SECOND NORFOLK ISLAND
LEGISLATIVE ASSEMBLY

HANSARD

Fourth Sitting
(12 May 1982)
Executive Member for Administration, Education & Health
(The Honourable David Ernest Buffett)

Surface Transport
Roads, Footpaths & Bridges
Street Lighting
Water Supply
Electricity Supply
Drainage & Sewerage
Garbage & Trade Wastes
Primary Production
Slaughtering
Domestic Animals
Pounds
Pests & Noxious Weeds
Recreation Areas
Cemeteries
Forestry & Timber
Fire Prevention & Control
Quarrying
Prevention of Nuisances
Noxious Trades
Gases & Fuels

Firearms
Explosives
Places of Public Entertainment
Museums, Memorials & Libraries
Boarding Houses & Hotels (food & beverages)
Foodstuff & Beverages
Trading Hours
Markets & Street Stalls
Hawkers
Radio & Television
Telephone Services
Coastlines, Foreshores, Wharves
Lighterage
Registries & Rolls
Social Services
Education
Health
The Environment
Culture & Traditions

Executive Member for Planning, Tourism & Commerce
(John Terence Brown)

Building Control
Advertising Hoardings
Tourism (including Tourist Accommodation)
Fishing
Immigration
Land Use Planning & Subdivisions
Air & Sea Transport (other than Lighterage)
Legislation Planning
Future Planning
Commerce

Executive Member for Finance
(Edward Davenport Howard)

Revenue Raising
Public Monies
Postal Services
Customs
Liaison with the Public Service Board
Retail Price Index
Bond Store & Future Commercial Undertakings of the Administration
MEMBERS OF THE LEGISLATIVE ASSEMBLY

President — The Honourable David Ernest Buffett
Deputy President — Mr. William Winton Sanders

Brown, John Terence
Buffett, Alice Inez
Buffett, The Honourable David Ernest
Christian-Bailey, Bernard Edwin
Gray, Chloe Barbara
Howard, Edward Davenport
Jackson, Gilbert Wallace
Quintal, Gregory Gilbert Francis
Sanders, William Winton
COMMITTEES

STANDING

Business Committee
Mr. President
Mr. J.T. Brown
Mr. E.D. Howard

Standing Orders Committee
Mr. President
Mr. J.T. Brown
Mr. B.E. Christian-Bailey
Mr. G.W. Jackson

House Committee
Mr. President
Miss A.I. Buffett
Mr. B.E. Christian-Bailey
<table>
<thead>
<tr>
<th>TABLE OF CONTENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Condolences</td>
</tr>
<tr>
<td>Nomination of Acting Deputy President</td>
</tr>
<tr>
<td>Questions Without Notice:</td>
</tr>
<tr>
<td>School Bus Service</td>
</tr>
<tr>
<td>Fish Royalties</td>
</tr>
<tr>
<td>Lighterage</td>
</tr>
<tr>
<td>Appointment of Seconded Officers with School Age Children</td>
</tr>
<tr>
<td>Cascade Onion Eradication Programme</td>
</tr>
<tr>
<td>Remuneration to Assembly Members</td>
</tr>
<tr>
<td>Petrol Price Increase</td>
</tr>
<tr>
<td>Shipping Freight Increase</td>
</tr>
<tr>
<td>Executive Committee Submissions</td>
</tr>
<tr>
<td>Article in Melbourne Sun re tax avoidance scheme</td>
</tr>
<tr>
<td>Answers to Questions On Notice:</td>
</tr>
<tr>
<td>Auditor-General's Report</td>
</tr>
<tr>
<td>Retail Price Index</td>
</tr>
<tr>
<td>Garbage Disposal Methods</td>
</tr>
<tr>
<td>Amendments to the Timber Licence Ordinance 1913</td>
</tr>
<tr>
<td>Amendments to the Companies Ordinance 1926</td>
</tr>
<tr>
<td>Water Supply and Sewerage</td>
</tr>
<tr>
<td>Discriminatory Laws</td>
</tr>
<tr>
<td>Application by Mr. &amp; Mrs. G. Pedel for a Crown Lease Portion</td>
</tr>
<tr>
<td>Guaranteed Land Titles &amp; Limitation of Actions Legislation</td>
</tr>
<tr>
<td>Visit by Minister for Home Affairs &amp; Environment</td>
</tr>
<tr>
<td>Papers:</td>
</tr>
<tr>
<td>Directions under section 32B of the Public Moneys Ordinance</td>
</tr>
<tr>
<td>Ministerial Statements:</td>
</tr>
<tr>
<td>Tree Planting and Arbor Day</td>
</tr>
<tr>
<td>Wedding Ring of Midshipman Edward Young</td>
</tr>
<tr>
<td>Immigration Bill</td>
</tr>
<tr>
<td>Tourism</td>
</tr>
<tr>
<td>Legislative Priorities and Review of Powers</td>
</tr>
<tr>
<td>Financial Report</td>
</tr>
<tr>
<td>Message from the Administrator</td>
</tr>
<tr>
<td>Notices:</td>
</tr>
<tr>
<td>Legislative Assembly (Amendment) Bill 1981</td>
</tr>
<tr>
<td>Tallying of Votes in 1982 General Election</td>
</tr>
<tr>
<td>Voting System</td>
</tr>
<tr>
<td>Naming of Road</td>
</tr>
<tr>
<td>Grant of Crown Lease to Mr. &amp; Mrs. G. Pedel</td>
</tr>
<tr>
<td>Variation of Immigration Policy</td>
</tr>
<tr>
<td>Airfare Increases</td>
</tr>
<tr>
<td>Suspension of Sitting/Resumption of Sitting</td>
</tr>
<tr>
<td>Notices (Cont'd)</td>
</tr>
<tr>
<td>Public Account Expenditure Bill (No.4) 1981-82</td>
</tr>
<tr>
<td>Road Traffic Bill 1982</td>
</tr>
<tr>
<td>Companies (Local Companies) Bill 1982</td>
</tr>
<tr>
<td>Court of Petty Sessions (Amendment) Bill 1982</td>
</tr>
<tr>
<td>Timber Licences (Amendment) Bill 1982</td>
</tr>
<tr>
<td>Building (Amendment) Bill 1982</td>
</tr>
<tr>
<td>Orders of the Day:</td>
</tr>
<tr>
<td>Pages 322-323</td>
</tr>
<tr>
<td>Page 324</td>
</tr>
<tr>
<td>Pages 324-325</td>
</tr>
<tr>
<td>Pages 325-327</td>
</tr>
<tr>
<td>Pages 327-329</td>
</tr>
<tr>
<td>Pages 329-330</td>
</tr>
<tr>
<td>Pages 330-331</td>
</tr>
<tr>
<td>Pages 331-332</td>
</tr>
<tr>
<td>Pages 332-333</td>
</tr>
<tr>
<td>Pages 333-334</td>
</tr>
<tr>
<td>Pages 335-338</td>
</tr>
<tr>
<td>Pages 339-340</td>
</tr>
<tr>
<td>Pages 340-343</td>
</tr>
<tr>
<td>Pages 343-344</td>
</tr>
<tr>
<td>Pages 344-345</td>
</tr>
<tr>
<td>Page 345</td>
</tr>
<tr>
<td>Pages 346-347</td>
</tr>
<tr>
<td>Pages 347-348</td>
</tr>
<tr>
<td>Pages 348-350</td>
</tr>
<tr>
<td>Pages 350-351</td>
</tr>
<tr>
<td>Pages 351-352</td>
</tr>
<tr>
<td>Page 352</td>
</tr>
<tr>
<td>Pages 353-354</td>
</tr>
<tr>
<td>Pages 354-355</td>
</tr>
<tr>
<td>Pages 355-356</td>
</tr>
<tr>
<td>Pages 356-357</td>
</tr>
<tr>
<td>Pages 357-362</td>
</tr>
<tr>
<td>Pages 362-363</td>
</tr>
<tr>
<td>Page 364</td>
</tr>
<tr>
<td>Pages 364-368</td>
</tr>
<tr>
<td>Pages 368-375</td>
</tr>
<tr>
<td>Pages 375-378</td>
</tr>
<tr>
<td>Pages 378-381</td>
</tr>
<tr>
<td>Pages 381-389</td>
</tr>
<tr>
<td>Pages 389-393</td>
</tr>
<tr>
<td>Pages 393-398</td>
</tr>
<tr>
<td>Pages 398-400</td>
</tr>
<tr>
<td>Pages 400-428</td>
</tr>
<tr>
<td>Pages 428-435</td>
</tr>
<tr>
<td>Pages 435-437</td>
</tr>
<tr>
<td>Pages 437-438</td>
</tr>
<tr>
<td>Pages 438-440</td>
</tr>
<tr>
<td>Pages 440-449</td>
</tr>
</tbody>
</table>
# TABLE OF CONTENTS Cont'd

Notices (Cont'd):
- Chamber of Commerce Submission on Customs Duty
- Customs (Amendment) Bill 1982

Orders of the Day (Cont'd):
- Customs (Amendment) Bill 1982

Next Sitting Day
Adjournment
Adjournment Debate

Pages 455–465
Pages 465–467
Page 467
Pages 467–470
Page 470
Pages 470–473
The Assembly met at 2 p.m. The President (Hon. D.E. Buffett) took the Chair and read the Prayer.
CONDOLEANCES

MR. SANDERS: It is with regret that we record the death of Mr. Bruce Horlock on 23 April 1982 while he was holidaying here from Port Kembla, New South Wales. Those of us who knew Bruce from his many visits to the Island knew him as a kindly gentle man, and his sudden passing at age 57 is a sad loss.

To his family and friends this House extends its sincere condolences.

Mr. President there is another one.

It is with regret that we record the death on 29 April of Mr. Thomas John Elliot, aged 88 years. Tom was born in England in 1894, and in 1916 married Dorothy. Together they conducted a health home in Bristol for 24 years. In 1958 they retired and came to live on Norfolk Island where many friends were made.

To Dorothy, his wife for 66 years, to his relatives and friends this House conveys its sincere condolences.

Mr. President I have another.

We also record with regret the death of Celia Yeaman on 4 May. Celia was born on Norfolk Island in 1906 and lived here until 1946 when she went to Australia to take her daughter to school. While there she worked in many interesting jobs one of which was a cook for jackaroos on an aberdeen angus cattle station in Bingarra New South Wales. She returned to Norfolk in 1963. Although suffering poor health for many years Celia was a lover of life and of people and was always willing to help anyone.

To her sister Jessie in Sydney, her brother George in New Zealand, her grandsons Gary and Bradley in Sydney, to daughter Rangi and Dudley here on Norfolk Island and to her relatives and many friends this House extends sincere condolences.

Mr. President I have one final one.

Kevin James Olsson passed away on Thursday 6 May 1982 aged 27 years, being born on 27 April 1955. Kevin was educated at Norfolk Island Central School and then at Wagga High School. In 1974 he joined the travel office staff of Burns Philp in Norfolk Island and in
1980 the staff of the Norfolk Island Administration where he was employed at the time of his passing. In recent years he was an active Director of the Norfolk Island Leagues Club. Kevin was an outstanding sportsman and his sporting record deserves mention - lawn bowls - although only a recent interest he was already showing his inherent skill; basketball - he represented Norfolk Island locally against visiting teams and was chosen for the team to visit Noumea last year but was unable to attend due to his attendance as a competitor in the South Pacific Games at Honiara in the same year; football - he represented Norfolk Island in a tour of New Zealand in about 1976 and on other occasions; tennis - he represented Norfolk Island at the South Pacific Games at Honiara in the Solomons in 1981; golf - it was at golf that Kevin really shone. With a handicap of 5 he was the current club champion. His achievement commenced in 1968 aged 13 when he won the B Grade foursome with Don Adams; in 1969 he won the A Grade foursome with Ben Christian; in 1970 he won the A Grade foursome with his father; in 1981 he won the A Grade foursome with Dennis Sterling; he won the Christmas Tournament with the best gross and net in 1980-81; and the Easter Open in 1981; he was club champion in 1979 and 1980, and currently. In the sport of golf he defeated visiting professionals and top amateurs in various tournaments.

Kevin was popular and well liked by all who met him because of his helpful and generous nature. His prowess at sport was quite exceptional and could only have been possible, apart from the personal effort and exertion and skill that is essential, by his excellent sportsmanship and his regard for his competitors and his fellow man. He is the kind of person one would wish to have in the community through a long lifetime. It is hoped that his example in life may be copied by other young people. The community will benefit if this could happen. It is proudly said that Kevin was one of Norfolk's finest sons, especially of his generation. We mourn his premature passing.

To Jim and Doreen, Jan and Ethelyn, Sid and Rees, Vanessa, James, Nathan and Nikki, and Jocelyn, this House extends its sincere sympathy.

MR. PRESIDENT: Thank you Mr. Sanders. As a mark of respect to the memory of the deceased I would ask all Members to stand in silence.
NOMINATION OF ACTING DEPUTY PRESIDENT

MR. PRESIDENT: Honourable Members I would like to inform the House that acting in accordance with standing order No.9 I have nominated Bernard Edwin Christian-Bailey to be an Acting Deputy President of this House. I would also mention that he will be called upon to perform the first of his duties during the course of today's proceedings.

QUESTIONS WITHOUT NOTICE

SCHOOL BUS SERVICE

MR. PRESIDENT: Mr. Christian Bailey.

MR. CHRISTIAN-BAILEY: Mr. President I have two questions without notice. The first one is directed to yourself as Executive Member responsible for education.

Can the Executive Member tell me what the current position is regarding the school bus run.

MR. PRESIDENT: Honourable Members the situation with the bus run is that it has reached a stage of making a final decision in the matter. The financial arrangements are one that they have exceeded part of the financial arrangements that were proposed in the original proposal and it is a matter of seeking some further endorsement from the Executive Committee in respect of additional funds for a period of time. It does not exceed the proposal in respect of the present financial year; there is a portion within the next financial year which exceeds that and that needs to be tidied before a final decision can be taken.

FISH ROYALTY

MR. CHRISTIAN-BAILEY: My second question Mr. President is directed to Mr. Brown as Executive Member responsible for commerce.
Can the Executive Member tell me whether he has had the opportunity to negotiate with the appropriate Australian Government Department the possibility for Norfolk Island to receive royalty for fish caught in Norfolk Island waters by foreign fishing vessels.

MR. BROWN: I have not taken that matter up at this stage although I have been receiving various information from the Administrator which I have been passing to some of the Members who I know who are interested in the subject, and in the near future I hope that we will be able to commence discussions about this.

LIGHTERAGE

MR. SANDERS: Mr. President I have four questions that I would like to ask you as Executive Member for lighterage.

MR. PRESIDENT: Mr. Christian-Bailey I would ask you if you would be kind enough to take the Chair at this time.

MR. ACTING DEPUTY PRESIDENT: Thank you. Mr. Buffett.

MR. BUFFETT: Thank you Mr. Acting Deputy President, I think Mr. Sanders was about to fire a question in my direction.

MR. SANDERS: Mr. Buffett are you aware that a meeting was held on Saturday 8 May between members of the Administration Stevedores and Kaipara Excavators.

MR. BUFFETT: Yes Mr. Acting Deputy President I am aware that such a meeting took place.

MR. SANDERS: Mr. Buffett are you aware that even though this heavy machinery was on a barge and was to be driven ashore, Kaipara Excavators was threatened and told they had to employ lighterage and stevedores for the unloading of their barge.
MR. BUFFETT: There is not to my knowledge any threats at all in the manner that Mr. Sanders has mentioned. I think it might be helpful if I endeavour to point out that in the earlier arrangements that were made with the Department of Housing and Construction at the time that they were setting up the where's and the whyfors for the letting of a contract for airport work in Norfolk Island, it was known at that time that it was likely that there would be the importation of heavy equipment. At that time, knowing that, it was indicated that when it had reached a stage of letting a contract and the persons who would be involved in the importation of such heavy equipment were known, then negotiations and discussions might take place as to how this would be done and to whether there was an involvement for both the lighterage and the stevedoring services. In that context it is not unusual at all that such discussion should take place, although I would say at this time that it may have been more beneficial if such discussions had taken place at an earlier time.

MR. SANDERS: Mr. Buffett are you aware that stevedores are employed by the ship, not the lighterage company and any inference that they must be employed or the ship cannot be unloaded is nothing short of blackmail.

MR. JACKSON: Point of order. Does Mr. Sanders have relative documented information about this – there has been no attempted standover by any contractors whatsoever.

MR. ACTING DEPUTY PRESIDENT: No point of order.

MR. JACKSON: Are we to rely on hearsay.

MR. ACTING DEPUTY PRESIDENT: Carry on with your question please Mr. Sanders.

MR. SANDERS: Mr. Buffett, there is one final question. Would you as Executive Member instruct the Chief Administrative Officer to issue instructions to his staff to discontinue these standover tactics or would you prefer me to make it a notice of motion for the next meeting.
MR. BUFFETT: Mr. Acting Deputy President I endeavoured to make it clear at the beginning of Mr. Sanders' question to me that I did not consider that there was any impropriety in the discussions that have taken place and I repeat that, I consider that there have been discussions that were understood to be of mutual benefit to those who had participated in the discussions and I certainly cannot accept, certainly on the information that is available to me, that there has been any of the undesirable aspects that have been described in the questions that have been asked at this time.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders I would like to point out that you should in future use more moderate language - standover tactics is not acceptable. Do you have a further question.

APPOINTMENT OF SECONDIZED OFFICERS WITH SCHOOL AGE CHILDREN

MR. SANDERS: That is all for Mr. Buffett but I have a question for Mr. Brown as Executive Member for Immigration. May I continue.

Is it a fact that the Australian Government, the Norfolk Island Administration and Department of Transport send families here with no consideration for the amount of children that are enrolled in our school, even though because of their appointment here, they pay no tax so in effect do not contribute to the running of our school.

MR. BROWN: The subject of the Commonwealth sending staff to Norfolk Island who are married and have children in circumstances where the children are intended to come to Norfolk Island, has been under discussion between the Norfolk Island Administration and the Commonwealth for quite some time. This in fact is one of the remaining two issues which is delaying the passage of the existing Immigration Bill. It is my understanding that where possible the Commonwealth does co-operate but the matter is one which is subject to continuing discussion Mr. Sanders.
MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Brown. Mr. Sanders.

MR. SANDERS: Mr. Brown is it a fact that none of these families need to make application to the Immigration Board.

MR. BROWN: Perhaps I should take that question on notice and at our next meeting give you details of how such applications are handled.

MR. SANDERS: Mr. Brown my other question here asks how long you intend as Executive Member for Immigration to discriminate between the Public Service and the private sector on the use of the school.

MR. BROWN: Perhaps I could take that question on notice also.

MR. SANDERS: Thank you Mr. Brown I still have a few more questions.

Is it a fact that public servants who have children are in effect first class citizens and if the fares are paid for these children out of public moneys they may enrol at school. Would you like that one on notice too.

MR. BROWN: If you would, thank you Mr. Sanders.

MR. SANDERS: Mr. Brown is it a fact that under the existing immigration policy persons who are seconded staff in the private sector with children are second class citizens and if they pay their own fares and that of their children they are not permitted to enrol at the school, is that correct.

MR. BROWN: Perhaps I should take all of these questions as questions on notice Mr. Sanders and attempt to provide a satisfactory answer for you at our next meeting.
MR. SANDERS: Would you like the other question on notice too.

MR. BROWN: If you would thank you.

MR. SANDERS: It is, if one of the major points on schooling is if all expenses come out of public moneys then perhaps you could legalise all children from the private sector so that they too may be permitted to go to the school by reimbursing their parents for all expenses as is the practice with the Public Service.

MR. BROWN: I will take that question on notice also.

MR. ACTING DEPUTY PRESIDENT: Are there any more questions from you Mr. Sanders. Mrs. Gray. Questions Without Notice.

CASCADE ONION ERADICATION PROGRAMME

MRS. GRAY: Thank you if I may to the Executive Member for Administration, Education and Health. The Executive Member will recall that last year the Government attempted to eradicate the noxious weed known on the Island as Cascade Onion from both leasehold and freehold land, could he please state what success last years eradication programme achieved and does the Government intend to take any action against the weed this year, if so what action is intended, if not why not.

MR. BUFFETT: If not why not. Mr. Acting Deputy President Cascade Onion and its eradication - I at an earlier time indicated to the House that one of the methods of eradicating Cascade Onion was the use of spray and it was thought at that time, which is approximately 12 months ago now, that that was how we should go about it but there was some community reaction to the use of sprays at that time and I might also just mention that it was also a spray that was endeavoured to be used in respect of water hyacinth, they were two weeds that were
considered together in this eradication programme. Because of that difficulty the programme was not carried out in that way in the year that we are just experiencing so it is not really possible to say that there has been some success in respect of that programme but for the reasons that I have outlined.

As to whether there will be any action in the succeeding year is a matter that is in question because of the reasons that I have explained for the present year. Now I will say that I know that this does not give any great joy to the owners of Cascade Onion on their blocks of land and I regret that but I must also ask people to be considerate of the fact that we do have some opinion in respect of the spraying programme.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Mrs. Gray.

MRS. GRAY: I wonder whether that situation would also apply to the tobacco bush.

MR. BUFFETT: There has been no programme that I am aware of Mr. Acting Deputy President in which there has been a concerted programme either public or private, co-ordinated programme, to get rid of the tobacco bush, I do know that it is a weed, we all know that it is a weed but it has not been considered in the light of a programme that I have just described for Cascade Onion and for water hyacinth.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Mr. Jackson.

REMNERATION TO LEGISLATIVE ASSEMBLY MEMBERS

MR. JACKSON: I direct this question to the Minister for Finance. The question is has there been any remuneration paid to any Members of this House since the January elections, and if not would the Minister state the reasons for the delay.
MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: As far as I know there has not been. It has been of concern to me for some time and I have expressed as strongly as I can to the Administrator and to the Remuneration Tribunal, the need to get this straightened out. It is a particularly pressing problem in the case of the President and Executive Member for Administration, Education and Health because it is his full time employment and it is now three months that he has had no pay for what he does full time and you cannot tolerate that kind of thing, we do not seem to have much choice but to tolerate it. The delay has been because of a curiosity in the Australian Remuneration Tribunal Act which quite unintentionally turned out legally to say that the Assembly had to be paid by the Commonwealth, that was not the intention really but that is the way the law happened to read. There has been some sort of a hold up in the computer in Canberra that is supposed to be sending cheques to Members of the Assembly, and what that hold up is I do not know. I have given a direction to the Accountant just last week after talks with the Legal Adviser, telling him to go ahead and start paying Members out of local funds, which is the right and proper thing to do, and on his advice it is a legal thing to do, and I hope that at least Member's ordinary pay will begin flowing very promptly.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Howard. Mr. Jackson.

PETROL PRICE INCREASE

MR. JACKSON: Thank you. I direct this question to the Executive Member for Administration, Education and Health.

Is the Member aware that petrol prices went up by 3 cents per litre on Monday, and did the Mobil agency notify the Member responsible of this increase and if so what were the reasons given for this latest increase.
MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President the agent on the Island for the importation of gasoline, distillate, kerosene etc, did write to advise of the price increase which was effective on 10 May 1982. I was advised at that time that the reasons for the fuel increase is a reflection of a combination of things, all of those things having been earlier described to this House and I think I remember a former Minister tabling documents which indicated how the Company went about its assessment in respect of the pricing of fuel for Norfolk Island. I would also say at this time that the local agent for the importation of fuels, that is Mr. Blucher, was kind enough to indicate to me that Mr. Guymer who is the General Manager, Pacific Islands, for Mobil, intended to come to the Island to visit to see how the operation was here and he asked if he could speak with me and it would have been an opportunity to also raise the matter of fuel prices with him. I will say at this time that I did mention to Mr. Jackson that this was to take place and that I would invite him to meet Mr. Guymer. Regretably Mr. Guymer's visit has been postponed. It is not known when he might visit but it is thought that it might be not for another month or so at this time. Should that visit eventuate it will offer an opportunity for me and for other Members of this House I might say Mr. Acting Deputy President who would like to meet and discuss such a matter with Mr. Guymer who as I have said is the General Manager, Pacific Islands, for Mobil Oil.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Mr. Jackson.

INCREASE IN SHIPPING FREIGHT CHARGES

MR. JACKSON: A question to the Minister for Planning, Tourism and Commerce.

Is the Minister aware that shipping freight charges will rise by 6% on the next arrival of the Ille du Lumiere, and if so, what
reason was given for this latest increase.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Mr. Jackson when the representatives of C.C.G. came to Norfolk Island in early February of this year, they came to discuss two freight increases, one which they proposed to introduce at about the time of their visit and a second which was to be introduced as from the first sailing after 1 April. At our March meeting we did discuss these increases. I do not have the papers in front of me at the moment and it would not be proper on my part to answer this question purely from my recollection. If I could take the question on notice I will have a reply for you at our next meeting.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Brown. Mr. Jackson.

EXECUTIVE COMMITTEE SUBMISSIONS

MR. JACKSON: A further question, to the Chairman of the Executive Committee. This concerns the Executive Committee submissions. The submissions that I requested of the three Executive Members prior to the Executive Committee meeting on Monday 10 May, have they been considered or discussed by the Executive Committee and if so what is the result or decision taken concerning this matter.

I do not know which of the three Executive Members was the Chairman of that meeting.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: I was the Chairman of that Committee meeting Mr. Jackson. Your request was considered by the Committee and the Committee resolved that submissions would be made available under certain circumstances. Some submissions would be regarded as being of an extremely confidential nature and those submissions would be
available for Members to read in the same way that Members presently have access to reading the minutes of Executive Committee meetings. Other submissions would be regarded as not of a confidential nature. It will be a question for the Executive Member having responsibility for each particular area as to whether a submission is classified as confidential, and if the submission is not so classified upon application of the Chief Administrative Officer Members will be able to obtain copies of such submissions.

MR. JACKSON: Should it firstly be cleared through the Executive Member. You mean upon request we can apply for what you classify as non confidential. Would you make the point clear. You say that what you consider confidential documents would not be released but copies of non confidential subjects could be released upon application to the Chief Administrative Officer.

MR. BROWN: Subject to the document first having been cleared by the Executive Member.

MR. JACKSON: The next question along those lines - if these documents are of a non confidential nature, why can't they be posted out to the Members, so that they can have the available information as quickly as possible.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: I have related to you Mr. Jackson the decision of the Executive Committee, that is how the decision stands at this stage, if you wish to make any submission to the Executive Committee in relation to it then of course you are quite free to do so.

MR. JACKSON: Mr. Acting Deputy President, I prefer to make my submission here in this House.

MR. ACTING DEPUTY PRESIDENT: No question Mr. Jackson.
MR. JACKSON: The rule book is out again.

ARTICLE IN MELBOURNE SUN ABOUT A TAX AVOIDANCE SCHEME USING NORFOLK ISLAND COMPANIES

MR. JACKSON: I direct this question to the Executive Member responsible for registries. Is the Executive Member having responsibility for company registry aware of an article in the Melbourne Sun of 8 May 1982 reporting the outcome of proceedings in the Supreme Court of Victoria concerning the recovery by the Commissioner of Taxation of certain tax that was sought to be avoided by use of a bogus round robin scheme involving various companies and if so, were any Norfolk Island companies involved.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President I am aware of the article which Mr. Jackson has referred to. I need to be prompted exactly as to the further questions that were related.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. BUFFETT: One part asked was I aware of the article - yes is the answer to that.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson would you repeat the question please.

MR. JACKSON: I will repeat the question fully. Is the Executive Member having responsibility for company registry aware of an article in the Melbourne Sun of 8 May 1982 reporting the outcome of proceedings in the Supreme Court of Victoria concerning the recovery by the Commissioner of Taxation of certain tax that was sought to be avoided by use of a bogus round robin scheme involving various companies, and if so, were any Norfolk Island companies involved.
MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Thank you Mr. Acting Deputy President. The answer to the first question as I said earlier is yes I am aware of the article. The second part of the question is were they Norfolk Island companies. There are two companies mentioned in this article which were formerly registered in Norfolk Island, those companies on my examination are Wharton Finance Limited and Melanesian Nominees Pty. Limited. I am also advised that those companies are now struck off in Norfolk Island.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Mr. Jackson.

MR. JACKSON: To the same Executive Member having responsibility for registries.
Does the article reveal the involvement of an Executive Member of this House in the scheme both as a promoter thereof and as an active participant therein.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: I am not sure I am able to answer all of the detail that has been asked by Mr. Jackson. I can say that the article does mention Norfolk Island solicitor John Terence Brown, who as we know, is an Executive Member. I am not able to really comment upon the other queries that have been raised.

MR. JACKSON: Mr. Acting Deputy President. Does the report indicate a criminal offence against the Australian taxation law by the Executive Member, or will the Government investigate whether there is evidence of any such offence.

MR. BUFFETT: Mr. Acting Deputy President I am not able to make any comment or judgement about whether there is an offence by the article that is in front of me nor of course am I able to comment upon the article, it is a newspaper article which is all I know about it.
I certainly can make examination of the detail that has been presented and I can undertake to do that Mr. Jackson.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Mr. Howard.

MR. HOWARD: Mr. Acting Deputy President. I do not know whether this is a point of order or not, I think it has to do with the proper running of the House. There was a very serious innuendo in Mr. Jackson's last question about a criminal act by an Executive Member. I am concerned about the conduct of our proceedings Mr. President. I cannot help feeling that if Mr. Jackson has any evidence of a criminal act that he should say what it is. I think if he has no evidence of a criminal act he is talking in a very irresponsible and discourteous way that we should not allow in this House.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: I direct this question to the Executive Member for Planning, Tourism and Commerce. Does the Executive Member's portfolio involve responsibility for companies and corporate affairs, and if so does the Executive Member see any conflict of interest in such executive responsibility in light of his established involvement in a corporate taxation avoidance scheme.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: The first part of your question Mr. Jackson was a question in relation to the company registry. Executive responsibility in relation to the company registry is held by Mr. Buffett. You will be aware Mr. Jackson that I disposed of my legal practice in Norfolk Island in late 1980. I have not conducted practice as a lawyer in Norfolk Island since that time and I am not involved in, I think the words you used were taxation avoidance.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.
MR. JACKSON: One more question. I ask these questions because of public interest and public concern, and the question is once again directed to the Executive Member for Planning, Tourism and Commerce.

Does the Executive Member see any similarity between the state of affairs reported in the Melbourne Sun and the state of affairs of some years ago leading to the resignation as Treasurer of Sir Philip Lynch by reason of his family's involvement in a family trust tax avoidance scheme.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: I am not aware of the circumstances surrounding Mr. Lynch but if you are enquiring as to whether my family has been involved in a family trust aimed at the avoidance of income tax, the answer is that I do not earn income on the Australian mainland. I have no family trust which earns income on the Australian mainland and there would certainly be no similarity.

MR. JACKSON: I am not enquiring whether there is any similarity at all, I am enquiring about what was printed in the press, in Saturday's paper.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson I would like to refer you to 103 of Standing Orders. Questions should be asked in accordance with what is set down in Standing Order 103.

MR. JACKSON: Can you tell me what it is then.

MR. ACTING DEPUTY PRESIDENT: I shall read it to you - "Questions may be put to a Member who is an Executive Member or a Member having non executive office responsibilities relating to public affairs with which he is officially connected, to proceedings pending in the House or to any matter of administration for which he is responsible".

These are private matters Mr. Jackson and should be treated as such.
MR. ACTING DEPUTY PRESIDENT: That is the end of question time Honourable Members.

ANSWERS TO QUESTIONS ON NOTICE

AUDITOR-GENERAL'S REPORT

MR. ACTING DEPUTY PRESIDENT: Answers to questions on notice. Are there any answers to questions on notice. Mr. Howard.

MR. HOWARD: Thank you. Mr. Jackson has given two questions on notice to me. First is, has the Auditor-General's report been considered and discussed by the Executive Committee and if so what is the result or decision taken concerning this matter.

Yes, the Auditor-General's report has been considered by the Executive Committee and the report is being taken with the greatest seriousness. I believe the main illegalities in Norfolk Island accounting that were referred to in the Auditor-General's report have been either corrected or put in the process of being corrected during the past two or three weeks. Many other details of matters that the Auditor-General made unfavourable comment about are receiving attention and will be dealt with. The whole matter has been a source of embarrassment for this Island. The Auditor-General has reported to both Houses of Parliament in Australia and the Auditor-General's report that has been tabled in Parliament includes several typeset pages about the situation on Norfolk, I will read only the first couple of sentences. It says "Our September 1981 report mentioned that a number of unsatisfactory matters had been taken up with the Norfolk Island Administration following an inspection and audit pursuant to section 63 of the Norfolk Island Act 1979. A further inspection and audit carried out by this office for the year 30 June 1981 revealed that little progress had been made by the Administration in remedying the weaknesses previously drawn to its attention, accordingly it has been necessary largely to repeat those earlier representations". Then on 19th April in the Estimates Committee of
the Senate of Australia, the matter was dealt with quite harshly. I would like to quote briefly from remarks made by Senator Martin at that Committee meeting which have been printed in the printed proceedings of the Committee. Senator Martin says "I would have thought it extremely serious if the Auditor-General finds it necessary to repeat and to report his criticisms. In my experience of other Departments where the Auditor-General gives an unfavourable report there has usually been some previous preliminary period of time which can be up to three years of contact and communication with the erring Department, so a repeat in a report is something that is very serious". Senator Martin goes on to say "Frankly the Norfolk Island Administration is not benefiting from reading that Auditor-General's report, it sounds as though they have not proceeded very far from the days of Captain Philip". Senator Martin goes on to say, "I can only make the comment that I hope the voters of Norfolk Island are aware of what is in the Auditor-General's report".

This is a blot on Norfolk Island's reputation. It may well lead people in the Parliament in Australia to think we do not know how to govern ourselves and we are not doing a proper job. I have said to the Administrator in a letter as follows, "I have been distressed at the content of the 1980 and 1981 Audit Reports which were made available to me only the day of the April Assembly meeting. You are aware that I referred to them at length and with great seriousness in the House. I am quite dissatisfied with the response they evoke from the Administration up through January of this year and am in the course of forceful action to see that they receive the attention, thought and corrective steps that they should have had long ago". That effort is now proceeding.

**RETAIL PRICE INDEX**

MR. HOWARD: Mr. Jackson asked a further question on notice. His question is, has the Retail Price Index been considered and discussed by the Executive Committee and if so, what is the result or decision taken concerning this matter.
The answer to the question is yes the Retail Price Index has been considered and discussed by the Executive Committee because of some problems that became apparent to me which I drew to the Committee's attention. There were four of these problems that seemed most important to me, one was that there was an apparent lack of financial control over the project, it looks as though it is not a $15,000 project as was originally intended but maybe a $25,000 project, and the Accountant had several times raised concern about lack of financial management of it. Secondly there was a question of computer processing of the household expenditure survey being done in Canberra rather than having the data compiled here on Norfolk Island, and I was concerned that that maybe hitching us forever to paying some Canberra outfit to do computer work for us each year. Next there was a concern as to whether the shape of the expenditure survey and the construction of the Index would really adequately properly reflect the way the permanent residents of Norfolk Island live. And lastly there was concern because the Commonwealth has decided that - this is last year - following a Price Index is not the best way to adjust Public Service wages and salaries and yet here we are going to a big expense to start doing something that the Commonwealth has decided is a mistake. So on the basis of those concerns which we discussed in the Executive Committee, the Committee agreed that Mr. Houstein who is the Australian expert who has been contracted with to prepare the Index, be brought over here as quickly as possible for a look at the situation and for a talk with him. Now he came here last week and spent a couple of days here. He reviewed the work that is being done. I had several quite long discussions with him, and I can give these comments on the fourth of the concerns that I mentioned a minute ago. First of all as to lack of financial control, we are in a situation where either we apparently have to pay about $25,000 for the job all up, or abandon it and forget it. It is going to cost more than was originally planned. I will try to see that control is maintained over the cost of the thing from now on. Secondly as to computer processing being done in Canberra, Mr. Houstein tells me that that is a one time job to do only with this household expenditure survey and the Index will not even be designed until that computer work has been done. It is a job
that is going to cost about $1600 and it appears to me that that is the cheap and the quick way to do it, so I have no further concern about that aspect of it.

MR. JACKSON: Just one question on that. Mr. Howard has there been any change in the programme from the time it was started, is it still going on under the same terms of reference.

MR. HOWARD: Yes, we are about three weeks behind because of some delays in the work that is being done here in connection with the expenditure survey. The Project Manager here in the Administration staff has a number of other duties and has been under some time pressures to be doing other things that have taken him off of this but we are about three weeks behind. That delay does not effect the quality of the results, it will effect how soon we get the results, maybe that time can be made up for, some time has been lost but not much.

MR. JACKSON: Thank you.

MR. HOWARD: Carrying on with the other aspects of the thing that originally had concerned me, the next point was whether the household expenditure survey and the design of the Index were going to properly reflect the way permanent residents of Norfolk Island live. Mr. Houstein talked with me at some length about that and he says that the household expenditure survey results can very readily be tabulated just by adding a few indications in the computer information, so that we will be able to see the differences in various kinds of living styles on the Island, and the Project Manager in the Administration is now helping to gather information that will allow that to be done. Lastly the question of whether it is a mistake for us to be doing something that the Commonwealth has concluded is not worth following anymore as a means of adjusting Public Service wages, I have asked Mr. Houstein if he will provide information to us that will help us understand as precisely as we can, what a Retail Price Index actually is and how it can be used intelligently, and I will bring that information forward as soon as it is available to me.
MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Howard. Are there any other answers to questions on notice. Mr. Buffett.

GARBAGE DISPOSAL METHODS

MR. BUFFETT: Mr. Acting Deputy President there are some questions which stand in my name on the notice paper. I will say at this time that some of them relate to matters that I would have made as a statement later in the proceedings, but I am very happy to answer them in this context at this time.

Question on notice No. 10. Mr. Jackson asks the Executive Member for Administration, Education and Health - Has disposal of garbage methods been considered and discussed by the Executive Committee, and if so, what is the result or decision taken concerning this matter.

Can I say Mr. Deputy President that garbage on Norfolk Island is presently disposed of at two places with prescribed opening hours when supervision is present, and that is Point Hunter and Headstone, and there are problems attendant upon restrictions which apply in these places, for example, Point Hunter, materials other than foodstuffs, carcasses etc may be dumped; and at Headstone materials other than paper, plastics, cardboard and wood may be dumped. So there are difficulties in the restrictions that are placed at these two places. There was a proposal to install a large incinerator at Headstone, and the incinerator would be located near the existing shute on the slope from the roadway down to the stream and this will make the top of that incinerator accessible from the road for loading rubbish into that receptacle, and it would be set alight and of course it would act as an efficient incinerator. I might say that this is a method that is presently being used at the Headstone tip by Mr. Lester Semple and it is a system that is working efficiently although on a smaller scale than that that I have mentioned just now. Mr. Lester Semple has had quite a long interest in this particular project and he has made certain suggestions and proposals which have been most helpful in the consideration of this proposal, and it has been agreed there should be
a garbage disposal unit of the type that I have described, in other words a large incinerator, and that proposal in fact was considered by the Executive Committee to respond in exact terms to Mr. Jackson's question, on 27 April 1982, and it was agreed that the funds which is $11,000, should be provided for that proposed incinerator to be installed at Headstone and that disposal of normal domestic and commercial waste at Point Hunter be discouraged when that incinerator is actually workable. It was thought also appropriate that there should be a small fee charged, a fee such as 50 cents per 44 gallon drum, for persons who utilise that incinerator arrangement so that there would be some, although small, there would be some contribution by persons who actually use it to meet the projected costs of such a disposal unit, and so Mr. Acting Deputy President that is the result of the consideration of the garbage disposal arrangements that were taken aboard by the Executive Committee and the result thereof, and that matter is progressing.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Mr. Buffett you have further answers to questions on notice.

AMENDMENTS TO THE TIMBER LICENCE ORDINANCE 1913

MR. BUFFETT: Mr. Acting Deputy President question on notice No. 11 also stands in my name, a question from Mr. Jackson asking the Executive Member for Administration, Education and Health - Have amendments to the Timber Licence Ordinance 1913 been considered and discussed by the Executive Committee, and if so, what is the result or decision taken concerning this matter.

If I might respond by saying that a proposal such as has been asked in the question was considered by the Executive Committee and it did this on 27th April, and it was decided that the Ordinance should be amended to provide that notwithstanding a written authority having been issued by the Executive Member pursuant to section 12 of that Ordinance that relates to the collection of pine seed I might say, no-one may collect pine seeds on Crown land without the consent of the Lessee. I will not say anything further about this particular matter
except to say that it is a matter of legislation that will come up later at this sitting Mr. Acting Deputy President and it is quite a simple amendment but quite an important amendment to that particular piece of legislation.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Question No. 12, a question asked by Mr. Jackson.

MR. BUFFETT: May I mention that although that is listed in my name as Executive Member for Administration, Education and Health, it is not a matter that I handle Mr. Acting Deputy President and I have conferred with Mr. Brown who does in fact have carriage of that matter and the question will be handled by him.

AMENDMENTS TO THE COMPANIES ORDINANCE 1926

MR. ACTING DEPUTY PRESIDENT: Question No. 13. Mr. Buffett.

MR. BUFFETT: Question No. 13 which stands in my name Mr. Acting Deputy President is again a question from Mr. Jackson, to ask the Executive Member for Administration, Education and Health - Have amendments concerning local companies under the Companies Ordinance 1926 been considered and discussed by the Executive Committee, and if so, what is the result or decision taken concerning this matter.

Amendments concerning this piece of legislation has been considered by the Executive Committee, and that was done on 27th April 1982.

This is also a Bill Mr. Acting Deputy President which I will be promoting later at this sitting and so if I could just leave it at this at this moment to say that yes it has been considered, it does relate to the further definition of local companies within the meaning of the present legislation and I will endeavour to bring that forward with a recommendation that it be approved by this House later in this sitting.
MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett.

WATER SUPPLY AND SEWERAGE

MR. ACTING DEPUTY PRESIDENT: Question No. 14 standing in your name.

MR. BUFFETT: Thank you. Question No. 14 from Mr. Jackson asks of me as the Executive Member for Administration, Education and Health Mr. Acting Deputy President - Has water supply and sewerage been considered and discussed by the Executive Committee, and if so, what is the result or decision taken concerning this matter.

Mr. Deputy President the matter of water supply and sewerage has been considered by the Government for quite some time now. An earlier report was presented by Mr. Goldfinch and Mr. Cross, a report that proposed a scheme that was quite expensive, some millions of dollars, and it was thought at that time and it is still considered so, that it was not a scheme that was totally suited in Norfolk Island but something more modest and practical that might tackle our needs might be more appropriate. A further study which was undertaken by Mr. Fitzgerald and Mr. Falkland is one that has recently come to the Government for consideration and the Executive Committee when this was first considered, indicated that further comment upon the proposal - that is the proposal by Mr. Fitzgerald and Mr. Falkland, made I think at the end of last year - should be canvassed with bodies on the Island and the opinion of these bodies and persons should be obtained. This has been done and I have had discussions with the Accommodation Proprietors Association, the Chamber of Commerce, and also members of the Tourist Bureau, and I might say that some very interesting and very helpful results have come from those discussions on the matter of a sewerage scheme and water supply for Norfolk Island. Having had those discussions the Executive Committee considered the report of Fitzgerald and Falkland having in mind the thoughts also of the Accommodation Proprietors, the Chamber of Commerce and the Tourist Bureau, on 27th April. I might say at this time that those three
organisations in basic terms endorsed the proposal by Fitzgerald and Falkland, in basic terms I say, but there was one exception that I should draw notice to in that the recommendation made was that there should be a sewerage outlet in the vicinity of the Kingston area, and all three organisations felt that such an outlet was inappropriate and that of course is reflected in the Government's thinking. It was agreed by the Executive Committee when it met on 27th April that consultative comment on the plan should be sought from an appropriate firm and action is being taken to do this. The disposal of effluent down bore holes be phased out by December 1982, and that there be increased supervision of effluent disposal practices at all tourist establishments, and that drafting proceed on legislation if it was necessary for these matters, that is basically phasing out the disposal of effluent down bore holes and increasing supervision of effluent disposal. It was also agreed that sewerage and water supply be included in those matters to be given both legislative and policy priorities in the Government's thinking.

That is the current state really in respect of the sewerage situation and water supply Mr. Acting Deputy President.

MR. JACKSON: Just one question on that. You stated that there has been a report by Goldfinch and Cross and another one by Fitzgerald and Falkland - did I hear correct that there is to be another opinion sought.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President the words that I used were that we would seek consultative comment on the latest proposal, that is by Mr. Fitzgerald and Mr. Falkland.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown would you like to answer question No.12.

DISCRIMINATORY LAWS

MR. BROWN: There are three questions addressed to me Mr. Acting Deputy President. The first is a question from Mrs. Gray
carried over from our last meeting in relation to discrimination. Although I have part of the answer to her question, I am still seeking a little further information to enable me to give a full answer and I will need to have that question carried over until our next meeting, perhaps especially having regard to a decision of the High Court of Australia in relation to racial discrimination and the Queensland Government which was reported on the news today.

**CONSIDERATION OF APPLICATION BY MR. & MRS. G.K. PEDEL FOR A PORTION OF CROWN LEASE**

MR. BROWN: The two other questions which I am able to answer today - question No.12 on the paper from Mr. Jackson - Has the application by Mr. & Mrs. G.K. Pedel for a portion of Crown lease 110a5 been considered and discussed by the Executive Committee, and if so, what is the result or decision taken concerning this matter.

I can advise that the matter of what advice is to be given to the Minister for Home Affairs & Environment in relation to the application by Mr. & Mrs. Pedel for a lease of portion 110a5 was considered by the Executive Committee on 27th April. It was agreed at that meeting that the Executive Committee had nothing further to add to the material which was already before the Minister in relation to the matter, and the only thing I can add to that is that this is a matter which we will be seeking to discuss with the Minister when he visits towards the end of this month.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: A question on that Mr. Acting Deputy President. Mr. Brown you stated that the Minister had certain matters that have been submitted by the Executive Committee. Were they recommendations to the Minister from the Executive Committee on this particular question.

MR. BROWN: I did not say that there were recommendations from the Executive Committee, my words were, it was agreed at that
meeting that the Executive Committee has nothing to add to the material already before the Minister in relation to the matter.

MR. JACKSON: Then in the material that has been submitted by the Executive Committee, were there recommendations in that material.

MR. BROWN: The Executive Committee has only been asked to comment on the material already before the Minister, and the decision of the Executive Committee was that it had nothing to add to the material already before the Minister in relation to the matter.

MR. JACKSON: Then are you aware of what advice has been given to the Minister on this particular issue.

MR. BROWN: The Executive Committee made its decision based on the briefing papers which were provided to it and as I said, this is a matter which we will be seeking to discuss with the Minister when he visits towards the end of this month.

MR. JACKSON: A further question. These briefing papers that you refer to are the same papers that I sought permission to have turned over to the Members for their own information. Now these papers that have been put up for submission, were there any recommendations at all, for or against this particular case.

MR. BROWN: As I said earlier Mr. Jackson if you wish to...

MR. JACKSON: Mr. Acting Deputy President I would like the question to be answered; I ask a straightforward question and I would like an answer. This is the only place where anyone can ask questions of the three Executive Members, here in the House.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson this question can be more fully answered in Notice No.5 of Miss Buffett's.

MR. HOWARD: Is it possible for me to amplify an answer to Mr. Jackson. He said that this is the only place where Executive Members
can be asked questions - of course that is not true, anybody can ask us any question they want to at any time they want to, and do.

MR. BROWN: In addition to that Mr. Acting Deputy President as I said earlier in the House, any Member wishing access to any of the submission papers considered by the Executive Committee, is able to examine those papers on application to the Chief Administrative Officer and if it is a paper for which clearance has been given in addition to examining it the Member can obtain a copy of it, but there has never been any restriction on the examination of these papers.

MR. QUINTAL: Can I ask the Executive Member for Administration, Education and Health a question - on this matter, on the matter that is under discussion.

MR. ACTING DEPUTY PRESIDENT: Only to Mr. Brown Mr. Quintal.

MR. QUINTAL: That is who I want to ask a question. Does the land referred to as Mr. & Mrs. G.K. Pedel's, are they in actual fact the owners of that property.

MR. BROWN: You are talking here of portion 110a5 - if you are talking about portion 110a5, that is the leasehold portion at Anson Bay over which they are seeking a lease.

MR. QUINTAL: No I am talking about the freehold property.

MR. BROWN: My understanding is that the freehold property at Kingston is owned as to one half by Mr. & Mrs. Pedel and as to one half by Mr. & Mrs. Sim.

GUARANTEED LAND TITLES AND LIMITATION OF ACTIONS
LEGISLATION

MR. ACTING DEPUTY PRESIDENT: Question No.16, directed to the Executive Member for Planning, Tourism & Commerce.
MR. BROWN: Thank you Mr. Acting Deputy President. This is a further question from Mr. Jackson - Has guaranteed land titles and limitation of actions legislation been considered and discussed by the Executive Committee, and if so, what is the result or decision taken concerning this matter.

I can advise that the Executive Committee considered a submission on guaranteed land titles at its meeting on 13 April 1982 and agreed that draft legislation should be prepared as a matter of priority with respect to limitation of actions broadly to the effect that title to land should be capable of being established by showing an arms length dealing with land not less than 20 years before. An eventual Bill to this effect will of course provide the proper opportunity for consideration of whatever matters may be desired to be raised in relation to its provisions. The Executive Committee decided against proceeding with a proposal that a system of guaranteed land titles be introduced.

MR. JACKSON: So therefore the recommendation on guaranteed land titles will take precedence over what has been discussed by the Surveyor-General who visited the Island early in the life of the First Assembly to discuss Torrens Title, was that discussed at the Executive Committee meeting.

MR. BROWN: I said Mr. Jackson that the Executive Committee agreed that draft legislation should be prepared as a matter of priority with respect to limitation of actions broadly to the effect that title to land should be capable of being established by showing an arms length dealing with land not less than 20 years before. This relates to limitation of actions only. As I said, the Executive Committee decided against proceeding at least at this stage, with a system of guaranteed land titles.

MR. JACKSON: Thank you.

VISIT OF THE MINISTER FOR HOME AFFAIRS & ENVIRONMENT

MR. ACTING DEPUTY PRESIDENT: Question No.8 I shall answer from the Chair - Has detail about the visit of the Minister for Home
Affairs & Environment been considered and discussed by the Executive Committee, and if so, what is the result or decision taken concerning this matter. This question was asked by Mr. Jackson.

The answer to that question is, the Ministerial changes resulting from the Prime Minister's recent Cabinet reshuffle have of course effected the proposed visit by the Minister for Home Affairs & Environment. Whereas the proposed visit was to have been by Mr. Wilson, his change of portfolio and a change of portfolio of Mr. McVeigh, formerly Minister for Housing and Construction and now Minister for Home Affairs & Environment, has necessarily caused the proposed visit to be reconsidered in terms of both time and purpose. Members and the public will be informed as soon as whatever arrangements are to be made become known.

MR. HOWARD: Mr. President may I move without notice please a motion that this House send its congratulations to our new Minister on his appointment as Minister for Home Affairs & Environment.

MR. ACTING DEPUTY PRESIDENT: Yes Mr. Howard.

Question - put

Motion agreed to unanimously.

PAPERS

DIRECTIONS UNDER SECTION 32B OF THE PUBLIC MONEYS ORDINANCE

MR. ACTING DEPUTY PRESIDENT: Are there any papers please. Mr. Howard I believe you have a paper.

MR. HOWARD: I do, thank you. I table in accordance with the Public Moneys Ordinance the details on three directions that I have given under section 32B of the Ordinance which involves the transfer of funds from one financial item to another where money is needed in one item and is not available there but there is more than enough available under another item and so you transfer from one item to another, and I table an account of directions that I have given in that connection.
MINISTERIAL STATEMENTS

TREE PLANTING AND ARBOR DAY

MR. ACTING DEPUTY PRESIDENT: Are there any statements by the Executive Members. Mr. Buffett I understand you have statements.

MR. BUFFETT: Yes thank you Mr. Acting Deputy President.

I would firstly like to make a statement concerning tree planting in Norfolk Island and Arbor Day.

Honourable Members will no doubt be aware that there is active interest in the concept of Arbor Day and the planting of trees generally, especially in the context of this being the year of the tree. With this wide interest from people I have been anxious to have a co-ordinated effort so that people who do have a mind to be interested and be participants in such a project might find themselves involved in something in which they are mutually supported, and thus really offer an opportunity for greater impact of this overall project.

To this end Mr. Acting Deputy President I asked a group of interested people to meet with me last Friday to discuss this overall project and this meeting did take place and reports at that meeting were considered from the Forester Mr. Kik Quintal; a proposal also from Mr. Charles Potts Buffett; and Dr. Coyne brought forward some detail on a proposed tree planting programme in which the public could participate and which could result in an Arbor Day function. It emerged from that discussion, and I would also say before I do go on that the Legislative Assembly originally resolved in November of 1981 on a motion by Mr. Kevin Williams that there should be a day appointed as Arbor Day each year, and the purpose of course was to encourage the plantings of native trees and this is now coming to some fruition.

The discussion that I referred to Mr. Acting Deputy President resulted in approximately five sites being nominated at this time for further examination as suitable places at this time for some plantings. It was also considered what would be the best time of year, climatically and practically, for the plantings to take place and it was thought at that meeting that the best time of year to do this might be May and June of each year, and so at this time the proposal does incorporate
that the plantings might be during June, and it is thought also at
time that it might be phased to fit in with the activities that
surround Anniversary Day, and the 8th of June of course is Anniversary
Day, which if I remember correctly is a Tuesday in this year of 1982.
The group is to meet again on Friday to physically inspect these sites
and to go further in the planning detail as to exactly where trees
might be sited in these places which would determine the number that
one would need and also the type of trees that would actually be better
suited in these areas. After that has taken place I would be in a
better position to report further to this House and to Honourable
Members who have an interest in a tree planting arrangement, and when
that happens I would be delighted to bring forward that detail. I
should make mention I consider that one of the very interested parties
in the proposal to plant trees has been the School. They have a very
keen interest. Mr. Colin Denney from the School attended this group
that I have referred to and they have a keen interest at the School
and it of course is an interest that I am sure this House would want to
foster with the children at our School, and so Mr. Acting Deputy
President that is some detail that I have at this time about a proposed
tree planting project for the Island.

WEDDING RING OF MIDSHIPMAN EDWARD YOUNG

MR. BUFFETT: I would like to make mention of one other
matter Mr. Acting Deputy President that has happened in the last
fortnight which is of some extreme historical significance in Norfolk
Island. I am not too sure whether all Honourable Members will be aware
but there has been known for some time that when the Pitcairn Islanders
first arrived in fact in Pitcairn Island wedding rings were in rather
short supply and one particular wedding ring, that of Midshipman
Edward Young, was used, it was thought certainly by the mutineers who
went there and maybe by the first generation of their descendants in
Pitcairn Island. It was used when they in fact were married. This
ring was subsequently lost and was found again in approximately 1941
by a lady who was visiting Pitcairn Island at that time. The husband
of that lady was a person who held an appointment with the British
Government within the Pacific area at that time. His name is now known to all of us because this matter has received some publicity in the press locally over the last fortnight. His name of course is Professor Maude, and the lady who found the ring was Mrs. Maude. She has had the ring for some considerable time now, some number of years and she has within recent times agreed that the ring should come and find a resting place amongst the descendants of those people who originally used it, and I have had communication with Mrs. Maude and all of this came about on Monday the 3rd when both Professor and Mrs. Maude came to the Island and she very graciously allowed this ring to come into the care of the Trustees of the Norfolk Island Museum so that when we have reached a stage of being able to open a Museum in Norfolk Island, this will find a place in it. She has agreed in the meantime that it might be displayed in this building. She has also agreed and so have the Museum Trustees, and I am in the process of making such arrangements, that the ring be on display in town for some period of time where it might be more accessible to be seen by members of the public, and I would hope to complete that by the end of this week. This ring is a historical article in the history of both Pitcairn and Norfolk Island and I would like to make mention to Members that it has been received in Norfolk Island and that they too hopefully may be proud that it rests in the Island.

That completes my statements.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett.

IMMIGRATION BILL

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: I have two statements Mr. Acting Deputy President. The first statement relates to immigration.

I had undertaken at a previous meeting to continue to report to this House on the progress of the Immigration Bill presently in Canberra. I am not aware that there has been any progress since our last meeting. I discussed this matter when in Canberra recently and I
have continued to discuss it in Norfolk Island with the Administrator. It is my understanding that there are still two matters outstanding. Firstly the matter of preference for persons of Pitcairn descent where I am advised that Mr. Ewens has prepared certain amendments which he believes will be acceptable to the Commonwealth and I understand that those draft amendments are still being considered by the Attorney-General's Department and that in due course we will hear the result of those considerations. The second problem is in relation to the Public Service Board of the Commonwealth of Australia, and that relates to the question of whether the Commonwealth should be bound by our immigration legislation. I understand that that question has been discussed by the Public Service Board but no result of that discussion is yet at hand. I am not able to give any further information than that in relation to the progress of the Immigration Bill.

TOURISM

MR. BROWN: The second statement Mr. Acting Deputy President relates to tourism.

I wish to note the resignation from the Norfolk Island Government Tourist Bureau of Mr. Kevin Pereira who has found that his business commitments do not allow him to contribute as he would like to the Tourist Bureau. Mr. Pereira has offered assistance to the Bureau if he is able and I would like to extend to Mr. Pereira thanks for the contribution he has made to the Bureau during the time he was a member of it.

I would also like to report the appointment of Mr. Bernard Christian-Bailey and Mr. Marcus Tilley as members of the Bureau. I am sure that the contribution of both of these men will be very worthwhile and I thank them for agreeing to appointment.

I wish to table the tourist figures for the month of April 1982. Overall these figures were below the figures for the month of April 1981, from all ports other than Brisbane. Norfolk Island Airlines deserves congratulations for achieving an increase over its 1981 figures despite the problems being experienced by most tourist destinations at present.
The Tourist Bureau is working hard at present in an endeavour to turn the tourist numbers back in our favour but this is not proving to be an easy task and it is a problem over which we should not become too complacent. It is certainly not going to be easy to turn the tourist numbers back towards the numbers that we had in 1979 and 1980 but you can be assured that the Bureau is doing the best it can to achieve this.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Brown.

LEGISLATIVE PRIORITIES AND REVIEW OF POWERS

MR. ACTING DEPUTY PRESIDENT: Mr. Howard you have three statements.

MR. HOWARD: Thank you. In fact I have only two statements.
I was interested in a number of questions that Mr. Jackson had put on notice about matters that had happened in Executive Committee. I thought it might be worthwhile for Members as well as for people who are listening if I made a statement on several of the things that were agreed on at the Executive Committee meeting at which I was Chairman on the 26th and 27th of April.

Among the things that we agreed on in the course of those two days of meetings were first of all we agreed among ourselves on a list of what we thought were the main legislative priorities and what we did was to give priority to about ten matters that involve legislation in one way or another. The first is Island planning and building; secondly Customs - I think everyone knows there has a lot of thought and work going in to the matter of how we could best handle our Customs duties on the Island, and it is the thinking of the Executive Committee that a rewriting at least of the Schedule is something that deserves priority; the next is immigration - Mr. Brown has just referred to that situation; the next was road traffic - and I think Mr. Buffett will be reintroducing the Road Traffic Bill later today; the next is the Bill for providing finance for the coming financial year; the next is the limitation of actions legislation that Mr. Brown also
referred to in connection with land titles; also on the priority list is tourist accommodation licensing legislation; dangerous drugs; radio and television broadcasting; mental health; and water and sewerage.

Those are our top legislative priorities at present. We also agreed to give priority in the preparation of three further policy statements. The Assembly has adopted as its own policies two of the policy statements that the Executive Committee has prepared so far. The next three that we are aiming to get done are to deal with social services; with immigration and with the use of Island resources.

We agreed at the Executive Committee meeting that when the Minister visits later this month one of the most important matters that we want to put to him is a discussion of the review of powers of the Legislative Assembly under the Norfolk Island Act, and as a result of our discussions in Committee, I as the Chairman of that meeting, then wrote to the Administrator outlining a proposal that the Executive Members put to him for how that review of powers ought to be carried out. Our proposal is that there should be a series of meetings in which the three Executive Members sit down with the Administrator and with a senior member of the Department from Canberra - we are thinking of Mr. Paterson - with the Administrator chairing the meetings, and that at that series of meetings we would discuss a sequence of possible new powers that the Assembly might sensibly take on and we would discuss each one of those in the light of what the present situation is and what the need or the justification for further power is from the point of view of the elected Government of the Island; next, what difficulties might be encountered or what safeguards might be needed if that additional power were given to the Assembly; and lastly, what Commonwealth policies or plans are relevant to these possible additional powers. When those meetings had talked through the series of possible new powers we would then break for a while and allow both the Commonwealth on their side and the Assembly on our side to consider points that the other side had made to see if we could work out compromises where there may be differences of view, and the meetings would then resume and we would try to resolve the points on which we had not reached agreement. That series of meetings, the Executive Committee proposes, would not either bind the Commonwealth or bind the
Assembly. Once that series of meetings had been concluded the Executive Committee would bring to this Assembly the Executive Committee's recommendations on what powers we should seek, the Assembly would then be asked to debate and agree, argue, disagree, amend, leading to a resolution by the Assembly and it would be that formal resolution by the Assembly which would then be conveyed to the Minister as our formal request for more powers. The matters that the Executive Committee has requested be included in the list for discussion in meetings of that kind are these - first of all as additions to Schedule 2: social services; next the raising of revenue for matters outside of Schedule 2; and thirdly coinage - the right to produce our own coins. Next we proposed that there be discussion of the following possible additions to Schedule 3: land; the electoral system; air and sea transport; the 200 mile economic zone; South Pacific regional relationships; commercial relationships with New Zealand; and health.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: Mr. Deputy President I note the statement.

MR. ACTING DEPUTY PRESIDENT: I move that the statement be noted.

MR. JACKSON: Mr. Deputy President I was most interested to hear what Mr. Howard has just explained to the House - a long list of priorities, a long list of items to be dealt with by the three Executive Members. I would like to remind the three Executive Members that their not the only Members of the Norfolk Island Legislative Assembly, there are six other Members who play a part in this Government, and I wonder from listening to the matters mentioned that I myself and the other Members of this Assembly would be interested in taking part in discussions on, it makes me wonder how long will Mr. Howard and the other two Members continue to keep us in the dark. The only time we hear anything about them is when we come in here, when discussions have already been formulated, and it is brought into the House to actually be rubber stamped, so therefore I make that point on
this particular issue because after all it is a nine man team not a three man team.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: I guess that was a question, I am not sure. I think it was meant to be a question I am sure. I am surprised that Mr. Jackson complains about being kept in the dark after I have just finished outlining some of the things that have been happening, the reason that I outlined them is that I think Members are interested and want to know about those things, I mentioned them because I think they are worthy of thought and consideration and comment by the Members. Nothing can be done of a final nature by the Executive Committee. Anything of serious consequence has to be done by this Assembly, it cannot be done any other way. I am surprised at Mr. Jackson's remark about keeping him in the dark when I just tried to turn the light on on a few things.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Thank you Mr. Acting Deputy President. Mr. Jackson appears to have forgotten or overlooked the fact that Members are entitled to and I understand do, receive notice of the meetings of the Executive Committee and that Members are entitled to and in fact do, attend those meetings. Mr. Jackson has attended quite a number of those meetings himself; Mrs. Gray has attended most meetings; all Members are free to attend those meetings, so it is perhaps a little misleading to suggest that this is the first occasion on which the Members can learn of the matters which have been dealt with by the Executive Committee, certainly I think Mr. Howard deserves to be commended for going to the trouble that he has gone to to prepare these matters to bring them to the attention of the House today, but in any event as he said, the Executive Committee cannot finally do anything without this House agreeing to it.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.
MR. JACKSON: Let us try to examine who is trying to mislead who. I was the first to submit a letter to the Executive Members for permission to attend the Executive Committee meetings. The first meeting I attended I sat there for 4½ hours and was not allowed to say one word, was not even allowed to communicate - that is what the letter said to me...

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson I remind you that the statement should be noted. We should be discussing the statement.

MR. JACKSON: In answer to what Mr. Brown has just said, he got off the path if I am off the path. He made a reference that in my opinion needs to be clarified because I do not think any of the other six Members wish to sit in a meeting for 4½ hours and just listen to three other Members debate issues that we could also have input into, so attending a meeting of that nature is not having an input into it, you just go along to listen to three Members of this Government deciding what policy is to be implemented, so as far as I am concerned that situation is not good enough, and as Mr. Howard has said in his report there will be meetings with the Administrator on a particular issue - haven't we all sat in with the Administrator before on issues such as social welfare and other important matters of concern to the Island, is our opinion not worth anything or are the three Executive Members the only ones eligible to debate any issues with members of the Commonwealth Government, so therefore I protest in the strongest measures.

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: Mr. Deputy Vice President with the statement having been noted am I in order to pass comment on the statement of review of powers, the statement that Mr. Howard has just made.

MR. ACTING DEPUTY PRESIDENT: Yes Miss Buffett.

MISS BUFFETT: Thank you. I would wish that all Members could be brought together at meetings for discussion on these matters.
I think when matters are to come before the Minister, especially extension of powers, since we are all nine elected to Government, I feel we should not be excluded from the very basic right of being able to discuss matters of interest to the people of Norfolk Island and the situation of Norfolk Island itself. I have already moved a motion for more meetings but that has been phased out by an adjournment. I would ask the Executive Members again please to include all Members in the discussions that are coming up, they are all important matters.

MR. ACTING DEPUTY PRESIDENT: Thank you Miss Buffett. Any further debate Honourable Members. There being no further debate the question is that the motion be agreed.

Question - put
Motion agreed to unanimously.

FINANCIAL REPORT

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: Thank you. I have a statement on financial results through the end of March, 9 months of the year. I have circulated copies to Members beforehand for their study and consideration and I table a copy for inclusion in hansard in line with the agreement at a previous Assembly meeting.

Despite some problems with accounting on the Island, I think we have to place confidence in the reliability of these monthly reports and in the month of March we had a good result. Revenue from Customs and from the Bond Store were just about on target for the month. Philatelic revenue was $80,000 ahead of target for the month. At the same time expenses other than salaries within the Administration were held down and so for three quarters of the year, for 9 months through the end of March we were in the black by about $88,000. If philatelic revenue holds up its excellent performance and if expenses continue to be held down the way they are being held down now, I think we will
break even for the year rather than having a deficit of a quarter of a million dollars which was originally planned.

That is the end of that statement.

FINANCIAL INDICATIONS FOR EXECUTIVE MEMBER FOR FINANCE
FOR NINE MONTHS ENDED 31/3/82

FIGURES ARE IN THOUSANDS OF DOLLARS.

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EXPENDITURE

|                      |           |           |            |            |            |            |            |            |
| Salaries (other than Education) | 133      | 114      | +17%       | 1176      | 1145      | +3%        | 966        | +22%       |
| Education estimated salaries | 30       | 26       | +15%       | 269       | 269       | ---        | 236        | +14%       |
| Other Expenditure (other than Capital Expenditure) | 72      | 88       | -18%       | 875      | 1141      | -23%       | 620        | +41%       |
| Capital Expenditure       | 28       | 43       | -35%       | 224       | 273       | -18%       | 224        | ---        |
| TOTAL                     | 263       | 271       | -3%        | 2544      | 2828      | -11%       | 2046       | +24%       |

CREDIT TO (OR DEDUCTION from) REVENUE FUND

|                      | +112      | -41       | +98        | +325       |

NOTE: Revenue/Supply Proportion - is an arbitrary calculation 1/12 of estimated Revenue or Supplied Funds multiplied by number of months to date.

REMARKS: Because total Expenditure reflects an estimated figure for Education wages and not actual payments, total actual expenditure is higher than disclosed in this respect as Salaries for eighteen months were paid in March. Reconciliation is as follows. Total Expenditure Year to date $2698

Add Estimated Education figure 269

$2967

Deduct payments 18 months Education 243

TOTAL EXPENDITURE - Column 4 $2544
MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Howard.

MESSAGE FROM THE ADMINISTRATOR

MR. ACTING DEPUTY PRESIDENT: I have to report that I have received a message from the Administrator advising that on 16 April 1982 the Governor-General assented to the Immigration (Amendment) Act 1981.

NOTICES

LEGISLATIVE ASSEMBLY (AMENDMENT) BILL 1981

MR. ACTING DEPUTY PRESIDENT: Notice No.1 Mr. Howard.

MR. HOWARD: Thank you. I would like to move the first of three motions that relate to the former Minister's message to us in February concerning the Legislative Assembly Bill that the Assembly had passed last year.

Firstly I move that the Minister's intention announced in his letter of 5 February 1982 to "take no further action at this stage" with respect to the Legislative Assembly (Amendment) Bill 1981 passed by the Legislative Assembly is not a procedure provided for in the Norfolk Island Act. The Assembly asks that in compliance with section 22 of that Act the Legislative Assembly (Amendment) Bill 1981 be (a) assented to or; (b) returned with amendments recommended by the Governor-General or; (c) partly assented to; or (d) refused assent.

The purpose of the motion Mr. Acting Deputy President has to do with a great deal more than the voting system. It has to do with Canberra's response when this Assembly passes legislation. The Norfolk Island Act sets down legally what is to happen after we have passed a Bill. What happens is that if it has to do with a Schedule 2 matter the Administrator is then advised to assent to it and he assents to it. If it is a Schedule 3 matter he does the same thing unless the Minister has advised him to the contrary. On all other
matters once we have passed a piece of legislation in this House it goes to the Governor-General for his handling, and the Norfolk Island Act says that he can do several things, he can assent to it, he can refuse assent to it, he can send it back with amendments that he is proposing or he can assent to part of it and withhold assent from part of it. That is not being done. When the previous Minister simply said he proposed to take no further action what he was doing was putting a piece of legislation of ours into limbo, into the black hole over in Canberra and that is not good enough. If Canberra does not like a Bill that we have passed they should say so and let us know how they feel and let us see what we want to do about it. If they think it can be improved by amending it they should tell us how they think it might be improved and let us consider that but they should not simply put it off into nowhere and leave it hanging no place, that is an undermining of the Norfolk Island Act in my view and I think we need to draw it seriously to the Minister's attention, and that is the purpose of this motion.

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: Mr. Deputy Vice President could I point out we now have a new Minister and he will be arriving shortly, I presume he will still be arriving shortly, so would it be in order for me to move that this motion be adjourned and placed on the agenda of matters to be discussed with the Minister while he is here.

MR. ACTING DEPUTY PRESIDENT: Are you then moving the adjournment of the debate Miss Buffett.

MISS BUFFETT: Yes.

MR. ACTING DEPUTY PRESIDENT: The question is that debate be now adjourned.

Question - put

MR. HOWARD: Can we debate that question, we cannot. Sorry.
Question - put
Motion negatived

MR. ACTING DEPUTY PRESIDENT: Is there any further debate
Honourable Members.

MR. BUFFETT: Mr. Acting Deputy President may we call the
House on the matter.

MR. ACTING DEPUTY PRESIDENT: I ask the Clerk to call the
House.

The House voted -

AYES, 3
Mr. Buffett
Miss Buffett
Mr. Jackson

NOES, 6
Mr. Howard
Mr. Brown
Mr. Christian-Bailey
Mrs. Gray
Mr. Quintal
Mr. Sanders

MR. ACTING DEPUTY PRESIDENT: The ayes 3, the noes 6. The
motion is negatived.

MR. HOWARD: If we can resume debate on it, in commenting on
the remark that Miss Buffett made I think we should discuss it with
the Minister, and if we support this resolution it gives us something
concrete to discuss with him, it expresses our opinion. There was just
a division of opinion as to whether we should adjourn or not, I would
hope there would be no division of opinion on this particular question
itself because a vote against the motion would in effect be saying that
it is alright for a Minister just to put something off in limbo and
neither do one thing with it nor another thing with it. I think if we
are going to have good relations with the Commonwealth Government we
need to have clear relations based on law, and the Norfolk Island Act
says that things should be done a certain way and I think we are quite
reasonably entitled to ask that the Commonwealth follow the law.
MR. ACTING DEPUTY PRESIDENT: Is there any further debate. Mr. Jackson.

MR. JACKSON: Mr. Deputy Vice President I do believe this motion at this particular time of the life of the Assembly is immature, it is too early. I believe we have enough on our plates at present to be arguing how we are going to vote in a little over two and a half years time.

MR. HOWARD: Point of order Mr. Deputy President. This motion has nothing to do itself with the voting system, nothing whatsoever. It has to do with the way Australia handles legislation of ours.

MR. JACKSON: The point that I am trying to raise is that it is clouding the issue and it is a diversary tactic I believe. There are many issues that we are confronted with. We are confronted now with one of the most serious declines in tourism and here we are making an issue of a voting system, so therefore Mr. Deputy President I feel that as the motion reads at present I am doubtful whether I will support it.

MR. ACTING DEPUTY PRESIDENT: Any further debate Honourable Members. Mrs. Gray.

MRS. GRAY: A question if I may Mr. Acting Deputy President. Section 24 of the Act states that where the Administrator withholds assent to a proposed law or the Governor-General withholds assent to a proposed law or part of a proposed law or disallows a law or part of a law, a message of the Administrator stating the reasons for the withholding of assent or of disallowance shall be made, and it gives details of that. Has an explanation been furnished to the Assembly.

MR. HOWARD: No. An explanation was furnished when the first Legislative Assembly Bill was disallowed and we then got an explanation as to what the reasons were. What the motion we are talking about now
has to do with is the circumventing of that process by the Commonwealth Government. They have not given us a reason because they have not done anything, they have just put the thing off into nowhere, and what I propose we ask is that they stop doing that, if they want to say no, say no and tell us why, give us the reasons if they have reasons but do not just pigeon-hole the thing and forget it.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President I can see that this motion does not really address the method of voting, I can see that, it does talk about how the Australian Government is handling a particular matter. Whilst that matter might be important, I really do think that there are many more things more demanding of our attention at this time, even on this notice paper for example. I am quite happy to support the motion and get it out of the road and get on with the job, I do not think we should be sitting here all day necessarily having to chew the cud over this particular motion. It may have some importance, which I would acknowledge, but I think there are other important things too which I feel we have got to get on with.

MR. ACTING DEPUTY PRESIDENT: Is there any further debate. There being no further debate the question is that the motion be agreed.

Question - put
Motion agreed to (Mr. Jackson abstaining)

TALLYING OF VOTES IN JANUARY 1982 GENERAL ELECTION

MR. ACTING DEPUTY PRESIDENT: Notice No.2 Mr. Howard.

MR. HOWARD: I now would like to move a motion that does have to do with the voting system.
The motion is that the Minister's attention be drawn to certain aspects of the tallying of votes in the General Election held last January by providing him with a transcript of the Assembly's debate on this resolution.

I want to cite some figures based on an analysis that I have made of the tally of votes in the January election. My figures might be sounder if they were double checked by someone else for confirmation, but so far as I can tell they are absolutely accurate and they are based on the official tally records kept during the election count.

Voters were asked to vote for 12 people in order of preference, 12 candidates, and to rank them from 1 to 12. That took some thought and effort to do and almost all voters went to that effort and gave it that thought and ranked the 12 people that they wanted in order of the preference that they liked them. On 304 ballots, that is a little over 38% of all the correctly cast ballots in the election, only one vote was counted, only the number one preference, nothing else was even looked at. On a further 243 ballots, that is a little over 30%, only two of the votes were looked at, the ten others were not looked at and they were not counted. On those 243 ballots that does not mean that the number one and number two preferences were looked at, it means that the number one preference was looked at and one other one somewhere in the list, it might have been number 8, it might have been number 5, you do not know. So over two thirds of the voters who went to the trouble of listing 12 preferences for candidates only had two at the most, and many of them only one, of those names even counted in the count, the rest of their votes were ignored. The value given to a ballot varied greatly from one voter to another and that is contrary to perhaps the most important single rule about fair elections which is one man one vote. I will give just a few examples of many that could be given. If a voter voted number 1 David Buffett; number 2 John Brown; number 3 Mike Perkins, the credit given to those three candidates by that voter added up not to 1 vote but to 1.122 votes. On the other hand another voter who voted number 1 for David Buffett; number 2 for John Brown; number 3 for Gerald Goudie, only got .455 of a vote for his ballot - less than half of 1 vote. A
voter who voted number 1 for Bill Sanders; number 2 for Lisle Snell; and number 3 for Greg Quintal, got over 1½ votes for his ballot - those three candidates shared 1.625 of a vote among them, but if he switched his number 3 preference, if he voted number 1 Bill Sanders; number 2 Lisle Snell; number 3 Bernie Christian-Bailey, his vote was worth only .625 of a vote - just barely over half of a vote. 96 people voted number 1 for Mr. Jackson, getting him elected used up five sixths of their vote in each case, that left one sixth to be given to somebody else. It depends on who your 2nd preference was. If your 2nd preference was Greg Quintal or Lisle Snell or Gerald Goudie, that 2nd preference of yours did not get one sixth of a vote but one third of a vote - double what was left over, but if you voted number 1 for Mr. Jackson and your 2nd choice was either Bernie Christian-Bailey or Tom Lloyd or Steve Nobbs or Neville Christian or Graham Woolley or Ray Brennan or Sid Christian, your 2nd choice got nothing, zero. Now what kind of counting is that. Those are the facts of how the votes were counted and I think they should be drawn to the Minister's attention and that is the purpose of this motion.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: Mr. Deputy President I am concerned whether these are Mr. Howard's tallying or is it official tallying from the Electoral Officer.

MR. HOWARD: They are taken from the official tally. He did not make those percentages that I have just been quoting to you but it is based on the official tallying.

MR. JACKSON: Have those figures been tabled in an official manner to satisfy us that what you said in your motion that the Minister's attention be drawn to certain aspects of the tallying of votes. Those certain aspects, are they yours, you have just announced them...

MR. BROWN: Point of order Mr. Acting Deputy President, surely this is not a cross examination.
MR. JACKSON: Surely it is not time to silence a Member either.

MR. HOWARD: I am happy to deal with Mr. Jackson's comments.

MR. JACKSON: The point that I wish to raise Mr. Deputy President is that the matter be adjourned so that we can all have some input into this 'attention be drawn to certain aspects of the tallying of votes', and that is the reason that I move that it be adjourned.

MR. ACTING DEPUTY PRESIDENT: The question Honourable Members is that the motion be adjourned.

Question - put

MR. ACTING DEPUTY PRESIDENT: The noes have it. Do you want a division called Honourable Members.

MR. BUFFETT: Yes I would want my vote recorded 'no' Mr. Acting Deputy President where we have a matter before the House and we are not given the opportunity to have the detail so that it can be examined before we vote on it.

The House voted -

AYES, 4
Mr. Buffett
Miss Buffett
Mr. Jackson
Mr. Sanders

NOES, 5
Mr. Howard
Mr. Brown
Mr. Christian-Bailey
Mrs. Gray
Mr. Quintal

MR. ACTING DEPUTY PRESIDENT: The ayes 4, the noes 5. The motion is negatived. Any further debate Honourable Members.
MR. QUINTAL: Yes Mr. Acting Deputy President. When the Proportional voting system was introduced in the first instance it was a most confusing sort of ...

MR. BUFFETT: Point of order Mr. Acting Deputy President, which matter are we addressing. What is the motion before the House. No. 2, thank you.

MR. ACTING DEPUTY PRESIDENT: Continue Mr. Quintal.

MR. QUINTAL: When the Proportional Representation voting system was introduced to the Island a number of years ago it was a most confusing system of voting and the majority of the people of the Island, or the electors, do not understand it, they have never understood the system, and it is still a confusing issue, and as far as I am concerned the sooner we get rid of it the better I would like it.

MR. ACTING DEPUTY PRESIDENT: Is there any further debate Honourable Members. Mrs. Gray.

MRS. GRAY: Just a question, is Mr. Howard suggesting that the votes were counted incorrectly or that he does not like the system.

MR. HOWARD: I am happy to answer that. I think the voting was done under proper rules of counting a Proportional Representation election. I do not think there were math errors made if that is your question. The point of the figures is to show disparities that occur as a result of the use of that system in a place with so many candidates and so few voters. I do not think it happens in larger places, I do think it happens in a place where you have so few voters and so many candidates, there are many more tie-breaking situations where you have to toss a coin or give one person a vote rather than another person, and that skews the result considerably.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.
MR. SANDERS: Would Mr. Howard make a copy of his mathematics available so I can peruse them at leisure.

MR. HOWARD: I would be please to.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President the question that Mr. Sanders has just mentioned highlights the difficulty in this whole matter. I have no difficulty in examining a proposal that is before the House provided I know what the facts are. This motion which is before us says this, and I will read it again, "That the Minister's attention be drawn to certain aspects", certain aspects I repeat "of the tallying of votes in the General Election held last January by providing him with a transcript of the Assembly's debate on this resolution". Now for everyone to be able to participate in a meaningful manner, they need to know what the certain aspects are that need to be discussed. Now Mr. Howard has brought forward today, within the last 5 or 10 minutes, what he believes are those certain aspects which obviously he wants us to examine, to examine I say Mr. Acting Deputy President, and then to vote upon the motion. I think it is entirely unjustified to ask this House to consider all of the figures that have been quoted by Mr. Howard, we have not even got a copy in front of us, they have just been recited off, for us to consider those figures to know whether they are justified percentages, he may well have an opinion on the method of voting, we probably all have an opinion on that but the matter that was to be examined by us is the certain aspects, the mathematical figures that have just been quoted by Mr. Howard now, and I consider it highly undesirable that Members should be asked to form a judgement without any prior warning whatso- ever as to the nature of those certain aspects, and I find that a really unacceptable situation from my point of view. You cannot expect me to support a motion when I do not really know what the true facts are about the matter, and the facts that Mr. Howard has brought forward have only been done so in the last five minutes as you have heard Mr. Acting Deputy President and each Member of this
House has heard all of those facts, and unless they have had prior notice of them, and members of the community also would have heard it, unless they have had prior notice of it it would be extremely difficult to make a snap decision in respect of those matters and therefore this motion, and you cannot expect me to support it in that particular context.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Thank you Mr. Acting Deputy President; with all due respects some of us appear to be grandstanding in relation to Mr. Howard's motion. All that Mr. Howard is asking is that the Minister's attention be drawn to certain aspects of the tallying of votes in the General Election held last January by providing him with a transcript of the Assembly's debate on this resolution. All he is asking is that the Minister be provided with a copy of the transcript of what he, Mr. Howard, has said and of what any other Member may care to say. He is not asking the Members to endorse his figures, in no way is he asking for that. The Minister will obviously have opportunity to check those figures. Mr. Howard is not asking the Minister to accept his figures, he is simply asking that these aspects of the tallying of votes be drawn to the attention of the Minister by providing him with a copy of this transcript and I quite support that, surely Mr. Howard has the right to ask us to pass this on to the Minister.

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: Mr. Deputy Vice President I would personally like the time to check out the situation, to look into the matter as put before us by Mr. Howard and I think that is only a fair request.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Deputy President Mr. Brown has really said that he thinks that it is a fair thing. I really with the greatest of respect have got to point this out, the motion really is saying, unless Members have time to consider it and therefore have time to put in their meaningful input, what we are really agreeing to is yes lets send
him what Mr. Howard has researched and put on the matter but do not offer the opportunity for other Members to also examine and research the matter and have the same opportunity of putting their thoughts to the Minister in respect of this matter, that is in fact what the motion is saying; and I oppose it on that basis. Really Mr. Deputy President if Mr. Howard feels that his motion and the matters that he calls facts and the percentages and figures that he quotes will stand up to examination, close examination, not a five minute cursory glance, then I would see that he should have no difficulty in allowing Members to examine the matter.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Is there any further debate. Mr. Howard.

MR. HOWARD: I am happy to provide copies of the figures that I have been talking about to the Members and I am happy to move that this debate be adjourned until the next meeting when we can resume it when Members will have had 30 days to study these figures all day long and all night long. You are most welcome to study them.

MR. ACTING DEPUTY PRESIDENT: The question is Honourable Members that debate be adjourned.

Question - put

Motion agreed to unanimously

VOTING SYSTEM

MR. ACTING DEPUTY PRESIDENT: Notice No.3. Mr. Howard.

MR. HOWARD: I will try to be quicker about this one. This is the final of the three resolutions related in one way or another to the voting system.

The previous Minister offered to conduct a thorough study of
what kind of voting system might suit Norfolk Island best - an expert enquiry he called it - and I move that an expert enquiry as offered by the Minister be requested in which the terms of reference include consideration of the following things - (a) the fact that Proportional Representation was rejected by a majority of the electors voting at referendum; and (b) the desirability of a voting system in which all votes or preferences marked validly on ballots are counted and included in the tally; and (c) the desirability of a voting system in which every elector receives equal voting power from his ballot. In a debate on the previous question Mr. Jackson said that the next election is 2½ years away and there is no rush about this. An expert enquiry of the kind the Minister was talking about I think is going to take some time and if it is to be done let us get it started, lets let them start looking at it. The motion I want to point out, does not argue that First Past the Post is necessarily the best voting system, it does not argue that Proportional Representation is necessarily a bad system. It does ask that the people conducting the study bear in mind that the electors of Norfolk voted against Proportional Representation and it sets out two criteria for a good voting system that I really do not think anybody can disagree with. First is that you count all the votes, the other is that you give every voter the same voting power, and I think those two are fundamental in a fair election and I think if an expert enquiry can devise us a system that will do that I think we may well be happy with it even though it may not be First Past the Post.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: Mr. Deputy President, will Mr. Howard notice that Mr. Jackson agrees with this motion, I support it one hundred percent because that is exactly what the Members have been trying to do in the first two motions, to have an expert enquiry on this situation. This expert enquiry has been offered to the three Members who went to Canberra, you yourself being one of the three Members with Mr. Buffett and Miss Buffett, and you came back with a report from the Minister that he will provide the necessary officers to conduct an expert enquiry, so therefore it has my full endorsement.