SECOND NORFOLK ISLAND
LEGISLATIVE ASSEMBLY

HANSARD

Seventh Sitting
(30 June 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

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
Acting Deputy President - Mr. Bernard Edwin Christian-Bailey

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
The Assembly met at 2 p.m. The President (Hon. D.E. Buffett) took the Chair and read the Prayer.
# TABLE OF CONTENTS

Questions Without Notice:
- Sex Discrimination Bill
- Disturbances by tour operators at the airport
- Relations between Assembly and Public Service
- Carriage of Mail
- Issue of Coins
- Water & Sewerage Survey
- Hillcrest Hotel Shares
- Default Companies
- Grant of land to Mr. & Mrs. G. Pedel
- Effluent from South Pacific Hotel
- Ownership & Insurance of Hospital
- Bond Facility for Transit Passengers
- Pecuniary Interest of Executive Members

Answers to Questions On Notice:
- Importation of Rootstock

Papers:
- Instructions Under section 32B of the Public Moneys Ordinance

Statements:
- Hospital Board
- Liquified Petroleum Gas Grants Act 1980
- Financial Report
- Immigration Bill
- Tourism

Notices:
- Control of Retail Prices on Norfolk Island

Orders of the Day:
- Review of Powers Under the Norfolk Island Act
- Departure Fee (Amendment) Bill 1982
- Customs (Amendment) Bill 1982
- Public Account Expenditure Bill 1982-83

Next Sitting Day
- Adjournment

Adjournment Debate
MR. PRESIDENT: Honourable Members the first thing this afternoon that I would like to mention is that in the public gallery today we have a group of some sixteen Australian college students from Marymount College in Burleigh Heads, Queensland, and the students are mostly from Year 10 at that school and they are interested in the historical character of Norfolk Island and they are here to observe the workings of the Legislative Assembly this afternoon, and they are accompanied by their history teacher Mr. Paul Hanson.

Honourable Members there are no condolences this afternoon.

QUESTIONS WITHOUT NOTICE

SEX DISCRIMINATION BILL

MR. JACKSON: Mr. President, I direct this question to Mr. Brown, the Minister responsible.
Mr. Brown, at the Executive Committee meeting last Monday the Sex Discrimination Bill was discussed. Are there any decisions out of these discussions that you wish to report to this meeting.

MR. BROWN: There is nothing that I am ready to report today Mr. Jackson. It may be that I will have something to report at our next meeting.

DISTURBANCES BY TOUR OPERATORS AT THE AIRPORT

MR. JACKSON: Another question to Mr. Brown.
The Manager of the Tourist Bureau has written to the Chairman of the Executive Committee a letter reporting a disturbance at the airport re pickups. Now I consider this could be damaging to our tourist trade. Would you care to explain the dispute contained in this letter from the
Manager of the Tourist Bureau, Mr. Ray Brennan.

MR. BROWN: It is perhaps not appropriate that I embarrass people by mentioning their names in this House but it is true that I have received a complaint from the Manager of the Norfolk Island Government Tourist Bureau in relation to the general behaviour of some of the tour operators in Norfolk Island who provide carriage for tourists from the airport to their accommodation. This is a problem which has flared up in the past, the people were spoken to in the past and it was hoped that the problem would not recur, however sadly it has recurred and it is now necessary for me to speak with them again and in the event that there is not an immediate and lasting improvement in this situation, some harsher form of action will need to be taken. That is all that I can say at this stage.

IMPROVEMENT OF RELATIONS BETWEEN THE LEGISLATIVE ASSEMBLY AND THE PUBLIC SERVICE

MR. JACKSON: My next question is directed to Mr. Howard who has responsibility in this direction.

On a paper of an Executive Committee meeting the policy for a programme to improve relations between the Assembly and the Public Service appeared. Has this matter been discussed and considered by the Executive Committee and if so what were the results of those discussions.

MR. PRESIDENT: Mr. Howard.

MR. HOWARD: Yes I put forward a series of proposals to the Executive Committee in the hope of trying to get us moving in the direction that would get all of us in Administration and in Government working better step in step than in some cases we seem to have been. The Executive Committee has asked Mr. Buffett as the Executive Member for Administration as well as other matters, to have a think about the programme, and he is to come back to our next meeting with comments that he may have on it.
CARRIAGE OF MAIL

MR. PRESIDENT: Mr. Christian-Bailey.

MR. CHRISTIAN-BAILEY: Thank you Mr. President. A question directed to Mr. Howard.
Can the Executive Member tell the House what progress has been made in negotiations for carriage of Australian and overseas mail from Norfolk Island through Brisbane.

MR. HOWARD: It is still being looked at. The carriage of mail from Norfolk to Australia has been by East-West Airlines, I think as cargo not as mail. Delivery has not always been certain, there have been times when the mail has been left behind for reasons of the aircraft’s carrying ability and the cost has risen recently. The Administration has looked at the possibility of sending mail through Norfolk Island Airlines to Brisbane instead, and it looks as though it is feasible to do, it also looks as though there might be a quite significant saving in the cost in doing that. Nothing is final yet, we are looking at it, it would be a big change, you would need to examine the details of it carefully before you do it, but it is being looked at and it might happen, or it might not, it is too soon to say.

ISSUE OF COINS

MR. PRESIDENT: Mr. Christian-Bailey.

MR. CHRISTIAN-BAILEY: This question is directed to Mr. Howard.
Can Mr. Howard tell the House whether there has been any progress on the proposal for the issuing of coins as a revenue earner.

MR. HOWARD: No, I would have to say there is no progress at this point. The Norfolk Island Act specifically prohibits us from issuing coins – it is one of three things we are prohibited from legislating about, we cannot take property on unjust terms, we cannot organise our own army
or navy, and we cannot issue coins. I am hopeful that we may be able to get Australia's agreement that the issue of coins by Norfolk Island would be in no way damaging to Australia and would be a very helpful thing for Norfolk. It is one of the things in the list of matters that we will be discussing with the Administrator and Mr. Paterson in the review of powers. I hope we will get authority to issue our own coins but that will depend on the progress of those negotiations.

WATER & SEWERAGE SURVEY

MR. PRESIDENT: Mr. Jackson.

MR. JACKSON: Mr. President I direct this question to yourself. On the notice paper of an Executive Committee meeting the matter of a consultant's opinion on a water and sewerage plan appeared. Was this matter considered and discussed at the Executive Committee meeting and if so what were the results of those proposals.

MR. BUFFETT: Mr. Deputy President the matter was discussed, it remains at this time for some suitable words to be determined to write to a firm of consultants who have expertise in the matter of sewerage and water so that they might provide to us some consultative comment on the reports and the situation that we find ourselves at this time.

MR. JACKSON: Did I gather there was some disagreement among the three executive members on this particular issue concerning costs.

MR. BUFFETT: There is a cost factor Mr. Deputy President in respect of the gaining of the report; it is in the vicinity of $1500 as best as can be determined at this time. That amount of money has not been provided at this moment to pursue that report but that is a matter that Mr. Howard has responsibility for, he may even wish to comment upon that.

MR. HOWARD: I would be glad to comment on it Mr. Deputy President if Mr. Jackson likes. Mr. Jackson asked was it true that there was some
disagreement on the issue as far as costs were concerned, I am not aware of any disagreement at all. The terms of reference which we would ask a consulting firm to pick up and carry out are still being talked about, they are not clear. Until those are clear and until the firm is selected to be invited to do the work if they want to, there is no need to allocate the cost, but I do not think there is any question about the $1500 being available once we are clear about what it is we are doing.

MR. DEPUTY PRESIDENT: Any further questions.

MR. JACKSON: I take it then that you are not satisfied with the Falkland and Finch investigation. Is it your wish to perhaps gain another investigation or study on this particular question.

MR. HOWARD: Was the question to me.

MR. JACKSON: If it is in your area, yes.

MR. HOWARD: Would you ask it again. I'm sorry.

MR. JACKSON: Because of the disagreement on the cost and disagreement on the Falkland and Finch investigation, is another study being recommended.

MR. HOWARD: I think it is fair to say that the Executive Committee is not yet at a point where it is satisfied that the Falkland and Fitzgerald recommendation for a $700,000 or $800,000 sewerage system should be gone ahead with, it may well be that we should go ahead with it but I do not think the Committee is yet at the point of saying yes that is it, lets do it, if we can persuade the House to do it.

MR. JACKSON: Following up on that question Mr. Deputy President, would Mr. Buffett, who holds responsibility, state if he is aware that the effluent from the South Pacific Hotel is being pumped into a borehole, and is that still the practice at this time.
MR. BUFFETT: Mr. Deputy President I do understand that that is the situation at this time and remedial measures are being examined to try and alleviate this difficulty.

MR. DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: I do not know whether this is in order or not but Mr. Buffett and I jointly answered the last one and I might add something to Mr. Jackson's question if he would like.

MR. DEPUTY PRESIDENT: Thank you Mr. Howard.

MR. HOWARD: The Executive Committee did decide that as far as the Committee was concerned the disposal of effluent in that sort of way was to be stopped and we put a time limit of the end of the year on it, now that has not been translated into legislation yet, it has not been brought to the House yet but the Committee's view is that that particular thing that Mr. Jackson was asking about is not on and it has got to be stopped and we have put a timetable on it as far as we are concerned.

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

MR. JACKSON: Are you aware then that tests have been carried out and dye from the tests is showing signs of coming out of other bores on the Island.

MR. BUFFETT: Mr. Deputy President there are a series of tests that have been conducted at this time, I made an earlier announcement that there was an officer I think from the Bureau of Mineral Resources who came to the Island to assist the commencement of these tests and as I say they have commenced and they continue, and part of the process is to monitor the various movements from one bore to another, and there are some results that are gradually coming out now which show that there is movement between a number of bores including the South Pacific Hotel bore.
HILLCREST HOTEL SHARES

MR. DEPUTY PRESIDENT: Any further questions. Mr. Jackson.

MR. JACKSON: Yes a question to Mr. Brown.
Mr. Brown a letter appeared in the Norfolk Islander last Saturday 26 June stating that you still control shares in the Hillcrest Hotel. Now on 3 March you stated that you would be relinquishing those shares and those statements are in hansard which I have here beside me, now do you still own those shares that you said you would relinquish because of pecuniary interest.

MR. DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Mr. Jackson I sold those shares you will recall to avoid any suggestion of pecuniary interest and I can tell you yes the shares have been disposed of and yes I have resigned as a director of the company and if you care to trot across to the companies office you will see that the notice of change of directors and the notice of my resignation as secretary have been filed today.

MR. DEPUTY PRESIDENT: Thank you Mr. Brown. Further questions.

MR. JACKSON: I might add that I do not care to trot across but I notice Mr. Brown trotting across there a while ago.

MR. HOWARD: Point of order.

MR. DEPUTY PRESIDENT: What is your point Mr. Howard.

MR. HOWARD: That was not a question that was a rather uncouth interjection that we do not need here.

MR. DEPUTY PRESIDENT: Would you withdraw that statement Mr. Jackson.

MR. JACKSON: If you so wish.
MR. BROWN: I raise a point of order in relation to any further mention of the contents of that letter.

DEFAULT COMPANIES

MR. DEPUTY PRESIDENT: Any further questions.

MR. JACKSON: There is another question I wish to raise with the Minister who holds responsibility for registries, and that is Mr. Buffett.

MR. BROWN: Mr. Deputy President I raise a point of order in relation to the second letter on the same page, which Mr. Gilbert Jackson is about to read.

MR. JACKSON: Is this a gag on discussions.

MR. DEPUTY PRESIDENT: What is your point of order Mr. Brown.

MR. BROWN: Mr. Deputy President the contents of that letter do not relate to the business of any of the executive members, it relates to private matters.

MR. JACKSON: May I add in answer to that Mr. Deputy President, this letter refers to revenue of Norfolk Island and revenue, which we will discuss this afternoon, to me is very important. In this letter it states that there are approximately $10,000 being owed to the companies office by default companies, and my question to the Minister who holds responsibility is is he aware if this is a fact, that there are companies that have not paid their dues and are in default, and I pursue that question.

MR. DEPUTY PRESIDENT: Yes Mr. Jackson. Would you care to answer that Mr. Buffett.

MR. BUFFETT: Mr. Deputy President I am not able to give any categorical
detail about companies that are in default nor about the amounts of money that may be outstanding if such is the situation. It is a known fact that each year this in fact does happen but I am not able to quantify that off the cuff but I could take it on notice if that is the desire.

MR. JACKSON: I will place it on notice for the next meeting.

GRANT OF LAND TO MR & MRS G. PEDEL

MR. QUINTAL: I wish to direct a question to the Minister for Administration. I would like to ask if there is any further information on the granting of a parcel of land to Mr. Glenny Pedel and if not when can we expect some definite answer.

MR. BUFFETT: Mr. Deputy President this is a matter that Mr. Brown in fact has handled, I wonder if you would be kind enough to allow me to refer it to him please.

MR. BROWN: Mr. Deputy President I have received no further information in relation to this matter.

EFFLUENT FROM THE SOUTH PACIFIC HOTEL

MR. DEPUTY PRESIDENT: Are there any further questions.

MR. QUINTAL: Yes whilst we are on the subject of the South Pacific Hotel effluent being pumped down a bore, I would like to direct a question to the Minister for Administration. The question is when they stop pumping the effluent down the bore hole, where will the effluent go to, on the next door neighbour's property or will it be taken out to sea somewhere.

MR. BUFFETT: Mr. Deputy President this is part of the difficulty that we have in this particular matter and that is why we have put a time frame on it in lieu of just saying bang it is not to happen from today,
because it is recognised that there is a difficulty in finding proper healthy and suitable alternatives and these alternatives are being examined by the Government and of course I would hope that they are certainly being examined by the proprietors of the hotel, but it is a difficulty that I recognise and it is not solved at this moment.

OWNERSHIP & INSURANCE OF HOSPITAL

MR. DEPUTY PRESIDENT: Are there any further questions, Mrs. Gray.

MRS. GRAY: Thank you Mr. Deputy President, two questions, the first to the executive member responsible for Administration and Health, a question which arose at a general meeting of members of the Chamber of Commerce. Who owns the hospital and is the hospital, the buildings, the fittings etc insured against mishap.

MR. DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: I really do not think that I can answer it in real categoric terms because I do know that it is a question that has been raised on a number of occasions without quite coming to a satisfactory answer, but I can nevertheless pass on the benefit of some of the detail that I do have. First of all one must recognise that prior to 1979 there was no formal identity known as the Administration of Norfolk Island and therefore the vesting of that portion of land was in the Commonwealth of Australia and to my knowledge still is and therefore the hospital buildings are located on such a portion of land. We do know however that there is a Norfolk Island Public Hospital Ordinance in which the control of the hospital is statutorily vested and those persons are appointed through the local machinery you might say, and so there is that local input. It is my understanding that there is no formal insurance in respect of the hospital buildings in case of mishap. I think that is about all I can say on the matter. I do not really think it provides a conclusive answer, I think we probably need to go to the legal eagles a bit and of course if that is the desire of Mrs. Gray of course I can do that.

MRS. GRAY: May I ask that that be done, certainly.
BOND FACILITY FOR TRANSIT PASSENGERS

MRS. GRAY: A further question if I may to Mr. Howard. Is there a bond facility on Norfolk, specifically what provision is made for transit passengers carrying goods through Norfolk which maybe in excess of those which may be carried into Norfolk free of duty which they may not wish to make use of during their stay on Norfolk, transit passengers I refer to.

MR. DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: Yes there is a bond facility, there is no sign on the door saying bond store but items can be put in bond. At the moment there is a bit of additional information, there is no charge made for that service and in recent conversations with the Legal Adviser and the Legislative Draftsman and the Collector of Customs I along with them have been looking at the advisability of putting a charge on the use of the bond store, so much a package, so much a day, whatever it might be, because there are costs involved. But yes there is a bond store.

PECUNIARY INTERESTS OF EXECUTIVE MEMBERS

MR. DEPUTY PRESIDENT: Are there any further questions. Miss Buffett.

MISS BUFFETT: Mr. Deputy President, getting back to the matter of executive members holding portfolios in areas where they may have pecuniary interests, could I ask Mr. President, may it be an advisable situation if the three executives could decide among themselves should one have a pecuniary interest in a particular field that does have very great bearing in Norfolk Island affairs, that that be exchanged with another...

MR. DEPUTY PRESIDENT: Miss Buffett I was under the premise that this question had been answered. Is this another question again.

MISS BUFFETT: Not the question that I am asking, I am just trying to resolve a situation. To Mr. Howard.
MR. DEPUTY PRESIDENT: Mr. Howard would you reply please.

MR. HOWARD: Thank you yes, what Miss Buffett is asking about is quite possible and it has been done in the case of the issue that Mr. Jackson was asking about before on Mr. Brown and his shareholdings in Norfolk Island Airlines. It was agreed among the executive members that until Mr. Brown had disposed of his pecuniary connection with Norfolk Island Airlines that any actions of an executive nature that he took in his position with responsibility for transportation would not be taken by him at all, they would be taken by Mr. Buffett or me or by us jointly, but we thought it improper until Mr. Brown disconnected himself from those that he should act in an executive way, so the very thing she is asking about has been done.

MISS BUFFETT: Thank you very much Mr. Howard, that I feel having been announced in the House resolves the situation and it is in protection of the dignity of the House and the members.

ANSWERS TO QUESTIONS ON NOTICE

IMPORTATION OF ROOTSTOCK FOR FRUIT TREES

MR. DEPUTY PRESIDENT: Are there any questions on notice.

MR. BROWN: Mr. Deputy President there is one question from Mr. Quintal addressed to myself.

The question asks will I take such action as is necessary to enable commercial growers on the Island to import rootstock for fruit trees from approved growers in New Zealand and Australia so that a worthwhile commercial fruit growing industry may be established.

Mr. Deputy President I am not sure whether this falls partly in my area or partly in my colleague Mr. Buffett's area or whether it falls to one of us alone, I am in a position to give some response with the assistance of the Chief Administrative Officer, but I do not know whether Mr. Buffett has prepared a response.
MR. BUFFETT: No I have not.

MR. BROWN: Do you mind if I do.

MR. DEPUTY PRESIDENT: Would you reply Mr. Brown.

MR. BROWN: Mr. Deputy President I must stress at this stage that this is information which has been prepared for me by the Chief Administrative Officer, this matter does fall at least partly in my colleague Mr. Buffett's area and any action in relation to it would be taken not simply by myself but either by Mr. Buffett alone or by us jointly. The information that I have is that a ban was placed on the importation of all rooted plants and soil in 1977 following advice from a Mr. John Walker who was at the time senior research scientist with the biology branch of the Biologicaland Chemical Research Institute at Rydalmere in New South Wales. Mr. Walker had carried out a survey of diseases of plants of Norfolk Island during 1977 and he delivered a report in the same year. In part and summarised that report said in relation to quarantine that the present surveyed observations that had been made by various workers over the past 30 years indicated that there are certain diseases present in Australia and other countries which are possibly not present on Norfolk Island and which it would be undesirable to introduce. Some of the significant ones were black spot of citrus caused by a fungus, a root rot disease of citrus, brown rot of stone fruits caused by two fungi, root rot of avocado and a number of other plants caused by another fungus, tropical rust of maize and various fungal and virus diseases in kumera.

He reported that some of these can be carried on soil and that as a result no rooted plants of any species should be imported into Norfolk Island. He recommended that if newer varieties were needed then selected bud wood should be obtained and propagated on the Island. He said that it would be wisest at present, bear in mind that this was in 1977, not to allow any soil or any rooted plants or any vegetative propagating material to be imported for kumera, avocado and citrus until more complete discussion on quarantine procedures had taken place between the Administration and the Commonwealth Department of Health. In another letter Mr. Walker outlined some further quarantine problems. He
mentioned that fumigation with methyl bromide of soil should kill some of the bugs but that the soil would probably need to be treated for several hours to be absolutely sure the treatment was effective. He added however that some of these problems can be carried in the roots of the infected plants and he greatly doubted that methyl bromide fumigation would kill a fungus existing within the roots. He said that it would therefore be possible for a plant with its roots washed free of soil and fumigated with methyl bromide to yet be carrying the fungus inside of its roots and once planted into soil in Norfolk Island this could possibly then introduce the fungus, for that reason he said that it was wise not to import any rooted plants of species known to be susceptible to that fungus, and his following words were "and I am afraid that the list is very long indeed".

Due to the fact that Norfolk Island does not have any fumigation facilities the situation for quarantine has not changed, and so the Chief Administrative Officer advises me that he believes that the ban should remain so as not to destroy permanently the industry that Mr. Quintal is attempting to establish.

I have been provided also with a copy of Mr. Tony Giuseppi's interpretation of the report of Mr. Walker and Mr. Giuseppi's report was presented in a memorandum to the Norfolk Island Advisory Council in late 1977. Mr. Giuseppi said, "It is obvious that several precautions should be taken on the importation of plants into Norfolk Island, firstly the importation of any new species of kumera should be forbidden completely". Mr. Giuseppi said that Dr. Walker had remarked to him that he had never seen such healthy kumera patches elsewhere, and as kumera propagated vegetatively, the risk of introducing disease is too great to be accepted. Mr. Giuseppi said this is especially true when we consider the great range and variety already available on the Island. He had asked Dr. Walker about methyl bromide treatment to stop the entry of fungus on the roots of plants with special emphasis on avocado pears. After speaking with Dr. Walker Mr. Giuseppi joined in suggesting that the importation of all rooted plants should be forbidden immediately and that no more permits should be issued. This appears to be what had happened.

Mr. Giuseppi went on that these recommendations are not as serious and as far reaching as might appear on first reading. In our wild lemon
we have available a rootstock for all citrus fruits which is recognised as a very strong and resistant parent stock. We already have a wide variety of lemons, oranges, mandarins, grapefruit etc from which bud wood or cuttings can be obtained for grafting on to the lemon rootstock. Seedlings could be obtained from apples and pears on which to graft present commercial varieties. Yet again there are many varieties of avocado growing on the Island which would be available for such grafting and seedlings could be used as they are elsewhere so as to graft on to the seedling the bud wood from these other varieties.

Apparently a report on avocados was done by a Dr. Iken in 1972. Mr. Giuseppi made comment as to this report and noted that the reports of Dr. Iken were basically the same in 1972 as those of Dr. Walker in 1977. The Chief Administrative Officer has not been able to advise me of any work which has been done since 1977 on this problem Mr. Quintal and it may be appropriate for you to take it up again with Mr. Buffett or directly with the Chief Administrative Officer in the event that you have something new that you would like to add to it or that you feel in the light of later technology the present view is incorrect.

Thank you Mr. Deputy President.

MR. DEPUTY PRESIDENT: Thank you Mr. Brown. Yes Mr. Quintal.

MR. QUINTAL: I would like to make one or two comments if I may.
In the past I have objected and resisted any move to import any fruit or plants into the Island but when I realised that plants and fruit are still coming in here inspite of customs controls, and when I say this I do not mean it as criticism of the customs officers, but they will never ever stop people from bringing in plants or fruit, and it is my belief that this situation will not change in the future, we all know that fruit still gets into the Island, also there are quite a number of kiwi fruit growing on the Island.

MR. DEPUTY PRESIDENT: Excuse me Mr. Quintal if this is going to be lengthy could you bring it up in the adjournment debate.

MR. QUINTAL: Certainly.
Board on 24 July 1969. At that time Mr. Bruce Griffiths was Chairman of the Board and continued to hold that office until 1972. Mr. Aafjes was then elected Chairman by his fellow Board members and continued as Chairman of the Hospital Board for some ten years until his recent resignation. In doing so he appears to have established a record as the longest serving Chairman of the Board and possibly also as the longest serving Board member as well. The list of names of fellow Board members with Mr. Aafjes is quite long and as they have had a part in the record of service in this field I think they deserve some mention also. I have already referred to Mr. Griffiths, and the other fellow Board members are - Mr. Quintal, who is a member of this Assembly, Bill Blucher, Marion Underwood, Roy Nobbs, Wendy McGuinness, Phillip Bartle, Neil Reynolds, Bill Lackey, Allan Payne, Kathy LeCren, Gary Robertson and Steve Nobbs. I really say all of that Mr. Deputy President because I really would like to extend congratulations to Mr. Aafjes for his quite outstanding service in relation to the hospital over that period of time and really hope that he will not completely forsake other public activity for which he has shown much expertise.

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

MR. HOWARD: Could I ask in order that Mr. Buffett send a letter on behalf of the Assembly conveying that same feeling from the entire Assembly as well as from himself.

MR. DEPUTY PRESIDENT: Thank you Mr. Howard I think that is a good idea.

LIQUIFIED PETROLEUM GAS GRANTS ACT 1980

MR. DEPUTY PRESIDENT: Further statements. Mr. Buffett.

MR. BUFFETT: Thank you Mr. Deputy President, there is one other if I may concerning the Liquified Petroleum Gas Grants Act 1980, an Australian piece of legislation. Members will recall that an approach was made through the Acting Administrator and the Department of Home Affairs and Environment to ascertain whether the above Act could be
amended so as to extend here in order for Norfolk Island to participate in the Australian domestic L.P. gas subsidy. I would like to advise members the result of that approach by reading a letter which has been sent to me from the office of the Administrator, and I quote, Mr. Deputy President - "As you know the Liquified Petroleum Gas Grants Act 1980 does not at present extend to Norfolk Island. On 27 July 1981 the then Chief Administrative Officer advised that the Norfolk Island Government wished to apply in its own right for inclusion in the liquified petroleum gas subsidy scheme. This advice was conveyed to the Department by the Acting Administrator on 30 July 1981 together with a request that the Minister consult with his colleagues with a view to promoting the necessary amendments to the Act. I am advised that the Minister for Home Affairs and Environment has consulted with his colleagues the Minister for National Development and Energy as the Minister responsible for policy matters in relation to the scheme, and the Ministers for Finance and Business and Consumer Affairs, formally requesting that consideration be given to the extension of the Act to the external territories. I am informed that in the examination by relevant Ministers it was considered that while the sum of money involved in providing the subsidy would not be large, as Norfolk Island had its own separate and largely self contained fiscal system and its residents do not contribute to Australian taxes or charges, it would not be appropriate to extend the scheme to the territory". I quote that detail Mr. Deputy President so the members of this House will see the result of that examination.

FINANCIAL REPORT

MR. DEPUTY PRESIDENT: Mr. Howard do you have a statement.

MR. HOWARD: Yes thank you. I wanted to table for inclusion in Hansard the financial indications sheet for the month of May. I have not had a chance to study it in detail Mr. Chairman, the only comments I want to make about it are few.
FINANCIAL INDICATIONS FOR EXECUTIVE MEMBER FOR FINANCE
FOR ELEVEN MONTHS ENDED 29/5/82
FIGURES ARE IN THOUSANDS OF DOLLARS.

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Last month</td>
<td>Same month</td>
<td>Comparison</td>
<td>Total year</td>
<td>Revenue</td>
<td>Comparison</td>
<td>Total last</td>
<td>Comparison</td>
</tr>
<tr>
<td></td>
<td>last year</td>
<td>last year</td>
<td>previous year</td>
<td>to date</td>
<td>supply proportion</td>
<td>year to date</td>
<td>year to date</td>
<td></td>
</tr>
<tr>
<td>Revenue</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Postal and Philatelic</td>
<td>48</td>
<td>76</td>
<td>- 37%</td>
<td>1226</td>
<td>1104</td>
<td>+ 11%</td>
<td>950</td>
<td>+ 29%</td>
</tr>
<tr>
<td>Customs</td>
<td>41</td>
<td>66</td>
<td>- 38%</td>
<td>710</td>
<td>917</td>
<td>- 23%</td>
<td>898</td>
<td>- 21%</td>
</tr>
<tr>
<td>Liquor Bond</td>
<td>4</td>
<td>19</td>
<td>- 79%</td>
<td>262</td>
<td>321</td>
<td>- 18%</td>
<td>298</td>
<td>- 13%</td>
</tr>
<tr>
<td>All other revenue</td>
<td>100</td>
<td>26</td>
<td>+ 285%</td>
<td>930</td>
<td>731</td>
<td>+ 27%</td>
<td>753</td>
<td>+ 24%</td>
</tr>
<tr>
<td>Total revenue</td>
<td>193</td>
<td>187</td>
<td>+ 3%</td>
<td>3128</td>
<td>3073</td>
<td>+ 2%</td>
<td>2899</td>
<td>+ 8%</td>
</tr>
<tr>
<td>Expenditure</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries (other than Education)</td>
<td>113</td>
<td>105</td>
<td>+ 8%</td>
<td>1405</td>
<td>1476</td>
<td>- 5%</td>
<td>1176</td>
<td>+ 19%</td>
</tr>
<tr>
<td>Education estimated salaries</td>
<td>30</td>
<td>26</td>
<td>+ 15%</td>
<td>329</td>
<td>329</td>
<td>-</td>
<td>288</td>
<td>+ 14%</td>
</tr>
<tr>
<td>Other Expenditure (other than Capital Expenditure)</td>
<td>109</td>
<td>76</td>
<td>+ 43%</td>
<td>1065</td>
<td>1162</td>
<td>- 8%</td>
<td>758</td>
<td>+ 41%</td>
</tr>
<tr>
<td>Capital Expenditure</td>
<td>7</td>
<td>21</td>
<td>- 67%</td>
<td>240</td>
<td>333</td>
<td>- 28%</td>
<td>284</td>
<td>- 15%</td>
</tr>
<tr>
<td>Total expenditure</td>
<td>259</td>
<td>228</td>
<td>+ 14%</td>
<td>3039</td>
<td>3302</td>
<td>- 8%</td>
<td>2506</td>
<td>+ 22%</td>
</tr>
<tr>
<td>Credit to (or Deduction from) Revenue Fund</td>
<td>-66</td>
<td>-41</td>
<td>+89</td>
<td>+343</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

REMARKS:

The figures in column 5 "Other Expenditure" and "Total" appear to have been inaccurate in recent returns because of the need to adjust the figures for Education Salaries actual and estimated.

The month of May, the eleventh month out of the twelve months in our financial year, was a loss month. We spent $66,000 more than we earned in revenue in the month. Philatelic revenue, customs revenue and liquor bond revenue were all well down below target during the month. For the year through eleven months our revenues have been greater than our spending by $89,000. What the outcome for the full year will be we will know a month from now, but I table that report for the month of May.
IMMIGRATION BILL

MR. DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Thank you Mr. Deputy President. I wish to make two statements, firstly in relation to the Immigration Bill. I would like to advise that His Honour the Administrator has provided me with copies, and I have handed copies to each of the members, of the Immigration Bill, together with amendments, as the powers that be in Canberra are prepared to approve the Bill. The Bill is quite thick. I will be circulating to members details of the changes that Canberra seeks to make to it. At some stage in the next few weeks I will be speaking individually with each of the members and I hope that at our next normal meeting we will be able to debate these proposed changes. If we are satisfied with the proposed changes it is then proposed that Mr. Ewens will come across to the Island from Canberra so that we can bring ourselves to a position where hopefully we will be but a few weeks away from the Immigration Bill becoming law. That is all that I have to say in relation to the Immigration Bill today.

TOURISM

MR. BROWN: Secondly in relation to tourism, you will recall that at our last meeting I did not table the tourist arrival figures for May, I seek to do so now, and I seek to speak briefly about the proposed Norfolk Island household survey. Members will recall that I have mentioned this survey on a previous occasion. It is a survey which is proposed to be conducted through most of the households on the Island during the period from 5th to 16th of July. The survey is being conducted at my request and at the request of the Tourist Bureau by the Brisbane College of Advanced Education. Six students from that College together with a supervisor will be coming to the Island in early July and those students and their supervisor will be conducting the survey. The survey forms will not contain any names nor will the forms contain any code number, it will therefore be impossible for anyone to know who has given answers to particular questions. In any event as an additional precaution no-one in Norfolk
Island will see those forms. The forms will go each evening into the custody of the student's supervisor and will be sent back to the Brisbane College of Advanced Education where they will be placed on computer. As soon as the forms have been placed on computer they will be destroyed and all that we will receive is on 16 August it is expected the computer print-out and report of the survey. It is presently proposed that the head of the Brisbane College of Advanced Education, Dr. Owen McCarthy, will come across to the Island on 16 August to present this to us, and of course members of this House will all be invited to that presentation. The survey will deal with a number of areas. The primary purpose of it relates to tourism, where it will be a very important tool in the preparation of the Island's tourism marketing plan for future years.

As I have said before, the Select Committee which was appointed by the First Legislative Assembly, came down with a number of recommendations, and one of the very important ones was that Norfolk Island should be regarded as the home of its residents and not primarily as a tourist destination.

We want to ensure that the thoughts, the ideas, the hopes, the aspirations of all of the residents are known and can be considered in preparing this marketing plan, we do not want the plan to simply be the results of the pressures of a very small section of the community. The plan will effect all of Norfolk Island and I sincerely hope that all residents will participate fully and honestly in it. There are a number of other areas being addressed in the survey. The opportunity to speak with so many of the residents of the Island is an opportunity to obtain a lot of other information for Island planning purposes. As I said, it will not obtain information about names, it will not contain information about addresses, but we will be able to obtain information as to present and future schooling needs on the Island, present and future occupational training needs, present unemployment, details of the numbers but not the names or other information about those who are seeking unemployment, details of qualifications presently existing on the Island, both qualifications which are presently being used and what we know to be a large bank of qualifications that are totally unused, we know that there are a number of people on the Island who have qualifications in areas where they no
longer use them, one of the more prominent of those would be the nursing profession, but there are a number of others. This survey will give us the information that there are a certain number of people with nursing training, that there are a certain number of people with engineering training, that there are a certain number of people with various other forms of training, but it will not allow us to pinpoint those people.

Hopefully it will give us an indication of the number of people or the number of members of local families, who are presently away from the Island and may be wanting to come back, be it in the near future or the distant future. Some indication of these numbers are particularly important for purposes such as immigration planning and education planning. We will be looking for information as to the type of lifestyle that the people of the Island feel they either presently have or would like to have. Because we are at some stage going to need to consider the question of television on the Island, we will be seeking some information as to the number of people who have video sets and perhaps information as to the average number of tapes they would use in a week. We will be seeking people's views as to what they feel could replace tourism in the event that they feel that tourism is not the industry they want on the Island, we will be seeking their views as to how important they feel tourism is to the economy of the Island and to the future of the Island.

There will be a question in relation to land sub-division. It is important that the Assembly, or rather that I as the responsible member, get an indication of people's thoughts about land sub-division. This will not be something that the Assembly will be necessarily bound to act on but it will be an indication of people's thinking in the area.

And so there are a number of matters which will be addressed in the survey which will be of great assistance both in relation to tourism and in relation to planning on the Island generally. Again I stress that all we will get back from the Brisbane College of Advanced Education is the computer print-out plus a report. The survey forms themselves will be destroyed and there will be no means by which anyone here on the Island or anyone at all will be able to trace a particular response back to a particular person.
I have myself had a number of discussions with Dr. McCarthy, the head of that College, I have pointed out to Dr. McCarthy that I consider the survey to be an important survey from the point of view of tourism in particular and from the point of view of planning in general, that I consider it most important that the results of the survey be quickly available and that this survey not be one which simply disappears into a large black hole. As a result of that and as I have already informed you, Dr. McCarthy is planning to come to the Island on 16 August to deliver the survey results and his report. I sincerely hope that all those on the Island will support the survey as best they can. Thank you.

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

MR. JACKSON: I wish to note the statement, and I would like to ask a few questions on the statement just presented by Mr. Brown. Mr. Brown you just stated that the survey is to be conducted under your authorisation and is to be conducted by the Tourist Bureau. Am I right in saying that.

MR. BROWN: It will be conducted by the Brisbane College of Advanced Education but initiated by myself and the Tourist Bureau.

MR. JACKSON: Will this survey carry the name of the Norfolk Island Government.

MR. BROWN: No, it will carry the name of myself the executive member for Planning, Tourism & Commerce and the Norfolk Island Government Tourist Bureau.

MR. JACKSON: The purpose of that question Mr. Deputy President was because I would like to enquire if the other executive members had any input into the series of questions to be put to the householders of Norfolk Island. May I ask who compiled those questions.

MR. DEPUTY PRESIDENT: Mr. Jackson questions without notice is finished, if you wish to debate...
MR. JACKSON: These are questions on the statement and I am aware that I am perfectly capable of asking them, therefore I do not wish to be interrupted in that manner.

MR. DEPUTY PRESIDENT: Mr. Jackson if you wish to ask questions you ask them with my leave.

MR. JACKSON: Well I asked permission to ask questions of Mr. Brown in the first place.

MR. DEPUTY PRESIDENT: Do you require leave.

MR. JACKSON: I seek leave from the chair.

MR. DEPUTY PRESIDENT: Thank you Mr. Jackson.

MR. JACKSON: Prior to being interrupted Mr. Brown, I am concerned that there has been around the Island some statements that there are to be some pertinent questions put to the householders such as, are you satisfied with the Government's present performance, and questions of that nature. Are these some of the questions that may be put to householders.

MR. BROWN: No question such as that will be put to people Mr. Jackson. Mr. Jackson you were present at the meeting of the Executive Committee on Monday. During this week I will be speaking with my colleagues Mr. Howard and Mr. Buffett, we will be ensuring between us that there are no objectionable questions in the survey, and in the event that there are any questions which either Mr. Howard or Mr. Buffett would like to add to the survey, there is plenty of time to do that because the survey forms will in fact not be being printed until the students supervisor has arrived on the Island at the end of this coming weekend, and so in the event that there are other things which either Mr. Buffett or Mr. Howard feel would be of assistance, there is plenty of time to add them.

MR. JACKSON: Another point that I would like to raise Mr. Deputy President. I am also a member of this Government, I am also a member of
this Assembly, the same as the other eight members. The survey is
going to be conducted outside of the interests of the Norfolk Island
Government by yourself as an executive member, and I would like it to
be known quite clearly that if it is to be a private survey well that
should be stated, and it should not, as you have indicated, carry the
name of the Norfolk Island Government. I do not wish to be facetious
about this but I feel there is a certain principle about this situation
that at least if it is to carry the name of the Norfolk Island
Government then we should have some input into the survey.

MR. BROWN: Mr. Deputy President I find this quite insulting. I have
at no stage said that this survey is being carried out by the Norfolk
Island Government nor have I said it is being carried out by the
Norfolk Island Legislative Assembly. The proposal is that the students
in fact when introducing themselves will say that the survey is being
carried out for the Executive Member for Planning, Tourism & Commerce
and for the Norfolk Island Government Tourist Bureau. It is quite
deliberately not being represented as a survey on behalf of the whole
of the Legislative Assembly, if it were it would have to be a far more
detailed survey than it is and its cost would probably become such that
we could not afford to do it.

MR. DEPUTY PRESIDENT: Thank you Mr. Brown, I think that clarifies the
matter. Is there any further debate. The question is that the
statement be noted.

Question - put
Motion agreed to unanimously

NOTICES

CONTROL OF RETAIL PRICES ON NORFOLK ISLAND

MR. DEPUTY PRESIDENT: Notices. Notice No.1, Mr. Jackson.

MR. JACKSON: Mr. Chairman I move that this House is of the opinion
that this Government should introduce legislation to control retail prices on the Island.
Mr. Deputy President this motion speaks on behalf of itself, and I say that for a number of reasons and may I add at this stage that I am only requesting control on food items as this is an area where there is a great disparity in prices between the three food shops that trade on the Island, and this in itself needs some investigation and control on the methods and formula used in their price fixing. I am aware that one shop in particular trading on the Island, their prices on nearly all of their food items are far in excess of the other two shops and may I add that the other two shops prices vary on many items also.
A freeze on wages until April of next year has been placed on the public service, and I am certain the private sector will use this as a guideline and apply the same freeze on their employees, therefore it is not responsible government in one hand to have wages pegged and then to allow food items to go unchecked and uncontrolled thus lowering the living standard of the Norfolk Island families. Therefore Mr. Deputy President I commend the motion, and may I add that if this House is of the opinion that the Government should introduce legislation to control retail prices on the Island, it will be my intention at the next meeting to request the Minister responsible to carry through with this legislation.

MR. DEPUTY PRESIDENT: Thank you Mr. Jackson. Is there any debate.
Mr. Howard.

MR. HOWARD: I would like to say a number of things about the proposal. I would like first of all to correct a misimpression Mr. Jackson may have given when he says that there has been a freeze put on wages in the public service until April 1983. The public service may think that that has happened but it has not happened that I know of, there is no such freeze.

MR. DEPUTY PRESIDENT: Mr. Howard do you have further debate.

MR. HOWARD: Yes I have a number of comments about the idea of controlling retail prices. It is something that countries try from time
to time. It never lasts very long because it does not work. It does not work for a variety of reasons. I seriously doubt whether Mr. Jackson has any idea of the complexity of setting up an attempt to control retail prices even of one kind of thing such as food. First of all you would need to accurately record what the present prices are for all of the items that are presently on sale and you would need to do that in each case specifying what the item is, what the size of the package is, what the quality of the contents is, who the manufacturer is, what the country of origin is, because unless you specify all those things then you do not know what you are controlling, you cannot say a tin of beans is 89 cents because if you put a 89 cent limit on the price of a tin of beans and the retailer is selling a 15 oz tin, all he needs to do is cut it down to a 12 oz tin and he is romping home with an inflated price, or all he needs to do is switch to a cheaper manufacturer, or all he needs to do is to get a mix of beans and bread or something, you need to specify all those details of every product in writing to find out what the prices are right now, then you need to do a continual checking of all those prices by manufacturer, size, quality, what the item is, country of origin, you need to be checking all of those prices regularly, continuously, to see what prices are changing and whether they have been allowed to change. You have next of all to set up a system of allowing some increases, you cannot simply say no price increases of any kind, you could not say for example to the importers it does not matter if freight goes up, you keep on charging the same prices. You would have to allow people to increase their prices to the extent that freight charges increased. You would have to allow them a price increase if the price of the insurance that they buy in shipping increases. You would have to allow them an increase if there were a rise in the price from the manufacturer. Surely Mr. Jackson cannot dream that we could control the prices at which overseas manufacturers are going to sell their products to us.

So you would have to have a complete system for allowing people to apply for permission to increase a price on a particular item and you would need to have staff reviewing those applications for price increases and weighing them and judging whether they are fair or not and checking the facts that are submitted and then either allowing or disallowing the price increase.
Next of all you would have to set up a prosecution system for offenders, and you would need to get evidence of who had increased the price of what item by how much, and that would need to be evidence that could be presented in Court and you would need to have two or three Legal Advisers instead of one preparing the prosecutions for that kind of thing. You would find the Court clogged with prosecutions for hearings. Suppose you went through all that, the kind of thing I have just described is an administrative set up that surely would need to be at least as big as the accounts department, perhaps bigger, it would certainly need to have a computer, but suppose you went ahead and set that up, suppose you thought never mind the fact that it is going to cost us $100,000 a year to operate this control scheme, let's do it. I want to put the question then, what would you be controlling. There is no doubt that on some items if you set a controlled price at a certain level that really made it not profitable for a merchant to bring the product in and sell it, the merchant would do one of two things. He would either just stop importing it and not sell it because he was not able to make any money on it or was not able to make a fair margin of profit on it, or if it was something that some people really did want, he might bring it in just for a few special customers and keep it under the counter so he could have it available for them, but he certainly would not bring it in and sell it to everyone on the Island at the controlled price unless the controlled price allowed him a reasonable margin of profit. Secondly you would find that a black market would develop, this always happens when you try to control prices. You will find that if some people want things and they are not being brought in because the controlled price is too low, people will bring them in secretly and they will sell them for higher than the controlled price and you will have things being sold out the back door. Next of all what would happen would be that where things were not being imported because the controlled price was too low, residents on the Island would import their own. Now surely Mr. Jackson cannot be imagining a system where people would not be allowed to import something, paying whatever they thought they were willing to pay for it, just because they were willing to pay more than the controlled price that he had established. I think it is simply an inexperienced wishful thought to believe that you can regulate prices in a way that benefits the
public. It has been tried again and again in various countries, Mr. Muldoon is trying it again in New Zealand right now and it will not work for very long. If it worked, if it worked in the public interest to control retail prices then you would find that retail prices would now be controlled by law in all countries all around the world, they are not, because it does not work, and what happens is that every place it is tried it is a wishful thought that we might be able to control something that is uncontrollable, it becomes a fiasco once you put it in, it crashes of its own weight and when price controls are discontinued inflation leaps ahead faster than it ever did before. I think the whole idea of trying to control prices on Norfolk Island is quite completely unrealistic and I could not possibly support the motion.

MR. DEPUTY PRESIDENT: Thank you Mr. Howard. Mrs. Gray.

MRS. GRAY: Thank you Mr. Deputy President. If I may just take the points in order as they were raised, particularly by Mr. Jackson. He said that prices at one shop are much more than at two others. As far as I am aware that has always been so, I do not think there is much difference there, the margin may be different but situation has always applied. Do freezes work or do you envisage freezes working for both the raising and lowering of prices, in particular at the moment I think you will find most retailers are cutting their prices rather than seeking to raise them, also retailers are cutting wages so that staff may be kept on, if you are talking about wage freezes perhaps that is something to bear in mind. My understanding is that price freezes may be placed on the retail prices of locally produced goods, and that in a situation here on Norfolk Island of course is beyond consideration. If you do place a freeze on the price of imported goods it purely and simply does not work because retailers cease to import or perhaps they would still do it and sell them profitably on a black market as Mr. Howard suggests, but if you do freeze locally produced food you would serve to disadvantage local producers and I am sure that that would not be in your mind Mr. Jackson. Thank you Mr. Deputy President.

MR. DEPUTY PRESIDENT: Thank you Mrs. Gray. Mr. Jackson.
MR. JACKSON: Mr. Deputy President, I am not at all surprised at Mr. Howard's statement. I am not at all surprised that Mr. Howard went to lengths to put a dampener on anything that might be of benefit to the community and to the low wage earners and the ones who suffer most. Why is it that the same tin of baked beans in one shop is in excess of the price charged by a shop up the road. Surely when they import the same goods on the same ship with the same freight, the same cartage, the same lighterage, why is it, this is what the public is asking, why is there this variation, why can't we have some control, why can't we control the mark ups. It is done in other South Pacific Islands I have been told, and I have confidence in the people who have explained it to me, importers are called in once a month to discuss this particular question. If we throw it out the window completely as Mr. Howard has suggested, well we are doing a dis-service to the community of Norfolk Island, and this is not what this Government is for, as I have described in a previous statement on responsible government. I have all the confidence in the shop owners and shop keepers and the people of Norfolk Island to know that they will not indulge in what tactics that are in other countries such as black markets and back door selling, and as far as I am concerned that is an insult to the people of Norfolk Island, and if Mr. Howard thinks that way he had better get up there in the shopping centre and tell those people that if this thing comes in it will create black marketing on the Island, what a lot of rubbish. I am certain that Mr. Howard has no interest in the people of Norfolk Island or their living standards.

MR. BROWN: Point of order.

MR. DEPUTY PRESIDENT: Order Mr. Jackson please.

MR. BROWN: I ask Mr. Jackson to withdraw those comments Mr. Deputy President.

MR. DEPUTY PRESIDENT: Yes Mr. Brown. Mr. Jackson would you withdraw those comments please.

MR. JACKSON: If you so wish.
MR. DEPUTY PRESIDENT: Thank you Mr. Jackson.

MR. HOWARD: I would like to ask Mr. Jackson for an apology for that remark.

MR. JACKSON: I do not consider the words offensive at all.

MR. DEPUTY PRESIDENT: I think they were Mr. Jackson, the House asks for an apology please.

MR. JACKSON: If you so wish.

MR. HOWARD: I did not hear the word.

MR. DEPUTY PRESIDENT: Would you use the word please.

MR. BUFFETT: Point of order Mr. Deputy President. Did I not hear you ask Mr. Jackson to withdraw that and that that was the case, is that the requirements of standing orders Mr. Deputy President.

MR. DEPUTY PRESIDENT: Yes I take your point Mr. Buffett, thank you.

MR. HOWARD: I would like to reply to Mr. Jackson's comments.

MR. DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: I am not at all against the Assembly taking an active interest in seeing that merchants do not exploit the public. What I was trying to say in my remarks a minute ago was that retail price control laws do not work, they never work for very long anywhere, if they worked people would have them, you would find them all over the world. You find them for a few months or a year in a panic situation and then they are junked because they do not work and that is why they are junked. I am totally against our going down a path that other countries try from time to time that turns out to be foolishness. That does not mean that I am not for surveillance by the Assembly of prices in the shops. When we get to the Customs Bill later on I have some
particular remarks that I want to make about that. It would be a lot more useful and perhaps Mr. Jackson could propose this at the next meeting rather than deciding that we should control prices, if we should have a motion to control the law of gravity, it would save a lot of work on Norfolk Island and perhaps Mr. Jackson would like to come forward with that.

MR. DEPUTY PRESIDENT: Is there any further debate. Mr. Brown.

MR. BROWN: Thank you Mr. Deputy President. Price control and price freezes exist in a number of communist countries. In many of those same countries you will find long queues of people trying to get hold of ever decreasing quantities of food. We do not want long queues and food shortages here.

MR. JACKSON: Black marketing.

MR. DEPUTY PRESIDENT: Order Mr. Jackson.

MR. BROWN: I ask that that comment be withdrawn Mr. Deputy President.

MR. DEPUTY PRESIDENT: Would you withdraw that comment please Mr. Jackson.

MR. JACKSON: If you so wish.

MR. BROWN: Thank you. There is little doubt that different stores have different overheads. Mr. Jackson has mentioned the fact that stores that in his eyes are the same seem to be charging different prices for goods, with respect to Mr. Jackson, a store which operates of a Wednesday morning and a Saturday morning and other than that only Monday, Tuesday, Thursday, Friday, say from 9 to 5, has a very different overhead structure to a store which operates 7 days a week on extended hours. There are numerous differences that can be found in the overhead structure of particular stores. At the moment if one were to walk along Burnt Pine and talk with the vast majority of shop owners one would find firstly that they would be delighted if someone would
walk in and buy their shop from them; and secondly that they are not making very much money at all, many of them are in fact losing money. The commercial market place throughout the world in those countries where it is allowed to exist, does in time sort out prices and service. In any community for one shop to be charging more for the same product than another shop, that first shop must be giving something extra by way of service, it must be open for longer hours or it must be providing different credit facilities, it must be doing something; otherwise people would exercise their democratic right of free choice, they would simply shop at a cheaper store, there are no barricades in the front of any of the stores in Norfolk Island to prevent a person shopping there, and it is my belief that until such time as we have some basis upon which to demonstrate that shops are not doing the right thing, we should allow the commercial market place to sort out the problems. If Mr. Jackson has firm evidence that the wrong thing is being done then he should come forward with that evidence. He has on a number of occasions said that he intends to stick up for the salary earner, the wage earner, now if he has proposals...

MR. JACKSON: Point of order, this is not relevant.

MR. DEPUTY PRESIDENT: There is no point of order Mr. Jackson. Continue Mr. Brown.

MR. BROWN: If he has proposals in relation to wages and salaries, let him come forward with those proposals, let him come forward with the evidence that those persons are not getting a fair go and a workable proposal as to how to resolve it. With all due respect Mr. Deputy President I cannot accept that Mr. Jackson's proposed motion will resolve any of these problems, I only see it as a motion which will create trouble and create more ill-will between the public and private sectors and something which we should not participate in.

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

MR. QUINTAL: Mr. Chairman all I wish to say is that at present we have a shipping line that passes through Norfolk Island and which does not
have any competition at all, but we do have shops on the Island that compete with one another and as has been said before the prices have always been a little bit higher and a lot higher in some cases between the shops. Only a short time ago I understand that a Shell Company, which is Burns Philp, brought in three drums of turpentine and the difference in price was so considerable that the three 44 gallon drums just went like that, I think one person might have bought the whole lot I am not sure. The other thing is that in the past when families on Norfolk Island found that the cost of goods in the shops were too high they clubbed together and made out a list of foodstuffs or other goods and they imported them themselves. This can be done today, anyone can do it, I can do it, you can, and I do not wish to support the motion at this stage anyway.

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

MRS. GRAY: Thank you Mr. Deputy President. Mr. Quintal has jogged my memory on the shipping freight rise of 12½%, and I would think that the 12½% rise in that will have a greater effect on food prices than the 6% which is proposed here in this House. Perhaps Mr. Jackson might consider suggesting that the shipping lines freeze their freight cost rises.

MR. DEPUTY PRESIDENT: Thank you Mrs. Gray. Any further debate. Mr. Jackson.

MR. JACKSON: I would be willing to answer Mrs. Gray's question if she would take it out of my hands because I am forever and ever putting up motions in that line in this Assembly, and now I wish you would and then you might get support, so at the next sitting you promote such a motion, I guarantee you have one supporter because I will support you. However, Mr. Brown went to all lengths to defend the shops on the western side of the Island in that they give service and they open late in the afternoon and at night, I might remind Mr. Brown that there is another store on the eastern side of the Island that stays open equally as long hours, holidays and all, and that is Burns Philp's at Middlegate. Therefore the question remains why is there such a great disparity between the price of the same tin of baked beans. Mr. Brown also went
to lengths in describing my support for the underdog and the wage earners, especially those in hotels, and you can rest assured Mr. Brown that I will continue to support them, I am surprised that you make such a statement because you are in a great position to be able to do something about the hotel people on Norfolk Island...

MR. DEPUTY PRESIDENT: Order Mr. Jackson.

MR. BROWN: I ask Mr. Jackson to withdraw those remarks.

MR. DEPUTY PRESIDENT: Mr. Jackson would you withdraw those remarks please.

MR. JACKSON: If you so wish, Mr. Brown has been in the game that long...

MR. DEPUTY PRESIDENT: Mr. Jackson.

MR. BROWN: I invite Mr. Jackson to come forward with proposals.

MR. JACKSON: Lets investigate this situation, that is all the motion asks, lets investigate it, not completely throw it out the window, if we throw everything out the window that comes before the House that the members do not like, where will we get, is that responsible government. Mr. Howard has spoken out against it, Mr. Brown has said it will not work, Mrs. Gray, Mr. Quintal, lets at least say this is not a binding motion, this is a motion that this House is of the opinion that this Government should introduce legislation to control retail prices, it is not asking to move a motion and bind it now, it is asking to at least do the right thing by the people of Norfolk Island. Mr. Quintal said the people used to band together and import stuff, well I consider that in certain instances that might be good but what a lot of rubbish just because people consider the shops goods are too dear that they have to import it themselves. Lets investigate it and do something about it, that is what the motion states. Just because certain members of this Assembly do not like a proposition that is put up, don't throw it out of the window.
MR. DEPUTY PRESIDENT: Mr. Jackson would you confine your discussion to your motion please. Is there any further debate. Mr. Buffett.

MR. BUFFETT: Mr. Deputy President food prices are very high in Norfolk Island, they do seem to escalate astronomically, they are higher than on the mainland I think that is an accepted situation. Whether the prices that are charged here are justified or not I am not really able to say, they may be and they may not be. I certainly would not at this time support the control of retail prices apart from an examination of food prices in the Island for the reasons that I have just mentioned. Maybe it is wishful thinking to be able to achieve it, maybe that is so, but I think it is also over dramatisation to suggest black markets and communist queues in Norfolk Island.

MR. BROWN: Point of order Mr. Deputy President.

MR. DEPUTY PRESIDENT: What is your point Mr. Brown.

MR. BROWN: The honourable member is totally misrepresenting my words. I did not at any stage suggest that Norfolk Island was a communist country nor did I suggest that there were long queues and shortages of food.

MR. DEPUTY PRESIDENT: Would you withdraw please Mr. Buffett.

MR. BUFFETT: Most certainly Mr. Deputy President.

MR. DEPUTY PRESIDENT: Thank you Mr. Buffett. Please continue.

MR. BUFFETT: The situation I say nevertheless has been over dramatised Mr. Deputy President. I really think that there is no difficulty at all in examining legislation because in the examination of legislation you have first of all got to examine the feasibility of what you want to get about and if it does turn out to be wishful thinking to quote some words then of course it is not a goer and that is the end of the matter. I would not see any difficulty in making an examination of that, it may be a long and tortuous and unproductive exercise, that is the picture that
Mr. Howard has endeavoured to paint to us, but it also may endeavour to assist the very costly project of bringing up a family in Norfolk Island that needs to principally meet the food bills that need to be got in the Island, that is a real difficulty that people in the Island are experiencing and I think we would be blind not to recognise some of these difficulties. It may not be able to be solved in this manner but at least it can be examined to see whether this is a feasible way of assisting that particular situation. I just look around here, I do not know how many people in this Chamber at present are in fact persons who are in a family situation with children that they have got to bring up, extra mouths to feed in the family, and when kids are growing up they are hungry mouths to feed and they are the sort of situations that one would hope that the Assembly might try and recognise and try and make some examination, whether it be this or not, it may not be the case but I am saying at least you can examine this to see if it will assist that cause, and on that basis, not any wider than that, I am quite willing to support a motion that allows that examination to take place, I am not voting on whether it is good or bad at this time, I am voting that that is a feasible way of examining it.

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

MR. HOWARD: I want to support what Mr. Buffett just said. Unfortunately I think what he is talking about, what he is supporting is not what the motion says. The motion says that this House is of the opinion that the Government ought to bring in price control legislation. Now if the motion had said that the executive member responsible for commerce is asked if he will make some investigations and see whether there is anything constructive that the House might do by way of legislation to help hold down food prices, sure Mr. Buffett would support that, so would I. I am not objecting to the idea of investigation or of seeing what we can do to help people if we can, I am objecting very strongly to the idea of telling the House, telling the executive member, to draft price control legislation because the House wants it, and I do not think Mr. Buffett agrees with that either.
MR. DEPUTY PRESIDENT: Thank you Mr. Howard. Is there any further debate. I put the question.

Question - put

The House voted -

AYES,
Mr. Buffett
Miss Buffett
Mr. Jackson

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

Motion negatived

MR. DEPUTY PRESIDENT: Mr. Christian-Bailey would you take the Chair please.

ORDERS OF THE DAY

REVIEW OF POWERS UNDER THE NORFOLK ISLAND ACT

MR. ACTING DEPUTY PRESIDENT: Order of the Day No.1, Mr. Sanders to resume.

MR. SANDERS: Thank you. At the last meeting of the Assembly Mr. Howard as Chairman of the Executive Committee, presented to the House a copy of a memorandum he had written to the Administrator and moved that the paper be noted. In his memorandum Mr. Howard suggested a procedure to be followed in reviewing the schedules to the Norfolk Island Act, in other words a procedure to be followed in reviewing the powers we can exercise ourselves.

In outline what is proposed is an initial series of meetings between the executive members and Canberra officials when possible additional
powers and the justification for them would be considered. There would then be a break of say a month during which time each side would consider whether any problems existed, followed by a further series of meetings when these problems would hopefully be ironed out. After this the proposals would have to be approved both by the House and Canberra. This seems to me a very fair arrangement and certainly appears to have the Minister's support, when the proposals were mentioned to him during his recent visit here. However I do recall that the Minister wanted to be sure that we acted promptly. I certainly hope that we comply.

Turning now to certain items that the memorandum suggests should be discussed, we see that it is suggested that we should have absolute control over social services, all revenue raising matters and coinage. Although I agree with these suggestions I can certainly see that coinage will create problems. It is also suggested that there should be included in schedule 3 which covers matters over which we have control but are subject to a veto from Canberra, the electoral system, air and sea transport, the 200 mile economic zone, South Pacific region relationships, commercial relationships with New Zealand, and Health. Again I entirely agree with this list of matters. I feel that if Norfolk Island is to develop in any meaningful way we must have a major say in all these matters, especially in my opinion in sea and air transport, and commercial relationships with New Zealand.

Mr. Howard's paper is obviously not the last word on the matter however it is a very good starting point on which we can build. I therefore thoroughly recommend it.

MR. ACTING DEPUTY PRESIDENT: The question is that the paper be noted. Further debate Honourable Members. Mr. Howard.

MR. HOWARD: Just a comment. At the Executive Committee meeting on Monday it was agreed among us three that responsibility among the executive members ought to be pinned on one person to handle the carriage of this review of powers until it gets done with and my two colleagues asked if I would do that and I said I would, so there will be at least that continuity in the review and I certainly would intend to respond to Mr. Sanders comments about moving promptly, I think we
need to. I have been hoping and so have the other executive members for any contributions that other members of the Assembly want to make to adding to our shopping list or suggesting other matters that ought to be covered in our discussions when they begin, if there are thoughts of that kind in members minds right now I would be delighted to hear them, if they occur as time goes on please let us have them.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Howard. Further debate honourable members. Mrs. Gray.

MRS. GRAY: I would just like to say that I am a little hesitant to add to the list, being aware that the more we put on it the more it is likely to cost. I am not sure that we are in a position to take on more responsibilities and pay for them. Thank you.

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

MISS BUFFETT: Mr. Acting Deputy President I think very much along the same lines as Mrs. Gray. I appreciate the matter as brought forward by Mr. Howard. I agree that an extension of powers eventually may be desirable in some fields however I have absolutely no leaning whatsoever towards what I might term maybe almost an independent turn. I think internal self government yes but I think reaching for coinage no. I feel that we should be able to prove our ability to handle what we are trying to handle now at the moment. The end of the five year period is still some way ahead of us. Financially I can see with Mr. Howard's bringing down of the budget that he is aiming to prove to Australia that we will be able to cope with more than we have, but I would not like to reach for anything at the moment that we cannot handle, I think in other new countries having gone through self government considerable poverty has existed within the country in the transitional period and we would have to watch that we do not have that befall the people of the Island. Firstly we must make sure that our policy is very firmly established governmentally that Norfolk Island is to be classed as the home of its residents, and in that alone you would have to have a very solid basis not only financially but with the qualities of life, finances and everything and we have to look after costs of our home running as well as costs of what we will be reaching for, and I do not
think we are proving that we should set out too soon yet. They are
my opening comments anyway, thank you Mr. Acting Deputy President.

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

MR. HOWARD: Whether it is any help or reassurance to Miss Buffett I
am not sure, but I would like to say that I think there is quite
general agreement in the Executive Committee and pretty well around
the Island as I can tell, with her remarks about independence and
about internal self-government. I for one am extraordinarily pleased
at the relationship that seems to exist these days, right now, between
the Assembly and the Commonwealth of Australia, I think at the moment,
these days, it is a cordial, helpful, co-operative relationship, I
think that is a very valuable relationship to us, if it is any
reassurance no-one is talking about disturbing or distressing that
relationship. I think she made a number of other good comments which
I will keep in mind.

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

MR. SANDERS: Thank you Mr. Chairman. I just wish to clarify one point,
at no time was I ever suggesting independence.

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

MISS BUFFETT: Mr. Acting Deputy President if I may come in on that, I
do not intend to insinuate that members are standing out for independence,
if I have made more of a point than I intended to, it certainly was not
intentional. I would not like to see much of a cleavage between
Australia and Norfolk Island because of the financial support. I
appreciate Mr. Howard's approach towards going to other countries. I
think Norfolk Island has always done this and there is nothing wrong
with it. We are in the South Pacific after all.

MR. ACTING DEPUTY PRESIDENT: Thank you Miss Buffett. Further debate
honourable members. Mr. Jackson.
MR. JACKSON: I am aware, the same as all members of the Assembly are aware, that when the Minister was here and at the meeting between himself and the Assembly, a request was made that we move toward seeking more powers and he set some times and indicated that he was prepared to come to the Island around Christmas time, December, to discuss with us what the members think about more powers to the Government of Norfolk Island. He also stated that it will be the members themselves who will be seeking these powers.

It is my intention today to give my views on the letter that Mr. Howard sent out to all members. Mr. Howard listed a number of things and in item 4 of his letter asked if we wished to add any more. I would like to make it quite clear that the Norfolk Island Act gave us plenty of scope, gave us a schedule to work within and the Government provided us with a schedule of a five year progression, now we are just about halfway there. I wonder does any member around this table realise that we still have another two and a half years to go to really prove ourselves, and to ask each and every one of us do we consider we have proved ourselves in the right direction, can we handle what we already have. I say in one respect we have failed miserably because we are still haggling around one of the most important questions that this Island will ever face and that is water supply and sewerage, we have not come to grips with that yet. It has been stated that a hotel is pumping effluent into a bore hole, now if that is not enough for immediate action, you tell me. It has been put off, I believe the member responsible said put it off until the end of the year for a decision to be made. Now when Australia has a look at what we have done in this direction they will say what do you need other powers for. I am quite satisfied on one particular question that has been listed here. I am quite happy with the situation of how the Social Services Bill is operating. The Social Services Bill is operating as a retained function and I am quite satisfied to leave it in that direction because I am quite happy to let Australia look over our shoulders and make completely sure that we are carrying out our obligations to the senior citizens of the Island, and in that direction I would not support handing that over. The Norfolk Island Government has changed, people change.

When we look back, on 11 June 1981 the Minister responsible of the day,
Mr. Duncan McIntyre, had discussions with our previous Minister, Minister Bob Ellicott, who is now a Supreme Court Judge. Now he had discussions with Mr. Ellicott on 8 May 1978 on this particular question of social and welfare, and let me read what he said - "Mr. Ellicott stated that his Government, that is the Australian Government, believes that social and welfare benefits appropriate to the condition of the Island should be provided as of right, and the Government does not however believe that the service provided should necessarily be the same level as those available on the mainland". Now this is a very serious situation when we are seeking more powers. What I would like to say in this direction is lets get on with the job of what we already have, that we are committed to do, and we have been given five years to carry out that obligation, then at the end of that five years we can effectively say now look we have carried out our obligations now here are the powers that we need to have handed over to us, and I may remind the members that I am a little bit uncertain, the same as many members of the community are uncertain, of the direction and path this Government is taking. I am concerned because it is my eventual goal for internal self-government. Someone mentioned a while ago that there have been talks of independence, and there has previously been talk of independence on this Island, I do not know how strong it is now as I have not heard it for a while but I know there has been discussion on it. One particular candidate for the 1979 elections stood out in his policy statement and stated that if elected he would go all the way for independence for Norfolk Island, now that stung a lot of old time residents of Norfolk Island and they rebuffed this candidate and he got the necessary votes which I consider he deserved for making a statement of that nature. Therefore I believe we should get on with the job that we already have and be satisfied with that. So it will not get my support for any more powers at this particular stage. I am prepared to discuss it later on in the intervening time between now and Christmas. This is the first discussion we have had on this, lets bring it up again and sit around this Assembly in open session and discuss it and make that the only agenda item of the day.

MR. ACTING DEPUTY PRESIDENT: Further debate honourable members. Mr. Howard.
MR. HOWARD: There is apparently some concern by Mr. Jackson and Miss Buffett about this five year review. The Norfolk Island Act did say in its preamble something to the effect that it was the intention of the Government within five years to review to see whether additional powers might be granted. We are nearly three years down the road toward the five years, just a bit over two years left, and this review that is going to be beginning soon is aimed at that end of the five years, that is the review we are talking about, but you cannot suddenly decide to do that on the 1st of December of the fifth year, we want to get to it in time. On the point Mr. Jackson made that Australia would certainly be shocked and think we were not doing a very good job and would not be willing to consider giving us additional powers when they found out that we were allowing effluent to be put down a bore hole, perhaps Mr. Jackson is unaware that putting effluent down that bore hole was authorised by the Australian Government, it is a legacy we have from them, it is not something we have done ourselves.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Howard. Further debate. There being no further debate the question is that the paper be noted.

Question - put

Motion agreed to unanimously.

DEPARTURE FEE (AMENDMENT) BILL 1982

MR. ACTING DEPUTY PRESIDENT: Departure Fee (Amendment) Bill 1982. Mr. Howard.

MR. HOWARD: Thank you. The Bill was originally introduced to clarify some confusion of definitions as to who should pay the departure fee and who should not. In our debate on it at the meeting two weeks ago Mr. Jackson raised the point of its being unfair in his view for school children on the Island to be charged the departure fee. I agreed with him then and said I would be happy to support an amendment to the Bill asking for exemption for students. In my mind that is the only
significant aspect of the Bill that needs any comment at this point and I am happy to have a vote now that the Bill be agreed in principle so that Mr. Jackson can move his amendment. Is that the correct procedure. Then I would propose that we agree the Bill in principle and then turn it over to Mr. Jackson to make that amendment.

MR. ACTING DEPUTY PRESIDENT: The question is that the Bill be agreed to in principle.

Question - put
Motion agreed to unanimously

Detail Stage

MR. ACTING DEPUTY PRESIDENT: Is it the wish of the House to dispense with the detail stage, No. Mr. Jackson.

MR. JACKSON: Mr. Chairman before I proceed with the foreshadowed amendment that I indicated I would have, there are some points in this Departure Fee (Amendment) Bill that I would like clarified. A question was put by Miss Buffett at the last sitting on stop-overs or persons coming in on a flight and departing on the same flight to wherever they came from, whether it be Auckland, Brisbane or Sydney, and it is not clear in my mind at present whether these people should be exempt, whether this Bill exempts them just for being on Norfolk for one hour and then leaving the Island. Could Mr. Howard clarify that before I go on with my amendments.

MR. HOWARD: I am glad to do that. Miss Buffett raised the question of those people who come over and spend an hour on the ground here and then goes back on the same plane back to where they came from, do they have to pay the departure fee. My first answer was yes they do, then Mr. Buffett showed me the legislation and I quickly looked at it and it seemed to me that I had made a mistake and I then said to Miss Buffett it looks as though I am wrong, those people are exempt, since then I have found out I was right in the first place, they do have to pay the
departure fee and that is because of the legal meaning of the word 'stop-over'. If someone comes here from Sydney and spends an hour on the ground and then goes back to Sydney, that was not a stop-over, that was two separate journies and yes they have to pay the departure fee.

MR. JACKSON: Thank you. For further clarification this stop-over, if when the airport is at the stage of taking other planes and there is a flight say from Brisbane on to Vamatu and they state they stopped over for two, three or four hours and then departed Norfolk, have they got to pay the departure fee.

MR. HOWARD: The way I read it the answer is no they do not. Passengers on an aircraft stopping over at Norfolk Island who remain on Norfolk Island for not more than 24 hours are not to pay the fee. That is on a through flight, that is a stop-over, not a journey here and then a journey back to where they came from.

MR. JACKSON: Well I consider they are stopping over to take advantage of what facilities are here for them, they are not stopping over because it is part of the condition of their ticket, so I cannot see how they should be exempt when they take advantage of our cheap shopping and having a look around the Island at the historical buildings and that, why should they be exempt, after all it is revenue that we are after. I agree that someone who comes in on a flight from Sydney and goes back on the same plane should pay because he most likely came in for a purpose, to either sign documents or transfer documents or purchase something that he needs and then goes back, but I cannot see the difference in a flight stopping over, a scheduled flight, for two, three or four hours and the passengers having shopped on Norfolk, been on tours and then got back on their plane and continued to their destination, I consider that that is an irregularity that should be corrected however I did not prepare an amendment on that. The amendment that I did prepare Mr. Chairman is that it concerned me that children of 16 years and over who follow their education on the mainland should not have to pay the fee. I am aware of the cost to families to provide the necessary financial arrangements, schooling and
board and all the other things that go with it to give their children the best education that they can possibly afford.

MR. HOWARD: May I raise a point of order Mr. Chairman.

MR. ACTING DEPUTY PRESIDENT: What is your point of order Mr. Howard.

MR. HOWARD: It is a friendly point of order, not an unfriendly one. It has just been drawn to my attention that our standing orders say that a proposal for the alleviation of a tax shall not be made except by an executive member. I would be happy to move that that standing order be suspended for the purpose of this particular motion of Mr. Jackson's.

MR. JACKSON: Or Mr. Chairman you can make me an executive member. Who would swear me in.

MR. HOWARD: Alternatively I would be happy to move the motion myself and then let Mr. Jackson handle the debate, whichever is easier.

MR. ACTING DEPUTY PRESIDENT: Those in favour of suspending standing orders.

Question - put
Motion agreed to unanimously

MR. ACTING DEPUTY PRESIDENT: Continue please Mr. Jackson.

MR. JACKSON: The main basis of the amendment is that all children who (i) have attained the age of 16 years but have not attained the age of 25 years; and (ii) in the opinion of a person authorised in that behalf by the executive member, is leaving Norfolk Island primarily for the purpose of receiving full time education at a school, college or university; and (iii) is, or is the son or daughter of a person who is, a resident as defined in the Immigration Ordinance 1968, that they do not have to pay the departure tax while they are continuing their schooling on the mainland. I commend the amendment.
MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Jackson. Mr. Sanders.

MR. SANDERS: Thank you Mr. Chairman. I would like to answer Mr. Jackson's first question - I think the word stop-over with an ongoing plane, the word should be 'transit' - you would be a transit passenger rather than a stop-over.

MR. HOWARD: A comment on that Mr. Chairman. I do not think it is a problem that exists. I think the only stop-over at the moment that happens with any regularity at all here is the aeroplane that East-West flies from Sydney to here, stops overnight here and flies on to New Zealand and then when it comes back, and I think the crew on that plane or if there were some passengers who wanted to get to New Zealand by that route and spent an hour on the ground here, I do not think we ought to charge people the departure fee.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.

MR. SANDERS: Mr. Chairman with reference to Mr. Jackson's amendment, the final paragraph - 'is, or is the son or daughter of a person who is a resident as defined in the Immigration Ordinance 1968', as far as I am concerned that is getting right back to where we were in the first place, discrimination. There are children on the school tours who are from seconded staff, from our Admin staff, from school teachers, from the met office and the banks, and you are discriminating between them and somebody who lives here. I think it stinks. Could I move an amendment that that be deleted.

MR. ACTING DEPUTY PRESIDENT: Yes Mr. Sanders. Does anybody wish to speak to the amendment. Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President I do not see any difficulty with the amendment to the amendment that Mr. Sanders has just proposed, I can see the point that he makes, especially in the group of persons that he referred to, the school tour for example. I think it is a fair arrangement in those circumstances.
MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Mrs. Gray.

MRS. GRAY: I would like to support it on practical grounds as well, apart from the ones that have already been raised. I think it would be rather difficult to establish at the airport on the spot, whether or not a child was the offspring of a resident as defined.

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

MISS BUFFETT: I have been trying to get a word in on the previous point that Mr. Jackson picked up regarding people in transit. It is not a situation yet but I am wondering if we moved it now as becoming the norm to be accepted may it not present a problem if on the upgrading of the airport transit calls were made. Can we amend it afterwards.

MR. ACTING DEPUTY PRESIDENT: I would like to remind you that you should be speaking to the amendment.

MISS BUFFETT: To the amendment Mr. Sanders put through. Yes I am sorry, I raised my hand three times before and you did not see it, you took Mrs. Gray's call, you took Mr. Sanders' call but you never took mine, so I am sorry I apologise, I missed the ship.

MR. ACTING DEPUTY PRESIDENT: Is there any further debate on the amendment. Mr. Howard.

MR. HOWARD: I am happy with it.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Howard. There being no further debate honourable members the question is that the amendment to the amendment be agreed to.

MRS. GRAY: Could I hear the amendment to the amendment please.

MR. ACTING DEPUTY PRESIDENT: That clause (iii) be deleted - 'is, or is the son or daughter of a person who is a resident as defined in the Immigration Ordinance 1968'.
MRS. GRAY: To be deleted.

MR. ACTING DEPUTY PRESIDENT: To be deleted yes.

Question – put

Motion agreed to unanimously

MR. ACTING DEPUTY PRESIDENT: Is there any further debate on the amendment as amended. Mr. Howard.

MR. HOWARD: I think we have just done something that maybe we should not have done. If there is no residential requirement of any kind, then all the kids who come here on May holidays with their families do not pay the departure tax when they are going back to receive their full time education, and I do not think the intention was to exempt them, so I had better move an amendment to the amendment. This is a terrible way to do legislation.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Howard. Further debate to the amendment. Mr. Sanders.

MR. SANDERS: Yes Mr. Chairman I think if anything needs correcting the executive member could do it by himself because paragraph (ii) says, 'in the opinion of a person authorised in that behalf by the executive member, is leaving Norfolk Island primarily for the purpose of receiving full time education at a school, college or university'. Couldn't the executive member just...

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: Mr. Acting Deputy President may we not be very careful with these legal points at the moment. As the executive member Mr. Howard pointed out a situation had arisen by the deletion of clause (iii) which I would not have picked up but Mr. Howard has picked up and I would not have voted that way on the amendment had I realised the situation, and if we are going to change around much more, probably with two solicitors in the House we might... I have great faith in the
Draftsman, I think we should not toss his clauses around lightly, I think they are there for a reason.

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

MR. HOWARD: I support what Miss Buffett just said. I think it is a basic mistake to try to write laws sitting around the table and while I had expected this Bill would go through with Mr. Jackson's amendment today, I would like to move that we adjourn the debate and get comment from the Legislative Draftsman and the Legal Adviser as to what we are doing here and make sure that our law is properly written rather than accidently written and then bring it to the next meeting. I do not see any urgency about the Bill.

MR. JACKSON: I support that.

MR. SANDERS: I support it too Mr. Chairman so long as when Mr. Howard seeks the legal advice that the discrimination bit comes out.

MR. ACTING DEPUTY PRESIDENT: The question is that the Bill be deferred.

Debate (on motion by Mr. Howard) adjourned
Resumption of debate made an order of the day for the next sitting.

CUSTOMS (AMENDMENT) BILL 1982

MR. ACTING DEPUTY PRESIDENT: Customs (Amendment) Bill 1982 - Order of the Day No.3 - Mr. Howard.

MR. HOWARD: We resume debate on whether we should agree in principle to the amended Customs Bill that was introduced two weeks ago. Since introducing the Bill there have been a number of refinements in the wording of the Bill that have been proposed by the Legal Adviser or the Legislative Draftsman or the Collector of Customs. I have gone over the Bill and the apparent effects of how it is working out at the moment, in practice, on two occasions, two long sessions, very constructive
sessions, and I want to express my thanks to all three of those officers for their help. The various refinements and improvements in my view have been included by the Draftsman in a full restating of the original Bill with the proposed changes worked in where they belong, that is to allow clearer understanding as the Bill is read. I would like to propose that we proceed to approve the Bill of two weeks ago in principle so that I can then move this fully amended version of the Bill so that we can be dealing with what I think is the up to date form of it from there on.

MR. ACTING DEPUTY PRESIDENT: Thank you. The question is that the Bill be agreed to in principle.

Question - put

Motion agreed to unanimously

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: I move an amendment to the Customs (Amendment) Bill. It was circulated to members I think just yesterday. The changes from the Bill as it was introduced two weeks ago are in some ways important, I do not think any of them is major, in general the Bill is as introduced two weeks ago. I would like to go through the amendment that is now before you and draw attention to several of what I think are the more significant alterations, refinements, improvements that have been developed in the past two weeks. On page 3 there is a clarification.

MR. SANDERS: Mr. Chairman could we go through this piece at a time starting from page 2.

MR. HOWARD: Surely, if Mr. Sanders has a question on page 2, lets have it.

MR. SANDERS: Page 2, (b), after '(ii) passengers', it states 'on roads', I think that could possibly cause a lot of damage. Could 'on roads' be deleted. Vehicles can be purchased and used elsewhere not necessarily being on the road and it not carry duty.
MR. HOWARD: The intention is that motor vehicles as defined here, any kind of a vehicle with a motor in it designed to carry goods, designed to carry passengers, designed to carry goods and passengers on roads, is to pay 15% duty.

MR. SANDERS: If there was one imported for the sole purpose of carrying pigs around your farm, would that be non dutiable.

MR. HOWARD: It would carry 6% duty along with everything else, that is the proposal. Does that answer the question.

MR. SANDERS: Yes thank you.

MR. HOWARD: On page 3, down the bottom of the page in sub section (2) is a definition of what the time of importation of goods is, and the proposal is that the time of importation be - in the case of goods that are brought to the Island in a ship, at the time those goods are landed, in other words when the goods get on to the jetty from the ship; and in the case of an aircraft, at the time those goods are unladen from that aircraft, in other words when they get handed out of the plane and are put on to the truck to be taken to the freight shed; in any other case, and there are few such kinds of things such as ships that are imported, the time of importation is when the goods first arrive within the territorial limits of the Island.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.

MR. HOWARD: If Mrs. Gray has a question I am happy to hear it.

MRS. GRAY: Thank you. How do you see those requirements in the light of your answer to my question about bonding facilities.

MR. HOWARD: My immediate reaction is that I do not think there is any problem there, I know that when you arrive at most airports in the world if you are carrying something with you that you do not want to take into the country you carry the thing with you into the customs place and when you are talking to the customs officer you can arrange to have it left in bond at that point. I am sure that there are legal ways
that we could do the same thing here.

MRS. GRAY: May I also seek the definition of 'territorial limits' of Norfolk Island.

MR. HOWARD: Yes they are defined in law and I am not certain what the law is printed, the Clerk may know, I think it is three miles. If a ship comes in, once it is within three miles of Norfolk it has then arrived in Norfolk, or when an aeroplane lands on Norfolk Island yes it has been imported.

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

MR. SANDERS: I am getting a little bit confused here. Yesterday for the first time we had the first lot of amendments, I appreciate that we are pretty clever but I would have liked a little bit longer than twelve hours for that but, and since we have been here today, yesterday's ones that we have had for twelve hours has been amended again. Could this matter be adjourned.

MR. HOWARD: I hope Mr. Sanders will not move that.

MR. SANDERS: This is the first time ever I have seen this paper, and I have seen this one since this morning.

MRS. GRAY: That is a duplicate of the one that was circulated yesterday.

MR. SANDERS: It does not appear so to me. What we were just talking about on page 3 is not on page 3 of the one I got yesterday.

MR. HOWARD: Is it on page 3 of the one you have Mrs. Gray.

MRS. GRAY: It is.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.