SECOND NORFOLK ISLAND
LEGISLATIVE ASSEMBLY

HANSARD

Ninth Sitting
(1, 8, 10, 22 September 1982)
MINISTRY

Executive Member for Administration, Education & Health
(The Honourable David Ernest Buffett)

Surface Transport  Firearms
Roads, Footpaths & Bridges  Explosives
Street Lighting  Places of Public Entertainment
Water Supply  Museums, Memorials & Libraries
Electricity Supply  Boarding Houses & Hotels (food
Drainage & Sewerage  & beverages)
Garbage & Trade Wastes  Foodstuff & Beverages
Primary Production  Trading Hours
Slaughtering  Markets & Street Stalls
Domestic Animals  Hawkers
Pounds  Radio & Television
Pests & Noxious Weeds  Telephone Services
Recreation Areas  Coastlines, Foreshores, Wharves
Cemeteries  Lighterage
Forestry & Timber  Registries & Rolls
Fire Prevention & Control  Social Services
Quarrying  Education
Prevention of Nuisances  Health
Noxious Trades  The Environment
Gases & Fuels  Culture & Traditions

Executive Member for Planning, Tourism & Commerce
(John Terence Brown to 8 September 1982)(William Winton Sanders from
8 September 1982)

Building Control
Advertising Hoardings
Tourism (including tourist accommodation)
Fishing
Immigration
Lane Use Planning & Subdivision
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 and Future Commercial Undertakings of
the Administration
MEMBERS OF THE LEGISLATIVE ASSEMBLY

President

Deputy President

Acting Deputy President

- The Hon. David Ernest Buffett
- Mr. William Winton Sanders
- Mr. Bernard Edwin Christian-Bailey

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

Business Committee

Mr. President
Mr. J.T. Brown (to 8/9/82)
Mr. W.W. Sanders (from 8/9/82)
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
Mrs. C.B. Gray
# TABLE OF CONTENTS

## 1 September 1982

- **Condolences**
- **Personal Statement (Mr. Brown)**
- **Petition (Age for Issue of Learner's Permit)**

**Notices:**
- Committee of Privileges

**Questions Without Notice:**
- Hospital Accounts
- Ban on Importation of Onions
- Rat Poison
- Subdivision Application
- Airport Terminal Building Extensions
- Pacific School Games
- Insurance Rates on Goods shipped from New Zealand
- Sex Discrimination Bill
- Survey by Brisbane College of Advanced Education
- Review of Assembly Powers

**Answers to Questions on Notice:**
- Improved Air Services
- Ownership and Insurance of the Hospital
- Social Service Benefits
- Eligibility of Social Service Beneficiaries

**Papers:**
- Petition (General Election)
- Financial Statement of the Hospital Board
- Financial Report
- Company Statistics

**Statements:**
- Visit by Minister for Home Affairs & Environment
- Water and Sewerage
- Boarding House Ordinance
- Matter of Public Importance

**Notices:**
- Road Traffic (Amendment) Bill 1982
- Norfolk Island Government Tourist Bureau (Amendment) Bill 1982
- Norfolk Island Public Hospital (Audit Etc) Bill 1982
- Norfolk Island Public Hospital (Amendment) Bill 1982
- International Convention on the Elimination of all forms of Racial Discrimination
- Control of Sale & Transfer of Freehold Land

**Suspension of House**

## 8 September 1982

- **Resumption of Sitting**
- **Personal Statement - Mr. Brown, Resignation from office of Executive Member**
- **Appointment of Executive Member for Planning, Tourism & Commerce**
- **Position of Chief Administrative Officer**
- **Appointment of Acting Chief Administrative Officer**
Notices (Cont'd)
  Public Works (Garbage Disposal, Sewerage and Water Supply) Levy Bill 1982
  Anson Bay Telephone Service

Orders of the Day:
  Kentia Palm & Norfolk Island Pine Industry

Suspension of House

10 September 1982

Resumption of Sitting
Rescission of Motion of Suspension
Appointment of Acting Chief Administrative Officer
Suspension of House

22 September 1982

Resumption of Sitting
Papers
Appointment to the Building Board

Orders of the Day (Cont'd)
  Disposal of Sewerage Effluent
  Police Offences (Amendment) Bill 1982
  Building (Amendment) Bill 1982

Next Sitting Day
Adjournment
Adjournment Debate
NORFOLK ISLAND
LEGISLATIVE ASSEMBLY

HANSARD

1982

Wednesday 1 September 1982

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

MR. SANDERS: Mr. President. It is with regret that this House records the death of Gilbert Lorenzo Quintal, known to all as Metta, who passed away suddenly on 7th August 1982 in Sydney. Metta had spent three weeks in Concord Hospital and two weeks in the Lady Davidson Convalescent Home, having had a successful operation on his leg. Metta was born on 25th October 1907 and was the seventh son of ten children of the family of Joseph Atkins Quintal and his wife Amy Arabella (nee Adams). He was a member of the 8th Division in World War II. Ever since his return home after three years in Changi Prison Camp, Metta was plagued by war injuries. He joined the Pacific Cable and Wireless Board on Norfolk Island and delivered cables around the Island on horseback. He was a fine horseman and was also a keen sportsman, a good tennis player and footballer. He put everything into his singing. As has been said of him - 'he was in a world of his own when he sang'. He was an active Church member and the Methodist Church (later the Uniting Church) rang with his fine voice at both morning and evening services. He was also a keen gardener, for many years he tended gardens on the Island and they will be a living memory to his loving care and attention to them.

To his relatives and many friends, this House extends its sincere sympathies.

It is with regret that this House records the death of Dorothy Nora Henrietta Adam who passed away suddenly in the garden of her home at Bumboros on 7th August 1982. Dorothy was born in Brisbane on 2nd August 1888. On a visit to Singapore in 1917 she met Charles Marie Gustav Adam. They were married in Brisbane and went to the New Hebrides where Charles joined the Colonial Service, becoming Administrator of Malekula and other Islands in the New Hebridean group. Charles died on Norfolk Island in 1965. During World War II Dorothy volunteered and became a Coastwatcher for the New Hebrides Defence Forces. She had never set foot off Norfolk since she and her husband retired here in 1946. She was a keen gardener, small of statute but big of heart and a good worker for the R.S.L. Auxiliary.

To her daughter Honey, grandson Robbie and sister Phyllis, this House extends its sincere sympathies.
It is with regret that this House records the death of Amelia Mary Foot (nee Quintal), who passed away in Sydney on Thursday 19th August 1982 at the age of 45 years. Myra, as she was always called, was born on Norfolk Island and is the sister of Leo DeChesne, Mrs. Julie Quintal and the late Ron Sharkey. Myra and her husband Tex Foot have a family of four, the eldest being 20 years, the youngest 10 years.

To Tex and his family, to Myra's other relatives and friends, this House extends its sincere sympathies.

I wish to record the death of Colin Knight Junior who died as a result of a motor accident last Sunday 29th August 1982. Colin was approximately 16 years old. He went to school here while his parents and family lived in the Island for some 15 years until about 5 years ago. The further tragic aspect of the Knight family was that another of their sons was killed by accident in Norfolk Island while they were here.

To Colin and Kathy Knight and their daughters Tracey and Kelly, this House extends sincere condolences.

MR. PRESIDENT: Thank you Mr. Sanders. Honourable Members would you signify your assent to the motion of condolence by rising in your places in silence.

PERSONAL STATEMENT

MR. BROWN: Mr. President I wish to make a personal statement.

MR. PRESIDENT: Mr. Brown.

MR. BROWN: Mr. President an article concerning me appeared in last Saturday's edition of the Norfolk Islander. Many residents appear to believe that the article was an accurate and balanced report of certain facts. It was not. The article was biased and malicious, and anyone who may have accepted it as a fair presentation of the facts has been seriously mislead and misinformed. I am taking advice
concerning the possibility of substantial legal action against the publishers of the Norfolk Islander and against the author or authors of the article and against any other persons who have published or retold similarly distorted and damaging facts. I wish to state the following facts concerning the situation referred to in the article: Firstly I have committed no offence against any law; Secondly I have not been charged with committing any offence against any law and I do not expect to be charged with any offence; Thirdly I have most certainly not been found guilty of committing any offence against any law. Mr. President in any British country and in any decent community men and women are considered innocent unless they have been proven guilty. I hope this will continue to be so in Norfolk Island.

MR. PRESIDENT: Thank you Mr. Brown.

MR. JACKSON: I note the statement.

MR. PRESIDENT: It is a personal statement which does not need to be noted Mr. Jackson.

PETITION

MR. PRESIDENT: Petitions, are there any petitions. Miss Buffett.

MISS BUFFETT: Mr. President I have before me a petition signed by 348 persons, which reads...

MR. HOWARD: Point of order.

MR. PRESIDENT: Mr. Howard.

MR. HOWARD: I had expected this petition would be brought before the Assembly today and that we would have an opportunity to discuss it. It does not belong in this part of our proceedings. The Standing Orders of the Legislative Assembly provide a special place for petitions that
people in the Island wish to bring before the Assembly's attention. Those Standing Orders are very specific on a number of points. They are to be addressed to the Assembly, they are to be respectfully worded. The petition that Miss Buffett was beginning to speak about is one that we are all aware of...

MR. JACKSON: Point of order.

MR. PRESIDENT: What is your point of order Mr. Jackson. Mr. Howard has the floor on his point of order.

MR. HOWARD: And I am explaining my point of order Mr. Jackson. The petition that Miss Buffett is referring to is not addressed to the Assembly and it is not couched in respectful terms. It calls for the pulling down of the Assembly and it asserts that the Assembly is incapable of exercising its authority responsibly. I put it to you Mr. President that that is not respectful and I put it to you that while I am quite happy to have this petition brought later in the meeting, this particular part of our proceedings allows people of the Island, under certain rules, to bring their wishes and their desires before the Assembly and I do not think this particular document belongs here. It may well belong later, lets have it later but lets don't give it the dignity of appearing in this part of our programme.

MR. PRESIDENT: Mr. Howard may I ask you to be more specific as to which petition we are addressing. Is it in respect of motor cycles.

MR. HOWARD: No.

MR. PRESIDENT: Well that is the petition that Miss Buffett is presenting to this House.

MR. HOWARD: I apologise, I jumped to a wrong conclusion, the numbers are very similar. I am sorry.

MR. PRESIDENT: No point of order. Miss Buffett.
MISS BUFFETT: Thank you Mr. President. I present a petition handed to me from 348 persons, which reads: "The humble petition of the undersigned citizens of Norfolk Island respectfully showeth that your petitioners humbly pray that the age at which a learners permit may be issued upon Norfolk Island to drive a motor cycle of 125cc's or under, shall be upon attaining the age of 15 years, and your petitioners as duty bound will ever pray". Thank you. There are, and I have handed a copy to the Clerk this morning for his observance, 348 signatures Mr. President.

MR. PRESIDENT: Any other petitions Honourable Members.

MISS BUFFETT: May I speak to the petition.

MR. PRESIDENT: Miss Buffett.

MISS BUFFETT: Thank you. Mr. President at the last sitting of this House I supported a motion to increase to 16 years the age at which a learners permit with all relevant restrictions would be issued. In supporting that motion I genuinely thought I had exercised careful and balanced consideration, even though I was reluctant to move a privilege hard won by such respected Councillors as those who had introduced it. By presenting this Bill to reduce back to 15 years the age at which a learners permit, again with all relevant restrictions, may be issued, I display a complete reversal of opinion. I have very good reason for this reversal of opinion and I have congratulated the young people who displayed fine courage and sense of responsibility with such dignity when they approached me to present their views of the newly imposed legislation. How proud I was of the young people, of their fine, courteously outspoken manner. They are a credit to themselves, their parents, their teachers and indeed their Island. Mr. President as you will recall I notified you as Minister responsible for that subsequent to my being approached by a group of pupils presently and in future effected by the legislation. I had invited them to meet with me after their consultation with their parents and teacher and my further investigations. A most successful discussion ensued Mr. President and I am thankful for the lesson learnt by me to leave no stone unturned as it were before arriving at any decision effecting the laws governing
the affairs of the people of this Island. Following further investigation of this matter it is my decided view that in consideration of the statistics supplied to me by the Court Registrar whereby last year there was only one charge laid and that being withdrawn by the Police; the previous year there were no charges at all in that age group; and the year before that only one charge was laid, thereby totalling only one offence of 15 year olds over the last three years. I recommend that we reduce the age at which a person may be permitted to drive a vehicle of 125cc's or less on a road, back to 15 years and that this Bill which may be cited as the Road Traffic (Minimum Driving Age) Bill 1982, be accepted. While Sergeant Bernie Smith is presently off the Island, I propose that this Bill which I will introduce, and I think I have done procedures back to front, lie on the table until the next sitting with due respect to Sergeant Smith's comments. Do I read the Bill?

MR. PRESIDENT: Does that conclude your address to the petition Miss Buffett? It is the petition in fact which we are addressing.

MISS BUFFETT: I am sorry. Yes it does.

MR. PRESIDENT: Thank you. Mr. Howard.

MR. HOWARD: Thank you Mr. President. I know that the Standing Orders do not allow us to debate the subject matter of a petition, I wanted to say again that I apologise for my foolishness in jumping in mistakenly in what I said. I wanted to make the point that I think the petition that Miss Buffett has just presented and that the 348 persons signed, is exactly the kind of petition that I do think belongs in this part of our proceedings.

MISS. BUFFETT: Thank you.

MR. PRESIDENT: Thank you Mr. Howard.
NOTICES

ESTABLISHMENT OF COMMITTEE OF PRIVILEGES


MR. BROWN: Mr. President I wish to give notice that at next months meeting of this House I intend to move that a Committee of Privileges of this House be established and that such Committee immediately be asked to consider a number of matters published in the Norfolk Islander which I believe constitutes a contempt of this Assembly. Thank you Mr. President.

MR. PRESIDENT: Thank you Mr. Brown.

MR. JACKSON: Can that statement be noted.

MR. PRESIDENT: No it is not a statement Mr. Jackson, it is a notice to this House.

QUESTIONS WITHOUT NOTICE

HOSPITAL ACCOUNTS

MR. PRESIDENT: Questions Without Notice. Mr. Sanders.

MR. SANDERS: Mr. President these are questions directed at you as Executive Member with respect to the Hospital. Mr. Buffett the hospital balance sheet, I believe you have one now, could you please inform me if this balance sheet is audited.

MR. BUFFETT: The answer is no Mr. Acting Deputy President.

MR. SANDERS: Mr. Buffett could you please inform me when the last one was, the last balance sheet from the hospital.
MR. BUFFETT: Mr. Acting Deputy President I am not accurately able to say when the last audited arrangement existed with the Norfolk Island Hospital Board but it is a matter that I am aware of and I am seeking some advice as to how that can be pursued. I do make the point that it is the responsibility of the Administrator to make such an appointment, however in this House I do have the responsibility to pass on information and detail, and I am pursuing that.

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

MR. SANDERS: Mr. Buffett I refer to the Ordinance, section 21 - 'All books and accounts kept by the Board shall be audited at least once in each financial year by an officer appointed in that behalf by the Administrator and an officer shall make a report of each audit to the Administrator". The point I was going to ask was whether that had been done.

Is it true that the person who presented this last balance sheet is also the manager of finances on the finance committee at the hospital.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President the statement that I have in respect of the Hospital Board, which I will be tabling at this sitting, in fact has been forwarded to me by the office of the Administrator. The requirements of the Ordinance as I understand it is that the Hospital Board in fact furnishes to the Administrator on a regular basis, I think on an annual basis, the accounting of the hospital, and you will recall that at the June sitting of this House I undertook when those accounts were made available to the Administrator I would seek his co-operation in making them available to me so that I could in turn table them in this House. I do have a letter from the Administrator, I think dated 27th August, in which he has forwarded those accounts to me, and this being the first opportunity for me to do so, I have those accounts to table at this sitting.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.
MR. SANDERS: On whose authority was the capital cost of the new pharmacy given.

MR. BUFFETT: I remind Honourable Members Mr. Acting Deputy President that the Norfolk Island Hospital Board is in fact a statutory authority in which they do have the authority to spend the monies that are available to them. I additionally point out that funds to the Hospital Board are made available in two categories, firstly in the category of general subsidy in which they utilise as their working funds as I understand it; and secondly in an area of capital works, and those two particular votes come before this Assembly in respect of the Supply Bill, they are contained within two votes in the Supply Bill, and so you will see that the Assembly does have an opportunity to express an opinion in respect of those two votes in that manner. In respect of the capital amount, it cannot be drawn of course under that vote unless it is drawn for the purpose in which it was so proposed, and it is not drawn as a bulk sum, it is drawn when the work so proposed is in fact needed to be paid for. The area of general subsidy as I understand it is in fact paid not exactly regularly but in periodic amounts to the hospital throughout the year. That is my understanding of the funding of the hospital. And so you will see from that arrangement Mr. Acting Deputy President that in one particular area, the capital expenditure area, it could not be spent except for the purpose that was originally stated and put forward, and it is my understanding that the area which Mr. Sanders has referred to, the dispensary area, would have been within that category.

MR. SANDERS: Was supply sought.

MR. BUFFETT: Yes it would have been.

MR. SANDERS: It has been sought.

MR. BUFFETT: Yes.

MR. SANDERS: Could you please inform the House when.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.
MR. BUFFETT: Mr. Acting Deputy President no I am not able to state exactly the date of the Supply Bill.

MR. SANDERS: Would you be so kind as to get it.

MR. BUFFETT: Most certainly I can Mr. Acting Deputy President.

MR. SANDERS: Mr. Buffett the Norfolk Island Public Hospital Ordinance section 2 states, "The Board shall exercise the powers and functions conferred and imposed upon it by this Ordinance or by any other law of the Territory in such a manner that its operations will be financially self supporting and no expenditure in any financial year shall, except with the consent of the Administrator, exceed the revenue of the Board for that year". Could you please inform the House if consent from the Administrator was sought.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: I am not able to answer that question Mr. Acting Deputy President, it is a question that I would have to consult with the Administrator before I could respond. I really don't know at this time.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.

MR. SANDERS: Mr. Chairman talking on the same matter could I direct a question to Mr. Brown please.
Mr. Brown could you please tell this House whether Building Board permission was sought or given for the erection of the pharmacy at the hospital.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Thank you Mr. Acting Deputy President. Mr. Sanders I understand that application was made for approval for the alterations at the hospital which resulted in the enlargement of the pharmacy. It is my understanding that the Building Board recommended such approval, in fact I was looking at this matter today, I was not able to confirm
whether or not the application had been gazetted as is normally the practice. I am awaiting confirmation of that.

MR. SANDERS: Thank you Mr. Brown.

MR. ACTING DEPUTY PRESIDENT: You have further questions Mr. Sanders.

MR. SANDERS: Yes to Mr. Buffett again please. Mr. Buffett do you recall that on 14th May this House passed with a vote of 8 to 1, two amounts of money for the hospital - $1,100 which was incidental expenses that nobody knew anything about; and $24,500 in subsidy. The question is are you aware that this money was granted when the hospital had $11,500 on interest bearing deposits and that is to the value of $49,000; that in fact the hospital had over $50,000 when extra supply was asked for and granted.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President the figures that Mr. Sanders has quoted to us just now are figures that apply in respect of the total financial year which ended on 30th June and of course you will realise that accounts are prepared quite soon thereafter, they are not always available on the exact day that the year ends of course. It is my understanding that those figures may not have been available at the time that we considered the Supply Bill.

MR. SANDERS: Mr. Buffett the point that I was trying to make was that money was asked for without any figures available and if they were not available then they should not have been asked for.

MR. BUFFETT: May I respond to that question Mr. Acting Deputy President. The period in which one needs to operate financially for the Hospital Board is usually a twelve monthly period and of course at the commencement of that period Mr. Acting Deputy President one needs to make some estimates, forward estimates, as to the requirements for the proper operation of the health services that are contained within the hospital and those estimates of course are prepared as best one is able looking twelve months ahead, and one also realises that one brings
in a Supply Bill at the beginning of the year taking into account those estimates. The period of time that you make that estimate in probably is at the tail end of the year which you have earlier estimated at and what you are operating in at that time is on a Supply Bill that had been earlier provided, whether in fact at the particular time that you are looking at the estimates for the forward year you might have a certain amount in kitty for example, does not mean that is your situation in the projected period of time, and it is the projected period of time in which supply was sought as I understand it.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.

MR. SANDERS: Mr. Buffett are you aware that just six weeks later a supply for $30,000 subsidy was sought and granted also by a vote of 7 to 2 when in fact the hospital had $21,933 in the bank, $11,500 on interest bearing deposits and $43,413 in debtors, making a total of $76,848. Do you think that perhaps we should have asked them for a subsidy.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: It may have been the case if we could be assured that in fact the debtors, the very high debtors figure that Mr. Sanders quoted was quite readily forthcoming when it should be, that in fact is one of the difficulties experienced by the hospital that the debtors figure is quite high and sometimes there is difficulty in bringing in that money Mr. Acting Deputy President.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.

MR. SANDERS: Just one more question thank you Mr. Buffett. There appears to me to be so many discrepancies in the current income and expenditure statement that would you as Executive Member responsible take all necessary steps as a matter of urgency to look into this matter.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.
MR. BUFFETT: Mr. Acting Deputy President I cannot accept at this time that the statements that I have presented are full of inaccuracies. I am however quite happy to have discussions with the management of the Hospital Board to see if they have any comment in respect of the areas that Mr. Sanders has raised, I am very happy to examine those to see if there is any situation that might need further explanation.

MR. SANDERS: Just one more Mr. Chairman to clarify that, there happens to be quite a few of them but there is one glaring example, the Administration financial statement shows that we gave a subsidy of $35,000 to the Norfolk Island Hospital last year but the balance sheet that the hospital put out shows that we gave them $32,000. So between two pieces of paper $3,000 has disappeared. I have plenty more but that will do for starters.

MR. BUFFETT: I am quite happy to examine that.

---

BAN ON IMPORTATION OF ONIONS

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.

MR. QUINTAL: Mr. Acting Deputy President, excuse me I have a bad cold but I will do the best I can. I wish to ask the Executive Member for Administration, Education & Health, as there are large areas of onions planted on the Island this year, will you prohibit the importation of onions from Australia and New Zealand before our crops are ready.

MR. BUFFETT: Mr. Acting Deputy President it has not been the usual policy of the Government to prohibit imports under the legislation that is available to us at this time on the basis of totally preventing importation of onions or the like, except on the basis of quarantine or health requirements. The question that has been raised now is a proposal for an importation ban for other reasons. I am not able to comment whether that in fact is possible from the Government's point of view until it is examined and further consultation is held with Members in respect of that question.
MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Mr. Quintal.

MR. QUINTAL: I would like to say to Mr. Buffett that in the past this has taken place. It is just impossible to compete against the New Zealand prices of onions because of the dollar situation.

MR. ACTING DEPUTY PRESIDENT: Questions only please Mr. Quintal.

MR. QUINTAL: I would ask you to look into this matter and see what you can do about it and try and not have onions brought in.

MR. BUFFETT: May I just respond Mr. Acting Deputy President to Mr. Quintal's words just now. I think some considerable time ago, or maybe not a considerable time but some time ago Mr. Acting Deputy President that may have taken place but it has certainly not been the policy of recent times to tackle it that way, however I have said that I will most certainly examine it further.

MR. QUINTAL: Will you legislate to control this situation. Bring in legislation to control this sort of situation.

MR. BUFFETT: Mr. Acting Deputy President I have said that I am quite happy to examine it and seek counsel with other Members. I cannot give any assurance beyond that at this time.

RAT POISON

MR. QUINTAL: I would like to ask Mr. Buffett, as we are all aware there is a rat infestation on the Island and there is actually a plague of rats on the Island, and I did ask a question several meetings ago and the question was - In view of the ever increasing number of rats on the Island will the Government please reinstate its former policy of importing warfarin or other rat poisoning, mixing it with grain and distributing it free to the public. Has anything been done regarding this matter.
MR. BUFFETT: Mr. Acting Deputy President I do recall being asked in this House on an earlier occasion and I did pursue that, it was a matter of supply. I think I explained at that time that the earlier suppliers in fact wanted to provide it to us in another form which was a great deal more expensive and we thought that that was not necessarily the way that we should accept supply of it. I have not immediate knowledge as to the current situation about that but I did ask that it be pursued and that we do have a supply as soon as practical. I will need to check for Mr. Quintal to see how we stand in that matter.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Miss Buffett I think had a question.

MISS BUFFETT: It is alright thanks Mr. Acting Deputy President, I was merely going to ask the Minister for Administration, Education & Health whether in view of the situation of onions, would there be any restriction to any Member putting forth a motion into the House that we protect local industry by proposing certain legislation similar to the controlling of the importation of onions etc, at periods of the year when we would be disadvantaged on the Island. Thank you.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President I would have no hesitancy whatsoever, in fact it is the right of each Member to promote motions as they think appropriate, and it would be in order if a Member so wishes as I understand it Mr. Acting Deputy President, to introduce such a motion.

APPLICATION FOR SUB-DIVISION

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: Mr. Chairman I direct two questions to the Minister for Planning, Tourism and Commerce.
Mr. Brown, Mr. Sid Christian made application to sub-divide a parcel
of land so as to give land to his daughter. Mr. Christian had an interview with the Minister when he was here earlier in the year. I have been informed that this application was lodged approximately 18 months ago. The question is is there any difficulty regarding this application and if not have you as Minister responsible made the recommendation to the Administrator for approval.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Thank you Mr. Acting Deputy President. I can confirm that there is an application of the nature you have mentioned Mr. Jackson, I do not know whether it was in fact lodged 18 months ago, certainly it did not come to my desk until quite some time after the commencement of this Assembly. I can tell you that there are difficulties with the application in that it does not fully comply with our existing policies and as the legislation provides for the Assembly to in fact make recommendations in relation to sub-divisions, I am proposing to bring this and a couple of other sub-division applications where there are difficulties before the whole of this Assembly for the Assembly to make a decision and recommendations.

MR. JACKSON: Could Mr. Brown be more specific and state what the difficulties are with this sub-division.

MR. BROWN: I do not think it is appropriate Mr. Jackson for me to be airing the personal affairs of applicants for sub-division approval, and I would think that in referring to the difficulties with the sub-division, I would be referring in some way to the personal affairs of the persons concerned. I am quite happy to discuss it with you outside of the meeting.

MR. JACKSON: But you did say there are difficulties.

MR. BROWN: Yes, it does not fall completely within the policy.
EXTENSIONS TO AIRPORT TERMINAL BUILDING

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: This question Mr. Brown is a follow up to a question which I put to you on the 4th of August concerning the extensions to the airport terminal building. And if I take the question that I asked at that particular sitting out of hansard, I asked you – Mr. Brown have negotiations taken place with the Department of Housing and Construction regarding the extension of the terminal building at the airport and if so were local builders given the opportunity to participate. Your answer Mr. Brown was – I should take that question on notice and obtain a detailed reply for you, I do not have the information at hand but it is my understanding that the Department of Housing and Construction certainly hoped that local builders would tender and certainly hope that they would tender successfully. Mr. Howard sought permission to enter debate on that particular question as he said – I think I can shed a little more light on that particular question. Mr. Howard said – I have personal knowledge of one building firm that is as a matter of fact tendering and obviously was invited to do so, whether there are others I do not know. Mr. Sanders then came in and said – I could perhaps also assist. I know of another building crowd that has also tendered. Now the question flowing from all that Mr. Brown is, are you aware if this tender has been let and if so would you state who was the successful tenderer.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Thank you Mr. Acting Deputy President. Mr. Jackson after this matter was raised in our August meeting I took the matter up with the Administrator and I said to him that there was considerable concern within the Assembly and I also relayed to him the fact that I had had representations from parts of the community subsequent to that meeting. I said that there is concern at rumours that the contract would be given to a mainland contracting company and I asked the Administrator to check whether there was any truth in
those rumours and to confirm that every endeavour would be made to give the contract to a local firm. The Administrator's reply to me after checking was that it was hoped to give the contract to a local firm and that certainly no decision had been made at that stage to give the contract to a mainland firm. As a result of a conversation which I had during yesterday, I intend to again take the matter up with the Administrator as soon as he returns from the mainland. There are again rumours circulating in the community that the contract is to be given to a mainland contracting company, I would regard that as a breach of our understanding in relation to the airport upgrading and I would regard it quite seriously.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.

MRS. GRAY: I am not sure whether or not we have run out of time, if so I move that we suspend Standing Orders so that questions without notice can be continued. No. Right.

PACIFIC SCHOOL GAMES

MRS. GRAY: A question to the Executive Member responsible for Administration, Education & Health re the Pacific School Games which were held in Brisbane this weekend and I understand that all States and Territories or children from all States and Territories participated. Was any invitation extended to the Norfolk school children to participate in these Games.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President, not to my knowledge, I could enquire of the Principal of the school, but certainly not to my knowledge has there been an invitation extended that the Norfolk Island Central School should participate.

MRS. GRAY: Thank you. It would be interesting to establish whether or not an invitation had been extended.
INSURANCE RATES - GOODS SHIPPED FROM NEW ZEALAND

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.

MRS. GRAY: A question to the Executive Member responsible for Planning, Tourism & Commerce. Is John Brown able to confirm that insurance rates on goods shipped to Norfolk from New Zealand, are to rise by 2% in the near future or the immediate future possibly.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Thank you Mr. Acting Deputy President. Mrs. Gray I received a telephone call from New Zealand this morning in relation to this matter. I have been aware for some time that there has been extreme concern on the part of the insurance companies providing insurance for goods shipped to Norfolk Island. That concern arises from a high level of claims which have been received on this route. I had been informed some weeks ago that some of the companies were contemplating refusing to further insure cargo to Norfolk Island, and I arranged for enquiries to be made as to the attitudes of as many as possible of the involved insurance companies. I have received a telephone call this morning from New Zealand advising me that a meeting has been held between a number of the insurance companies, that they have not yet decided whether they will cease providing insurance to Norfolk Island but that the rates will increase immediately from I understand 1% to 3% which will cause an increase in prices in the shops here I presume of somewhere over 2%, somewhere just over 2%.

SEX DISCRIMINATION BILL

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.

MRS. GRAY: Thank you Mr. Acting Deputy President. Another question to the Executive Member responsible for Planning, Tourism & Commerce. Mr. Jackson at the 30th of July sitting of the House asked John Brown about the Sex Discrimination Bill and its possible application to Norfolk Island, John Brown said that he had nothing ready to report at that meeting and I ask whether the Executive Member has anything to report on the matter at this meeting.
MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Thank you Mr. Acting Deputy President. The Commonwealth Government desires to extend the Sex Discrimination legislation to Norfolk Island and it consulted the Executive Committee in this regard. There have been discussions within the Executive Committee, I do not have the material with me to give a full answer at this stage but it may be best if I prepare an appropriate answer and provide it at the next meeting of the Assembly.

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

MRS. GRAY: May I then add a couple of questions to it. What consideration is given to all legislation which comes about in Australia and is or is not extended to Norfolk Island, specifically upon whose recommendation is Australia informed that this or that piece is not acceptable on Norfolk Island, or perhaps if I may steal a turn of phrase, not appropriate for Norfolk Island.

MR. ACTING DEPUTY PRESIDENT: Are you addressing your question to Mr. Brown.

MRS. GRAY: I am, perhaps if he cares to take that on notice as well with my initial question.

MR. BROWN: Thank you Mr. Acting Deputy President, perhaps I should point out at this stage that there are three ways that such legislation can be extended. It can be extended by our agreeing to the Commonwealth extending the legislation to Norfolk Island by Commonwealth enactment, that is the Commonwealth would add to its own legislation words to the effect 'this Act shall extend to the Territory of Norfolk Island'; The second way would be for the Legislative Assembly to decide to enact identical legislation itself; And the third way would be for the Commonwealth to extend the legislation to Norfolk Island by means of Commonwealth Regulation, and the extension of legislation to Norfolk Island by regulation is a matter which is presently under consideration by the Executive Committee, and again I
would expect that the Assembly will be receiving a report in relation to that at our next monthly meeting.

SURVEY CONDUCTED BY THE BRISBANE COLLEGE OF ADVANCED EDUCATION

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: Thank you. Mr. Acting Deputy President I direct this question to the Executive Member responsible for Planning, Tourism etc. What reports have been received back from the survey done by Dr. Owen McCarthy subsequent to the booklet, the first draft, that he gave us.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Miss Buffett you will recall that we were all present when Dr. McCarthy delivered to us on 16th August his preliminary report, and we all had some discussions with him on that day. Before returning to Brisbane he asked us to consider the preliminary report and to consider the questions which had been included in the questionnaire and to then provide to him by the end of last week, details of the further information and further comparisons which we would like to have drawn from the computer and in relation to which we would like to receive reports. Quite a lengthy request was sent across to Dr. McCarthy during last week and he has indicated to me that during the last three days I think of this week he will be obtaining the necessary information from the computer and writing his final report. When the final report is ready it will be forwarded across to us. I expect that we will have that by the end of the second week in September and then at our October meeting I propose to table Dr. McCarthy's report.

REVIEW OF ASSEMBLY POWERS

MR. ACTING DEPUTY PRESIDENT: Further questions without notice Honourable Members. Miss Buffett.

MISS BUFFETT: Thank you Mr. Acting Deputy President I direct this question to Mr. Howard as Finance Minister and Executive Member
responsible for the extension of powers. I would like to ask Mr. Howard before consulting with the Administrator could he consult the Assembly with his views, it is alright to ask for our views but could I ask Mr. Howard if he could indicate to us what policy and what questions he will be putting forth to the other side so that we can have comment before we are supposedly represented.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: The discussions with the Commonwealth about the possible extension of powers are to be in two steps. The first round of discussions which were to begin late next month which may be deferred until the following month, is exploratory. The position that the Executive Members have taken is that it is wise if we don't go in demanding a lot of things. What we have done so far is to identify about a dozen areas in which we think more power might usefully be transferred to Norfolk Island and we have said we would like to discuss those areas. I think it is important to understand that we are not in the beginning asking for anything. It is a little difficult for any of the three of us to say in advance exactly what we will be saying to the Commonwealth in that first round because the first round is exploratory. We hope to find out from them what objections they may have to our having powers in a particular area and we hope the Commonwealth will say well look we have got no objection that you have more powers in that area at all, fine; or the Commonwealth may say if we gave you more powers it would cause these three problems or it would conflict with those two Australian laws or whatever. Now until we have had that discussion I do not think we really can in a mature and sound way ask for anything. Once we have gone through that first exploratory round then I think we the three Executives cannot ask for anything even then, we have got to come back to the Assembly and at that point we will say here now is what we are proposing to ask and then there will be debate and discussion back and forth and the Assembly will then decide what will be asked for, the Executives will not decide that, the Assembly will. Does that answer the question.

MISS BUFFETT: Yes thank you.
MR. JACKSON: Mr. Howard you sent out a memo to all non executive Members with a list of certain items you wished to include in discussion with the Administrator and Mr. Paterson when he comes across. Now included in the list is social services, revenue raising, coinage, corporate affairs, land, electoral system, transport air and sea, 200 mile economic zone, South Pacific regional relationships, commercial relationships with New Zealand, health and education. Now have you departed away from that list circulated to non executive Members or is that the list that you intend to seek more powers from the Administrator.

MR. HOWARD: Those are the items that at present we have told the Commonwealth through the Administrator we would like to talk about, we would like to discuss. There have been a number of suggestions for additional things that we might discuss as well. Twice the matter has been brought before the Assembly and I have invited any ideas that the Assembly Members may have either for adding additional discussion points to that list or for criticising any particular item on that list. Twice the Assembly has been invited to let us Executive Members have any other ideas that we have not thought of and we are open to those and want them. That is the last word that we have given to the Commonwealth, there may be a couple of other things that we would let the Commonwealth know we also wanted to talk about but as yet we have told them nothing but what you have there.

ANSWERS TO QUESTIONS ON NOTICE

IMPROVED AIR SERVICES

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

MR. BROWN: Mr. Acting Deputy President the first question stands in my name from Mrs. Gray in relation to discussions for improved air services.

I have previously indicated that discussions are taking place with a number of airlines in relation to the air services to Norfolk Island.
Honourable Members will all be aware that there has been a substantial change in the ownership, directorship and management of East-West Airlines over the last few weeks. The Chairman of the Norfolk Island Government Tourist Bureau, Mr. Tilley, has just returned from Sydney where he has had discussions with the new management at East-West. I am told that we can expect announcements as to a number of changes within the East-West organisation within the next few days. Within the next week it is my intention to again travel to Australia where I propose to have further discussions with a number of airlines other than East-West. Unfortunately I am not in a position to report progress of any of these discussions at this stage but as soon as there is progress to report I shall certainly be bringing it to the attention of the Assembly.

MR. ACTING DEPUTY PRESIDENT: Any other questions. Mrs. Gray.

MRS. GRAY: A supplementary question if that is in order Mr. Acting Deputy President. At a meeting of Members of the Assembly and people from the Department of Aviation held here on Norfolk on 15th July, I believe it was Mr. Schofield said Air New South Wales will use F28's and will provide constant threat of competition, he was referring to East-West Airlines at that stage. What contact have you had with that airline.

MR. BROWN: I do understand that at some stage in the future Airlines of New South Wales will be obtaining F28 aircraft. My understanding is that they are presently proposing to obtain 1,000 series aircraft rather than the 4,000 series which is being obtained by East-West, but they are one of the companies with whom I hope to be speaking during my next visit to Australia.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.

MRS. GRAY: Mr. Brown's awareness of technical terms is greater than mine, what is the significance of a 1,000 series versus a 4,000 series as far as Norfolk is concerned.
MR. BROWN: My understanding Mr. Acting Deputy President is that the 1,000 series is an older aircraft and that it does not have the same payload range ability, that is it is not able to carry the same number of passengers over the same distance as the later and more efficient 4,000 series. There is some doubt as to whether the 1,000 series aircraft could economically be operated to the Island from Sydney but that is a matter which should be left to the operator of the aircraft rather than for we sitting here to make a decision.

MRS. GRAY: May I continue Mr. Acting Deputy President. What steps are in hand for Norfolk Island to be represented at the forthcoming sitting of the IAFC - the Independent Airfares Committee.

MR. BROWN: Mr. Acting Deputy President I think most of the Members are aware that there has been established an independent airfares committee in Australia and this committee has to approve airfares before they can be charged by the airlines operating in Australia. There are two forms of consideration given by that committee. The committee has provision for what is known as a minor review and it has provision for what is known as a major review. Generally a minor review is a review of less than 5%, that is a fare increase of less than 5%, and it generally relates to obvious cost increases such as increases in the price of fuel, increases in wages, increases in air navigation charges. The major review is a much more detailed review and it as I understand it makes a quite thorough examination of the whole of the costing structure of the particular airline. We believe that East-West Airlines will be subject to a major review at some time later this year. Major reviews are given only after notice has been given to the public, that notice normally takes the form of advertisements in the major Australian newspapers in the case of a major Australian carrier. I would expect in the case of regional carriers such as East-West Airlines that notice would be given in a local newspaper or gazette here in Norfolk Island and in the newspapers which normally circulate within New South Wales. When notice is given of that major review for East-West Airlines the Norfolk Island Government will have the opportunity to attend or be represented at the review and to make representations to the review, and certainly I would propose that we examine doing just that once notice has been received of the time the review is to take
place.

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

MRS. GRAY: A final supplementary if I may Mr. Acting Deputy President. Whilst on the subject of airline services to Norfolk Island, is the Executive Member responsible specifically for air transport able to give us the update on the airport upgrading at this moment.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Thank you Mr. Acting Deputy President. Honourable Members will recall that efforts have been made to keep the airport open on a limited basis during the intersection closure period scheduled from the 4th to the 13th of October. I have had a number of discussions in relation to this. My most recent discussions were with the New South Wales Regional Director of the Department of Aviation who has responsibility for Norfolk Island when I was in Sydney just over a week ago, and for the first time I was given some encouragement that the Department of Aviation may be going to support our cause. The airport contractor has been extremely helpful and for his attitude he deserves to be complimented. The Department of Aviation sent a representative across to the Island to have discussions with the contractor after my latest discussions in Sydney and I have understood that further discussions were to take place in Sydney today, I had expected that tonight I would receive advice as to whether we were going to have cooperation or no cooperation in the endeavours. I have received a telex today however just as I entered the Assembly Chambers which again gives me some concern in that it initially indicates that the airport can be kept open but that the time period of the closure may extend by up to one day as a result of it being kept open and it goes on to say, and this is from the New South Wales Regional Director of the Department of Aviation - "I believe heron operations to be commercially unattractive and of only limited real benefit to the Island community, consequently I recommend against the proposal". I take it that by this telex the Regional Director is recommending that we not proceed with our desire to maintain a limited service during the closure period, but after the conclusion of
this meeting I will attempt to telephone him and take the matter a little further at that stage. I certainly hope that by the end of this week the matter will have been resolved and that an announcement will be made so that people will know whether we are going to have aircraft, if we are going to have aircraft what aircraft they are going to be, and how often they are going to be able to come.

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

MRS. GRAY: I did not anticipate this Mr. Acting Deputy President - Mr. Brown could you repeat that phrase about the use of the heron.

MR. BROWN: The telex from the New South Wales Regional Director of the Department of Aviation says in part - "I believe heron operations to be commercially unattractive and of only limited real benefit to the Island community, consequently I recommend against the proposal".

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

MR. QUINTAL: Mr. Acting Deputy President I would like to ask the Minister for Planning, Tourism and Commerce, is it correct that the Australian Government is considering adding another 4 inches of sealing to cater for 737's and other aircraft.

MR. BROWN: Mr. Acting Deputy President I have often asked the question about 737 aircraft, I have often asked whether the specifications have already been altered or whether they are proposed to be altered, certainly if there is a proposal, no-one has admitted to me that such proposal exists.

MR. QUINTAL: Will a report be available from Mr. Marcus Tilley and yourself on the matter of the visit to Australia recently.

MR. BROWN: No doubt Mr. Tilley will be reporting to the Tourist Bureau Mr. Quintal yes.

MR. ACTING DEPUTY PRESIDENT: Are there any more answers to questions on notice Honourable Members. Mr. Buffett.
OWNERSHIP AND INSURANCE OF THE HOSPITAL

MR. BUFFETT: Thank you Mr. Acting Deputy President. Question No. 25 asked by Mrs. Gray stands in my name. The question is this - At the 30th of June sitting of this House the Honourable Member admitted that further investigation was necessary to ascertain who owns the hospital and is the hospital, the buildings and fittings etc., insured against mishap. (a) Has he carried out that further investigation and if so what was the result; and (b) Can he confirm for example that as long ago as June 1980 in a letter from the Department of Health the statement was made - "The Commonwealth does not own the buildings. Insurance is a matter for the Hospital Board", and "The Commonwealth does not own the hospital buildings". If so was a copy of this letter made available to the Hospital Board and was any action taken on the advice given, if so, what action.

Mr. Acting Deputy President there has been some further examination of this particular question. The land upon which the hospital buildings are situated was acquired by the Commonwealth of Australia pursuant to the provisions of the Crown Land Ordinance in 1913 and was done in 1947. Notice of acquisition was published in the gazette of the 17th of July 1947 and the effect of that notice was to vest the land in the Crown. By operation of law buildings erected on that land are also vested in the Crown, that is the Crown in the right of the Commonwealth as I understand it. The Norfolk Island Public Hospital Ordinance 1953 established the Norfolk Island Public Hospital Board and charged it with the obligation of maintaining and carrying on the hospital.
Section 6(5) of the Ordinance vested in the Board the equipment, furniture and fittings of the hospital. I think it significant that the Ordinance did not appear to vest the hospital building in the Board and it would appear that they may remain vested in the Crown, therefore there may be some conflict of opinion as to the true ownership there if one takes the earlier advice that was given by a Commonwealth Department and that that seems to be on the surface at this time that is available to me here locally. I am advised that the Hospital Board has effected insurance over the contents
of the hospital for some $120,000 and holds a public liability policy for $500,000. It does not hold insurance in respect of the building itself of course. I would say that on an earlier occasion, I think some two years ago, that the Hospital Board did seek in their annual subsidy an amount to in fact cover the cost of insurance in that particular year. That money was not approved in the estimate sense and therefore was not made available by the Government to the hospital.

MR. HOWARD: Can I ask a supplementary question on that answer. I just wondered whether Mr. Buffett knows, I don't, if you don't own something can you take out insurance on it, is there a complication there.

MR. BUFFETT: It is not a question that I can answer off the cuff, I really do not know.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.

MRS. GRAY: If I may take the liberty, I have checked on that, an occupier I believe can take out insurance. However that was not why I raised my hand. The situation is confused, we have conflict in opinions and I would suggest that the Administrator has accepted that the Board does not own the hospital by virtue of the acceptance by him of the annual accounts of the hospital which do not include the hospital buildings in the value of assets shown. There is conflict, I do ask that it be clarified, is it the Board, the Norfolk Island Government or the Commonwealth which owns and will take responsibility.

MR. BUFFETT: I will answer the query that is supplementary there Mr. Acting Deputy President. Yes I acknowledge that there is a conflict. I have endeavoured to explain the examinations that have been made to date in response to the questions. If I were able to give a more conclusive answer at this time I would be delighted to do so but that is not available to me, and the examination continues Mr. Acting Deputy President.

MRS. GRAY: Mr. Acting Deputy President may I reiterate that this particular topic and many others were covered in a memorandum of
questions to His Honour the Administrator from members of the Hospital Board in June 1980. They were broad ranging questions. Answers were supplied, no action was taken - two years ago. Thank you Mr. Acting Deputy President.

MR. BUFFETT: Was that a question to me, a supplementary question.

MRS. GRAY: I ask again that every possible effort be made to clarify the situation.

MR. BUFFETT: I can do that Mr. Acting Deputy President.

**SOCIAL SERVICE BENEFITS**

MR. ACTING DEPUTY PRESIDENT: Further answers to questions on notice. Question No.26. Mr. Buffett.

MR. SANDERS: Mr. Chairman I believe on the second bottom line of the question, "If not" should read "If so".

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett question No.26 standing in your name.

MR. BUFFETT: Thank you. It is a question asked by Mr. Sanders and stands in my name on the notice paper, Mr. Acting Deputy President. The question is this - The Executive Member will recall that during debate on the budget it was indicated that as a result of the imposition of a 6% customs duty on food the Government would move to increase certain social service benefits by 3%. Could the Executive Member as the Member responsible for social services please confirm that immediately on the customs duty becoming effective he took action under section 49(2)(a) of the Social Services Act 1981 to ask the Minister to make a regulation to increase by 3% the appropriate rates of benefits specified in the schedule to that Act. If so, when did he ask the Minister to make the regulation and when will it become effective.

In response to that Mr. Acting Deputy President I say that in this House on the 16th of June 1982 a suggestion was made that social
service benefits might be increased by 3% as a result of a 6% duty on food. It is not to my knowledge that this was in fact a Government decision, but it was a suggestion that was made in debate when addressing this matter. The Chairman of the Social Services Board has talked with me about this matter and he in fact has supported a pension increase. However I do say that a clear examination as to whether 3% is the exact amount that is appropriate in the circumstances still needs to be made and this examination will need to be made in consultation with the Chairman of the Social Services Board. And as I say I have had some discussion and he has raised this matter with me. So in effect Mr. Acting Deputy President a 3% increase has not been effected at this time.

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

MR. SANDERS: Thank you Mr. Chairman. Mr. Buffett if nothing has been done could you move that it be on the agenda for the next meeting. I believe that this is an important matter to those who receive the social service benefit.

MR. BUFFETT: I can certainly do that Mr. Acting Deputy President.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Mr. Howard a supplementary question.

MR. HOWARD: Yes a supplementary question please on that. While it was not put to the Assembly as a separate motion, certainly in introducing the Bill that proposed a duty on food, which was a very controversial matter, I expressed my strongest feeling that we should make sure that pensioners were not disadvantaged and that comment was based on discussions that we had had in Executive Committee and on discussions with a number of Members of the Assembly and with a number of members of the public, and I don't think there is any question that there is support for making sure that they are kept whole. My question is can Mr. Buffett if the way of doing this is through a request to the Minister, could Mr. Buffett go ahead with 3% and if it turns out that is not quite enough then adjust it upward later, but can't we go ahead and give them some at least rough guess of what will
make them whole without delaying any longer.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President I am very happy to pursue whatever course might be necessary to ensure that a fair deal in fact is pursued with persons who are in receipt of such pensions and if it is the wish of Members to do it in that manner, I am very happy to pursue it in that manner.

MISS BUFFETT: Can I ask a supplementary question to that please, to the Executive Member responsible for social services, that that amount be retrospective to the introduction of the 6% duty.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President these are matters in which I really need to have some further opinion from all Members to get some clarity as to what their desire in the matter is. For my part I think that is a sound course, and a fair course but I should not pre-empt what other Members may wish to say about it, and I would need to consult with them before I could make any categoric statement in that regard.

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

MR. JACKSON: Can a Member at this stage, and I am prepared to do it, promote a motion directing the Minister.

MR. ACTING DEPUTY PRESIDENT: You may seek leave Mr. Jackson.

MR. JACKSON: I do seek leave to promote a motion directing the Minister...

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson... Is leave granted Honourable Members (leave granted). Mr. Jackson.
MR. JACKSON: That this House directs the Minister for social services to pay the 3% that was promised at the introduction of the 1982 Budget and that that payment be made retrospective to the evening of the budget being debated.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: Debate on that motion. I think it is a good motion. I think it ought to be retrospective to the day the duty on food applied. I think we ought to start out with at least 3%, if it turns out later that that is not enough, let's adjust it. I was surprised at first but I like Mr. Jackson's wording saying will Mr. Buffett arrange to pay - he has not got the money but I will find the money. I like the idea of the motion directing that it be paid. Now if we need to go through a procedure of writing to the Minister and getting approval and so forth, let's do that, but I suspect we have the legal authority to pay a bit more than the Minister requires us to, we could not pay less but we might be able to pay a bit more, and I support the motion, let's go ahead and pay 3% more on social service benefits as from the day food duty increased.

MR. QUINTAL: Can we have the motion read again please.

MR. JACKSON: That this House requests the Minister responsible for social services and directs him to pay the 3% that was promised when the 6% duty was placed on food and that that payment be made retrospective from that date.

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

Mr. Quintal.

MR. QUINTAL: I would like to ask Mr. Jackson if he would add that if any further finance is necessary that that be granted also.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: You cannot do that. The Norfolk Island Act will not let us provide new finance without a recommendation from the Administrator
first that we vote that new finance, but I can float it from my advance until we go through those arrangements, but it cannot be put in this motion and be effective.

MISS BUFFETT: May I ask a question please to do with this matter Mr. Acting Deputy President. Mr. Howard has passed comment on the supply of finance, can in actual fact the Executive Member for Finance veto supply of finance if the House has on a motion directed payment.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: No I cannot veto what the House has done, I beg your pardon, it is legally possible under the Public Moneys Ordinance for me, for the Executive Member responsible for finance, to transfer funds from one item to another, after the House has voted. That might leave the first item before the end of the year short of money, so legally what you are asking could be done. Having given such a direction, if he does give such a direction, the Executive Member for finance is obliged to table the direction that he has given in the Assembly, so he cannot do it without the Assembly knowing about it, the Assembly has to be made aware of what he has done. Legally yes it is possible.

MR. ACTING DEPUTY PRESIDENT: Further debate Honourable Members.

MISS BUFFETT: Yes, I am still not quite clear on this. If the Assembly by this motion Mr. Jackson has put in the House votes that finance to pay that 3% increase be supplied, Mr. Howard has indicated in his answer to Mr. Buffett that the supply is not certain to be forthcoming, or have I misunderstood.

MR. HOWARD: Well may I just say it again. The Norfolk Island Act says that the Assembly may not even discuss a proposal that would spend money until the Administrator has first recommended that we make such an expenditure, so we have not got the authority to deal with it.

MISS BUFFETT: That's better, thank you.
MR. ACTING DEPUTY PRESIDENT: Further debate. There being no further debate the question is that the motion be agreed.

Question - put
Motion agreed to unanimously.

ELIGIBILITY OF SOCIAL SERVICE BENEFICIARIES

MR. ACTING DEPUTY PRESIDENT: Further answers to questions on notice.

MR. BUFFETT: Question No.27 Mr. Acting Deputy President asked by Mr. Sanders is asked of me as the Executive Member for Administration, Education and Health. The question is has the Executive Member established a system to check on a routine basis the continued eligibility of each beneficiary to his benefit under the Social Services Act 1981. Can he confirm for example that he regularly checks that the facts set out in a beneficiary's original application for a benefit remain correct. Does he check in appropriate cases, the actual income a beneficiary earns during any past period in respect of which he was receiving a benefit. Is he satisfied that the social service system is not being abused in any way and that in each case the beneficiary is receiving his correct entitlement.

The brief answer to those queries Mr. Acting Deputy President is yes, I am able to say that a system has been introduced to enable a regular review of incomes of beneficiaries and therefore their eligibility to a benefit under the Social Services Act and this review for example is carried out each six months.

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

MR. SANDERS: Thank you Mr. Chairman. Mr. Buffett a supplementary question. I wish to quote from the Social Services Act section 44(1) - "A person shall not make, whether orally or in writing, a false or misleading statement in connection with or in support of a claim whether of himself or for some other person; to deceive the Board, the Executive Member or an authorised officer in relation to this Act; or that may affect the entitlement of a person to or the continuance or rate of, a benefit. Penalty $500". Mr. Buffett I am anxious that those
persons who need social services be looked after but I am also very anxious that those who should not be getting it do not get it, and I believe that there are quite a few occasions where money has been deliberately put into other persons accounts and that there are persons drawing social services who do not have entitlement to do so.

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.

MR. QUINTAL: Mr. Acting Deputy President I would like to answer the questions asked by Mr. Sanders. A routine check is made on all beneficiaries under the Social Services Act 1981 - a regular and careful check of the facts and that the beneficiary's original application does remain correct. A check is made of income earned by any beneficiary and adjusted accordingly. The Social Services Board is acting correctly according to law. I am satisfied that as far as practical the Social and Welfare Board has accepted the statements of income returned to us. If Mr. Sanders has any cases where he thinks, or any other person for that matter, the Social and Welfare Board has acted incorrectly or the facts furnished to them have been incorrect, then he or others is duty bound to inform the Minister responsible for Health and myself as Chairman of the Board.

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

MR. SANDERS: Thank you Mr. Chairman.

MR. HOWARD: Can I ask a supplementary question to either Mr. Quintal's statement as Chairman of the Board or of Mr. Buffett as Executive Member - when did these routine checks begin, when was that system put into effect.

MR. QUINTAL: We deal with these matters at every meeting. I do not know the date of the last meeting, but it would be about three weeks ago.

MR. HOWARD: My question was when was this system of routine checks installed, when did it begin operating, and if the answer is not available could someone find out and let us know.
MR. QUINTAL: I cannot answer that question.

MR. HOWARD: Could we be furnished with the answer to that question - when did this system of routine scrutinising of entitlements begin.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett as Executive Member with responsibility would you care to do that.

MR. BUFFETT: Yes I will undertake to do that Mr. Acting Deputy President.

PAPERS

LETTER FROM THE ADMINISTRATOR - PETITION

MR. ACTING DEPUTY PRESIDENT: I read a letter received from the Administrator: "My dear President, I wish to draw your attention to the contents of the enclosed petition. The nature of the petition and its referral to His Honour the Administrator in the first instance have already been communicated to the Executive Committee via our letter of 5th August 1982. You may wish to table the attached copy in the Assembly and my approval to do so is accordingly given. Yours sincerely, Deputy Administrator".

The petition reads: "To His Honour Air Vice Marshal R.E. Trebilco, AO, DFC, Administrator of Norfolk Island. We the undersigned residents of Norfolk Island being concerned that the Second Norfolk Island Legislative Assembly does not in its policies and decisions reflect the wishes and the needs both present and future of the people of Norfolk Island and being further concerned that the Legislative Assembly is seeking further powers when it is yet to demonstrate that it cannot responsibly exercise its existing powers for the benefit of residents, and accordingly having no confidence in the ability of the Legislative Assembly as presently constituted to responsibly govern the Island, do hereby humbly and respectfully request Your Honour to exercise your powers under section 35 of the Norfolk Island Act to nominate a date
for a general election of the Legislative Assembly".
I table these papers Honourable Members. Mr. Howard.

MR. HOWARD: I move that the papers be noted, and could I ask a
question - what the papers are that have been tabled, has the petition
been tabled.

MR. ACTING DEPUTY PRESIDENT: A copy of the petition is attached to
the Administrator's letter Mr. Howard.

MR. HOWARD: The words of the petition or the words of the petition
and the pages of the signatories.

MR. ACTING DEPUTY PRESIDENT: The words of the petition and the pages
of the signatories.

MR. HOWARD: Thank you.

MR. ACTING DEPUTY PRESIDENT: Any further debate Honourable Members.
Mr. Jackson.

MR. JACKSON: Mr. Chairman I have a question also on the petition that
has been presented and sent across by the Administrator, the point that
concerns me is what percentage or what number of signatures attained
were upon those papers, and what was the percentage of the people
compared with the electors of the Island.

MR. ACTING DEPUTY PRESIDENT: One of the Executive Members may care to
answer that question or I can quickly count up the numbers if you wish.

MR. JACKSON: I don't wish you to count the numbers Mr. Chairman but
the point that I wished to raise was for the purpose of debate so that
we would know, the public would be made aware, that if there was X
percentage of electors who signed the petition well I consider it is
a matter for this House to have that information.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson there is a figure of 103
circled here which possibly could be the numbers.

MR. HOWARD: I think I can provide the information Mr. Jackson wants. In a letter to the current Chairman of the Executive Committee on 5th August, the Administrator referred to this petition and enclosed a copy of the wording of the heading of the petition and in that letter he states that 326 petitioners had signed the petition, and later in the letter he said in regard to the petition 326 (or 38%) petitioners constitute a large sector of the electorate and so on, so I am only passing on what was in the Administrator's letter.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: Mr. Chairman I appreciate that information from Mr. Howard. I also congratulate the persons who organised the petition because they showed concern, public concern, and a genuine public concern of the situation that exists at present within this present Assembly. They have used their democratic right to take up a petition and have that petition presented in the manner which has been done here this afternoon. I should think this Assembly sitting here at present should be concerned with the 38% of electors who signed that petition. What I know of this petition, it was taken up spontaneously and it was done in a manner that they did not blanket the Island like other petitions that have been done on the Island similar to the Solemn Declaration petition that went around, this petition was taken up over a short period. One of the main thrusts of the petition which I consider is imperative to this present Government is that they rejected what has been stated here this afternoon on questions asked of Mr. Howard on the procedure and how much powers he will be asking for at the end of the year to the Minister and in discussion with the Administrator and Mr. Paterson. So therefore these particular questions which I named in seeking more powers is the main thrust as I understand it of what members of the community are concerned about in saying in the heading of that petition lets get on with the particular job you have in front of you, you have another two and a half years to go to your eventual goal of five years as the Norfolk Island Act has promised, and get on with that without seeking any more powers at this particular stage. So I am quite satisfied with that petition and I think every
Member around this table should sit up and take notice that there are 38% of people in the community who are very concerned with the performance of this Government, and may I add if this petition went around the Island in a blanket form, it would be a larger percentage. So lets heed the warning and get on with the job without seeking any more powers at this stage.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: Thank you. The petition says that in the opinion of the people who signed it the Assembly is not exercising its existing powers responsibly for the benefit of the residents and it says that the petitioners have no confidence in the ability of the Assembly to govern responsibly and the petitioners ask that the Assembly be put out of office and a new election held, 326 people have said that, that is not 38%, I'm not sure with the Administrator's calculator but it is not 38%, it is 36 1/2%. There were 892 people on the roll at the last election and 566 people did not say that, 63 1/2% of the community did not say that. Now clearly to my mind this petition is the voice of opposition to the Government, 36 1/2% of the electors. The people who signed it are clearly entitled to their views and they are entitled to express them and I think it is right and proper that the Assembly should hear their views and acknowledge them, I think those people are citizens with just as much individual rights as the rest of the people have, the other 63 1/2% have. I am delighted to have it demonstrated that that is the size of the opposition to this Government - 36 1/2% of electors. I don't think there is any Government in the world that would not be delighted and honoured to have so small an opposition. Mr. Jackson has told me rather proudly that he signed the petition himself, and I would like to ask if there are any other Members of the Assembly who also signed the petition, did any other Members sign it, I wonder if Miss Buffett signed it.

MISS BUFFETT: Mr. Acting Deputy President, apart from the fact that I raise objection to this type of behaviour by Mr. Howard in the House, as to asking me whether I signed the petition, the petition has been tabled for his open information may I disappoint him and say no, I did not.
MR. HOWARD: Thank you. I think this is a very interesting and significant development. Mr. Jackson has openly with his signature proclaimed himself to be a Member of the opposition to this Government.

MR. JACKSON: Point of order.

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

MR. JACKSON: I don't think Mr. Howard is correct in saying what he is saying, he is making up his own version of who is in opposition and who is with him, I don't think this is quite the procedure and I find it most objectionable.

MR. ACTING DEPUTY PRESIDENT: No point of order Mr. Jackson.

MR. JACKSON: I expected that.

MR. HOWARD: I think it is probably a good and healthy thing and I think having an opposition that is openly declared helps keep a Government on its toes, I am glad we now have one. I intend to treat the opposition with respect but I will treat it as the opposition and I think everyone who supports the Government should do the same. The President has the responsibility for the seating arrangements in the Assembly and I would like to suggest that in accordance with a very long standing Westminster tradition that he arrange that the Government Members be seated together and that the opposition Member be seated together.

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: Mr. Acting Deputy President how do we arrive at this kind of decision by Mr. Howard deciding who is the Government and who is the Opposition. When we stood for election there was absolutely no indication to the electorate of Norfolk Island of whom we all are electors, that we stand as an Opposition or we stand as a Government. On good faith the candidates stood with their views put before the electorate, they made no indication that they were going to move the post of Chief Minister to start with, they made no claim to setting up
a Government from an Opposition and standing as a party, even though the indication of so many names banded together was there. I contest this statement by Mr. Howard of his own assumed power to be able to do things. There is supposedly no head of Government and yet you stand up and dictate what type of Government you intend having. Who are you.

MR. HOWARD: Well I am just an ordinary country boy who went to school and one of the few powers that I possess and one that we all possess is the power to read, and I read the petition and I see that the petition says with each petitioner signing, that they do not believe that the Assembly is exercising its existing powers responsibly for the benefit of residents, and I read that the petitioners have no confidence in the ability of the Assembly to govern responsibly, that is a self proclaimed definition of opposition to the Government, read it however you like it, that is what it is.

MR. ACTING DEPUTY PRESIDENT: Further debate Honourable Members. Miss Buffett.

MISS BUFFETT: Could I say that I would take notice of a referendum with a decision like that made by Mr. Howard but by certainly no means of a group of people who have handed in a non legal document, it is not as if there has been a referendum, and of course it has been turned to the benefit of the so called Government, which is only expected.

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.

MR. QUINTAL: Mr. Acting Deputy President I think it is strange that a petition such as this was taken up and that one of our Members signed the petition. By signing it he has asked to be put out of the Assembly, more or less. I think that is a strange sort of a set up. The other thing that I would like to say is that with the Solemn Declaration the percentage of persons who signed that Solemn Declaration was a lot higher in percentage than the petition here and Mr. Jackson mentioned that it was taken up more or less in a hurry, well I disagree with this because Mr. Butterfield, who I have a lot of respect for, he had every right to do what he did, was one of the organisers of the petition. I think it was stated that he would finish getting signatures on his return from a holiday in Sydney, and I think he was away for three weeks, and
that seemed to be a heck of a long time and enough time to get as many signatures as was necessary to carry some weight to get rid of the Assembly Members who had only been in the Assembly for about five minutes. I think we have done quite a lot myself and I think we are going in the right direction also, and if anyone disagrees I don't mind, it is up to them, everyone is entitled to their opinions.

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

MR. SANDERS: Perhaps Mr. Butterfield thinks he is more capable of the Chair than our President.

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

MR. BUFFETT: I really wanted to say Mr. Acting Deputy President that we really all know in Norfolk Island that whether one agrees with the Government or disagrees with the Government really depends upon the issue, it really does not depend upon whether one supports a particular party or not, one really judges things upon the issues and I consider that members of the community are entitled to put their views in a manner that they consider appropriate and when they do put their views I do consider that it also is not the place of this Assembly to denigrate those who put their views, in fact if they come from the community and a good number of the community, they should be heeded, they should be examined by Members of this Assembly and I do not think there should be an attempt by anybody's part to try and put them in a corner with a particular label, I think in fact what must be done as I think the Members of this Assembly should do in all matters that members of the community bring forward for their attention is that it should be carefully examined and the merits or demerits may well be discussed, examined, further looked at, in whatever manner, but I do not think that it should be an exercise to try and denigrate those who have put their view in a manner that they consider appropriate, they are certainly entitled to, they are entitled to put them to the Administrator and they are entitled to put them to Members of the Assembly, depending of course I suppose on the areas of authority as we find ourselves in a rather dual situation at this time.