line. Within the Gaming revenues there has been much talk around the table over recent months about the Gaming. You'll not that it was over the 6 month period a \$450,000 revised down to the \$300,000 figure. Many would say that's revising it down too far but we are just trying to ensure that the revenues that we are banking on are the revenues that are absolutely achievable. Within some of the capital works that the Chief Minister discussed earlier there is around \$280,000 that is dedicated to completion of the Airport runway in the safety area and I certainly welcome that and the efforts of the Acting CEO and the Airport Manager in finalising that matter. Within the Electricity Undertaking there's continuation of the pole replacement program but there is also \$170,000 that's dedicated to replacement and installation of isolation switches. Now they are there again for an OH &S issue but they also provide a more balanced system fro isolating areas that either go into maintenance or fault. I certainly welcome the stimulus proposals and I understand they've gone through a fair degree of discussion with the Public Service Executive level in particular. I'm particularly glad to see the capital investment rebate within there, it's something that I've been pursuing for a number of years now to assist us to assist those in the private sector to upgrade facilities and services and things like that in a way that has an incentive attached to it. That will probably do me for the moment Madam Speaker. I certainly have more comprehensive detail when we get to the later stages as well. Thank you.

MR SHERIDAN

Thank you Madam Speaker. Before I actually touch on the 6 month proposed budget can I just say a few words in regards to the Roadmap and the process that so far that we have been undertaking. The Roadmap now is some just under 2 years old I suppose and when we went down that path I was of the understanding that we were doing this for the reasons so that we could participate in the Australian taxation sphere you

might say so that Norfolk Island could be allocated some monies as a right in their budget. The past 2 years has not seen that. We were encouraged late last year to make sure that we had our budget into the Commonwealth so that it could be considered in regard to their budget process. Now Madam Speaker whether by design or not monies have not been allocated as a right you might say to displace the deficit that we do find in this budget, and it's very frustrating to sit here Madam Speaker and to try and talk to a budget where there is no additional monies in there, there is no additional services, no additional initiatives from this Government because we haven't been able to. We've had to cut as Minister says, cut the cloth. Some in the community feel that we should cut the cloth to fit our income. Madam Speaker that would be very difficult. Some people see as a \$2m deficit in a 6 month period as being excessive and that we should be able to find further cuts. I can assure you that there's no further room to move there's no further room to move and it's like I said before it's frustrating that we've had to go down this road without having some monies allocated in a Federal budget so that we know where our monies are, instead of having to rely on fundings through the Territories Division of their own money, and this is the indication as to where some of this deficit may be funded. At this point in time we've had to put up a 6 month budget, purely because they haven't worked through the issues of our request that were handed to them some 6 months ago. At the end of this 6 months Madam Speaker the cupboard is going to be very bare, very bare and it will be interesting to see what the response is from the Commonwealth in regards to funding the next 6 months you might say of a projected deficit of \$1.4m in that 6 months, to see exactly where they come from, what sort of figure they will be looking at to assist us with. Now people might say well your looking for handouts all the time. I don't believe we are looking for handouts, we've agreed to participate in the taxation, we've agreed to participate in the GST system and I think it's time that we were given a carrot, we were given something, something to encourage the community. Our community, our private sector has not had any stimulus at all these last 2 years. We've had fundings supplied to us just so that we can cover the Administration, the Government's accounts, the general revenue, recurrent expenditure. Madam Speaker if we look at the deficit there of \$2m for the 6 months and we look at the subsidy that we are granting the Hospital it equates to about 60% of that \$2m. Over the full year it's just over \$2m, there's about \$1.1 in that at the moment for the Hospital. So you know people would say well we should make the Hospital fund itself and under the Hospital Act that's exactly what it say that the Hospital should be self sufficient and fund itself, but imagine if we tried to get another \$2m of income through the Hospital in our current circumstances, it would drive the island further down that slippery slope. It would drive the economy further down and it's something that we can't afford to let to happen. So just on the Roadmap process Madam Speaker I'm frustrated with it a little bit because I was hoping to have some better arrangements in place by now in regards to our fiscal framework. We can't set a budget until we know what our fiscal relationship will be with the Commonwealth. I don't want to go down and I won't propose to go out there and introduce land taxes or local council rates or some other local tax to try and fund our deficit without knowing our fiscal relationship with Commonwealth. Until that is known we will need some assistance on a yearly basis. I would like to see that in the Federal budget, not hidden away in the Departments allocation somewhere and then we have to keep signing off on these financial agreements, agreeing to do this, agreeing to do that and agreeing to do everything else. I'd like to see it there as a right so that we can work together, work towards a framework, a secure fiscal framework for the betterment and the sustainability of Norfolk Island. Madam Speaker just turning to the budget, I think that's enough on there. Like I said it's very hard to talk to because it's a bare bones recurrent expenditure and of course one area that hasn't been touched and that is of course Welfare. I'm happy to say that we haven't had to look at any issues within the Welfare area as to how we are going to reduce costs there. The full nominated amount was applied to our Welfare area. In that Welfare area I did suggest 6 months ago and when we had our first budget a couple of new initiatives of some childcare rebates and a carers pension and of course a community Health Officer to be located here on

of the island regardless, regardless of the outcome of the Roadmap process and even if that Roadmap process were not being followed that such an approach would be entirely warranted and indeed sensible for any Government to look at. Madam Speaker we are dealing a little while later and I don't wish to anticipate the business of the House, but we deal with a couple of Bills later on which reflect further commitment to the terms of the Funding Agreement and they will probably pass this House not today, but in due course simply because they are part of an agreement reflected in the terms of the Funding Agreement but Madam Speaker are we serious about changing the way we do business. I think the Government is, has the necessary equipment to change it as they might like to change it so I think that we are, the Government is serious about changing the way we do business, but I believe that at times like this we don't have to lower ourselves to dealing only with the terms of the Funding Agreement, that we can go much further than, than if we know we want to commit. We can commence by setting out a program of measures and steps to be taken incorporating but importantly and not necessarily limited to the requirements of the Funding Agreement. I think we've missed an opportunity to go beyond that, to add to those shared inter governmental shared objectives. By now Madam Speaker we could have developed that succinct time line and have been well along the road to implementation. Why haven't we expressed our position in relation to the Public Service genuinely and the divestment of commercial activities and why hasn't that position been factored into a financial plan covering more than the 12/13 year that we are now addressing. Why haven't we by now addresses and settled a position in relation to areas of public sector activity which could be so easily addressed and reflect a clear mindset and establish a time line for meeting considered objectives. How hard would it be and I don't want to scare anyone in what I'm about to say and I want to qualify a little bit later on but how hard would it be for example to examine and decide whether the Government should really run a café or a community radio station, or to continue to involve itself in areas that could quite easily be out sourced to private enterprise. Building maintenance, mechanical general maintenance, fencing, earthworks, roads, some elements of mail processing etc etc, some elements of legal branch activity. Of course Madam Speaker my qualification is that I wouldn't be foolish enough to suggest that these things occur without any close examination or that they occur at the one time, or over some short intense period, that of course can't happen. Importantly they should not be achieved by throwing workers out on their ear. Now it would require consideration of how natural ? and job rotation might assist in the assessment of medium and long term savings to be considered against higher short term costs if that is necessary. My point Madam Speaker is that the examination should have taken place by now and a position adopted and reflected in a financial plan of which this budget is part. Madam Speaker some may be aghast at what I said but it is often the case that short term costs are an acceptable and responsible trade off for medium and long term improvements, so much so that I would suggest Madam Speaker that if we were to demonstrate a commitment in the manner I have described the Federal Government might be more amenable to funding our hopefully short term deficits. In my view the fact that we haven't done these things will militate against short term Federal funding and that is regrettable. It might not however Madam Speaker be too late to rectify what I regard as a deficiency in our approach. Madam Speaker returning to the Bill. I, we, backbenchers have a couple of weeks to look over the detail of the Bill and I'm not quite sure what we could expect to achieve mind you with the limitations that I've described and we all understand. I have to say that it seems that we are the last to see the budget so I don't have anything intelligent to say at the detail today, apparently cleared by the Commonwealth Financial Officer and probably cleared by regional every Tom, Dick and Harry before it came to the backbench. Madam Speaker I will go through the motions over the next couple of weeks. At that time I will be interested to hear for example about some justification for the continued expenditure of \$20,000 on CPA activities Commonwealth Parliamentary Association when things are clearly so tight and when benefits from CPA involvement are certainly not as clear. I would be interested from the Government to learn from the Government about its attitude of cost of living adjustments to Public Service

wages and whether, whether it claims to be insulated from wage adjustments to Teachers and Seconded Police salaries by making no provision, or no provision that's apparent to me. Perhaps there's a bit of wishful thinking in there Madam Speaker. I'd also be interested in learning how the Government expects to make a 30% saving in the cost of lighterage service wages and I'm particularly struck by the risks associated with a 65% reduction in the planned maintenance of the Water Assurance Scheme or the Sewerage Scheme, particularly, especially that the scheme is way past the end of its expected life span and where there is a current investigation going on I think, the Minister has confirmed that to determine the extent of sewerage leak into our ground waters and as a public health aspect it cannot be overlooked. It doesn't on the surface of it provide any justification for a 60 – 65% reduction in planned maintenance. There is anecdotal evidence of leakage occurring. On the revenue side Madam Speaker I'm interested in understanding how it is that according to Mr Nobbs an expected some 6% increase in tourist numbers might occur this year. It doesn't appear to me to have been reflected and so our revenue lines as it should be given that tourism is our only industry they are all related very closely. Madam Speaker thank you for that opportunity. I will reserve any further comment until next meeting.

MR SNELL Madam Speaker, all Members that have spoken have raised some interesting issues particularly Mr King, issues that as he mentioned are unpleasant and nobody wants to be scaremongering but issues that may be necessary under the circumstances to look at more closely, outsourcing, divestment of and so on and so on. Again maybe it would be a better form to indicate to the Commonwealth that we are doing more than we have already done to seek their assistance and their assurance that the governance matters of Norfolk Island are that we are looking at all different aspects, without just cutting some of the services that are not considered to be essential. It's going to be an interesting time. I'd be very interested in the, obviously the support that we will receive hopefully the support we will receive from the Commonwealth in the near future but see what happens in the next 2 weeks. Thank you Madam Speaker.

MRS WARD Thank you Madam Speaker. I might start by sharing Mr Sheridan's frustrations in terms of where we are going in the long term. I had hoped like Minister Sheridan in a much shorter timeframe than appears to be happening. When I hold a document that is an MOU signed by the Federal Minister Simon Crean who represents the Australian Government and our Chief Minister representing the Norfolk Island Government which says that, the Norfolk Island Government had agreed in broad terms to participate in the Australian Taxation and Social Security system. To me that's pretty fait accompli and if I'm sensing any feelings in the community that it is or it isn't the democratically elected leader of this Government made this decision on behalf of the community and what I feel now in the community, although there hasn't been a Referendum to be fair or an election since, is that the vast majority of this community accept that position. They fully understand the whys and where's of what for that the Chief Minister and the Federal Minister have taken us in that direction. So I thought that was done and dusted but I thought you know when you read that, you know agreed, in broad terms to participate that that was the direction we were moving. Until we settle that situation there is going to be a continued uncertainty, so the sooner the better. Coming back to the budget the clear message that I'm receiving from the wider community is that they would take this Government more seriously if it could see some real effort being made to reduce its own costs, and that's a frustration we can appreciate that. So with that in mind when we were given this budget last week I took out my sharpest pencil and I started looking to see if I could indeed find areas where expenditure could be cut, that's my role. I'll come to what I found in a moment. First I have to say is that I have sat here for 2 years and supported the status quo while the Commonwealth Government has paid for various reports to assess our situation and so that we could all gain a better understanding of where we are at

financially and economically, and that ties in to how we would move forward with taxation as well, and I feel that the community has bent over backwards to help and I certainly see the effort and money that has been poured into Norfolk Island, so I sincerely thank all those involved and clearly from this budget from the reduced expenditure we can see that the airline expenditure isn't in the Bill because the Commonwealth has taken up that responsibility. They have also continued to pour in a quarter of a million dollars a month to sustain our level of services and mind you I have no doubt that's come from another regional area to prop up the standard of service that we have come to expect. I'll come back to what I found with my sharp pencil Madam Speaker and I'm going to ask each and every Member to examine their conscience and decide whether or not they call the following increases financially prudent in our current economic climate, because remembering what the Roadmap also said is that the Commonwealth was to provide financial assistance Norfolk Island would need to act in a reasonable and financially prudent manner ensuring that it preserved its overall financial position. So I'm going to touch on a list of government increases and this is to be fair a period of over 12 months and at the end I can cut the figure in half which will reflect the 6 month budget. They are these. That the Finance Branch wage has had an increase of \$50,000 from the current budget, the IT wage increase of \$60,000, Education wage increase of \$185,000, Police Special Constable wage increase of \$18,000, Police requisites and uniform has gone from \$11,500 to \$22,000. Forestry wage increase by \$30,000, Building Maintenance wages are up \$30,000, Building total expenditure up \$70,000, Grounds Maintenance total up \$20,000, Roads – a position has been filled with the reason of an OH&S issue at the time of a recruitment freeze. Overall Postal expenditure is up \$41,000, Electricity Plant and Equipment and vehicles and mobile plant is up by \$100,000. Minister Nobbs has given some explanation for that figure. Telecom Salaries is up by \$14,000, Fire Service management up by \$14,300. Total Airport operation excluding RESA is up \$26,600, airport maintenance is up \$23,000. Waste Management Centre recurrent expenditure is up \$38,000. Human Resources recurrent expenditure is up \$60,000 and a Child Welfare wage has increased from what appears to be a part time position to a full time position without any clear justification from the Minister. That over 12 months is an increase of \$800,000, and when I sit here and say no to the private sector for a duty drawback exemption or continuation of the duty drawback scheme and I see that figure it doesn't make me feel good. Over 6 months that's \$400,000. If you'd like to take away Minister Nobbs' justification which is an OH&S issue that takes it down to \$300,000 but that's still an increase, and of course while the Government is calling this precarious and frugality plus nobody, well I should say everybody has noticed the creation of a new position in this Compound. I have no problem with justifying the creation of that new position which is specifically for the Roadmap, however do I think that the Government should compensate for this change – yes I do, and the areas that are to be looked at of course are the contractual positions. Mr King I think had a question on notice I think No 384 which basically referred to contracts which exist in this Compound. There's Ministerial travel as a budget line and the Commonwealth Parliamentary Association Membership dare I say it at \$24,00 p.a. and there are other consultancy budget line in there as well. The Norfolk Island Government cannot and must not continue to build its area without sacrifice because there is no way on earth that you can ask the Service or the community to make sacrifice without being willing to do it yourselves. So I'm going to give this list to each of the Ministers and ask them to go back to the Acting CEO and the relevant Managers and justify the increased expenditure and I know the answer will probably be well we can't, and the Chief Minister will join the defence team and say, we're talking about a survival budget, we're talking about a bare bones budget, that's what I expect he will say and I think we've heard it here today already. But it's not, as I've just pointed out. There's a second element that needs to be looked at in this budget and it can be examined immediately and my colleague Mr King who's picked up on it and it's where to stop the ? duplication, it's where to reduce the Service hours and its when to outsource trade functions and there are numerous local recommendations that are provided within reports which I have shared

with my colleagues 2 weeks ago. They are the focus 2002 Report and the Public Account and Estimates Committee, that report that was carried out by the 12th Assembly into Grounds and Reserves maintenance and that can be used and I'm sure there are other Reports sitting around which will help pull together ideas. My colleagues can hear that I'm not talking about major divestment, that will come, I'm talking about reducing expenditure now through measures currently available to us and it quite frankly should have been done 10 years ago and I think we all know it. When I raised this point a couple of weeks ago I've been accused of being pre-emptive of using emotive language and I'll use the word that Mr King doesn't want to use in terms of reducing Service it was called the redundancy, it's a redundancy package and I agree absolutely with Mr King that if that type of option were planned and addressed for the future then that's a type of idea that would be readily accepted by the Commonwealth I would hope because it would show that yes we are asking for money but it's to do things differently, not to carry on with the status quo. Some of my colleagues prefer that I don't say these things and hold the line, well surprise surprise Madam Speaker I'm not going to. Some really tough and unpopular decisions should have been made when preparing this budget and they weren't. This budget in front of me now is a budget in denial. So let's look at what the budget priorities are. Mr King said that he had found a couple, what I see is the priority of this budget is to retain the status quo and it is to provide job security and this is where I really sympathise with the position of the Government and understand why it is so difficult to move, because we don't have unemployment benefits here, we don't have restart or restrain for people to move onto other areas. There is no job opportunity in the private sector and so when you start to make these moves people have no choice but to pack up and go, and that sends a depressed economy into a downward spiral which we are already in. So that's my point to say I do understand the situation, it is extremely difficult. It's sad to see that there are no promotions budget to bring new investment to the island or to aid with attracting self funded or new business people to the island and for many it's sad to see that there is no funding for technology, it's something that I'm interested in to and I know that there was a proposal for 3G technology to come into Norfolk Island which was another way of raising revenue but that's the point we are at unfortunately. I want to talk about community expectations for a moment because really that is what a Supply Bill is about, it's about reacting to a communities wants and needs and while there are some clear must haves such as the supply of electricity, or the hospital or the school there are others which might seem a high priority to some but not to others and I will use the Radio Station as an example. The Radio Station provides what many call an essential service and that comes at a cost. The Radio Station operates at a net loss of \$190,000 a year. These are costs that need to be understood and discussed openly in the community. Another example might be the Visitors Information Centre. The question has to be asked is it an essential service and how much are people prepared to pay for it to continue. The Chief Minister calls me pre-emptive but I don't understand why when he knows what's coming why he sits and appears to do nothing. That they may change in the next week or two, lets see what happens. Why I speak so strongly and with such concern is that I have read like most other people the Senate hearing for the budget estimate and it's crystal clear when reading the budget estimates and you read the Senior Regional Officers comments which basically indicate that we, that's Norfolk Island will need to take measures to reduce our budget gap, we will need to fill at least half our budget gap ourselves and we need to look at broader taxation which the Chief Minister gave a very comprehensive response to earlier on a question in the sitting, and we need to look at what is driving our deficit. Now if the Chief Minister has a message from the Senior Minister Simon Crean which overrides his Senior Officers well please let me know and I'll stop now, but that's not what I've heard from the Chief Minister. But I don't know how much clearer it needs to get for this Government to understand that although some money may run through for essential services it's not going to be anywhere the \$2m that we are looking for in the next 6 months, certainly not without us showing or demonstrating that we are prepared to roll our sleeves up and show that we are prepared to put measures in to create a more efficient and effective

Service where we will push for productivity from the Service, and in saying that at the same time the community is going to have to back off and understand that it can't have everything that it wants yesterday. I think there is one more point that I will raise in this debate and its very important and that is a decision that was made by the Gaming Authority which has out driven our budget further into the red. It was a decision made without our knowledge and without regard to the Norfolk Island Government's current obligations to the Commonwealth under the Roadmap. So I guess Madam Speaker really all I can do at this stage is ask the Chief Minister and his Cabinet colleagues to stop looking outwards for the Commonwealth solutions, the divestment solutions, they will take time, it's to look inwards, to go back to the drawing board and examine the 2 areas that both Mr King and myself have raised because if this Supply Bill is passed in its current form and expenditure starts, that is the money starts to be spent and if the amount of money that the Chief Minister would like to see come from the Commonwealth doesn't come, then there is only one place to recoup it and that's from the community. So I guess I expect my Government to step out of the role its playing, which is more a victim role or a beggar, that terrible word the Chief Minister uses. For the record I don't feel like that at all. I see where we can make changes and where we can demonstrate that we can pull up our own socks and work harder ourselves and make sacrifice. That is what we will do in the short term. That's what I want to see from my Government. I want to see them examine the local solutions that have been provided and start making the hard decisions for our future. Thank you.

MR ANDERSON

Thank you Madam Speaker. Let me first say I will not be present here on the 20th June when the Supply Bill finally comes before the House but I anticipate my presence or for that matter my absence will have no impact on the outcome of the Supply Bill that day. I also anticipate at this late stage there will be little change between the Bill before us now and that which will be considered in 2 weeks time. Clearly this is a bare bones budget as the Chief Minister has described it or a subsistence budget which has otherwise been described. I hear the budget has been seen by the Commonwealth and the Commonwealth Financial Officer which is not to suggest that it is in any way endorsed by them, but at least they have been made aware of the intentions of the Government in respect of the proposed deficit. Mr Sheridan says correctly, it is difficult to comment on the specifics. Mr Sheridan also says there is not further room to move but I believe endorsing Mrs Wards comments, there is certainly many areas where closer examination could occur. There is little that can really be done in relation to the proposed deficit without first getting on with the restructure, getting on with the reforms. Delaying that restructure and the drafting of a financial plan until the Commonwealth Financial Officer arrives, and until the capacity building team arrives and then finally until the new CEO arrives is in my view wasting time, when forward planning, forward financial planning could have been underway and progress could have been made and then that could then be presented to those people as they come on board. Perhaps of more concern is whether there has been proposals for reform put to the Government that they have chosen to delay rather than get on with the reforms. It would have meant that by the 31st December when the supply runs out there might be options for cuts to make the second 6 month survivable. Sudden change cannot occur so the longer the reforms are delayed the longer the time before any reform will have an impact. We need to get on with it and not be sitting on our hands. Mr Sheridan said the Commonwealth will have to look at the end of the 6 month budget at the shortfall, and overlook the fact that we are merely maintaining the status quo. He hopes that they will come to our assistance but I can't see that we can assume that that will occur. We should be taking some action ourselves. Not to go over the issues that Mrs Ward has raised again but I'll just make some general comments about a couple of areas. Capital expenditure was increased by some \$383,000 for the full year, with 34% of that to be incurred in the first 6 months. Clearly any increase is a good thing when it comes to maintaining the capital base. It will be good to see the RESA finally completed. I think the rebates are an interesting idea which as the Minister said he has attempted to bring forward several times and I'll be interested to see

what the outcome of those are and their success. I note with interest a matter which I have already raised with the Minister and the Acting CEO that the revenue from Norfolk Telecom GSM Mobile System is projected to increase some 3 and a half times over that for the previous 12 months which according to the papers is through the sale of SIM cards, expenditure is apparently unchanged. The papers do not explain this variation which is significant other than to say to refer to the Telecom Manager, it's something that I assume will be resolved in due course. I look always with interest at the School, education expenditure has increased by about \$185,000 over that which it was in the previous 12 months which appears principally as increases in the salary vote for the full time Teachers. The compliment of the School is probably in excess of what mainland schools work with so we have to ask can we afford it rather than hiding behind the view that it is necessary for the students. Everyone contributes to the cost of the school, whether they have children there or not so the cost must be reviewed and controlled. The proposed deficit that we have heard is just over some \$2m for the first six months of the next financial year. This is to be funded by available cash but this will deplete what little reserves there are leaving us exposed to the need for more Commonwealth funding, more begging as it has been referred to to get us through the financial year. So have we really achieved anything in the last 12 months other than maintaining the status quo, certainly there is a lot of things been going on but have we actually achieved anything? We are merely surviving continuing the essential services which appears to me to be every service provided by the Government, and this in turn ensures the maintenance of the Public Service. The private sector has no such support. I would like to have seen more positive progress in addressing the problems, I would like to have seen more plans being made rather than merely holding the line then we might have a real budget based on real plans showing us where we are going and how we are going to get there on our own. I think, I always come up with quotes at the last minute and one just occurred to me. If you fail to plan you plan to fail and I think we're planning to maintain the status quo but we're not planning for the future, we're no planning for to take under our own control what we need to be doing now to survive by reducing what we spend. I can't see merely taking the last 12 months budgets and effectively moving it into this 12 months as any progress. Thank you Madam Speaker.

CHIEF MINISTER Thank you Madam Speaker. Thank you for all of the contributions that have been made. They obviously can be taken into account before we come forward in a couple of weeks time to give further consideration to the budgetary process. I do just want to make these final comments. The budget that is in front of us at this moment is endeavouring to hold the line to provide essential services in the community. That must be clearly said and I repeat it. We are obviously seeking the Commonwealth's assistance to do so. A number of suggestions have been made that we might need to reduce essential services in the community and indeed that may well be where we need to go. However this needs to be clearly identified with the Commonwealth and if the Commonwealth are not prepared to provide some funding that might assist us to maintain comparable services here for Australian citizens then they need to say that, and then obviously the we can only cut what we have in terms of our own funds. The Commonwealth have not responded to that at this minute. When we have that response then we know where we stand there. So I just need to make that clear, need to make that clear. There is not a lack of preparedness but we also need to ask the Commonwealth whether they are willing to allow lesser services for Australian citizens to be offered in Norfolk Island. Madam Speaker on that closing note I move that this debate be adjourned and resumption of debate made an Order of the Day for a subsequent day of sitting which we project to be in 2 weeks time.

SPEAKER Thank you Chief Minister and in putting that question I just make the comment that I will speak to the budget at the next sitting, when the House comes together again.

DEPUTY SPEAKER Thank you Honourable Members.

TOURIST ACCOMMODATION (AMENDMENT) BILL 2012

MR NOBBS Thank you Deputy Speaker. I present the Tourist Accommodation (Amendment) Bill 2012 and move that the Bill be agreed to in principle and I table the Explanatory Memorandum to the Bill. Thank you Mr Deputy Speaker I might commence by reading through the Explanatory Memorandum and then provide further detail in an outline straight after that. My intention Mr Deputy Speaker is to table this documentation and seek to adjourn it at the end of the debate and presentation and that's to enable further thought and input and all those sorts of things. So the Explanatory Memorandum reads Tourist Accommodation (Amendment) Bill 2012. The purpose of this Bill is to deregulate and decontrol the provision of tourist accommodation on Norfolk Island. The immediate effect of the Bill will be to remove the restriction on non resident ownership which is to be affected by the repeal of the Tourist Accommodation Ownership Act 1989. The next step is to amend the Tourist Accommodation Act 1984 in order to remove the requirement for Managers to be registered, and to remove the quota system and mandatory grading. These later changes will simplify the legislation and reduce it to a system of basic registration of details of each accommodation property. In order to provide for a smooth change of process the changes to the quota and unit licencing is to take place 3 months after the Bill becomes law or such date as may be notified in the Gazette. The final step in the process is to amend the Planning Act 2002 in order to remove the requirement to hold a unit licence before a development application is lodged and processed. The 3 month delay will provide a transition period to allow Commonwealth approval of changes to the Planning Act 2002 to be obtained. It is hoped that these changes to the law will open the market for tourist accommodation to greater competition and benefit to the community of Norfolk Island and its tourist visitors. The Bill is divided into 5 parts as follows: Part 1 – preliminary - provides for the short title and for the commencement of the legislation in stages. Clause 2 (1) provides that parts 1,2,3 and 4 commence upon notification of assent while Clause 2 (2) provides that part 4 is not effective until 3 months thereafter or such time as the Administrator notifies in the Gazette. Clause 2 (3) is an amendment repealing relevant parts of the Planning Act 2002 as it is a matter referable to the Governor General for assent and will not commence until that assent is given and Gazetted. Part 2 Repeal – Clause 3 repeals the Tourist Accommodation (Ownership) Act 1989. Part 3 – Schedule of immediate amendments of the Tourist Accommodation Act 1984. Clause 4 – repeals in a Schedule provision for the concern with the registration of Managers and amends provision dealing with registration of accommodation houses in order to simplify the system and make it a system of record rather than one of control. Item 1 of the Schedule removes a definition that is no longer required. Item 2 removes from Section 5 the provisions concerned with the registration of Managers and while still requiring accommodation houses to be registered removes some restrictive provisions. Item 3 repeals the provision for registration of Managers in Section 6. Item 4 and then Section 7 to remove the requirement that an application registration of an accommodation house must be considered with reference to restricted provisions of the Act and retains the requirement to notify change of ownership. Item 5 repeals Section 7A providing for the registration of homestays. Part 4 – Schedule of delayed amendments of the Tourist Accommodation Act 1984. Clause 5 deals with various provisions of the Act that will in time be removed or amended as set out in a Schedule. Item 1 repeals 10 sections of the Act dealing with and I'll deal with them by the Section. Section 8 – Fixing of the quota 8A no compensation payable by Crown 8B – Quota Administration, 13 particulars in instruments of registration, 14 obligation of Managers, 15A transfer of registration, 16 temporary conduct of tourist accommodation houses, 17 cancellation or suspension of registration, 29 information may be required, 31 application of revenue. Item 2 removes repealed cross references in Section 15. Items 3 and 4 repeal cross references in Sections 26 and 27 that are redundant. Item 5 removes various references to the compulsory

grading system in Section 31A but retains the power to appoint a person who may grade accommodation houses without that being compulsory but continues to provide that it is an offence if graded to misrepresent the grading and also retains provision against misrepresenting an unregistered accommodation house as registered. Item 6 repeals the wide ranging regulation making power for a general power to make regulations for the purpose of the Act. Part 5 – Amendment to the Planning Act 2002, Clause 6, repeals provisions of Section 34 of the ??? 2002 that prevent the Chief Executive Officer or approving an application for a development approval unless the applicant has obtained a place in the tourist accommodation quota. Mr Deputy Speaker since commencing this path some time ago to evaluate the Government involvement and restriction in the private sector much work has been carried out to proposed changes to Government policy to encourage the competitive environment and enable where possible business diversification and remove unnecessary red tape and Government involvement. This intent was carried through within the discussion paper prepared and published by the Norfolk Island Government in February 2012 that covered competition, promotion, removing barriers to competition and investment. Public comment and stakeholder comment was sought and from the 30 plus submissions that were received and considered the Government published its policy regarding the tourist accommodation industry and the lighterage seafreight operations on the 17th April this year. The published policy dealt with 5 areas. Enabling non resident owners to purchase and operate tourist accommodation on the island, widening the potential buyer options for those Norfolk Island owners who would like to move or sell their businesses. Removing the compulsory requirements for AAA grading. This grading system will still be supported by the Norfolk Island Government however operators who would like to alter their business model and grading scheme may do so. Removing the requirement for Managers to be registered will remove a further administrative process and enable flexibility within the industry as to how management is engaged. The more contentious remaining to policy changes involve the removal of the quota and unit licences, enabling performing accommodation businesses to expand their operations and enable new accommodation initiatives to be assessed in line with the planning and health regulations. Mr Deputy Speaker I'm well aware of concerns of some industry stakeholders who perceive these proposed changes will impact negatively on their tourism accommodation operations. At the recent well attended ATA meeting, also attended by some of the Members around this table a range of views and concerns were expressed as to the pros and cons of quota and unit licence arrangements and the outcomes for the competitive environment on Norfolk Island. Some viewed that removing the quota and unit licences would devalue their property. Another accommodation owner stated that operators should welcome the proposed changes that enable the competitive environment and business performance to establish the value of accommodation properties without unnecessary Government intervention. Concerns were raised as to the future property and health and safety standards without a compulsory grading system. As I explained during the ATA meeting the planning and health legislation will provide the framework for health, safety and building standards and ultimately the engagement and retention of customers, wholesalers and travel agencies will be the determining factor as to whether the accommodation operation is of an acceptable standard to satisfy the Norfolk Island visitor. As stated earlier the Norfolk Island Government will continue to facilitate support and endorse the triple A grading system, even though it will no longer be compulsory. Consumer protection legislation has the capacity to prevent false or misleading ratings being used. As I stated at the ATA meeting I intend to delay the removal of quota and unit licences to ensure planning and health legislation is appropriate to handle this area of industry. Within my media release of 17th April that detailed the release of the competition policies I highlighted the existing Development Control Plan 3 which deals with multi units and already encompasses many of the structural, health and safety elements and standards. However directly after the ATA meeting concluded and I had discussion with the ATA Executive I invited the ATA to provide me feedback to ensure planning and health legislation is best suited to supporting the tourist

accommodation industry. ATA executive have already provided me some documentation in this regard and I have asked that this matter be on the Agenda for the next ATA meeting which I'm asked to attend. Change is a difficult process Mr Deputy Speaker. We've spoken already around this table about some of the difficult decisions that need to be made, some of the unpopular things that need to be considered, some of the areas that need to be revised, reviewed and enhanced. I appreciate that and take on board the concerns displayed by some at the ATA meeting. The Chief Minister acknowledged the Motion that was passed during the meeting regarding the progression of this change. Mr Deputy Speaker I spoke from the heart at that meeting whereby I informed attendees of the approaches made to me by community members suffering business or day to day living financial hardship and how these policies are aimed at making the changes that this Government has confidence will enhance and improve the competitive and economic environment. Thank you Mr Deputy Speaker

MS ADAMS

Mr Deputy Speaker Section 4(d) of the Legislative Assembly (Register of Members' Interests) Act 2004 requires that a member shall make full disclosure to the Assembly of an interest, pecuniary or otherwise, that they may have in or in relation to any matter upon which they speak in the Assembly. I was the owner of Lavendula Garden Cottage until 24 February this year when it was sold. I am a paid employee of the new owners. I so declare my interests? Mr Deputy Speaker Standing Order 20A provides for the appointment of an Impact of Bills and Subordinate Legislation Committee. The permanent members of the Committee from this Assembly are Minister Sheridan, Mr King and Mrs Ward, and you yourself Mr Deputy Speaker are the alternate member in the event that one of the permanent members is unable to serve on the Committee. It is practice in a number of Parliaments that when a Bill is introduced and the Minister has made his introductory speech the Bill by Motion is automatically referred to a Select Committee to consider the Bill. The New Zealand Parliament is a leader in this practice. Mr Deputy Speaker deregulation and decontrol of tourist accommodation on Norfolk Island is clearly controversial. The Accommodation and Tourism Association at the public meeting last Thursday clearly are asking the Norfolk Island Government to pause in progressing the legislative change that's being proposed without there being further discussion in the accommodation industry and the community at large. There fore Mr Deputy Speaker I move that the Tourist Accommodation (Amendment) Bill 2012 be referred to the Impact of Bills and Subordinate Legislation Committee for it to consider the concerns and issues raised in the communication to the Chief Minister and Members of the Assembly dated 24 May 2012 from the ATA and report back to the House on its deliberations and considerations and the conclusions drawn from those deliberations and considerations at its sitting on 11 July 2012. The Committee to also consider and report on the following in its deliberations and considerations. 1. Whether the range of amendments proposed in the Bill are in the short and long term the best interests of Norfolk Island and 2. Whether the principal aim of the Norfolk Island Plan at Clause 2.1 will continue to be met if the amendments and the Bill are passed by the House. The Committee is further empowered to consider any other matter relevant to this enquiry shall have the power to send persons, papers and records, include expert witnesses and legal advisors as may be needed to ensure that the Committee is adequately equipped in its deliberations in the preparation of its report. I've circulated to members just now the text of what I have just spoke and so moved and attached to your paper I have included just for your interest 2 principal

MR KING

Point of Order Mr Deputy Speaker. Do we not have a question before the House at the moment that the Bill be agreed to in principle

DEPUTY SPEAKER

Yes we do

MR KING How is it we are all of a sudden debating another Motion

DEPUTY SPEAKER This Mr King will be an Amendment to the original Motion that the Bill be agreed to in principle. This Motion will move first...

MR KING Well its not been put in that fashion Mr Deputy Speaker. I don't appear to be trying to annoy people or anything but the process often catches me unawares Mr Deputy Speaker.

DEPUTY SPEAKER The process is correct

MR KING What happened to Mr Nobbs' question before the House, it's gone.

MR NOBBS Thank you Mr Deputy Speaker. It does leave me in an interesting position however I will say this on this document that's been circulated to us and the Motion that has an amendment that is proposed here

MR BUFFETT Can we just settle this particular Motion. I'm not trying say yay or nay but lets just settle where we are so we can know what we are talking about.

DEPUTY SPEAKER With respect Chief Minister it's not an amendment, it is a Motion that the Bill go to the Impact of Bills Committee.

MR KING But we had a Motion

DEPUTY SPEAKER The original Motion will sit.

MR KING Sit where

DEPUTY SPEAKER It will sit on the table of the House

MR KING Perhaps it's a matter for which leave is required Mr Deputy Speaker.

MR NOBBS Mr Deputy Speaker perhaps if we can just cut to the chase on this. There has, I'm well aware of the discussion that has been at the Members meetings, particularly following the ATAS meeting whereby there were some concerns and certainly some requests for the supporting information to engage with these amendments to the Tourist Accommodation Act. I'm certainly aware from the discussion we've had around the table at MLA's that there was a deal of support for this type of proposal for this to go via the Impact of Bills, so I'm aware that the numbers are fairly supportive of that. What I will say is that if we are to go down this path it needs to be in an extremely tight time frame. I appreciate the 11th July as its put on here as a proposal and I can live with that because that will get me to the July sitting, so really a mere change of a couple of weeks in terms of what is proposed here, and I get the feedback from the members around the table that they would appreciate that additional data and I support that. I mean we want to make decisions on good data as we've said from the outset in the Government moves through such things as the Economic Development Report and the like. We want to work on good data. So the key point is for me that this is completed by that June 11th date (think he meant 11th July) if we are to go down this path. The other thing is that, and I know the members of the Impact of Bills Committee were named as it was going along. We probably need to decide whether we are going to go down

this path before we take on any further debate. So I would move that the question for this referral to the Impact of Bills Committee that the question be put.

DEPUTY SPEAKER Thank you Minister. The question is that the question be put

MR KING I call a point of order. I think like the Chief Minister has said. I think we need to settle what it is fact before the House and opportunities to participate in debates on various Motions. I quite frankly don't know where I am. I have some prepared words here for one Motion, a few things up in my head I'd like to say about another Motion. Let's have a little bit of order Mr Deputy Speaker.

DEPUTY SPEAKER Mr King the process of this is correct. It's similar to the Supply Bill. We won't have any further debate. The question is that the question be put. We're moving on the question that the question be put.

MR BUFFETT On which matter

DEPUTY SPEAKER On the basis that the Tourist Accommodation (Amendment) Bill be referred to the Impact of Bills Committee but firstly we are voting on that the question be put.

CHIEF MINISTER Now that it's clear that, well it's clear to me now, whether it's clear to everyone I'm not too sure but that is the Motion that we are asked to address at this time. That has not been made clear before Mr Nobbs moved his Motion of that it be put. I'd like him to just pause on that for a minute so that there might be an opportunity for, certainly I want to say something and maybe others. But more particularly I want to draw attention to something and move not a huge, but an important Amendment to that.

DEPUTY SPEAKER I'm sorry Chief Minister. There is the question that the question be put

MR BUFFETT That's if Mr Nobbs wants to pursue that

DEPUTY SPEAKER Are you withdrawing the Motion Mr Nobbs

MR BUFFETT May I seek the call Mr Deputy Speaker. This Bill which this particular Motion refers to from the Governments perspective is important because it demonstrates that its prepared to take difficult decisions and I think we all understand that but I just need to give it emphasis. Mr Nobbs is working with the detail I'm just talking about a broad picture in terms of the piece of legislation, and it does mean that the Government recognise that this Bill will move to implement the Economic Development Report in terms of some of its provisions and that is important to say also. I also want to just now address the detail of this Motion that is in front of us which asks that the Impact of Bills and Subordinate Legislation Committee examine it. I'm happy that that happens but in the Motion it just refers to the ATA submission and we all know that there are a number of other submissions. In fact there are some 30 odd other submissions. So if this is going to go to the Impact of Bills Committee, that's fine but I do, I do make a request that it be handled as expeditiously as we are able so that we give the matter proper consideration but then are able to make a decision about progress. And so therefore in that context I am going to move an Amendment on the 5th line of this that has been circulated by Mrs Adams you will see it says in brackets the ATA and that's referring to the ATA submission to the Chief Minister. But I know want to say may we add these words. Along

with other submissions on this proposed legislative measure and then it continues, and report back. And again may I say in terms of making that proposal that there are some 30 odd others that I consider if you are to examine this, should be examined equally with the ATA. The ATA is responding to a request from me for comment and all of the others were responses to me with comment. And I'm asking that it all be examined when you ask the Committee to examine the accommodation industry and the community at large.

DEPUTY SPEAKER Thank you Chief Minister.

MS ADAMS I've got no problem with that at all. I think that's more than equitable. Sorry it just didn't cross my mind. More than happy.

DEPUTY SPEAKER So Chief Minister have you moved that

CHIEF MINISTER Yes. I'm happy to repeat the words if you'd like me to. The additional words which will arise after the brackets the ATA, these are the words. "Along with other submissions on this proposed legislative measure," and then it pick up what's already there, and report back to the House.

MRS WARD Thank you Mr Deputy Speaker. If I can just clarify that we are debating at this moment that Amendment, or can I just say what I want to say and then you can break it into different questions. How would you like me to handle that Mr Deputy Speaker.

DEPUTY SPEAKER We are discussing the Amendment.

MRS WARD Ok then I'm going to, if we're just discussing the Amendment ok I'll support the Amendment. Thank you.

MS ADAMS Mr Deputy Speaker if it's any assistance to, so that there is no concern about from Members as to what stage we are at, if Members prefer at this point in time agreement in principal. That's entirely up to the membership if they want to go along in that direction. Discussion with Mr King when we did this last time with the Employment Amendment Bill, Mr King assures me that first of all the Bill is agreed to in principal and then it was referred. So it's up to the House.

MR BUFFETT Well what are we doing now?

DEPUTY SPEAKER Any further debate

MR KING On what

DEPUTY SPEAKER On the Motion to adjourn to the Impact of Bills

MR KING Well once again as I've just spoken to a couple of people on the quiet my understanding is Mr Deputy Speaker on a question of process is that a Bill is normally agreed to in principal before it is despatched to the Impact of Bills Committee, otherwise it needn't go, and that is my understanding of what happened on the last occasion that this House sent a Bill of to the Impact of Bills Committee. It was agreed in principal first, that's it's natural process I would imagine.

DEPUTY SPEAKER I therefore ask Members of the House is there an agreement that this Bill be agreed to in principle. Yes. Then I will put the question

QUESTION PUT
AGREED

MR KING We haven't had opportunity to debate Mr Deputy Speaker. We don't know what question we're addressing here. This is dropping into the realms of dysfunctional. We're addressing one question one minute and all of a sudden out of the blue we're addressing another question.

DEPUTY SPEAKER Mr King you made a request that the Amendment or the proposed Motion be agreed in principle. That was submitted to the floor.

MR KING I didn't move anything.

MR SHERIDAN Mr Deputy Speaker Mr King didn't move any such Motion. He is making a point that he believed that the Motion must be agreed to in principle prior to a Motion referring it to a Committee. That's what Mr King was

DEPUTY SPEAKER I asked for approval in principle. Indication of approval in principle which I obtained and now I put the question and the question was the Ayes have it and the indications were that they did.

MR KING Well normally the Speaker would ask if there is any further debate.

MR SHERIDAN Mr Deputy Speaker where do we stand.

DEPUTY SPEAKER The Bill has been agreed to in principal. According to the Clerk it has.

MR SHERIDAN So there is no further debate on it?

MR KING What was the vote.

DEPUTY SPEAKER We are going to debate whether the Bill is then referred to the Impact of Bills Committee.

MR KING Mr Deputy Speaker was it your observation that I fell asleep for a short moment and missed the opportunity to offer some contribution in debate to that question. Did I snore.

MR SHERIDAN Must be

MRS GRIFFITHS Did you call the House on the principal because I didn't get an opportunity to debate because 1. I do not support the Bill but I do support it being sent to the Impact of Bills Committee but I didn't have the opportunity to debate it. I'm anticipating my support on principal will be overturned, I'm not expecting the numbers to be there but I would like my registration of not supporting the Bill in principal to be registered, it hasn't been so yet.

MR BUFFET Yes yes and if that's how I read where we are from you explaining that Mr Deputy Speaker, then before the Bill becomes an Act or completes the process Members have a final say, it's not done and dusted. We're agreeing in principal so that the wide spectrum of the Bill might be further examined and so that wider spectrum of being examined is we're projecting that it will go off to an Impact of Bills Committee. It comes back to the House then, Members examine that report and it still has to vote on the finalisation of whatever that happens to be and that is the final decision in terms of the Bill. We're a long way in a sense from it's finality.

MR SHERIDAN Thank you Mr Deputy Speaker. Can I make a comment on the Motion to refer it to the Impact of Bills Committee and also to the Amendment. Just to throw a further spanner in the work there Mr Deputy Speaker. I couldn't agree with the Motion as it stands now or the Amended Motion as it's referred to because I believe that the instructions under 20A are quite clear that you know that the Impact of Bills and Subordinate Legislative Committee to consider the Bills and subordinate legislation refers to it by the House, it doesn't say anything about setting of criteria, and 187 says Mr Deputy Speaker that – no instructions can be given to a Committee to do that which it is already empowered to do, that's what we're saying. The Impact of Bills Committee has been empowered to consider Bills and subordinate legislation. So I can't see how then in a Motion we can set out the criteria that we want it to consider or to deal with a question beyond the scope of the Bill as agreed to in principal. Now the principal indications of the Bill is to consider the removal of some accommodation regulatory demands. So therefore that Motion there to refer it to the Impact of Bills to consider the ATA letter etc that may have come up as evidence when the Committee investigates the Bill and the intent of the Government in what the Bill wants to achieve. So I wouldn't support the Motion or the Amendment because they don't conform with our Standing Orders Mr Deputy Speaker.

DEPUTY SPEAKER Any further debate Honourable Members.

MR KING Thank you Mr Deputy Speaker. I don't know what I'm about to say. I'm disturbed at the state of things of what has occurred in the last I think 20 minutes. Quite frankly I don't know quite where I am. We're addressing this Motion from wherever it emerged with whatever leave it emerged, however it got on the table we are addressing this Motion to refer Mr Nobbs' Bill to the Impact of Bills Committee. Got that in my head. The Committee is under resourced, ill equipped and incapable of meeting the deadline of the 11th July. In addition I support the comments of Mr Sheridan that the nature of the Motion contravenes Standing Orders and that it seeks to take away or add to the powers of the Committee that are already set down quite clearly. In addition to that to send this off to an Impact of Bills Committee is double handling, embarking on a process which has been undertaken. I'm not saying that it was undertaken to everyone's satisfaction, certainly not to my satisfaction but there is adequate time to remedy any deficiencies in the process of consideration of this Bill in the time that it sits on the table in the normal course. I'm assuming that it's no intention to move it forward in 2 weeks time, that it will come back again in 1 months time in July. I am assuming a nod of agreement in that respect. I consider that will be adequate time. I had some words to say about the actual Bill itself. I wouldn't support it in its current form. So I don't know what vote you recorded Madam Clerk or Mr Deputy Speaker in respect of the Bill itself from me because I never had the opportunity to put that down anywhere but had I had the opportunity I would have said no. Further if I had had the opportunity to give some reasons maybe even solid, maybe even intelligent reasons I might have taken that opportunity but it seems I've lost that opportunity for today Mr Deputy Speaker although I might burst forth in the adjournment debate along with a few other things. If we're going to vote on this Motion to

put it to the Impact of Bills Committee I do not see it as being necessary. I will not support it. Thank you.

MRS WARD

Thank you Mr Deputy Speaker. I'll start off with the Motion but then I will take this opportunity to say a few words where I missed out before. I know I can't but I'll try and tidy Mr Sheridan, very briefly to give an indication that I would have supported the Bill in principal if I'd been given a chance. Thank you Mr Sheridan. I am not going to support this Motion because I think that with the Bill having just been introduced today there is adequate time to address the part 1 and 2 and hopefully there is a 3 here, yes there is a 3 which is all the Minister is seeking to carry through processes of the House by July. What I'm picking up from stakeholders in the industry and I have been meeting with them prior to the ATA receiving submission, prior to the ATA public meeting to which we were invited, so I attended that and I have been meeting with stakeholders since then and I have more meetings tomorrow and through to the end of the week. I think those people who meet with me know that as a representative I will take their concerns very seriously and I've already brought some of those to MLA's. This Motion, I think it would be a double up as well. It's not going to do anything that we as Members aren't already actively doing through the community. That is my honest belief but the House will dictate that. In part 4 what appearing to be the highly controversial item, the Minister is actually seeking to delay those and then, so in a way going to have another 3 month period if that's what the Minister has suggested while, you know ok it's not a formal Impact of Bills Committee but like Mr King I remember the resource issues we had and the time issues, I think the employment report we did enquiring into that took 4 months at least. Anyway that's no reason not to do it. I just think that what's going on in the community is equal to as good as what a formal inquiry Impact of Bills assessment would take up. One of the points that also and Mr Sheridan may be right with the Standing Orders I'm not sure but I would need clarification on that but it's whether the principal aim of the Norfolk Island Plan at Clause 2 Point 1 will continue to be met if the Amendments in the Bill are passed by the House, and Ms Adams has provided us a copy with what the principal aim of the Plan is. I've raised this when I first came into this forum and that is what I see as a fundamental issue and that is the principal aim says and I'll quote "whilst recognising that Norfolk Island is first and foremost home of its residents to provide for development which is consistent with the protection of Norfolk Island's natural environment the preservation of unique cultural and built heritage, the preservation of character and quality of landscape experience etc. Having sat on the Board for 6 years what I have seen and I have been very guilty of is a very pro conservation protectionist attitude. What I am having to recognise and I think everybody in Government, it happens everywhere has t recognise is there has to be greater opportunity for investment, development opportunity and that is very much a path that the Government is on today, rightly or wrongly whether it likes it or not for the future, that's the way it is. So I think that in time this principal aim is actually what needs to be relooked at and perhaps amended. That's probably the other reason I see it as a slowing down and a blocking even though and restricting progress which is all under the Roadmap. So for that reason I couldn't support it. Having said that the stakeholders have raised their concerns with me in terms of transitioning from somewhere where an industry has been very much protected and there has been Government control. Everybody knows I am in support of competition and, before I get called on a Point of Relevance, I'll finish, Thank you.

MR ANDERSON

Thank you. In respect of the Amendment I have no problem just to make clear which one I'm talking about. In respect of the substantive Motion I agree, it's duplication. I think we have already had a paper, we've already have a period of consultation, we've had 33 submissions, we've had papers presented to the MLA's summarising those submissions, we've spoken with individuals, we've had a public meeting, I think its unnecessary for us to duplicate all that effort by referring it to the Impact of Bills Committee. Thank you Mr Deputy Speaker.

MRS GRIFFITHS I support the Motion.. I would support that this Bill goes to the Impact of Bills Committee because I do have serious concerns about this particular Bill, particularly about the impact and yes we have had people address us, we have spoken to members of the ATA and all the other people, we have a lot of information but not about the impact of this particular Bill. I appreciate that Mr Nobbs has attempted to slow things down and that's good and I would like to see that, but we do have to look at how this is going to affect people. You know this Bill has been referred to in the debate as change may be an unpopular decision. I would say that it's a bit more than that, that it could be as far as unsympathetic, that it's an indication that Norfolk Island Government is prepared to deal with difficult decisions, yes that's true but it also shows a lack of concern about wiping people out. I think there are concerns that taking away some of the equity that's in these businesses I do have serious concerns about that. So I support the Motion, duplication or not I want to know the impact.

DEPUTY SPEAKER Any further debate. No further debate.

CHIEF MINISTER We have been moving in a funny direction for the past hour probably but I just want to make this clear. We have got an Amendment, that's the Amendment that I proposed. I will still pursue that Amendment and I will vote for it obviously, because that's almost a safeguard that if in fact this gets up, but the reality is that I consider that between now and when this would normally come forward is sufficient for processes to be examined. If there was a majority that would want to pursue it to the Impact of Bills well so be it and I would work with that if that's how it came but it's not necessarily my preference. But if it is to go to an Impact of Bills it would need to consider the wide range of submissions and that's what my Amendment is about. And therefore it's a funny thing I'm going to vote for the Amendment, but when it comes to the substantive Motion I may well have to decline that. That's where I am at this moment with all that's been said around the table and we've oscillated from one to the other I've got to say over a period of time but there we are.

DEPUTY SPEAKER Honourable Members you are currently debating the Motion to refer the Bill to the Impact of Bills Committee and you are also debating Mr Buffett's Amendment to that Motion. Is there any further debate? Then I will put the question that the Motion be amended.

QUESTION PUT
AGREED

DEPUTY SPEAKER I now put the question that the Bill...

MR SHERIDAN Mr Deputy Speaker could you read out the Amended Motion first please.

DEPUTY SPEAKER The Amendment Motion – that the Tourist Accommodation (Amendment) Bill 2012 be referred to the Impact of Bills and Subordinate legislation Committee for it to consider the concerns and issues raised in the communication to the Chief Minister and Members of the Assembly dated 24th May 2012 on the Accommodation and Tourism Association Incorporated the ATA, and then along with other submissions of this proposed legislative measure and report back to the House on its deliberations and considerations and the conclusions drawn from those deliberations and considerations at its sitting on 11th July 2012. The Committee to also consider and report on the following in its deliberations and considerations 1) Whether the range of Amendments proposed in the Bill are in the short and long term best interest of Norfolk Island and 2) Whether the principal aim of the Norfolk Island

Plan at Clause 2.1 will continue to be met if the Amendments in the Bill are passed by the House. The Committee is further empowered to consider any other matter relevant to this inquiry, shall have the power to send forth persons, papers and records including expert witnesses and legal advices as may be needed to ensure that the Committee is adequately equipped in its deliberations and the preparations of its report. Any further debate.

MR BUFFETT Just one minor adjustment. It says, along with other submissions Mr Deputy Speaker.

DEPUTY SPEAKER I now put the question that the Bill be referred to the Impact of Bills Committee.

QUESTION PUT

DEPUTY SPEAKER Members do you wish the House to be called. Then I shall do so. Madam Clerk would you please call the House

MS ADAMS	AYE
MR SNELL	AYE
MR SHERIDAN	NO
MRS GRIFFITHS	AYE
MR BUFFETT	NO
MR NOBBS	AYE
MRS WARD	NO
MR KING	NO
MR ANDERSON	NO

DEPUTY SPEAKER Thank you the No's 5 the Aye's 4. Now Honourable Members we go back to the question that the Bill be agreed to in principal. No we've already done that. That's correct. Mr Nobbs you move a Motion to adjourn.

MR NOBBS Thank you Mr Deputy Speaker. I move that this...

MR BUFFETT No it's not done. The Detail stage. Mr Deputy Speaker I suggest that we are at the detail stage and that we have a Motion of adjournment to the detail stage.

DEPUTY SPEAKER The Motion is that this Bill be adjourned to subsequent day of sitting.

QUESTION PUT AGREED

LIGHTERAGE (AMENDMENT) BILL 2012

MR NOBBS Madam Speaker I present the Lighterage Amendment Bill 2012 and move that the Bill be agreed to in principal and I table the Explanatory Memorandum to the Bill.

CHIEF MINISTER I just want to make it clear Madam Speaker that I perfectly understand that we are debating the Motion that the Bill be agreed to in principal.

SPEAKER The question before the House is that the Bill be agreed in principal. Debate Honourable Members.

MR NOBBS Thank you Madam Speaker and I'll point out again that in this instance I seek to introduce this and then to adjourn it for a subsequent day of sitting. The Lighterage (Amendment) Bill and I'll deal with the Explanatory Memorandum initially. The Explanatory Memorandum reads as such. This Bill is intended to remove statutory restrictions that prevent persons other than the Lighterage Service from carrying cargo and passengers to and from ships calling at Norfolk Island. Presently only the Lighterage Service or other persons who have the specific written permission of the responsible Norfolk Island Minister may lawfully perform such services. The Bill is divided into 4 clauses. Clause 1 provides the short title of the Act, Clause 2 provides for commencement upon gazettal of assent by the Administrator. Clause 3 defines the principal Act being amended. Clause 4 sets out a Schedule of Amendments to the principal Act. Item 1 amends the existing section 3 to insert a new subsection that expressly states that the Lighterage Service does not have exclusive right to provide lighterage services. Item 2 amends the existing Section 7 to insert a new subsection that expressly states that a refusal by the Administration to lighter cargo does not affect a decision by another person to lighter. Item 3 amends the existing subsection 9 (2) to make it clear that the section only applies where the Lighterage Service has been requested to undertake lighterage services. Item 4 repeals the existing Section 11 to remove the prohibition on unauthorised persons providing lighterage services. Madam Speaker the proposal here and the Bill that is before us deals with a minor amendment to the Lighterage Act that enables non government employees to operate a service to carry sea freight from ship to shore. In the discussions I've had both with the Acting CEO and that we've had with various members of the current Lighterage team there was some concern that they had certainly when I spoke to some of their membership that they were under the impression that this meant that Government employees could no longer be engaged with the Lighterage unloading on Norfolk Island, that's not the case. In real terms there will be no significant change that is brought about by this change in legislation but it does enable future evaluation by private operators to provide for unloading of sea cargo on the island. So with that clarification Madam Speaker I invite discussion.

MR KING I move that it be sent to the Impact of Bills Committee.

SPEAKER Are you quite serious in what your saying?

MR KING Well you can do it. So can I.

SPEAKER I don't see this as being an amusing thing Mr King.

MR KING I withdraw the Motion Madam Speaker.

MRS WARD Thank you Madam Speaker. Just very briefly. This is an Amendment Bill, again will sit on the table and we'll make ourselves available as Members to listen to concerns if any are raised but it is a preparation for privatisation, that's absolutely what its about, it's about a move for Government getting out of business and that is what the community will start to see more of, Government moving toward that direction as we move along. In time if the Bill is passed that remains the removal of the iron clad grip over Administration on the Lighterage aspect of unloading the ship. The Stevedores of course are already privately employed by a shipping agent. It's as Minister Nobbs had said it's not going to change the way things work in the short term but when somebody or a company is brave enough to do their homework and take it on that may well be what happens. It has the potential

to earn but there are also some massive unknowns particularly as move towards changes with infrastructure at the piers and the unloading of cargo for Norfolk Islands future in general, but that will be a private investors job to do their homework and I wish anyone well in the future but the first step is being taken now by this Government to step out. So I'll leave it at that thank you.

MR SNELL Thank you Madam Speaker. As mentioned at the Members meeting on Tuesday I'm very concerned about the implications and seriousness of this Lighterage Amendment. Whilst being assured by the Minister that nothing will really change it has the basis of a lot of change. Whilst I agree that some aspects within the Service needs to be looked at this is one that I consider is fraught with a lot of problems and it needs some discussion with the members concerned within the Lighterage operation. The new principals has serious legal issues OH&S issues and Customs and the lifestyle of the island and so on and at the present time I don't support the Motion and I will make further comment in due course. Thank you.

SPEAKER Further debate. No further debate.

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

QUESTION PUT
AGREED

STRATA TITLE ON NORFOLK ISLAND

MR SHERIDAN Thank you Madam Speaker. As foreshadowed at the last sitting there I foreshadowed that I intended to move an Amendment to the Motion and if it's the right time now Madam Speaker I'll move that now.

SPEAKER When you move an Amendment the Amendment and the Motion as itself is being collectively debated.

MR SHERIDAN I move then that the following Amendment be agreed to. That all words after "that first occurring" be deleted and the following words substituted. " This House and then Para 1 – supports the concept of a Strata Title on Norfolk Island contained in the white paper dated 26th March 2012 entitled Strata Title on Norfolk Island prepared by Miss Cathy Sherry Prof. Peter Butt" and 2) Resolve that the responsible Minister prepare or (a) amendments to the planning package of legislation to accommodate Strata Title in Norfolk Island and (b) a draft Bill to enable Strata Title on Norfolk Island. Madam Speaker I table those Amendments.

SPEAKER Thank you Mr Sheridan. The question before the House is that the Amendment be agreed to at this time. Debate.

MR SHERIDAN Thank you Madam Speaker. I won't go into too depth into the concept of Strata Title. I believe that's been covered quite aptly in the last 2 Sittings. The reason why I did amend this Motion as to how it read was because the previous one suggested that the House agree to the recommendations prepared in this Report. Of course it's been changed to allow the Members here to actually just support the concept of Strata Title into Norfolk Island's legislation and that it resolves that the responsible Minister being myself

commence for preparation of drafting to allow that new type of tenure arrangement to occur. Madam Speaker I believe that this has great benefit for Norfolk Island. I believe it has a great opportunity for investment into Norfolk Island and divestment of some people of larger properties who may not wish to want to manage a larger property in their later life you might say. So as I said I'm not going to say too much. I'll leave it up to the floor, but I just look for the support of the other Members so that I can move forward on this idea. Thank you.

MR SNELL Thank you Madam Speaker. I'm not going to support the concept. I had thought previously that the word "supports" had been changed to "acknowledges" in the Members meeting, but nevertheless the concept of Strata Title is going to be difficult to implement into the island. It will be costly in a time when budget constraints are upon us, cost of implementation and how many in the community will benefit from Strata Title is a question that is going to be asked and what is the return to the island. How many people are going to benefit from this. We have already as Members are well aware spent significant funds on the report as it is today. In my view this matter is that it should lay on the table until such time as it can be proven that such a costly move to implement Strata Title can be fully justified. I will not support the Motion.

MRS GRIFFITHS Thank you Madam Speaker. I'm not going to oppose this Motion. I haven't heard any member of the community give me reason to do so. In supporting the Motion however I would just like to add some words of caution. Recommendation 1 of the Strata Title Report proposes that Norfolk Island should adopt Strata Title and that it should do so in a way that is sensitive to the island's unique environmental and cultural heritage. It goes on to state throughout the Report the legislation that relates to our environmental heritage but what do we have in place to reinforce our culture heritage. The short answer Madam Speaker is nothing. While I don't advocate looking back to look forward the most significant impact on our culture was the division of this island into 50 acre blocks just after the arrival of the Pitcairn Islanders. The destruction on our collective culture is never raised, its never recorded, it is never acknowledged, it's just not talked about, it's gone. I raise this issue Madam Speaker to emphasise my point that we must put some emphasis into the protection and promotion of our culture if we are survive this crisis. Madam Speaker not everything is about money, its often the intangible aspects of development that can have the most impact. Thank you,

MR SHERIDAN Thank you Madam Speaker. Just in response to Mr Snell's yes during one of the MLA's meetings we discussed the word of changing "supports" to "acknowledge" but then I emailed that around to the Members who weren't present and they weren't in agreeance and they suggested that I leave it as "supports" because it gives the Members the opportunity to actually put their hand up for the support of the concept or not. So it's a simple support yes or no. As to how many people will benefit on the island Madam Speaker it's got the potential to benefit a vast amount of people. I don't think there is going to be a select few that's going to benefit. The possibilities here are many people could benefit and it's up to those people who are willing to look at it and to see how they can and if they want to, it they want to go down that road that's the business decision that those people make. The cost of implementation, as Mr Snell referred to, of course we will have the drafting costs and then other than that the rest of that can be accommodated under our Planning and our Registry functions that they currently undertake. It may mean a little bit of training for some Registry staff to deal with the different concept of land title but that's a good thing Madam Speaker because they are getting educated, their getting learned, you know they are learning more and more about different concepts of how we could manage ownership of buildings etc on Norfolk Island. I see it as a great opportunity for the private sector to invest.

MRS WARD Thank you Madam Speaker. I would like to give the Minister my full support on point 1 and 2. I would like to say that point 2 certainly highlights the fact that the Minister has taken on board the enormity of this as a planning process. He understands the consequential Amendments that will come and it may be something that isn't completed in this term so hopefully that will give Minister Sheridan incentive to renominate so that he can finish the strata package, land, and future development going forward. Thank you.

MR ANDERSON Thank you Madam Speaker. To be very quick the Minister has addressed the reservations that I expressed on the last occasion. I congratulate him on bringing this forward in this form and I'm happy to support it. Thank you.

SPEAKER Further debate. I put the question that the Amendment be agreed to.

QUESTION PUT

Would the Clerk please call the House

MS ADAMS	NO
MR SNELL	NO
MR SHERIDAN	AYE
MRS GRIFFITHS	AYE
MR BUFFETT	AYE
MR NOBBS	AYE
MRS WARD	AYE
MR KING	AYE
MR ANDERSON	AYE

SPEAKER The results of the voting are Ayes 7, No's 2 the Amendment is so agreed. The question now before the House is that the Motion as Amended be agreed to. Any debate. Then I put that question

QUESTION PUT AGREED

MS ADAMS	NO
MR SNELL	NO

SPEAKER Would the House record the dissent of Mr Snell and myself. The Motion as amended is agreed.

OMBUDSMAN BILL 2011

SPEAKER We are resuming debate at the detail stage. Chief Minister it is my understanding that you wish to seek leave to withdraw the detail stage amendments dated 27th June 2011. I'm going to seek leave on that point first. Is leave granted. Withdrawal of the detail stage amendments dated 27 June 2011 currently before the House. Is leave granted Honourable Members. Thank you. Leave is so granted. And in so far as you need leave in respect of the Amendments dated 5 June 2012 Chief Minister you have my leave. That's leave of the Chair.

CHIEF MINISTER Thank you Madam Speaker. Before I actually move that may I just continue with these brief words of explanation. The Ombudsman legislation is part of the Territories Law Reform arrangements that has obviously has some time span attached to it. We in Norfolk Island gave impetus to acceptance of this arrangement. It was part of the transparency and accountability processes that we thought would be appropriate to have here in Norfolk Island. I might say that before the Territories Law Reform legislation Norfolk Island had already had discussions in the Commonwealth sphere about erecting this legislation here in Norfolk Island and we have done some homework, significant homework, drafted legislation. The impediment to its progress was that the Ombudsman authorities in the Federal sphere needed to have a change to their legislation so that they would have the capacity to be able to operate in the Norfolk Island jurisdiction. That didn't happen for years. However the Territories Law Reform arrangement covered that and so that is not a difficulty anymore. But since then there has been tooting and froing about the provisions of the particular piece of legislation and I earlier introduced an Ombudsman Bill, it is on the table and I made some Amendments, proposed some Amendments to it. But since then there have been further negotiations. Last night I received a series of Amendments which I'm going to propose to replace those earlier Amendments, and this morning I have received an Explanatory Memorandum to accompany that. In the normal course I would wait until that was a tidy package and give you notice of it and introduce it. However there has been considerable work to try and achieve presentation today and I don't want to waste that so I want to provide the documents to you but I'm not necessarily asking you for a further decision on it today. I will allow you to read those documents, give it some consideration, and at the next sitting I will bring it forward for some deliberation. So I wanted to provide that background to you. I'm not trying to drop something on you today but I do want to provide you with the documentation that I have so that you might share it. So therefore on that basis Madam Speaker I seek to withdraw the Detail Stage Amendments, they are dated some time ago now the 27th June 2011, they are the ones currently before the House and I would like to move that the new Amendments which have a date of 5th June 2012, replace them and therefore sit on the table at the Detail Stage of this particular piece of legislation and I so move.

SPEAKER Leave is granted.

CHIEF MINISTER Two things on the table now Madam Speaker, Detail Stage Amendments accompanied by an Explanatory Memorandum. In due course I will move that we adjourn on that. I just give anyone an opportunity who would like to say anything about it to do so.

SPEAKER Debate Honourable Members.

MR NOBBS Thank you Madam Speaker and thank you Chief Minister. I welcome these Amendments, I welcome the Explanatory Memorandum what I've been able to absorb of it so far and certainly its been something that successive Norfolk Island Governments have tried to put into place. In fact our Administrative Complaints handling system is testament to that which was established through co-ordination with the Commonwealth Ombudsman at the time. I'm certainly keen to see this Bill finalised into an Act for Norfolk Island. As I've said many times the access to these types of independent survey for Norfolk Island, something that had been in many ways long overdue and has actually led to some of the ability to slur characters and generally throw negativity without being accountable for it in the Norfolk Island community context. So I see this as an opportunity once installed for an issue if raised to be directed off to the appropriate area, decided on whether there is a genuine issue or not, if there is then address it, if there isn't then get on with your life. Thank you.

MRS WARD Thank you Madam Speaker. Since I'm one of those people who asked the Chief Minister at every other MLA's Meeting where's the Ombudsman Bill, then I'm certainly not going to not support the Chief Minister laying the Detail Stage Amendment on the table today. Thank you.

SPEAKER Further debate. Chief Minister I look to you.

CHIEF MINISTER Thank you Madam Speaker. I move that debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting.

QUESTION PUT
AGREED

SPEAKER We have adjourned on the Detail Stage with the new Detail Stage Amendments dated 5 June 2012. That's clear? Thank you.

FIXING OF THE NEXT SITTING DAY

MR KING I move that this House at its rising adjourn until Wednesday the 20th June 2012 at 10.00am

SPEAKER Thank you . Debate Honourable Members.

MR SNELL Thank you Madam Speaker. I'd just like to refer back to a statement I made this morning in respect to the Diamond Jubilee

SPEAKER Can I ask that we leave that perhaps until the adjournment debate.

MR SNELL I beg your pardon.

SPEAKER The question before the House at the moment is that we adjourn until Wednesday the 20th June 2012 at 10.00am. Any debate. I put the Motion.

QUESTION PUT
AGREED

ADJOURNMENT

SPEAKER We move now to Adjournment debate and yes I realise please that you would like the call but before we move into adjournment debate if you bear with me. What he's going to say is going to flow beautifully after it I'm sure. In the lunch break I received a letter from the Honourable Claire Christian President of Tynwald the Isle of Man. You will remember under our agreement with the Island of Man that we've agreed to acknowledge one another's respective days and I will read to you the letter. It's addressed to myself as Speaker, Dear Madam Speaker Bounty Day, recognising the historic connection between our islands and the cultural accord which was signed here in the Isle of Man last year I send warmest greetings from Tynwald to you and your Legislative Assembly and the people of Norfolk Island on your National Day the 8th June Bounty Day. As you commemorate the establishment of your Assembly we are in the midst of what has become an important part of our modern heritage. This is the final day of an event that has become synonymous with the

Isle of Man the T T races and to recognise and draw attention to our links your flag flies proudly at the start of this world famous race. I wish you a day of joyful celebration in which you express your pride in your heritage and culture, your beautiful island and what it is to be Norfolk Islanders. Yours sincerely Claire Christian, President of Tynwald. Thank you for your forbearance Mr Snell.

MR SNELL Thank you Madam Speaker. I refer back to my remarks this morning in the acknowledgement Her Majesty's Diamond Jubilee this morning. This morning I made some comments off the top of my head and one was to acknowledge their words of the Chief Minister and Minister Sheridan just from the floor. It was pointed out to me Madam Speaker that I didn't acknowledge the Reverent Bassett and I didn't acknowledge the Administrator. That purely was an oversight on my part. I wasn't intending to cause any embarrassment or to ignore them in any manner what so ever. It was just my comments on the floor. I acknowledged the comments from my colleagues and the acknowledgements for their participation and I do unreservedly if I have caused any inconvenience or any embarrassment in that manner Madam Speaker and I wish that to be recorded in Hansard. Thank you.

SPEAKER I omitted to table the letter from the Isle of Man so that the record is in Hansard which I'm required to do underneath our cultural agreement. It is so tabled. Thank you.

MR KING Thank you Madam Speaker. I have maybe 5 or 10 minutes. I'm sorry for the delay. I know the hour is late and we all want to get about to do what we do at this time of day but I do have to say a couple of things because I feel that the Accommodation Tourism Association was entitled to a better representation or presentation of Members views in consideration of the Tourist Accommodation Act today, and I don't want to infringe on Standing Orders by going over that or reflecting on the vote to the House except to say that I don't really know what the vote of the House was except an expression from the area of the Chair that the question before the House was agreed. I will be interested to note how that is reflected in the Hansard. I think there ought to be a review of what occurred today because I think it brought the House into disrepute. It exposed us as being somewhat dysfunctional and unable to conduct our affairs in a proper manner, leaving us in my view with an ultimate vote on no question before the House. We adjourned nothing. Madam Speaker I foreshadowed somewhere in that debacle that I would oppose that Bill in its present form. I believe its now still before the House and the next question to be addressed in relation to that will be any Detail Stage Amendments and then a final Motion. If it remains in its final form I will continue my opposition to the Bill. Some 16 years ago I adopted a clear policy position in relation to the deregulation or opening up of tourist accommodation. I did it after a lot of consideration. I understand that the Bill is a reflection of the joint policy objective in the Funding Agreement to remove barriers to investment and promotion and that's good. I adopt that, but my position is very very clear having been expressed 16 years ago in what I did then and that was to remove the restrictions on the number of units and the number of beds in the island, and I did that for a number of reasons and with objectives in mind, somewhat similar to what the objectives are now, open up the industry to new entrants, new investment, provide economic stimulus etc. It was as important then Madam Speaker as it is now. Other efforts were taken in respect of Planning laws as. Including policies as Mr Nobbs intends to do on this occasion and some adjustments were made to Immigration policy designed to ensure that the benefits of that industry or deregulation of that industry flowed to people who lived here rather than elsewhere. That lasted for about 3 years and I was turfed out of the Assembly in 1997, perhaps it was the long standing participants in the Accommodation industry that contributed to my political demise, I will never know, but my measure were never the less reversed a couple of years later for reasons which were debated at that time. So are we going to achieve the same things on

this occasion Madam Speaker that is the economic stimulus and new investment, I don't know. I don't think any of us know. We're not in the business of providing risk free opportunities for investment opportunities. Governments can of course create the legislative environment which is what we're doing now but they cannot as easily create or change the economic or social environmental circumstances which might attract investment and of course there is a great deal of uncertainty out there at the moment, future taxes are uncertain and ill defined. I certainly can't see a flood of investment occurring in the accommodation sector. Another thing that takes away the attraction of Norfolk Island as a place to invest at the moment is that future governance is very much unsettled at the moment. Nevertheless I see there is no reason that we shouldn't put then in place the necessary legislative machinery or framework to achieve a further freeing up of that industry. There are elements of it which I don't agree with. I'm not convinced that all the measures contained in the Bill are necessary to either comply with the requirements of the Funding Agreement or whether they are essential from any other policy point of view. I support the removal of the quota number as I've just indicated but I'm not convinced that we need to do away with the quota mechanism entirely. Perhaps when the circumstances do change perhaps that mechanism ought to be kept in situ for use as and when circumstances, or changed circumstances might dictate and certainly I support the abolition of the compulsory grading but I remain pretty uncertain that it achieves any worthwhile purpose to abandon the link between standards and registration and it may be worthwhile to implement a set of minimum standards tied to registration for example. The industry does argue quite persuasively that there hasn't been a managed approach to the overall exercise of deregulation. Maybe there is something in that. There are claims that consultation could have gone a little further in face to face discussions that there could have been and I'm open to this point of view that there could have been greater focus or more discussion with a greater focus on the question of how the objectives of the Funding Agreement might be met by measures other than those included in the Bill. So even though there was a bit of a kerfuffle and a big cloud hanging over the passage or the processes that occurred today there remains this period of time between now and the next consideration of it wherever that might be Detail stage Amendment to talk further about these things and I'd like to participate in that. Madam Speaker might I retain the Chair and just move to another subject very quickly. I want to make mention of a significant and meaningful event that occurred in Norfolk Island in this past week and I'm not talking about my ignominious or untimely departure from the Presidency from a local organisation I'm talking more about the formation of the Liberal Party of Australia and I understand Madam Speaker that this past week the inaugural branch of the Liberal Party was established here in Norfolk Island. I applaud that of course, I am a strong advocate for party politics, that goes without saying given my own membership of the Australian Labour Party which incidentally is still retained despite what some may hear in the community. I've said on more than one occasion that it, party politics has been an unfortunate missing part of the political process on Norfolk Island over most of the term of self government. I'm also on record encouraging formation of a branch of conservative politics and I wish the branch every success Madam Speaker within limitations of course. I am a Labour Party member. I recall Madam Speaker with a great deal of amusement how some Members of this House, some of them are still here spoke in such immature and condescending tones when the local Labour Party branch was established some 5 years ago. I recall a couple of occasions when the House descended into very dangerous territory decrying and condemning the gathering and organisation of like minded people and even going so far as entertaining in an Immigration review a possibility of requiring members of political parties to obtain an entry permit before they travelled to Norfolk Island. How embarrassing Madam Speaker. Well the numbers are perhaps are rising against that kind of single mindedness the Labour Party now the Liberal Party and of course the Liberal Party doesn't have a very extensive history and been able to form government in its own right so the mind boggles at the nature of coalitions or minority governments that might form in this place. All power Madam Speaker to the local Liberal Party and anyone else who wants to take

up their immutable right to gather, organise and participate in political process. A final note. May I wish all those present and all the community particularly those of Pitcairn descent a happy Anniversary for Friday. Thank you.

MRS WARD
now adjourn.

Thank you Madam Speaker. I move that the House do

SPEAKER
now adjourn.

Thank you Mrs Ward. The question is that the House do

MRS WARD
Thank you Madam Speaker. I would like to say a few words on the Accommodation Act Amendment Bill as I said very briefly. As I've said I'm meeting with stakeholders further this week. To July that makes 4 weeks when concerned members of the community can speak with MLA's to raise their concerns so that's a 4 week reprieve. I welcome and encourage anybody with concerns within the industry or without to approach MLA's. I think I just touched on it before but I'll say it again is that and its so people will know where I stand fundamentally is that I am against protectionism and government control. However the transitions that will take place within this industry will need to be very carefully managed as there may be unintended consequences and that is why the Minister has slowed the process down. I support that concept and there's also a doctrine of fairness that needs to prevail in this transition for this industry. There are people within the industry who feel that the licence value has effectively been trashed that there is a potential for sub standard properties to operate and that every man and his dog has the opportunity of putting a flat downstairs and renting it to a visitor. There is already an over supply of accommodation. So I just want to say that those concerns have come through to Members and we are discussing those. At the end of the day it will come to a full line debate in the House. The situation of a Government setting a quota back in 1984 and therefore creating the environment which allowed a value of a licence to commence has been taken on board. I will be speaking further with the Minister to understand fully what he's talking about consumer protection laws. The 3 month delay will allow us to look at health and planning laws as the Minister has said. With the question of the potential for substandard properties to operate I would ask the Minister to invite the Accommodation Grading Manager who does the grading through Administration to meet with MLA's to discuss his view or any concerns that have been raised with him. I'm trying to cover every angle of the debate because this is not going to the Impact of Bills Committee. I would also ask the Government to be provided with all submissions that they have received. We were provided with a summary but I would ask that any Member who has the time to take this on and put the work into it which I am is provided with every submission whether its I think the Chief Minister had said there was the ATA and then there were 33 other submission so if the Minister would agree to that, that would be helpful. I said at the ATA meeting that a big part of this that I picked up on was the need to look further into Immigration and the restriction which are still seen as perceived barriers to new investment. I think we need to look at the fact that the changing of policy may not be enough but that is a debate for another day. It also link in with certainty around taxation. So it is a complex area. So that's really what I wanted to do Madam Speaker in adjournment debate was just say that the stakeholders and the industry are being heard, so are the people who are encouraging the Minister and the Government and Members like myself to plough on but yes fairness must prevail as we see these Amendments come through the House. Thank you.

MRS GRIFFITHS

Thank you Madam Speaker. It may surprise you that some might say that nag, and that means I sometimes have to say the same thing over and over a thing, and this morning I made a Statement on the women situation on Norfolk and with your indulgence Madam Speaker I'd like to say a few words that I said at International Women's

Day in 2008. This is probably a little dated and I'll try to update as we go. International Women's Day observed all over the world and created to recognise that peace and progress, the enjoyment of human rights and fundamental freedoms needs the participation equality and development of women. For women of the world though it has a wider meaning. It is an opportunity to come together and review how far we've come in our struggle for equality, peace and development. So how far have women in this community come? Are we equal? Do we even have a struggle? In my life I've spent a bit of time in the old section of the Cemetery. The first thing that I noticed and I point out to other women is that many of the graves of the children do not mention the names of the mothers. A child may be remembered as the son of Captain so and so or the daughter of Lieutenant so and so and each time I mourn for the women of this era who were considered little more than the property of their husbands and fathers. And yet at the same time on Pitcairn Island our foremothers and forefathers when developing the foundation of our community and establishing a democratic electoral system, I won't say gave women equal suffrage because it implies something that wasn't there in the first place but rather men and women were recognised and legitimised as equals. 1838 the very first people of the world to do so what a magnificent start but how far have we come from there. Contact with other societies changed that magnificent start. Colonialism on Norfolk as in other Pacific countries changed laws and systems which disinherited women and increased their dependence on men. In 1896 laws were repealed and voting rights for women were removed. Look at the land grant. The first families on Norfolk were granted 50 acres. Second generation men were given 25 acres and women 12.5. In just over 40 years of contact we have become a little more than property ourselves. Look at our history and heritage. We know that history is bias and often reflects a male point of view diminishing or ignoring women's roles. For example how much more do we know about our mutinous forefathers and how much less do we know about our Tahitian foremothers. Look at the Hollywood versions of our history. We know it was Errol Flynn, Marlin Brando and Mel Gibson who played those great roles of Fletcher Christian but who exactly were their female co-stars. Bill Wiseman notes in 1977 that although several roads on Norfolk have been named after mutineers none commemorated Tahitian women. In fact many roads are named after men and none named after our women except of course our Queen Elizabeth Ave. I suggest that the women had far greater roles than we ever thought. We give them credit for some of our tangible expressions of culture, our weaving and our cooking etc. A friend of mine Dr Anita Smith goes even than that. She believes it may have been the women that led the mutineers to Pitcairn in the first place, after all it was mischarted and the Tahitians had been harvesting resources from Pitcairn for many years prior to the mutiny. I believe we should put forward other versions of our history, versions that include women. So how far have we come since then? Not far enough. Because of our geographical isolation and our political and constitutional situation we seem to be able to fly under the radar when it comes to human rights treaties and initiatives, especially those that guide women's development. For example there's CEDAW – The Convention on the elimination of all forms of discrimination against women adopted in 1979 and ratified by Australia in 1980. CEDAW goes beyond simply guaranteeing non discrimination. It requires state to take positive steps to ensure before development and advancement of women. CEDAW promotes equal access to and equal opportunities and political life as well as education health and employment. It is the only human rights treaty that affirms the reproductive rights of women and targets ,culture and tradition as influences that shape gender roles and family relations. The Beijing Platform for Action adopted by 197 governments in 1995 is a broad based agenda for promoting and protecting women's rights. It establishes the principal of shared power and responsibility between men and women in all areas. It addresses 12 areas of concern including property education and training, health, violence, armed conflict, power and decision making, institutional mechanisms, the media, the environment and women in the economy. The millennium development declaration adopted by 189 countries in 2000 used gender equality as necessary to achieve truly sustainable development. The declaration focuses its efforts and attention on

the main challenges facing developing countries and has a set of goals to be achieved and indicators to measure progress. Goal 3 is to promote gender equality and empower women. The Pacific platform for action adopted by 20 Pacific countries and Territories in 1994 and revised in 2004 forms the basis of work on gender equality in the Pacific. This regional commitment clusters 13 areas of concern into 4 strategic themes. Mechanisms promote the advancement of women, women's and legal and human rights, women's access to services and the economic empowerment of women. None of these have had any impact at all on Norfolk women. Despite these international and regional instruments all of which Australia has ratified or agreed to, women's rights, women's health, economic and political empowerment as well as women's educations remain overlooked. For example territorial limits, the inquiry into Norfolk's Immigration Act and Human Rights in 1999 did not examine the issue of either immigration or human rights with any gender perspective. Immigration and human rights for women covers things like financial, marital and status issues. In the pink or in the red the Joint Standing Committee inquiry into the provision of health services on Norfolk in 2001 despite women's health being recognised in the world as an issue all over this inquiry did not look at the issue of women and health at all. Norfolk Island electoral matters in 2002, this report does refer to Australia's obligations under the International Covenant of Civil and Political rights but unfortunately makes no references to CEDAW. Who Guards the Guardians, the inquiry into governance on Norfolk Island in 2003. Again despite the importance there was no recognition of the differences in governing, government and power between men and women. The challenge sink or swim, the inquiry into our financial sustainability in 2005, despite talk of empowerment and equality again there was no gender perspective. Of course the same situation continues with our economic development strategy and the public sector review. I won't go on except to note that the oversights are unfortunate in 2 ways. The first is that it demonstrates agenda perspective is not yet entrenched into Australian Government physic, and many dedicated men and women are working to have somewhere to go must stay the course for all of us. For Norfolk it is unfortunate that we didn't and still don't have anyone professional thinking and acting continually on this issue. Here on Norfolk we confuse political and public sector action for development which is something quite different. I understand the difficulty of competing demands and limited resources but anyone who knows me knows that I believe until we take a development approach and integrate the cross cutting social, cultural and gender elements into our actions we will not advance at all. So do we even have a struggle? The numbers tell us we do Mr Snell. Our contribution to the community is undervalued. Most unpaid work including housework and childcare or looking after somebody else is generally a women's responsibility. In 1996 there were 9 men and 90 women but as usual major activity was unpaid home duties. In 2001 numbers had risen to 12 men and 111 women. It decreased slightly in 2006 to 9 men and 87 women. We are poorer than men, we earn less. In 2001 20 men and 54 women had no income. In the same year 329 and only 171 women earn more than \$500 per week. In 2006 with wages going up slightly the disparity was increased with 370 men and only 234 women earning over \$500 per week. We receive fewer workplace related benefits. In 1996 200 men and only 111 women contributed to a retirement scheme. The same story in 2001 with 231 men and only 166 women and in 2006 the disparity remains with 197 men and 148 women contributing to retirement schemes. We are more likely to be employed on a part time or casual basis. Of the women that didn't have full time work in 1996 121 were men, 191 were women and in 2001 it was 102 men and 178 women. In 2006 it was 119 men and 168 women. We have a segregated workforce and many women's jobs are lower in status. In 2006 there were 20 men and 123 women doing clerical work, there were 19 men and 77 women in tourism and hospitality, there were 37 men and 110 women in sales and in executive and managerial position there were 77 men and only 43 women. Women are the main victims of violence, both sexual assaults and domestic violence. I don't think there is any systematic gathering of data in this area, I certainly couldn't find any, and if I could we all know that what is reported is not actual numbers. Many acts of violence go unreported, victims are often

ashamed and others want to protect the family name and so on. Look at our Legislative Assembly, this was our 12th at the time, Assembly since 1979 we've had 42 men and only 9 women serve. 29 years and we represent only 18%. Of that 18% only 50% of the women have had executive portfolios, and we have never once had a woman Chief Minister. Today of course the numbers are at 25%. Participation in politics is not just about women's rights, the balance between the sex's makes for good governance increasing the diversity and perspective of views to be heard. Our judiciary and legal system is also lacking. In 2001 there were 8 men and 2 women with legal qualifications. In 2006 there were 8 men and no women. In 1994 the then Minister for Health and Education established a domestic violence strategies group and began working on a draft domestic violence Bill. 14 years later it still doesn't exist. I think that's enough to prove my. I could go on but I won't Madam Speaker.

DEPUTY SPEAKER Thank you Mrs Griffiths. Further debate. I think we've concluded today. If I could share with Mr King what I alluded to earlier. Bounty Day is Friday. May we all gather, may the weather be fine, may it be a wonderful day and we look forward to seeing you there. I put the question.

QUESTION PUT
AGREED

DEPUTY SPEAKER Thank you Honourable Members. This House stands adjourned until Wednesday the 20th June 2012 at 10.00am.