



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY**  
**13<sup>TH</sup> NILA HANSARD 8<sup>TH</sup> AUGUST 2012**

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

**PRAYER**

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

Honourable Members, gentleman feel free to remove your coats if you so wish and ensure mobile phones are turned off. Right.

**CONDOLENCES**

**SPEAKER** The first matter on our programme today, condolences, Mr Snell.

**MR SNELL** Thank you Madam Speaker, Madam Speaker it is with regret that this House records the passing of Glen Pedel, Pauline Adele Thomson and Stephen Michael Kennedy. Glen Pedel was born in February 1952, the only son of Chris and Delores nee Buffett, and two years after his sister Cherie. He spent most of his school life here on the island, and when Dolores married Bill Buffett in New Zealand he lived there for a while. Returning to Norfolk to complete his schooling, he joined his father's household with Susan and her three children Lynn, Robert and Julie with Junny and Julie teaming up to take on Lynn and Robert. After finishing school he went to Sydney and became a plumber and worked there for a number of years. During this time he fell off a roof and injured his back, which was to cause him unceasing pain and discomfort for the rest of his life. While there he married Pat and they had a son Shaun. Then in Marrickville in May 1978 he married the lovely school teacher Helen and they returned to the island where Jess and Caitlin were born. He was a proud father to Shaun, Jess and Caitlin and took it hard when Shaun passed away suddenly in 2006. Junny worked for Admin with his friend Bruno they were responsible for maintenance which included the school, admin houses and the jetties. They were great mates and quite cussed together. He became great mates also with Peter Pye and continued to do work and give Peter heck as they worked together for many years. There are many special stories of Junny and his wicked sense of humour, and he was always keen to have a laugh at your expense. The first thing that he would ask when meeting him is "what's the goss" and then he would be off with his own version of events which at times could be slightly exaggerated but nevertheless colourful. He let it be known that he was a keen Manly Football supporter, but whenever they lost, it was always the fault of the referee. He never failed to remind everyone when they won and would take delight in bragging how good The Men were. He enjoyed playing jaero, to which he excelled

although no one wanted to be his partner, as he would be all over the place, whilst sitting on a hand full of trumps. True to form, no one could follow his lead – and if he thought that his hand would end in a skunk, then he would throw it in and call a misdeal! No matter what the occasion, when Junny was around there would be endless amounts of food and fluids, he was generous to a fault, he was the perfect host and his greatest pleasure was that whoever was there they would be there for the whole afternoon, and into the night if you let him! You never failed to leave empty handed but if you didn't enjoy it then it was your own fault, as he would entertain you for the duration with his off side comments, no matter who was there or in earshot! You would hear a constant "eat some more, have another one, on for the road". He shared a special relationship with his Aunt Jean and her husband Tom, but even this relationship, which meant so much to him, did not make her immune from his cheek, which only he could get away with. A typical Norfolk Islander, he was a keen gardener and loved his fishing and gwen rumma, otherwise he would "jes gwen potter round a' house des day". Junny's passing has meant that Norfolk has lost one of its great characters but we are all the more richer for having known him. To Helen, Jess and Caitlin, to Chris and Susan, Lyn, Robert and Julie and his many friends this House extends its sincere sympathy. May he rest in peace.

Pauline Adele Thomson was born in 1942 in New Zealand. An established New Zealand artist with an international following, Pauline was of Norfolk Island and Pitcairn Island descent. She began her career in the early 1960s and was one of only a few women mentioned in Gordon Brown and Hamish Keith's influential book "An Introduction to New Zealand Painting 1839-1967". In the 1970s during Pauline's supposedly inactive years spent childrearing she produced about thirty paintings of cyclic symbols and cellular forms. Since the 1980s her preoccupation with the concept of change and degeneration has received critical attention. Pauline took recognisable urban scenes and layered them with symbolic potential. She has work in most public Gallery Collections including the Auckland City Art Gallery. One of the main themes of her art practice over the past two decades has been an exploration of the spiritual, social and emotional nuances of the history and settlement of the Pacific, particularly Norfolk and Pitcairn Islands during the mid-to-late nineteenth and twentieth centuries. Norfolk Island was fortunate to be gifted three paintings by Pauline, which now hang in the Court House offices. To her children George, Hannah and Agnes, their partners Jennifer, David and Troy, to her grandchildren Emily, Greer, Zoe and a Grandson on the way, this House extends its deepest sympathy. May she rest in peace.

Stephen Michael Kennedy was born in July 1950 in Auckland though he spent most of his childhood in Palmerston North; living with his mother Torch, father Martin and sister Bridget. When he was 18 he moved out of home, down to Lincoln University outside of Christchurch in the South Island where he began a diploma of Agriculture. He didn't complete this but instead moved back to Auckland where he worked in a variety of jobs including management and fry-cook in a takeaway restaurant and working with incoming American trading vessels. In October of 1979 he migrated to Norfolk Island, having made a few connections in the Auckland docks which gave him a job on the island and travel via an Argosy freight plane. He began work here as an accountant for Irvine's Ltd but since then worked for Parks and Wildlife, South Pacific Resort, the Administration, Burns Phelp Burnt Pine Supermarket, Foodlands, Waste Management and a variety of other labouring positions around the island. Steve always enjoyed manual labour and it was his bread and butter for the majority of his life here on Norfolk. From keeping the Botanical Gardens beautiful to helping out friends with their own

produce gardens no one could ever deny that Steve had a green thumb. Thankfully his work also allowed for a fair amount of fishing time. Whether it was on the job at Headstone tip or recklessly trying to pull sharks in at Cascade, if there were fish to be had he would have a great time trying to get them. He was once even the proud owner of a bright orange boat by the name of SS Pumpkin. Outside of work in his younger days he loved nothing more than a round of golf and more recently he was heavily involved in the Bowling Club. He has worked in the Committee of the Club in a range of positions, including a stint as President and interim greens keeper, whilst also retaining a simple love of the game, the environment and his friends there. Steve was a member, and often a regular, at both the Leagues Club and the RSL with a sharp mind for pool and darts developed over these years. There are even a few trophies to attest to his skill on the pool table. He leaves behind two children, Sarita and Shaun, both born on the island though their education drew them back to New Zealand at the end of 1999 where they live today. His mother and sister both also survive him, and they too reside in New Zealand. To Sarita and Shaun, to his wife Wendy, to his family and many friends this House extends its deepest sympathy. May he rest in peace. Madam Speaker.

**SPEAKER** Thank you Mr Snell. As a mark of respect Honourable Members to the memory of the deceased, I ask we stand in silence. Thank you Honourable members.

## **PETITIONS**

**SPEAKER** Honourable Members we move now to Presentation of Petitions, are there any petitions for presentation? There being no petitions,

## **GIVING OF NOTICES**

**SPEAKER** Are there any notices? Giving of notices this morning? No notices this morning.

## **QUESTIONS WITHOUT NOTICE**

**SPEAKER** We move now to Questions without Notice, are there any questions without notice Honourable Members? Mrs Griffiths.

**MRS GRIFFITHS** My first question is to the Chief Minister, Chief Minister has any progress been made in developing the protocols for the Capacity Building Team and when are they likely to be completed?

**MR BUFFETT** Madam Speaker thank you for the question, I understand from our officers that there has been a draft document prepared which is now with the Commonwealth for their tick, and when we have that then I will be able to share that with you.

**MR SNELL** Thank you Madam Speaker, I direct a question to the Minister for Tourism, Minister, you mentioned yesterday at the MLA's meeting indications of the Economic Development Report, Minister could you please advise whether the strengthening of our efforts in Tourism and having a plan is essential in

moving forward, is the Minister planning for our future in Tourism, in consideration of the Economic Development Report?

MR NOBBS Thank you Madam Speaker, thank you Mr Snell for the question, I am presenting a statement in a later part of the Sitting, where I'll be providing a six month programme analysis of what's been going on in the Bureau but there are some elements of that that perhaps I will not be fully encapsulate what Mr Snell is asking, so I'll just provide a fairly brief overview of some of the steps that have been taken over the last six months in particular, aimed at reinvigorating our Tourism profile aimed at restructuring productively for Norfolk Island the way that we manage our tourism, aimed at co-ordinating industry and perhaps creating a more cohesive and constructive way forward, the initial steps for that were carried out through the review of the Strategic Plan for Tourism for Norfolk Island which was a five year plan which expires at the end of this year, we commenced the construction of a three year recovery strategy, and that was carried out through the Board and representatives in that regard, a vision development involving the community and industry which then has enabled us to use that as the focus for the new strategy, and this is in particularly answering Mr Snell's question, that the new strategy, the three year strategy, which is still in its draft stage, now moves to a process that engages with the community, the Industry Development Manager, the General Manager and myself have worked with a fellow by the name of Peter Kenyon from the Bank of Ideas, to carry through a process that will engage with the community and create ownership for each of the areas of the strategy as we move forward. That commences that part of the process, there is then an implementation process to ensure that the strategy takes appropriate steps, and constructive steps with everyone owning those elements of it, and with realistic guidelines put into that strategy, the follow up to Peter Kenyon's interaction with the community and the industry is a visit from Economic Development Australia professionals who will be on the Island to identify opportunities and to provide training sessions to the industry and the community, as well as identify resources to assist in making, for example, grants shovel ready, as they are termed, and also to encourage the optimum representation across the industry as there is certainly some areas where there is fragmentation across the industries, this will also look at investment attraction, tourism leverage and linkages including to Tourism Australia and economic diversification. So each of those areas is identified within the EDR but it is also identified within the Economic Development Australia programme that we are working on at the moment. Thank you Madam Speaker.

MR KING A supplementary, thank you Madam Speaker. Minister did that encompass or reflect the myriad of ideas that you had for increasing tourism numbers as reported in that recent press article?

MR NOBBS Madam Speaker I am quite happy to say that there are a number of groups, bodies, and the Bureau, the GM, myself, the Industry Development Manager and various other entities who are providing a myriad of ideas that we are certainly evaluating and using to improve Norfolk's lot and I see that as a positive.

MR KING Thank you Madam Speaker, my question for the Chief Minister, Chief Minister given that past attempts by me to ascertain what in fact were the Government's legislative priorities has in fact produced no priorities list, but a response that efforts and resources are directed primarily at progression of the Road Map, how is

priority accorded to Bills which come forward to this House, and apparently unscheduled or unplanned manner.

MR BUFFETT Thank you Madam Speaker, thank you Mr King, I wouldn't say that pieces of legislation come forward in an unplanned manner, but nevertheless the priorities which the Government has given is in terms of living today and achieving long term sustainability, and there are a number of studies which will obviously have some adjustment in the legislative process, one of the principle recommendations for example in some of the reports that we have had, is the Public Sector Review, which will obviously have significant amendments to the Public Sector Management Act. That is something that is being examined at this moment, the example that I give in terms of two pieces of legislation that are on the paper today, the Wills Bill and the Ombudsman Bill, the Ombudsman Bill is of course an amending Bill, but the Ombudsman Bill equally is something that has come out of the long term arrangements greater flexibility in terms of accountability. And the Ombudsman piece of legislation is one of those. So that's come forward in terms of the wide ranging Road Map arrangements, it must be acknowledged however that prior to the Road Map there was the Territories Law Reform piece of Legislation, and the Ombudsman piece of Legislation was identified then, so it is a long road for some of these things. The Wills arrangement is something that has been on our plate for sometime, and has now come forward, there is a local need, that has probably more recently been emphasized that has given that some impetus. So I am really trying to say Madam Speaker that most of the legislation that we are looking at today is related to Road Map or survival today in terms of the economic difficulties that we face, notwithstanding that, there are other factors that are on the table, are continuing, some of them have been identified some time ago, and progressively they are coming forward.

MR KING Thank you Madam Speaker, thank you Chief Minister, Chief Minister you will understand that I am no better informed on what the Government's priorities are in a legislative sense, nor how the Administrations assets and resources are deployed, that is the point that I am trying to make, I note from the Minutes of the MLA's Meeting that...

MR BUFFETT Is Mr King going to ask me a question?

SPEAKER Do you have a question Mr King?

MR KING In the fullness of time Madam Speaker and within Standing Orders.

SPEAKER Could we have it now Mr King.

MR KING I note that Minutes of informal MLA's Meetings, that reflect that Mr Sheridan has legislation in many areas on foot, and is awaiting reviews and bills etc from the Legal Services Unit, how were those priorities established? How were Admin resources allocated in respect to achieving his objectives, what are his objectives? How and when might we, on the back bench, be informed of these things?

MR BUFFETT Madam Speaker the best way I can respond to that is to say that the Notice Paper of the Assembly provides the Notices given, and therefore when pieces of legislation are ready for presentation, appropriate notice is given, and

that means notice to all of the Members. It equally means notice to the community, because the Notice Paper is published.

MR KING Chief Minister could it be perhaps that the Administration cleaner who accords priorities?

SPEAKER Is this a supplementary Mr King? Is this a supplementary Mr King?

MR KING Indeed.

MR BUFFETT It is a supplementary which I will ignore Madam Speaker.

MRS GRIFFITHS Thank you Madam Speaker my next question is for the Minister with responsibility for Community Services, Minister what is the average length of time it takes for a Development Application to be processed?

MR SHERIDAN Thank you Madam Speaker, I couldn't answer that off the top of my head what the average time is, I know under the Planning Act there is a timeline which should be abided by, and in just going back to the back of my mind there Madam Speaker, I believe that the Planning Officer meets something like 90-95% of those Development Applications within that timeline. There is only the odd one or two that does not get approved or processed within the timelines that are in the Act. But as for the average time I'll take that on notice and get some advice back to Mrs Griffiths.

MR KING Thank you Madam Speaker, the Chief Minister if I may, Chief Minister what is the Governments response to the statistical data recently presented by industry groups in graphical form in relation to economic impact?

MR BUFFETT Madam Speaker my colleague has made some attempt to evaluate some of that detail, for my part I would be interested to know how the survey was conducted, the number of people for example who might have been surveyed, so that the extent and the quality therefore may well be assessed, they certainly have presented detail that is of interest and needs to be examined, without a doubt, but it does deserve some further examination. It is interesting that it comes from an area, which is the Chamber of Commerce as I understand it, and I thank the Chamber for being about that task, I particularly would be interested to know what the Chamber may well have been active in endeavouring to be more positive in our we address some of the difficult issues that now face us.

MR KING Perhaps this is in the nature of a supplementary Madam Speaker. Has the Government in fact acknowledged, in Cabinet, the increasing number of retail outlets closing in Burnt Pine and what comfort can be extended to those other retail outlets that are heading in the same direction?

MR BUFFETT Madam Speaker I thank Mr King for that question, because it really relates to what funding does the Government have to be able to offer assistance and incentives in that particular area, and I think it is regrettably very clear that the Government has no funds that it is able to place in that direction, Members will know that in our bids to the Commonwealth we have not only sought funds for the

provision of essential services in Norfolk Island, but we have sought on occasions to have funds for stimulus packages within the community, we have not been successful in gaining Commonwealth funds for that particular purpose, however it is a continuation on our part to so gain it.

**MR KING** Thank you Madam Speaker, thank you Chief Minister, I am sure the retail sector will draw great comfort from your answer. What analysis of economic data, including GST returns etc is considered by the Government and why is this information and analysis not shared with back benchers and the community?

**MR BUFFETT** Madam Speaker in terms of GST information, Members will know that we have endeavoured, over a period of time, to try and collate information, not on an individual basis obviously, but on a statistical basis that might assist us to know how we are travelling in a number of spheres, particularly because GST covers all of the sectors within the community and how activity occurs within each of them. I think it has been some time now since we have actually had those figures, we have asked that they be collated and that we continue to receive them, and when I do have them, I am willing to share them.

**MR KING** Perhaps a supplementary, it is in relation to the economy Madam Speaker. Can the Chief Minister point to any meaningful progress in recent times in respect to the progression of the Road Map to which the community can draw any confidence in the Governments ability to implement reform and extract the community from the economic crisis in which it is embroiled?

**MR BUFFETT** Madam Speaker, I thank Mr King for the question, the Road Map is a huge area, and a number of things are moving, notwithstanding that they are moving slowly, for example, we do now have a Capacity Building Team on Island, we do however significantly depend upon responses from the Commonwealth, and I regretfully say, that on a number of occasions, notwithstanding on a number of occasions that we have sought those things that are mentioned in the Road Map and mentioned in the various reports that have been presented that have come out of the Road Map, I'm talking about the Economic Development Study, I'm talking about the Public Sector Review, notwithstanding the recommendations in those, we have a number of things that have not been delivered by the Commonwealth, which allow us to move forward in a number of ways, but the principle thing is the gaining of funds, the gaining of money. We presented, in this House, a budget knowing that the continuation of the welfare of the Norfolk Island community will depend upon the Commonwealth assisting us to the tune of \$3.1 million in this particular financial year. We have not gained a satisfactory response from the Commonwealth in terms of that bid at this moment, and that does create uncertainty and difficulties continuing in the community. The Government has indicated that the Road Map is all about moving from our small pool to a larger Commonwealth pool and it is only when we reach that stage when we are able to move into making a contribution and receiving benefits from the larger pool that some of the difficulties that we are facing now will have some solutions, but it's not just that, it's not just that, we do need to move to various amendments to things, or move in terms of change in a number of areas so that there is great economic prospects for the Island and equally until we achieve success in those we will have shortness of supply of funds being imported into the community and being able to circulate in the community, they are the difficulties, we know that they are the difficulties. But it equally must be said that it is hugely difficult for Norfolk Island to face this alone, hence, hence

its approach to the Commonwealth in the manner that I have described. I also reinforce, and this is not new, I reinforce that in terms of gaining funds for the Norfolk Island community, the Norfolk Island Act inhibits us in how we go about it, we are only able to approach the Commonwealth unless they give approval for us to do otherwise. The times that we have made such approaches to go elsewhere it has been declined, hence we are where we are.

**MR KING** A supplementary Madam Speaker, can I interpret the Chief Ministers response to me as meaning that there has been no meaningful progress and the reason for that lies with the Fed's and that there is no difficulty that lies at the feet of the Norfolk Island Government.

**MR BUFFETT** If Mr King Madam Speaker, if Mr King is asking me where are the major areas of outstanding, area of outstanding, it must be said that they are with the Commonwealth.

**MRS GRIFFITHS** Thank you Madam Speaker my question is for the Minister for Community Services, where is the Commonwealth commissioned Child and Family Services Review Report? When can we expect to receive it and what is the hold up?

**MR SHERIDAN** Thank you Madam Speaker, Madam Speaker this Child and Family Review which has been undertaken by the Commonwealth, the initial draft has been presented to the Norfolk Island Government, the Norfolk Island Government has responded, and that would have been some weeks ago now, where it is at at this point in time, is I believe, the Report, the Draft Report, had been sent to various agencies within the Commonwealth Departments and they've made a sort of response, initial response to it, now all of these responses have been presented to the authors of the report and they're to present their final report in the future. Now I don't know whether that has been accomplished yet or not, whether the final report has been presented to the Commonwealth but when it has been presented and they present it to the Norfolk Island Government it will be made available to all.

**MR SNELL** Thank you Madam Speaker, Madam Speaker I direct a question to Minister Nobbs, Minister with regard to the principle of our depressed economic situation here on the Island at the present time, can the Minister please confirm to this House that no order has been place, at this time, to construct and have deliver to Norfolk Island tenders or barges with the main, not sole purpose obviously to unload cruise ship passengers.

**MR NOBBS** Thank you Mr Snell for the question, the short answer is that the barges are a work in progress. The Working Group on Norfolk Island, myself and various other members of Government and of the Service have been working collaboratively with the Federal Department as well as working with Carnival to put together a proposal. Engineering documentation has been drawn up by an engineer engaged by Carnival up to this point in time, that engineering specification has been provided to both the Norfolk Island Government and Minister Crean's Department. The Working Group has provided feedback on both the engineering specification and the infrastructure required to support the barges, and that is where it sits at the moment. Moving along on the basis that the next phase is really to, as I understand it, put those things out to tender. To then put the barges in place and the supporting infrastructure.

MR SNELL Thank you Minister Nobbs, Minister Nobbs can you then confirm that the Government has allocated specific funds for this purpose, have we got a budget allocation and can you advise the House to what extent that budget allocation is, how much?

MR NOBBS Thank you Madam Speaker, for recollection I spoke of a figure of around \$160,000 at an earlier sitting that was part of the Norfolk Island Governments allocation for this programme, and the feasibility study and the other aspects to get it moving, I also spoke about a financial commitment from Carnival and the ongoing commitment from the Regional Department as well, so yes there is a firm commitment, there is, subject to normal budget elements being in place there is money available in those areas as well.

MR KING A supplementary please, yes? A question for the Chief Minister Madam Speaker, how long does the Chief Minister think that the community ought to tolerate pumping local and federal dollars into propping up unplanned and unproductive work areas within the administration when the private sector is excluded from this bounty?

MR BUFFETT Madam Speaker it's not the Governments view that it is using Commonwealth or Norfolk Island funds inappropriately.

MR KING Well then I ask a supplementary Madam Speaker, perhaps the Chief Minister might be asked whether he could table in this House or prior to the next Sitting if he would, the planned work priorities for each area of the Administration.

MR BUFFETT Madam Speaker I can have discussions with the CEO about how we might address such a request.

MR KING Going along on the economy Chief Minister, Madam Speaker, what advice has been sought from local bank managers about loan default levels and what is the nature of that advice?

MR BUFFETT Madam Speaker there have been discussions with the local banks on a range of issues of recent times, I think I'll take that on notice so that it might be properly collated in terms of what might have come from those particular areas.

MR KING A question for Mr Nobbs of a similar nature Madam Speaker, what advice is obtained from local banks about the impact on business values and borrowing capacity before issuing new hire car licences or sale of food licences or god forbid a new wagering licence!

MR NOBBS Thank you Madam Speaker, I'll take that on notice, I don't think I can purport to speak on behalf of what the banks parameters are that they evaluate loans against.

MR KING Supplementary, in the light of Mr Nobbs recent obtaining from the banks information in relation to those impacts on the accommodation

sector, might he nominate those other industry sectors which will attract the same considerations.

MR NOBBS Thank you Madam Speaker, the communication that I have made to the banks is specific to changes in legislation that could impact on a specific area, so hence the reason for that communication, at this point in time to make a general request to the bank on areas that I am not proposing any changes would seem to me to be not productive use of my time.

MR KING A supplementary in clarity?

SPEAKER Ok then last one on this matter.

MR KING Yes Madam Speaker, is the Minister saying that other industry sectors will not receive the same policy considerations as the Minister has applied to the accommodation sector?

MR NOBBS Madam Speaker is I was making significant legislative change to other areas then certainly they would achieve the same level of concentration and request for advice.

MR SNELL Thank you Madam Speaker, Madam Speaker I direct a question to Minister Sheridan, Minister Sheridan I thank you for your recent advice re my question on the progress of better waste disposal methods, particularly at Headstone. But Minister can you please inform the House if this Government is prepared to instigate better burning methods, especially after receipt of alternative systems suggested by a concerned resident of Norfolk Island and the excellent submission that he put to Members of this House. Minister can you please inform the House what progress, if any, has been done to improve the system at Headstone?

MR SHERIDAN Madam Speaker and thank you Mr Snell for the question, Mr Snell might have to refresh my memory in regards to the brief that we have had from a person in regards to a disposal system, I just can't...

MR SNELL Fred Howe, Miles Howe and the Alaskan Systems that were sent through?

SPEAKER Through the Chair please.

MR SNELL Sorry Madam Speaker.

MR SHERIDAN Yes, thank you Mr Snell, Madam Speaker yes there are a couple of options that are being sort of looked at, at this point in time, I can't say for sure that the one that Mr Snell is reminded me about, I have investigated to any depth, but yes, it is the intent of this Government to try and eliminate burning out at Headstone, and with now the Planning Officer back from his long period of holidays he's back on the task of trying to revive the development application for the high temperature pit incinerator at the Waste Management Centre. We're looking at ways where maybe how we can accommodate this, but as Mr Snell would be aware in the Commonwealth budget of last year of this financial year there has been some funds allocated to assess what requirements we would need to further facilitate an alternate method of waste



MR ANDERSON Thank you Madam Speaker. A question for the Chief Minister. Last week the Council of Australian Governments met in Canberra and discussed a National Compensation Scheme for injury compensation and that's to be trialled in the various States. What input has Norfolk Island had in possible participation in that scheme if any.

MR BUFFETT Madam Speaker thank you for the question. I would need to do some research about that. I am unsure whether there has been any SCAG discussion of that. I would need to ask for a report in terms of that. Nothing has come to me directly in terms of this particular scheme that I'm aware of but I can do some research and advise Mr Anderson.

MR KING Thank you Madam Speaker. A question for the Chief Minister. Is it a fact that a Minister of the previous Norfolk Island Government has unpaid Administration bills particularly Healthcare levies which have remained unpaid for some years and where normal debt procedure, debt recovery procedure has not been followed, and if that is the case can this facility be extended to others in the community.

MR BUFFETT Madam Speaker thank you Mr King. I have no knowledge of the particular matter nor would I normally have knowledge of individual accounts in this context. If I did have that knowledge it would not be a matter of public announcement.

MR KING I presume then the Chief Minister will give his Ministerial assurance that special privileges is not extended to former Ministers of the Government.

MR BUFFETT There are no such privileges accorded Madam Speaker.

MR KING Thank you Madam Speaker. To what extent is the payment of public accounts such as Healthcare levy taken into account when deciding the renewal of a Temporary Entry Permit.

MR BUFFETT Madam Speaker that has been raised with me as to whether people who do not or maybe cannot make their commitments in the community as to whether they, and if they are Temporary Entry Permit applicants whether they should continue to be so accorded that status, and that's a matter that is being discussed in terms of Immigration Practices and Policies.

MR KING A supplementary to the Chief Minister Madam Speaker. If Immigration Officials are accessing that information in relation to individuals how are they doing that and with what authority.

MR BUFFETT I didn't say that they were accessing that information/ I said that there was examination as to whether those factors should be taken into account and that factor that Mr King has raised about access will equally come into the considerations that is being had at this time.

MR KING I have another supplementary. Chief Minister I'm sorry but are you saying that the payment of Administration bills including Healthcare Levies is a factor which is not presently taken into account in deciding an application for a Temporary Entry Permit.

MR BUFFETT Madam Speaker it's not my understanding that that happens at this moment. However I pointed out that there is thought within the community that there may be people who are not and who may be on Temporary Entry Permits and that is a factor. Let me just make this point however that there are conditions of Permits from time to time which require people to meet the Health Levy.

MR ANDERSON Thank you Madam Speaker. A question for Minister Nobbs. Senator Humphries last week issued a Press Release expressing concern about the impact of the Carbon Tax on Norfolk Island. Has the Government taken any further steps in assessing that impact and has any further attempt been made to obtain some form of compensation from the Commonwealth.

MR NOBBS Thank you Madam Speaker. Thank you Mr Anderson for the question. I'd have to say I share Mr Humphries concern. I wrote to Minister Crean from my recollection in August of last year, highlighted the impacts that this will have on our community. I received a response from Minister Crean I think around November and that confirmed that there would be implications for Norfolk Island as a result of a Carbon pricing but at this stage I have not been able to get any commitment to the levels of assistance that are available within Australia to assist families and operators in business through Carbon pricing impacts. So it's something still ongoing at an Officer level. It's something that I've discussed at Cabinet and I have obviously highlighted it at an Intergovernmental level as well.

MR KING Can I ask a supplementary. Given the lengthy period of time over which the debate on Carbon pricing has been raging can the Minister inform this House when it was that he decided or the Government decided it ought to inquire into the impacts for Norfolk Island, last week or the month before.

MR NOBBS Madam Speaker I quite clearly stated that the correspondence I sent was in August of last year.

MRS GRIFFITHS Thank you Madam Speaker. My question is for the Minister with responsibility for Immigration. Chief Minister considering that many in this community are having their working hours cut what is the current situation with our Temporary Entry Permit holders who have minimum hourly requirements to maintain the obligation of their permits. Is there any dispensation they may seek?

MR BUFFETT Madam Speaker, thank you Mrs Griffiths for that question. For some considerable time now given the economic situation in the island there have been requests not only from employees who are the holders of Temporary Entry Permits but from employers who may need to reduce the hours of their employees given the difficult financial circumstances and have sought to not have the Permits cancelled in those circumstances but to be allowed to continue on the basis that on the occasion when business does improve then they would not have to retrain people but would be able to keep the people on who they have and therefore that would assist their business arrangements. We have responded positively to that in an

Immigration sense and that has been happening for some time. That's not new. What is now starting to exercise minds however is if that has a long term arrangement then do those people who have a Temporary Entry Permit have the continuing capacity to maintain themselves if their hours are significantly cut and if they are not able to gain additional employment maybe in another set of employment arrangements. That equally is being examined, it's rather in concert to the question that was asked earlier, in other words if people are on significantly reduced hours if that is a continuing arrangement are they able to continue to meet their bills, whether they are healthcare bills or other bills and that's the question that I said that we are needing to examine at the present moment.

**MR SNELL** Thank you Madam Speaker. I direct this question to Minister Nobbs I believe in his portfolio. Minister the Airport car park has recently been torn up, drained, and trenches put down for better drainage but it seems to have reached a halt where the uneven surfaces have not been paved. Can the Minister give any indication of when improvements to the paving, the sealing of the Airport car park will possibly take place.

**MR NOBBS** Thank you Madam Speaker. Thank you Mr Snell for the question. Given that it's on an operational basis I'll seek some feedback from the Management and the CEO and provide you that detail.

**MR ANDERSON** Thank you Madam Speaker. A question for the Chief Minister. In August last year the Chief Minister announced a 6 month trial of the low duty packaging exemption. We've been told that a Report is forthcoming. Has the Report been received and if not given that there's a further 6 months past when do we expect to receive it.

**MR BUFFETT** I did receive some response because I raised that matter at an earlier time. I would need to just check to see whether there was a substantive Report provided to me but what I did approve that we continue the survey for a further period of some months and that is now running. What is not clearly in my mind at this moment is what detail I have got at this moment which I can share with you. I'll check that and if I have got something I will provide it to you.

**MR KING** A question for the Chief Minister. I refer Chief Minister to the most recent chapter in the saga of allowing commercial access to the Administration's copper wire network for Telecommunications enterprising competition and that is the letter that the Chief Executive Officer of the Administration to the local provider dated the 3<sup>rd</sup> August 2012. Chief Minister in the light of previous undertakings given to remove this identified barrier to competition undertakings expressing completion dates of March 12, June 12 and then July 12 repeated by yourself in your meeting with private investors on the 28<sup>th</sup> June and all of which have failed to be achieved. How can there be any faith in the Government in the Roadmap process?

**MR BUFFETT** Madam Speaker I think it firstly needs to be said that all of the Roadmap matters do not hinge upon this particular matter although this is an important matter.

**MR KING** Supplementary please. Can the community have faith in the Roadmap process?

SPEAKER I believe that question has been answered Mr King

MR KING Well I have another substantial question Madam Speaker. Chief Minister what comfort can you give to any other prospective investor that the Government can make good on its promises to accommodate private investment by removal of legislative or other barriers when it has failed so dismally in 3 attempts to demonstrate its willingness and good faith.

MR BUFFETT Madam Speaker this is a long standing matter and it is a complex matter. It is a matter in which there have been conflicting recommendations made to the Government in respect of it. There are demands from the Commonwealth to consider divesting. There are equally reports which says that given the size of the product in this particular situation, comparing it with other smaller sized jurisdictions that that may not be the best way to go but nevertheless the Norfolk Island Government has continued to make efforts to go through a divesting programme to the extent that has been explained. The CEO in coming aboard has made various evaluations. He has written to the present people, that's the letter that Mr King has just referred to who have made requests. Equally it will be probably be so that there will be others who will make requests for access of a similar nature. The Government for its part needs to ensure that a range of things are put into place so that all players who might want to participate in the industry to the extent that there may be divestment have equal opportunities to come forward and to make their bids. This may not be the only one, and they are processes that we have said on earlier occasions we must examine. These are processes that relate to pricing but that is pricing about access to the copper wire, licencing arrangements, certainly the matter of recognition by an overseeing body, the quality of service and security in terms of the services that may be delivered by people who undertake these tasks and a range of like subjects. All of those have been identified to this particular operator and our Officers are walking through the processes to find answers to those particular identified areas. It is complex and regrettably it is longer than we would have wanted it to be.

MR KING How is it Chief Minister that in advising the House in July last that interim price access will be shortly available you made no mention of other obstacles to the implementation of the Governments open competition policy when according to the Administration's letter that I've referred to a whole host of issues as I've described them are now regarded as outstanding and requiring attention. Why is it you made no mention on that occasion that those presented ongoing difficulties.....

MR BUFFETT Madam Speaker I mentioned the complexity of this matter, I mentioned it had been on foot for a long time. Again one of the difficulties of this is that the further it progresses and the more it is examined the more details that come forward and they are identified in the letter that Mr King has referred to.

MR KING Chief Minister given that these are not new issues why have none of those ancillary or attended issues been finalised in writing in anticipation of resolving the pricing issue. None.

MR BUFFETT Madam Speaker they are the processes that are going through now.

MR KING Thank you Madam Speaker. To the Chief Minister. Why is the Working Group still considering in relation to commercial access to copper wire these issues such as pricing, licencing, consumer protection when these matters were the subject of consideration over 2 years ago.

MR BUFFETT I've already mentioned Madam Speaker that there has been a long time frame and there have been a number of groups that have been active and given views about this matter. The one that Mr King has mentioned is but one of them. They made reports and those reports have been heeded and they equally identified that they had difficulty in providing answers in some areas. Those particular areas in fact in terms of the pricing regime, we then referred to an Australian Authority the ACCC. They were able to give us some examples of their methodology and that was useful to us in terms of walking through the matter of determining a price. However again one of the difficulties in dealing with the Commonwealth, at the end of the day the ACCC comes back to us and says Norfolk Island is not in our jurisdiction we can't help you any more. It's another example. I'm just trying

MR KING We're just going around in ever increasing circles

MR BUFFETT It's part of the difficulties that the Government faces in dealing with such matters. It is part of some of the difficulties that we face in dealing with the Commonwealth from time to time and is has prolonged this matter. That's regrettable but I do explain that that's how it is.

MR KING Thank you Madam Speaker. I referred to the formation, I'm repeating what was in the Administration's letter which remarked upon among other things that a Working Group comprised of Ministers and public sector personnel had been stitched together to consider these issues. Chief Minister are any of those in the Working Group of 2 years ago, are any in the current group members of the group which was put together 2 years ago and which chucked in the towel because they were not equal to the various tasks.

MR BUFFETT I don't have an answer to that question Madam Speaker. I can find out who they were in the original concept but they are not in my mind at this moment.

MR KING Madam Speaker one would assume that the Chief Minister is aware of which of his Government Ministers are in that new Working Group and whoever they might be he might advise the House what specific or relevant expertise those Ministers of Government bring to such a Working Group.

MR BUFFETT Madam Speaker two things. One is the earlier group being referred to. I understand to have a different task to that that is being examined here now. It was a more specialised task whereas the present group really has been brought together to solve the overall arrangement in terms of divestment and access to copper in terms of the present operation. Let's be clear the two Ministerial Members who are part of that group is the Minister who has responsibility in that area Mr Nobbs and myself, but our participation is not in the nuts and bolts and the detail. Ours is to give clear indications of what the Government wishes to do and then the Officers are working through the processes of how that is to be achieved and the process that is

going on now is at Officer level to achieve the Governments desire to make divestment arrangements and access in a way that it is earlier indicated.

MR KING I'll fold two supplementaries into one lest I attract your ire Madam Speaker. Chief Minister you've just informed us that your Minister is part of a group from which he is seeking advice. I question the propriety of that and secondly I ask whether this group might go the way of the previous group and simply chuck in the towel that will lead to another \$27,000 round robin consultation which was a waste of public monies.

MR BUFFETT Madam Speaker I doubt that's the case. May I just say that it has its complexities and there may still be areas where the Government might need to get advice that is particularly needed in areas of particular expertise.

MR KING Is that complexity not added to by the inclusion of the responsible Minister in a group which is there to advise him, It's somewhat like taking the dog into the Butchers shop and asking him to choose.

SPEAKER Mr King who are you addressing this question to.

MR KING Well through the Chair Madam Speaker obviously to Mr Buffett over there.

MR BUFFETT Does he want advice on the Butcher or does he want advice on the matter in front of us or the dog ok. Well I can't help him on the first two. Madam Speaker just let me give some clarity to this area. The Minister's that is myself and my colleague Mr Nobbs have drawn together various players that we need to draw together to give us advice and to so some work to achieve the Government's aims. We have made it clear to our Officers as to how we wish to travel and they are working independently from us to gather that information and to give Government advice and that is a perfectly valid and a proper process to follow.

SPEAKER Thank you Chief Minister and on that note I advise the House that the time for Questions Without Notice has expired.

MR KING I move that time be extended by 30 minutes.

SPEAKER We have a question before us Honourable that time for Questions Without Notice be extended by 30 minutes. Is there any debate. I put the question.

QUESTION PUT  
AGREED

MR KING Can you call the House please Madam Speaker.

SPEAKER I think it's perfectly clear that we have one dissent but if that's your will I will ask the Clerk to call the House Mr King. Order please. Will the Clerk please call the House.

MS ADAMS

AYE

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

Thank you the vote is 8 – 1 the Motion is agreed. We continue. Further Questions Without Notice.

MR KING A question for the Chief Minister Madam Speaker. The Chief Minister referred to a new task for the new Working Group. Would the Minister read into Hansard now the written terms of reference that have been prepared for the Working Group.

MR BUFFETT No I don't have the terms of reference in front of me Madam Speaker.

MR KING Supplementary Madam Speaker. Have terms of reference been prepared and are they available for distribution among Members.

MR BUFFETT Madam Speaker there have been a series of documents which I have identified areas to be examined and those documents have been shared amongst the Working Group. What will come to Members is a result of all of those processes. They are internal workings of the Government.

MR KING Supplementary. I'm not interested in what might ultimately come to Members. I'm interested in what has gone to the Working Group in terms of describing its task.

MR BUFFETT Yes and I'd like to make it clear that what will come to Members is what the Government has responsibility for and that is the way it needs to travel forward. There are internal workings of Government which is what is going on at this moment and I've endeavoured to describe them to Members.

MR KING Thank you Madam Speaker. A question for the Chief Minister. Chief Minister at the last Sitting you advised the House that you anticipated that allowing commercial access to the Administration's copper wire will result in some revenue loss and you said you had decided therefore to seek some commentary from the Finance Branch. Why would such a referral be necessary at this extremely late stage of implementing a supposedly open competition policy when anticipated loss in revenue had already been measured some 2 years ago.

MR BUFFETT Madam Speaker 2 years ago was 2 years ago. We're talking about how does it measure up today in the climate that we are experiencing today and if Mr King thinks that at this stage when we are going through a process that that should not be done then I doubt his judgement in terms of making assessment on this.

MR KING Does the Minister understand

SPEAKER Is this a supplementary Mr King

MR KING It is Madam Speaker it is. Does the Chief Minister understand that the faster the merry go round goes round things tend to fly off with greater frequency.

SPEAKER Further Questions Without Notice Honourable Members. Thank you gentlemen I have not accepted that as a question. Further Questions Without Notice.

MR KING In the consideration of revenue loss what weight has been given to improved competition and consumer outcomes.

MR BUFFETT Madam Speaker the exercise is one so that there might be improvement in those areas but one also needs to have current assessment as to what impact that might have financially upon the public purse, hence the reason for doing those things. Mr King may not understand that but that is the reason.

MR BUFFETT Is this going to be a debate Madam Speaker

SPEAKER You took the words out of my mouth Chief Minister. I was just going to draw attention to the House of the fact that we are entering into debate on an issue and that is not the purpose of Questions. Further Questions Without Notice Honourable Members.

MR KING Chief Minister. The Administration's letter to which I have referred to on a number of occasions in previous questions has advised that the Working Group which has as yet unidentified unspecified task but apparently it's quite

MR BUFFETT ....

MR KING Interjection Madam Speaker.

SPEAKER Mr King you have the floor

MR KING It is said in the letter that it has reached an interim conclusion that private operators seeking access will be subject to personal probity examination and will be required to meet appropriate standards of credit worthiness. Might the Chief Minister inform the House who it is that will develop these standards and is it expected that a member of the Public Service will conduct the probity and financial examinations?

MR BUFFETT Madam Speaker the Government accepts that arrangements such as those will need to be satisfied. The methodology to achieve that is what a report will give us when that time comes.

MR KING I have a question for Mr Nobbs in his capacity for Telecommunications or responsibility for Telecommunications. I refer the Minister to his statement in the House on the last occasion that the Government is making changes to

allow competition in the field of telecommunications by moving generally to remove Government protection and barriers to competition in the private sector. Minister how is the clear inability to arrive at interim access measures including pricing and to finalise other arrangements for access to copper wire consistent in any way with your grand objective of creating a diverse robust and prosperous private sector.

MR NOBBS Thank you Madam Speaker. I'm not exactly sure where Mr King has been for the last 10 or 15 years but I would suggest that he looks at the complexity - well certainly down the path somewhere. There have been some incredible complexities involved with deregulation within the Telecommunications industry, within Australia or any of the jurisdictions. The Chief Minister has already pointed out that we have sought professional advice on a number of levels internally and external to Norfolk Island including the ACCC. It's interesting to note that in the ACCC's analysis and throughout about a 400 page report that the outcome for that is merely an interim pricing arrangement that was put in at that time as well. These are complex issues and the reason they are complex is that there are necessary protections for the consumer and the operators as well as the overall stakeholder who owns the infrastructure.

MR KING Thank you Madam Speaker, a question for the Chief Minister, does the Chief Minister understand that the Administrations letter of the 3<sup>rd</sup> of August to which I have referred might be viewed as offering no comfort what so ever to those who have waited well over three years to seek a return on their investment, an investment made after being led up the garden path by an Administration, first approving access and then withdrawing access, then being promised re entry on terms, then being told that terms are unable to be developed, then being promised a start up date, once, twice, three times only to be then told by the Administration via a new Chief Executive Officer that they are back at the starting line and no further advanced than three years ago. Chief Minister do you think that is good enough?

MR BUFFETT Yes, thank you Madam Speaker, Madam Speaker that demonstrates the difficulty of this particular matter. No that situation is not one to be applauded, there is no two ways about that. Never the less, that is the difficulty that we face in this overall situation and obviously what we have got now is endeavouring to have a clear definition and that has been contained in the letter, as to the areas that need to be covered to achieve what needs to be achieved. Long time yes, and most of those difficulties that Mr King has described, not able to solve all of those, nobody is, but it is where we are, and we are endeavouring to move forward with it.

MR KING One final supplementary.

SPEAKER Final supplementary, yes Mr King.

MR KING Well I haven't asked any supplementaries on that question yet Madam Speaker, you are jumping the gun a little bit!

SPEAKER Mr King!

MR KING Well I only have one! Does the Chief Minister understand that in the answer that he has just given, does he comprehend that approval was given three years ago in respect to these investors, three years ago approval was



MR BUFFETT Thank you Madam Speaker, it is not a long contribution, but Mr King did ask about benefits in terms of twinning and community relationships and Mosman was raised, and it does just come to my mind that there were some significant benefits, not necessarily of recent times, but in earlier times, particularly in terms of exchange of skills. I seem to recall that we had exchange of people who might come from Mosman to be in this place, to share some of the skills that they had, and I don't think that they were at additional cost to us, but it meant in terms of sharing information between the two places, on matters that were current, I think there were land planning issues for example, there may have been human resources issues if I remember correctly, that if I equally remember correctly had value in being able to be utilized in Norfolk Island, particularly coming from an area, that is an Australian area, therefore it has that compatibility, but also from a municipality that obviously has currency in how they go about their business, and I seem to recall that that was of significant benefit and it might be useful just in the response to Mr King about how some of these things might travel. I don't recall if there has been recent activities between the two places, but there have been from time to time.

MR KING I have a supplementary, does the Chief Minister know of any benefits which might be put on the table to eat?

SPEAKER We won't entertain that question Mr King.

MRS GRIFFITHS Thank you Madam Speaker, my question is for the Minister with responsibility for Police, Chief Minister considering we have Customs at the Airport, can you please inform the House of the value of having the Police at the Airport meeting every plane?

MR BUFFETT Madam Speaker this has been raised with me a couple of times, and I have asked for it to be examined about the role of the Police being at the Airport, because I do understand that there may be some prescription about them being present at the Airport as may be there should be at other Airports, I haven't had a response to that yet, but that might help in terms of giving you a response when I've got it.

SPEAKER Thank you Chief Minister, further questions without notice Honourable Members? There are no further questions without notice, thank you. We now move along to answers to Questions on Notice.

### QUESTIONS ON NOTICE

SPEAKER The first being stood over from an earlier Sitting, 421 Mr King to the Chief Minister, Chief Minister.

MR BUFFETT Madam Speaker you did use the terms held over from another Sitting, may I just offer the view that questions are not necessarily raised for Sittings, but they are raised and will be responded to when they are able to be.

SPEAKER You are quite correct Chief Minister, quite correct.

MR BUFFETT Madam Speaker question number 421 it asks, this question of me, is it a fact that contrary to answers supplied by the Chief Minister at the

last Sitting, the Norfolk Island Legal Aid System does differ significantly from the systems in other Australian jurisdictions, in particular; a. That unlike other jurisdictions which review their income test and means test annually and/or include self-adjusting mechanisms, the Norfolk Island tests have never been reviewed in their 17 year history and have never contained self-adjusting mechanisms, and b. That as a result a Norfolk Island resident is at a considerable disadvantage when compared to residents of other States or Territories? 2. What justification exists for the Chief Minister deciding at the last Sitting not to inform the House that the Legal Aid System was severely damaged by a failure to review its testing mechanisms? Madam Speaker in response to question 404 at the June Sitting, therefore that was a previous arrangement, was on a separate legal question, not this particular question, the response in the House in June advised that the Norfolk Island Legal Aid System is similar to Australian jurisdictions in that conditions are imposed and guidelines are set for applications for Legal Aid, and that response stands. The Norfolk Island Legal Aid System doesn't contain self adjusting mechanisms, such as being linked to inflation indicators. I now Madam Speaker draw on question on notice 434 and that question asks, when are the guidelines, under Section 14 of the Legal Aid Act 1995 to be updated? And I advise in respect of that Madam Speaker that I wrote on the 19<sup>th</sup> of July to the Presiding Member of the Legal Aid Advisory Committee confirming my request that the committee conduct a review of the Legal Aid Guidelines. 428 is also to me Madam Speaker.

SPEAKER

Thank you.

MR BUFFETT

I refer the Chief Minister to previous responses to questions regarding the activities and funding of the organisation CIRCA. There are four parts to this. 1. How is it that a Minister of Government has assumed executive authority for a non-government privately funded organisation, and 2. What is the extent of involvement of Administration personnel including legal personnel in the activities of CIRCA during Administration time, and 3. How is it that no provision has been made in the Administration's budget for the use of Administration staff in manning the office of CIRCA or otherwise supporting the activities of CIRCA, and 4. Is there provision for other private organisations to access Administration resources including staff for the operation of those organisations? Madam Speaker the Norfolk Community Information and Resources Co-operative Association Incorporated, known as CIRCA is an incorporated not for profit organization under the Associations Incorporation Act 2005, election to the executive of this organization is by voting at the Annual General Meeting of the organization, and it is open to any person who is a Member to be elected. The fact that the current Chairman of the Association is also a Minister of the Government doesn't mean that there is an implied benefit to the Association or conversely to the Norfolk Island Government because of this election to executive office. 2. CIRCA's community information and resource office is utilized to provide the community with numerous Government related information and publications such as Immigration, Health, Road Map and various other reports, the office of CIRCA has been freely utilized by a number of Government related committees such as the Road Safety Committee, the Social Awareness Advisory Committee and the Social Welfare Action Group, the use of one Administration in the manning of the office of CIRCA, that is for three hours Monday to Friday was agreed by the Chief Executive Officer when the original Association was formed, and this was the Administrations agreed contribution of inkind human resources support, which has continued to apply since that inception date. This is the usual practice when similar not for profit organizations such as these are formed on the mainland, and it has been applied in this particular instance here. CIRCA

has also provided the Administration with the equipment required in order for that officer can undertake their normal administration task whilst they happen to be manning the CIRCA Offices for the limited hours that I mentioned earlier. The extent of the involvement of Administration personnel have in CIRCA is provided for under the constitution of the association in that not more than four reps of the Norfolk Island Government are appointed by the Legislative Assembly's Executive Member responsible for the public service as voting committee members. The Administration has four staff members that attend an hour meeting each month. Any further involvement by the Administration staff in CIRCA is given in their own free time. The CIRCA has one committee member that is also a staff member of the Administration's Legal Services Unit, however CIRCA doesn't utilise or obtain legal advice from the Legal Services Unit. CIRCA has however previously provided free support to the Administration's Legal Service Unit by way of facilitating a well attended community seminar on Understanding Wills, Deceased Estates and Enduring Powers of Attorney. The third part of this question, there is no requirement for any budget allocation. And the fourth is, the provision for other organisations to access Administration resources including staff is not something that really I've responded to in a total sense here, but I do make this mention, that the Administration regularly provides resources to community groups, and I give this example, a recent example, the Immigration Development Group, which is a group of independent people, certainly with Government backing, but they have been calling upon various Government instrumentalities for information, for meeting times and the like, Immigration is obviously one of those, so just see that in the context. For information it is pointed out that the current CIRCA Office premises are rented and paid for by CIRCA. The association has also agreed to let the Administration use the Office for half of the rental cost, which is for a trial period to be reviewed at the end of August. All of the equipment utilised by CIRCA is owned by CIRCA and all operational costs other than the costs of the staffing in manning the Office are met by funds held by CIRCA. CIRCA has also provided the Philatelic Bureau with the free use of its office furniture and equipment. The CIRCA office also provides for the disbursement of information from press releases from the Government and notices and forms from the Administration of the Island. Thank you Madam Speaker.

SPEAKER We now move to question on notice 429, Mr King to the Minister for Community Services, Minister Sheridan.

MR SHERIDAN Thank you Madam Speaker, the question reads, at the last Sitting of the House the Minister indicated that a program for testing of the integrity of the Water Assurance Scheme had been developed and commenced and that the timing was unclear. Can the Minister now inform the House when the testing will commence, how long it will take and the expected reporting date? Madam Speaker the response that has been provided by the Administration Department is that the Dye Tracing Program to test integrity of the Water Assurance Scheme will commence in August 2012, which is this month. Stage 1 of the program is scheduled to take three months. The outcomes of Stage 1 will determine the way forward. Leaks will be repaired and the impact of each leak will be assessed. Stage 2 will be a repeat of Stage 1 using increased dye levels and will be expanded to include connected customer sewage collection networks, and septic systems within the catchment. Madam Speaker Stage 2 is scheduled to take a further three months, thus a full report is scheduled to be available in the first quarter of 2013. Just in saying that Madam Speaker, I can understand how Mr King is frustrated by this, this undertaking to under do this testing,

as I am, I'm frustrated by this, in that the delays that have been forthcoming from the Service in attempting to provide this testing Madam Speaker and I will say to Mr King that if the testing program has not commenced this month, I will then have discussion with the CEO to determine whether or not if it would be best to be out sourced to a private company to undertake the testing.

SPEAKER Thank you Minister Sheridan, question on notice 430, Mr King to the Chief Minister, Chief Minister.

MR BUFFETT Thank you Madam Speaker, at the last Sitting of the House the Chief Minister said that the matter of moving GBEs into the private sector is a programmed arrangement. Can the Chief Minister advise the House of the detail of that program? Madam Speaker recommendation one of James Fogarty's economic development report stated, and I quote, "the Norfolk Island Government adopt a program of micro-economic reform built around the implementation of the Competition Principles Agreement 1995, the core element of the program will be privatisation of GBEs", it goes on to say some other things, but I just pick up that particular point there. And having said that Madam Speaker the Norfolk Island Government, has, in conjunction with the Commonwealth commenced a program to assess a GBE divestment program. The program will provide an assessment of the competitive framework in a repeatable process which will allow GBEs to be evaluated for their divestment potential. When I say repeatable process Madam Speaker I mean that the assessment will take place in terms of a range and hopefully that range will cover those other GBEs that may not be in that first assessment program, and therefore you may be able to use that program for those others as well. The Commonwealth has included \$300,000 in their budget for 12-13 to assist in this process, it will include engagement of people experienced in this field and the documentation process is required by the 31<sup>st</sup> of December of this year. And when this detail is to hand I can share it with Members, it is being prepared at this time. The GBE assessment process itself is to commence in January 2013, we are talking about process, not divestment on its own account, but the assessment process.

SPEAKER Thank you Chief Minister. Question 431 is also Mr King to yourself Chief Minister.

MR BUFFETT Madam Speaker 431, at the last Sitting the Chief Minister answered questions relating to the establishment of a Government-owned and operated retail outlet for philatelic products. Can the Chief Minister advise whether, consistent with the desire to divest itself of commercial activities, the Government considered putting together a proposal for private sector investment in this activity rather than the Government? Madam Speaker the trial opening of the Philatelic Retail outlet was, as I advised Mr King in response to his question at the July Sitting, an opportunity to better show the public the material that exists in the Philatelic Bureau and thus engender further interest in the purchase of our stamps. The retail outlet was set up under conditions of the trial taking place in the slowest retail months of the year, and the trial period being three months, it commenced in June 14. It shares a shopfront with CIRCA, and the monthly rental cost, including GST, being \$248 and there were no additional staffing costs. In the two months of operation, outcomes include, the signing up of an additional Philatelic customer and two on the mailing list. Providing a service to the surrounding business community, they can purchase stamps and post their letters and like and income of over \$800. And whilst they are quite modest results, indeed very

modest results, yet it does provide a shop front that is open for business in times when some are regretfully needing to close given the harsh business times. The trial of that Philatelic Retail outlet commenced six-months before the GBE assessment process so it's not necessarily pre-empting what might be assessed in the arrangement, but is doing something into the community that is better, we consider, than that which has been in place before and as I have said, it utilises shop frontage, and indeed keeps them open, and that has a plus in the present environment.

MR KING Yes thank you, Chief Minister, recognising from your answer that the Government therefore did not consider putting a package together for private sector investment did I hear that the income since opening up was \$800? And are we talking there income in sort of gross terms, nett terms or sales?

MR BUFFETT I only have that figure [unclear on recording]

MR KING Right, simply called income.

MR BUFFETT Yes, Madam Speaker that is not to be pre-emptive of what might happen in the divestment process, yes.

MR KING Doesn't matter we won't go there.

SPEAKER The next question on notice is number 432 and it is Mr King to myself, thank you Mr King for the question, would Madam Speaker undertake to examine and report to the House on the appropriateness and propriety of the Office of the Speaker and the Clerk using the Government's Legal Advisors for advice in relation to complaints against Ministers of Government lodged by backbenchers? Mr King I so undertake to examine and report to the House. Next question on notice we have done 433, 434, no we have done 434, 433 – Mr King to the Chief Minister, thank you Chief Minister.

MR BUFFETT I would like to respond to 433 if that is okay. To what extent has the private information of private individuals been shared between departments of the Administration? Madam Speaker I responded in part to this at the last Sitting and I gave detail about privacy arrangements and the like, I give this additional information. The private information of private individuals is shared between departments of the Administration in compliance with the Information Privacy Principles of the Privacy Act, and specific sections of other relevant Acts. Two Examples are these, firstly, Under Section 31(1) and 31(2) of the Social Services Act 1980 the Executive Member may obtain specific information about a prospective or current social services recipient by serving in writing upon a person in a position to provide that information. And this action enables confirmation of residency status from the Immigration Department and income, GST office and lands Departments, of an individual. So there are specific pieces of legislation that might allow that and they are mentioned in the legislation. The second example is Healthcare Levy and the Electoral Roll are based on time spent on the island, which is information gathered by the Immigration Department and details obtained from the Immigration Department are used directly for the purposes they were obtained. So that is another example where it might be used.

SPEAKER Thank you Chief Minister, the last two questions 435, 436 are in your name from Mr King as well.

MR BUFFETT Thank you, Madam Speaker, 435, at the last Sitting of the House the Chief Minister advised the House that in an effort to address the access to justice issue highlighted by a shortage of qualified lawyers, he has conducted discussions with the Chief Magistrate with a view to drawing legal personnel from a particular jurisdiction. Is it not a fact that under the Legal Aid Act 1995 the ACT Legal Aid Commission is an agency which is tasked with providing legal services and why has that statutory arrangement not been implemented? Madam Speaker, I thank Mr King for drawing that to attention, the role of the role of the Legal Aid Commission ACT is limited to providing legal services under a grant of assistance under the Legal Aid Act. And under Section 3(1) of the Legal Aid Act 1995 it's defined as a providing agency and in that context I will equally write to them to see if they may be able to offer some services, obviously what we are endeavouring to do, is to make enquiries to as many areas as we can to solve some of these difficulties about services to be available within the community, and I thank Mr King for that. 436, I refer the Chief Minister to the answers he supplied to the House on questions relating to the requisitioning and authorisation for the expenditure of public funds. On what basis did the Chief Minister respond that Section 33 of the Public Monies Act 1979 has no bearing on whether a contravention of sections 25 and 26 of the Public Monies Act was an offence under the law? Did the Chief Minister obtain written legal advice to this effect and if so can he please table that advice? Madam Speaker this matter has been on the Notice Paper I think, and I've responded to it on at least I think three occasions, I have therefore responded to those matters that I've responded, and I'm not going to be repetitive about it. Mr King asked about the legal advice, may I just point to Standing Orders, which prevents me from giving an opinion and it also prevents me from giving legal opinion, so I'm not able to go there.

SPEAKER Through the Chair please.

MR KING I am not asking for a legal opinion, I am simply asking whether the Chief Minister has obtained written legal advice to the effect contained in my question?

SPEAKER I will take that as a supplementary question.

MR BUFFETT Yes, thank you Madam Speaker.

MR KING Well its simply substantive, it's in there.

MR BUFFETT And it's not the Governments practice to table its legal advice Madam Speaker.

MR KING I'm, I'm,

SPEAKER Mr King.

MR KING No, no, I don't even want to go there thank you. Madam Speaker I'm simply asking whether the Chief Minister obtained legal advice to the effect as described in my question.

MR BUFFETT I have said Madam Speaker that any legal advice that we would have is not matters that I would table.

MR KING Surely yes or no, clearly you didn't get legal advice?

SPEAKER That question has been answered, I believe.

MR KING Foot yu' beaten around a bush?

SPEAKER That completes Questions on Notice Honourable Members, we now move to Presentation of Papers.

### **PRESENTATION OF PAPERS**

SPEAKER Are there any papers for presentation this morning? Minister Sheridan I believe you have some regulations to table thank you.

MR SHERIDAN In accordance with Section 41 of the Interpretation Act 1979 I table the Employment Amendment Regulations 2012.

SPEAKER Thank you Minister Sheridan, further papers for presentation, Chief Minister. [unclear on recording] that the paper be noted, please Mr King – the question before the House is that the motion be agreed to, debate Honourable Members, Mr King.

MR KING Can I seek some clarification on the content of the Regulations, the objective, and whether there was any policy embodied in it.

MR SHERIDAN Certainly Madam Speaker, for the people, I think I have provided this to Members and discussed it at MLA's, but just for the purposes, the Employment Amendment Regulations 2012 is in regards to Public Holidays Madam Speaker and under the Act where we substitute days instead of the normal days well then it has to be done by regulations and in this instance Madam Speaker it is Monday the 28<sup>th</sup> of January 2013 is to be taken as a public holiday instead of Saturday 26<sup>th</sup> of January which is Australia Day and the Monday the 10<sup>th</sup> of June 2013 is to be taken as a public holiday instead of Saturday 8<sup>th</sup> of June which is for Anniversary Day.

SPEAKER Thank you Minister Sheridan, further debate Honourable Members? Mr King? No. There being no further debate I put the question.

QUESTION PUT

QUESTION AGREED

The paper is so noted. Further papers for presentation this morning, Chief Minister.

MR BUFFETT Madam Speaker, I have two papers, the first is an authorisation that I have given as Minister for Finance for the transfer of appropriation which is outstanding at the end of this year to be taken over to the next year, there is a list of that, a normal arrangement for our accounting arrangements, and I table that list.

SPEAKER Thank you Chief Minister that paper is so tabled. Further papers.

MR BUFFETT In terms of the Customs Act 1913 I also table a particulars of duty waived there is provision for the Minister to be able to exempt duty under \$200, beyond that there is another process as we will see on our Notice Paper in a few moments Madam Speaker. This is an amount for St. John's importation, the sum effected is \$63.01 and I table that document.

SPEAKER That paper is so tabled, further papers for presentation this morning Honourable Members, there being no further papers for presentation we move to statements.

### STATEMENTS OF AN OFFICIAL NATURE

SPEAKER Are there any statements this morning? Chief Minister.

MR BUFFETT Madam Speaker, Members will recall that in celebration of Her Majesty the Queen's Diamond Jubilee, the Norfolk Island community undertook a number of arrangements, gathered photographs, messages and presented a gift to Her Majesty the Queen, and all of that has been despatched, and I with great pleasure read this response to the House. The response comes from Buckingham Palace, from the Private Secretary to the Queen, it is addressed to me as Chief Minister. Dear Mr Buffett, the Queen has asked me to pass on her sincere thanks for the gift of a painting and a specially prepared album of photographs and messages from the people of Norfolk Island on the occasion of Her Majesty's Diamond Jubilee, the Queen was pleased to receive these thoughtful gifts. Her Majesty was touched to read the kind messages from well wishes and to view the photographs of activities on Norfolk Island, both past and present. The Queen particularly appreciated the detailed capture in the water colour painting by Ms Yager, it was also most kind of the Norfolk Island Legislative Assembly to devote a Ceremonial Sitting to Her Majesty's Diamond Jubilee, and the words of support and loyalty of the Members of the Assembly were much appreciated. This message comes to you and the people of Norfolk Island with the Queen's good wishes, yours sincerely.

SPEAKER Thank you Chief Minister, further statements this morning Honourable Members? Chief Minister.

MR BUFFETT Madam Speaker, in terms of statements, may I, I know that I have said this privately to Members, but in this public forum, may I welcome the new Chief Executive Officer, Mr Graeme Falkner to his task, he has now been in the task for two plus weeks, we welcome him, he comes to us well credentialed, he has great challenges to meet with us, in the Norfolk Island community, and both he and his wife have arrived here, and I wish on behalf of Members to wish him a warm welcome.

MEMBERS Here here.

MR BUFFETT May I also Madam Speaker say thank you to Mr Bruce Taylor, who has undertaken the task of Acting CEO for a period of a number of months,

and I would like to offer appreciation to him for undertaking that task, not an easy task, until the appointment and arrival of the new CEO, I offer thanks to Mr Taylor.

MEMBERS Here here.

SPEAKER Thank you Chief Minister, further statements Honourable Members? Minister Nobbs.

MR NOBBS Thank you Madam Speaker, as I referred to earlier, I would like to provide a statement, or report provided to me by the General Manager for the Norfolk Island Government Tourist Bureau, and this is a six month report that deals with the timeframe between December 2011 – June 2012. My intention is to read this as a statement Madam Speaker.

SPEAKER Thank you Minister Nobbs.

MR NOBBS In the six months January to June 2012 the Norfolk Island Government Tourist Bureau has achieved, or commenced initiatives and outcomes as follows. Tourism Strategy Review - the initial review was delivered in January 2012. Key outcomes include Bureau and Ministerial community engagement in forums aimed at the development of a new tourism vision for Norfolk Island. The vision developed through community and stakeholder input is as follows, we will commit to a sustainable tourism industry that values the environment and community lifestyle, we will welcome visitors to an experience surprising in its uniqueness, diversity and in the spirit of connectedness, we will work together as an industry, exceeding visitor expectations. The Norfolk Island Government Tourist Bureau has also engaged Peter Kenyon from the Bank of Ideas to assist in the industry and community engagement toward delivery of a new Tourism Strategy due to be finalised by September 2012. Transitioned to the Norfolk Island Government Tourism Advisory Board – this has resulted in the establishment of better lines of communication available for members and associations. Key outcomes being; the signing of a Code of Conduct by all Board Members; reduced day to day management duties of the Chairman; removed responsibility of the Board for the operation of the Norfolk Island Government Tourist Bureau budget. Transition to Air New Zealand Australian Services – The Norfolk Island Government Tourist Bureau has established good lines of communication with the Management of Air New Zealand Australia through initial presentations, consistent communications and feedback and the implementation of a consistent PR, Consumer awareness and Sales Tactical advertising plans. The Norfolk Island Government Tourist Bureau invested in both the FIT market, the free independent traveller market, as well as a reinvestment in the Group markets and maintained support to the special events to ensure the changeover effect on wholesaler travel agent relationships was managed. Key outcomes include; the signing of an MOU for tourism services support; the signing of confidentiality agreements to allow the flow of information aimed at assisting marketing and profile initiative performance evaluation; an extensive media famil programme; periods of wholesaler advertising that have not relied on NIGTB funding; re-establishment of relations with New Zealand partners, the Norfolk Island Government Tourist Bureau has successfully moved towards the re-establishment of communications with wholesale and Airline partners in New Zealand. The Norfolk Island Government Tourist Bureau has invested in consistent, sales tactical advertising and backed that up with a major TVC destination awareness campaign which does show some signs of gaining traction. Key outcomes include co-operative advertising

programmes and buy in from the two largest wholesalers with funding, Air New Zealand running multiple tactical sales both through distribution and online. Commencement of an internal review. This has seen better understanding of the roles and responsibilities of the NIGTB in destination management, destination sales and marketing as well as the Information Centre services. Key outcomes. A significant saving in wages (budget reduction) of \$30,000 in the 12/13 financial year. Reduction of staff from 14 to 9, the development in conjunction with Admin HR of a draft HR policy for the Norfolk Island government Tourist Bureau, the working development in conjunction with the Commonwealth Finance Officer and CBT and the Auditors of Financial Policy and Guidelines, review of the Brand. This was seen as a priority to move forward with promotions in conjunction with the Air New Zealand Airline Service. Key outcomes for the collateral in conjunction with this campaign include a Brand Communication Paper, a new photo library, the commencement of a video library, a new Brand campaign, a new brochure and advertising collateral, a 4 month Australia and New Zealand television commercial campaign, commencement of a new website. Review of the Australia outsourced contracts. In January the Australian overseas contractors included 1 for creative, 1 for public relations and 1 for trade representation. A review was undertaken to ensure best return on investments and the key outcomes were UTC, Unique Tourism Collections was engaged to represent all 3 areas of responsibility, the savings by April 2012 were approximately \$15,000 per month. A sustained PR media famil campaign was launched, a sales tactical was planned and executed for 4 months, a planned TVC advertising campaign was developed and implemented, the commencement of legal dialogue with DDI Australia and a hold on any payments since November 2012 subject to clarification of charges and resources utilised. Cruising. The Norfolk Island Government has supported the efforts to encourage Commonwealth and Carnival to move forward with the development of a cruising industry to Norfolk Island. Key outcomes, a value of cruising for Norfolk Island document to support submission information, meetings with Carnival Cruises to build relationships. Lastly Madam Speaker budgeted funds. The Norfolk Island Government Tourist Bureau operated under budget for the 2012/13 period. Key outcomes being implementation of a secure server networking operation in house, updating of the Visitor Information Centre interior, updating of the boardroom meeting facilities, purchase of an Apple I Mac for media and a desktop PC for the GM, spend of an additional \$60,000 in advertising in Australia, spend of an additional \$47,000 in advertising in New Zealand, spend an additional \$20,000 in media famils, underspent approximately \$42,000 in wages, underspent in a majority of the non advertising votes. That's the end of the Statement thank you Madam Speaker.

SPEAKER Thank you I will provide the House with a formal report on my recent official visit to the Solomon Islands 23 – 27 July 2012. Each year Presiding Officers Minister Nobbs are you asking

MR KING Is that open for debate. I know you haven't made it yet but I'm just trying to gather my thoughts together.

SPEAKER Any Statement that is made in the House is open to debate. Each years Presiding Officers and Clerks from all the Australian and Pacific parliaments, or their deputies, come together to discuss parliamentary issues and items of interest common to parliaments in both regions. The Solomon Islands parliament was this year's host for the 43<sup>rd</sup> Presiding Officers and Clerks Conference at which all the Australian Parliaments were represented; as were the Pacific parliaments of the

Autonomous Region of Bougainville, Cook Islands, Kiribati, Nauru, New Zealand, Samoa, Tuvalu and the Republic of Vanuatu. Norfolk Island played a meaningful role at the Conference in a number of ways. A jurisdiction report was presented giving a snapshot overview of some topics of interest, including 1) the recent motion passed by the House in July on self governance and taxation and the circumstances leading up to the motion; 2) the amendments to the Road Traffic Act which required the compulsory wearing of seatbelts; 3) the cultural and historical agreement signed between the Isle of Man and Norfolk last year; 4) the attendance of three of Norfolk's young people working in London at the London CPA Commonwealth Day activities; and 5) Norfolk's celebration of the Queen's Diamond Jubilee which included a ceremonial sitting of the House in June. In my opening remarks I paid homage to the Solomon Islands for hosting the Conference and offered our congratulations on their successful hosting earlier in the month of the 11<sup>th</sup> Festival of Pacific Arts in which Norfolk Island participated. It was a great pleasure for me to reflect back on Norfolk Island's historical link with the Solomon Islands through the Melanesian Mission College which operated on Norfolk between 1867 and 1919, leaving us a "bountiful" legacy including St. Barnabas Chapel and some wonderful Melanesian artefacts. In presenting a paper titled "Creating Leaders of the Future – Youth in the Commonwealth" a visual presentation was made on the internet of the social media networking site titled "Youth in the Commonwealth" that was launched in March this year at the Norfolk Island Central School; a site which offers a vehicle for linking our Youth Assembly with other Youth Assemblies, Youth Parliaments and Youth Organisations in the Commonwealth to learn from and about each other. The intention of the presentation was to encourage the Presiding Officers and Clerks at the Conference to bring the networking site to the attention of their respective youth assemblies and parliaments as well as to build on Norfolk Island as a presence in the Commonwealth.

Norfolk Island was called upon to be the Chair for a number of meetings during the Conference. The first being to chair two meetings of the Australian Region Management Committee which spanned some three hours in order to achieve outcomes that met the Regions expectations. The second was for Norfolk, by invitation of the Pacific Region, to chair what was thought to be the first joint meeting of the CPA Australian and Pacific Region Branches. This was a great honour and my opening remarks, which were carefully chosen, were, as best as I can recall, along these lines: "Norfolk Island is honoured to be invited to chair this joint meeting of the Australian and Pacific Region CPA Branches; we sometimes feel Norfolk Island walks between the worlds; we walk in Polynesia and the Pacific with our culture, heritage and traditions; and we walk at the same time with Australia to whom we owe our loyalty". In choosing these words I looked to the publication "Our Near and Abroad – Australia and Pacific Islands regionalism" published last November by Professor Richard Herr and Anthony Bergin from which I quote "The Melanesian people of the Torres Strait Islands and Norfolk Islanders of Polynesian ancestry can serve as bridges from Australia into the region." Jurisdiction updates were also provided for each set of twinned parliaments on their twinning activities in the past 12 months and as Members are aware Norfolk Island entered into a twinning partnership with Niue in May this year in tandem with the Northern Territory. Thanks to the many valuable contacts made while at the Conference, I will be following up on some worthwhile initiatives including parliamentary education and member induction programmes, joint funding possibilities and working with Niue and the Northern Territory to build on our twinning partnership into the future to our mutual benefit and I thank Mr King for mentioning the joint funding possibilities. I perhaps should have been a little bit clearer there. The Joint funding possibilities arise

under the CPA Education Trust Fund and the CPA Interparliamentary Union fund of which Norfolk Island was a contributing signatory and contributor at the very beginning back I think in 2000 somewhere around that time. So thank you Mr King for having brought that to my attention, certainly not my discussing joint funding agreements for that the Government would be involved in. I table the Report and give notice of my intention at the next sitting of the House to move a motion after having consultation with my colleagues – rebuilding how we can build on our links with the Pacific to the mutual benefit of the Commonwealth of Australia, Norfolk Island and our friends in the Pacific. Thank you Honourable Members.

### **MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR – NO 30**

**SPEAKER** On 26<sup>th</sup> July 2012 acting pursuant to Section 21 of the Norfolk Island Act 1979 I declared my assent to the following proposed laws passed by the Legislative Assembly, the Ombudsman Act 2012, Act No 5 of 2012 and Lighterage (Amendment) Act 2012 which is Act No 6 of 2012. That message is dated 26<sup>th</sup> July 2012 signed by Neil Pope Administrator.

### **CUSTOMS ACT 1913 – EXEMPTION FROM PAYMENT OF CUSTOMS DUTY**

**MR BUFFETT** Madam Speaker I move that under Subsection 2 B 4 of the Customs Act 1913 this House recommends to the Administrator that the goods specified in the first column of the Schedule imported by the persons specified opposite and on the conditions mentioned in the second column of the Schedule be exempt from duty. There are 2 items here Madam Speaker, they relate to the Fishing Club and the Norfolk Island Volunteer Rescue Service. The applicable duty for the first is \$459-12 and the second which is for the Volunteer Rescue is \$2621-40. It relates to rescue equipment and training manuals and the like. This is the normal process for addressing such goods and I commend this Motion Madam Speaker.

**SPEAKER** Is there any debate Honourable Members. I put the question.

**QUESTION PUT  
AGREED**

**SPEAKER** We move now to a matter that is to stand in Minister Sheridan's name and your seeking leave Minister Sheridan to introduce a Motion.

**MR SHERIDAN** That's correct Madam Speaker.

**SPEAKER** And this Motion relates to the Norfolk Island Hospital Act 1985 – reappointment of Members of Norfolk Island Hospital Advisory Board. Is leave granted. Leave is granted Minister

**MR SHERIDAN** Thank you Madam Speaker. I seek leave to move that for the purpose of Subsection 12 (1) of the Norfolk Island Hospital Act 1985 this House resolves that Valerie Grace Martinez, Candice Ann Snell and Shane Marshall McCoy be reappointed as members of the Norfolk Island Hospital Advisory Board for the period 20<sup>th</sup> August 2012 to 19<sup>th</sup> August 2015.

SPEAKER Thank you the question before the House is the Motion be agreed to. Debate.

MR SHERIDAN Thank you Madam Speaker. Firstly I'd like to apologise to Members for bringing this Motion on by leave but it was only brought to my attention on Monday that these 3 persons appointments expired on the 19<sup>th</sup> August so this year so it was prudent to move at this Sitting that these people be reappointed or new members be appointed to the Board. Thankfully Madam Speaker the three members who have been on this Board for the past 3 years agreed to participate for a further term. Madam Speaker I'd just like to give thanks to these 3 members, Valerie, Candice and Shane for participating in the Norfolk Island Advisory Board they have provided some excellent service over the past few years in providing support to the Norfolk Island Hospital Director Mr David McCowan in various areas and some in particular is the project of a new Hospital, their advice and their support in pursuing this dream that many on Norfolk Island have of providing new health facilities for the residents of Norfolk Island. They were instrumental in supporting the acquisition of the portion of land that it was determined would be the best place for a new Hospital. They were also instrumental in obtaining the services of Architecture without Frontiers who produced a document of which we have used and of course apart from that documents some drawings in the concept for a new Hospital. This was brought about after consultation by Architects without Frontiers with the community of Norfolk Island and in particular the Hospital staff but the document that they did produce has enabled us to put in for some grant fundings through the Health and Hospital fund over the past 2 years. Unfortunately these have been unsuccessful and the Board are now pursuing further areas of funding that we may be able to access and providing other support to the Director of the Norfolk Island Hospital. Madam Speaker I think that the next three years there will be some interesting times for the health services of Norfolk Island. Hopefully we will get a new health facility and with a new Director bound for Norfolk Island towards the end of this year hopefully, it seems to be a new era for our health services on Norfolk Island. So it's with these experience that these 3 people have I think it holds that health area in good stead for moving forward. So I commend these three people to the House for reappointment to this Board.

SPEAKER Thank you Minister Sheridan. Further debate.

MR SNELL Thank you Madam Speaker. I'd just like to reaffirm the words by Minister Sheridan and to also offer my congratulations and appreciation to the members for their continued participation the Hospital Board.

SPEAKER Thank you. Further debate. I put the question

QUESTION PUT  
AGREED

## WILLS BILL 2012

MR BUFFETT Thank you Madam Speaker. I present the Wills Bill 2012 and move that the Bill be agreed to in principle and in due course I'll table the Explanatory Memorandum

SPEAKER Thank you Chief Minister. The question before the House is that the Bill be agreed to in principle. Any debate Honourable Members.

MR BUFFETT Thank you Madam Speaker. There is a Wills Act of 1973. This Bill is designed to repeal that Act and to come in its place. Today it's a matter of introduction only, it's not a matter of finalising it in any way whatsoever. The law of Wills has traditionally required strict compliance with the formal requirements for execution, variation or revocation of a Will and most jurisdictions have introduced statutory reforms in respect of that process. An important change contained in this Bill and one long overdue for Norfolk Island is the conferral of a discretion of the Supreme Court to dispense with some of the strict formal compliances in certain circumstances, not necessarily in all but in certain circumstances, and this Bill therefore has a range of provisions, adjustments, amendments and the like that cover this range. The introduction of Court authorised Wills for people who lack testamentary capacity, the provision of statutory guidance in relations to the matters to be taken into consideration by the Court in authorising a minor to make a Will, new rules about beneficiaries who witness Wills, new rules about survivorship, revision of the law relating to foreign Wills to bring Norfolk Island law relating to the choice of laws issues into line with the law in other jurisdictions, new provisions about who is entitled to see a Will on the death of a testator, new provisions for the deposit of Wills and provisions relating to the admission of limited evidence to aid in the interpretation of Wills. I table this Explanatory Memorandum Madam Speaker which sets out a description of I think the 59 clauses that are contained within it. As I say it picks up new methodology that is endeavouring to be throughout the Australian scene although not quite achieved at this time. It picks up international methodology as to how this might be addressed although it must be said that that is not totally uniform either but it is made to be relevant to Norfolk Island's situation. And this Bill is therefore introduced today so that it might be discussed further to be publically available and any commentary brought to the House so that we might give it further consideration at a subsequent time. Introduction only today Madam Speaker.

SPEAKER Thank you Chief Minister the Explanatory Memorandum is so tabled. Debate on the question that the Motion be agreed to.

MR KING Thank you Madam Speaker. From what I gather and this is only very new to me as I think it's very new to other Members around the table. I'm left wondering how it is accorded the number 1 priority in the Legislative development area. I'm not sure I'm going to get an appropriate answer for that but it appears from Mr Buffett's reading of Explanatory Memorandum that it contains considerable policy and I'm interested to learn over what time the Government sat around and considered and developed that policy thinking and why it remains to this point in time or until 2 days ago a complete mystery to the backbenchers. That's saying very little and actually about the substance of the Bill Madam Speaker but it might set my frame of mind for further words at the second reading. Thank you.

SPEAKER Further debate. No further debate.

MR BUFFETT Madam Speaker I move that debate be adjourned resumption of debate made an Order of the Day for a subsequent day of Sitting.

SPEAKER I put the question.

QUESTION PUT  
AGREED**OMBUDSMAN AMENDMENT BILL 2012**

MR BUFFETT Thank you Madam Speaker I present the Ombudsman Amendment Bill 2012 and seek leave for the Bill to be considered through all stages at this Sitting.

SPEAKER Is leave granted Honourable Members. Leave is granted

MR BUFFETT Madam Speaker I move that the Bill be agreed to in principle and I table the Explanatory Memorandum to the Bill

SPEAKER That is so tabled. Thank you.

MR BUFFETT Madam Speaker the Ombudsman Bill we tidied at an earlier Sitting. These are to cover some Amendments, they are mainly matters of spelling, punctuation, cross referencing and the like. A particular change that refers to Subclause 6a provides that the Ombudsman may but is not required to hold an inquiry into a matter referred by a party named in Clause 7a (1) of the Act and this change is necessary in order the Ombudsman may decline to proceed if for example its inappropriate to do so. That is really a clarification of the Clause more than an introduction of a new Clause. But it's really to tidy a number of matters that are just as I'm advised beyond the Commissioner for enactments reprinting adjustments but they do relate to punctuation, cross referencing and spelling and the like. It's that reason Madam Speaker that I have a recommendation that we tidy it today because it's only covering those sorts of things, plus once we have done this it will allow the Ombudsman to be utilised the original legislation to be utilised in its total sense. I commend this Madam Speaker.

SPEAKER Further debate. No further debate? I will now put that question that the Bill be agreed to in principle.

QUESTION PUT  
AGREED

We move now to the detail stage. Is it the wish of the House to dispense with the detail stage. We so dispense. I now look to you Chief Minister to move the final Motion.

MR BUFFETT I so do Madam Speaker.

SPEAKER Any final debate? I put the question

QUESTION PUT  
AGREED**FIXING OF THE NEXT SITTING DAY**

MR ANDERSON Thank you Madam Speaker. I move that this House at its rising adjourn until Wednesday the 19<sup>th</sup> September 2012 at 10.00am

SPEAKER Thank you. Debate?

SPEAKER I put the question.

QUESTION PUT  
AGREED

### ADJOURNMENT

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

SPEAKER Any adjournment debate Honourable Members. I put the question.

QUESTION PUT  
AGREED

This House stands adjourned until Wednesday 19 September 2012 at 10.00am Honourable Members.

