MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: Mr. Acting Deputy President may I please ask Mr. Howard through you – your statement Mr. Howard that you intend forming a Government and an Opposition, what criteria would make people Opposition to Government when the electors have voted all nine in.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard would you care to answer that.

MR. HOWARD: Yes I am happy to answer that. I think I heard a couple of questions there, how would they be referred to, what criteria determines who is in opposition.

MISS BUFFETT: What criteria would you use.

MR. HOWARD: I listen to the person and to what he proclaims himself to be, and if a person says that he has no confidence in the ability of the Legislative Assembly to govern responsibly and if he asks that the Legislative Assembly be put out of office and if he says the Legislative Assembly is not exercising its existing powers responsibly for the benefit of residents, I think on the face of it that person is in opposition because of what he said himself.

MR. JACKSON: So you have 8 Members and 1 in opposition.

MR. HOWARD: As to the other part I think I heard Miss Buffett asking how they would be referred to, so far we have not discussed the issues in the petition, Mr. Buffett said we ought to consider the issues in the petition, perhaps we should, so far we seem to have only one self proclaimed member of the opposition, I would say he is entitled to be referred to as leader of the opposition under those circumstances.

MISS BUFFETT: Mr. Acting Deputy President may I please ask Mr. Howard in view of your self appointed ability to create this criteria, really and truly do you intend excluding us any further – we can't be excluded much more, the only thing we have not signed is secrecy to the Executive.

MR. HOWARD: I think that is a good question. There never has been a
Government and an Opposition on Norfolk. I have heard some discussion in the community over the past couple of months as to maybe whether there should be. It would be a big change if we seriously had a Government and an Opposition.

MISS BUFFETT: Wouldn't we have to go in as such though, not half way through.

MR. HOWARD: Well you don't know until you all get elected and then you count heads and see who has got the most, and the people who believe one way if they are the majority become the Government and if they are the minority they become the Opposition, and you do not know until the election is over and you see how many get elected, that is the way elections are held. There have been some problems that arise from our not having a Government and an Opposition as is evident to everybody. The official Government, the elected Government is us three - Mr. Buffett, Mr. Brown and me - the three Executive Members.

MR. JACKSON: But not in this House, you are not the Government in this House.

MR. HOWARD: No that is right. The Assembly sits and while the Assembly sits it is supreme. When the Assembly is not sitting the Executive Members have portfolios and have obligations as Members of the Executive Committee to do things in between Assembly meetings that need to be done. It is evident to everyone that there is division among the three of us, there is no secret about that, and yet we have avoided week after week, month after month wanting that to happen to Norfolk Island, wanting to stand up and say alright lets get on two opposite sides and lets have it out, lets fight. We have continually tried to get on in the hope that Norfolk Island can have one Assembly and one Government and that we can all think about the Island.

MISS BUFFETT: Excuse me Mr. Acting Deputy President, with my question being put, is this a speech or what, at what stage of the meeting are we.

MR. HOWARD: May I answer the question.
MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: There is a motion that the papers tabled be noted, and we are debating that motion and this is part of my magnificent oration on the subject of that motion. Should we have a Government and an Opposition. Most other places do, many people in Australia having observed the way the Assembly formed itself and has continued to form itself, have said its crazy, if you have two different sides get into two different camps, have a Government and an Opposition, it sorts out all kinds of problems and makes a lot of things clearer and simpler. I think there is a wish on Norfolk Island that the Island not start being divided in that form or way but there are some things to be said for it and maybe we are coming toward that someday. I sense a very widespread wish to avoid it if we can avoid it but on the other hand when a petition is put to us saying that the Assembly is not responsible, that it cannot govern responsibly, that it is not governing responsibly for the benefit of residents, that it cannot responsibly exercise the existing powers that it has, that it ought to be put out of office, my reaction is to say well fair enough, god bless you you are entitled to your opinion and you oppose the Government, you just said so, you are against the Government as it stands now. Mr. Jackson has said so by signing the petition. Now are we going to treat the Opposition any differently than we treat anybody else.

MISS BUFFETT: If the community thinks that we should go out, and I would interpret Mr. Jackson's signature as such, if you think we should go out, right fair enough, I will endorse the idea, I can see absolutely nothing wrong with that.

MR. JACKSON: May I add that Mr. Howard tried to take us out in the First Assembly. Anyhow may I have the call, has Mr. Howard finished.

MR. HOWARD: Really I think I still have the floor. Mr. Buffett spoke about some Members denigrating the petitioners, I hope he was not thinking of me, I did not denigrate them, I took pains to say I think they are entitled to their views and entitled to express them and that it is right and proper that the Assembly should hear their views and
acknowledge them, those are the words I used, that is not denigration. I said I thought there were some good things about having an openly declared Opposition. I do not denigrate those people at all. If it is denigration to say that they amount to only 36½% of the population, I'm sorry but that is what the numbers say, that is what they are, they are 36½%, and there are 63½% who did not sign that petition, and those are the facts, that is not denigration, that is just numbers. Mr. Buffett said that he thought that petitions of this kind should be carefully examined and the merits and demerits examined. Perhaps we ought to do that, perhaps we ought to take the petition paragraph by paragraph. The first paragraph says that petitioners are concerned that the Assembly does not in its policies and decisions reflect the wishes and the needs both present and future of the people of Norfolk Island. Well do we feel that way, how do we feel around this table, do we feel that the Assembly does not reflect the wishes and needs of the people, I don't feel that way. I am inclined to side with what Greg said that with difficulties we are getting a fair number of things done, but perhaps other Members feel otherwise. Mr. Jackson feels otherwise, he signed the petition. The petitioners say that the Assembly is seeking further powers when it is yet to demonstrate that it - and there is some confusion there in the way Mr. President read out the petition, the copy that the Administrator sent to the Executive Committee had several letters blotted out, and it may be that the original petition said, 'being further concerned that the Legislative Assembly is seeking further powers when it is yet to demonstrate that it cannot responsibly exercise' - it may be that that is the way it was originally worded. If that is the way it is worded then whoever worded the petition has got some problems with his grammar because that means that we have not yet demonstrated that we can't. The Administrator has blotted out three letters, the letters 'not' in the one I have from him, and it says - 'concerned that the Legislative Assembly is yet to demonstrate that it can responsibly exercise its existing powers'. Well should we debate the merits and demerits of that idea. Mr. Jackson thinks we have not demonstrated that yet. 36½% of the people agree with you Mr. Jackson, 63½% have not agreed with you. The petitioners have no confidence in the ability of the Assembly as presently constituted to responsibly govern, shall we debate that, shall we look at the merits and demerits of that idea, you could go on and on.
MR. SANDERS: Mr. Chairman I believe that we are all very fortunate that there is nine of us and if any one of us does not like the arrangement we could always resign.

MR. JACKSON: That is a good way out. Mr. Chairman, Mr. Howard has demonstrated here this afternoon that anyone who opposes the thinking of an Executive Member, which he is, or any proposal that he puts up is in opposition, that is quite clear from his remarks, and he has presented his views on a situation which I have always considered and still consider would be the worst thing out for Norfolk Island, and that is the introduction of party politics into this Island. Party politics raised its head in a more constituted area in the election campaign for this present Assembly when nine members placed their names in a block vote, on a ticket, and out of those nine four were elected. Now I consider that anyone who places their name on a common ticket has some alliance to each other. Now anyone who speaks out is in opposition. Two wars have passed and a third one just finished in Vietnam where people went to fight for democracy, they fought for the right to express themselves. Many of our young Norfolk Islander's names are on the Cenotaph because they went away to demonstrate, to be able to raise their views, not to be put down. If you raise your views in opposition to someone who thinks differently well you are in opposition, you should not be here, you should be put somewhere else in the Assembly, as Mr. Howard recommended I should, I should represent an area in this Assembly with 1 against 8 because I have been outspoken on many occasions, not against Mr. Howard solely but against other Members because I have had different views and I have raised those views in the best interests of the people of Norfolk Island, and I am sure that if I signed a petition I am entitled to do so, and I am entitled to be counted with those other 326 names subscribed to the petition, and I congratulate the other 326 people for using that opportunity to put their views to the Assembly.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: I will defend to the death the right of the leader of the Opposition to hold whatever views he wants to.
MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President a number of words have been said this afternoon about whether there should be a Government and an Opposition situation as is found in a number of other Westminster parliamentary situations. If we feel that we are approaching that situation well by all means let us sit down and examine that as a group and see whether that is the best thing for Norfolk Island or not the best thing for Norfolk Island and come up with some decision amongst us. I do think it is quite wrong to try and castigate a Member of this Assembly by trying to use such a method almost against him in this Assembly by trying to put him in a corner, putting a brand upon him, I think that is premature of a Government and Opposition situation if that is what is desired by Members. I think in lieu of just trying to brand somebody and set him up for some particular situation, I think the fair system would be for us all to sit down and decide whether that is in fact what we want. I think Members should have the wherewithal and the opportunity to be able to pursue the proper line that they think appropriate in this Assembly, and as we know now it is not a party situation that is known elsewhere but Members do examine issues that come before this Assembly and make their votes accordingly, and I think that is their entitlement, and I think it starts to be a bit wrong where because somebody does have an opposite view that there is an effort in our particular situation here to try and put a Member or Members in a particular corner, before we come to that lets quite categorically decide that that is the direction we want to go in, if we do want to go in it we will go in that direction, if we do not want to go in it, do not try and use that method to try and isolate individual Members in the Assembly.

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: Mr. Acting Deputy President I feel that really this afternoon's session must be quite laughable. I came into Assembly like many other Members clearly with a view to do my utmost for the people of Norfolk Island and vote as to how I think it is right. In some instances I have voted with some Members and some against, I intend to do this until the day I draw my last breath.
MR. ACTING DEPUTY PRESIDENT: Further debate Honourable Members.
Mr. Sanders.

MR. SANDERS: Thank you Mr. Chairman. My sympathies are with Mr. Jackson because I too have had a vote of 8 to 1.

MR. JACKSON: I move that the question be put.

MR. ACTING DEPUTY PRESIDENT: Honourable Members the question is that the paper be noted.

Question - put
Motion agreed to unanimously

FINANCIAL STATEMENT OF THE HOSPITAL BOARD

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Thank you Mr. Acting Deputy President. Earlier at this sitting during question time Mr. Acting Deputy President we talked about the Hospital Board accounts and I just again make mention that at an earlier sitting of this House I undertook to table a copy of the financial statement of the Hospital Board when such statement did become available to me from the Administrator. I have received a letter from the Office of the Administrator in which he states he has received financial statements, that is a statement of income and expenditure, for the year ending the 30th of June 1982, and a balance sheet as at 30th June 1982, and they were presented to the Administrator pursuant to section 21 of the Norfolk Island Public Hospital Ordinance 1953. They having been passed on to me Mr. Acting Deputy President, as I undertook to do so, I table them in this House for the information of Members, and I have had some additional copies taken so that they can be circulated to Members.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Mr. Howard.
MR. HOWARD: Thank you. I would like to table the financial indications for the month of July in this year. I have circulated copies to all Members but I would like to table a copy formally and ask as usual that it be included in Hansard.

FINANCIAL INDICATIONS FOR EXECUTIVE MEMBER FOR FINANCE FOR ONE MONTH ENDED 30-7-82

FIGURES ARE IN THOUSANDS OF DOLLARS.

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<td>Last year</td>
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<td>Revenue</td>
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<td>100</td>
<td>-78%</td>
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<td>72</td>
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<td>704</td>
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EXPENDITURE

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<td>122</td>
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<td>Education estimated salaries</td>
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<td>75</td>
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<td>Capital Expenditure</td>
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<td>8</td>
<td>-50%</td>
<td>4</td>
<td>7</td>
<td>-64%</td>
<td>4</td>
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<td>TOTAL</td>
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<td>289</td>
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<td>325</td>
<td>267</td>
<td>-14%</td>
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CREDIT TO (or DEDUCTION from) REVENUE FUND

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

REMARKS:

Salaries and Wages are less than July 1981 as there were three pay days in that month compared with two pay days in July 1982.

Other Expenditure and Capital Expenditure are down due to the Financial restraint implemented by the 1982/83 Supply Bill.
The result for the month of July was disappointing but I do not believe unduly so in the light of the way the month of July usually goes. We were for the month $175,000 behind a break even, in other words our expenditures were $175,000 more than we brought in in the way of revenues. Compared to last year the largest drop off in revenue was in Customs. Other revenue improved as compared with last year. One month does not make much of a year. I do not propose to talk much about this but I do table that monthly financial statement.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.

MRS. GRAY: I think I have to move that the paper be noted before I can say anything about it, may I so do.

MR. ACTING DEPUTY PRESIDENT: Yes Mrs. Gray.

MRS. GRAY: The financial indications have been coming forward to us fairly regularly and at the budget sitting of the House on 30th June we were also supplied with, I beg your pardon subsequent to that meeting we had been supplied with a statement of revenue and expenditure, in fact it was tabled by the Executive Member responsible for Finance at the 4th of August sitting of the House.

MR. JACKSON: I have not got any such statement.

MRS. GRAY: I am not going to refer to it directly Mr. Jackson if that helps. I am going to ask Mr. Howard if it is possible to explain to me how to relate the statement of revenue and expenditure to the monthly financial indications. I profess no skills with figures. I certainly cannot relate one to the other, I would like to know how and I suspect there might be a few others who would like to be able to relate one set of figures to the one that is tabled each month.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: If I could comment on that. The key to it is columns 5 and 6 on the monthly financial indications. Column 5 gives figures for the eight items and the totals. In terms of the budget for the
year, the Supply Bill for the year, looking at the financial indications sheet for the month of July - the one that you have in front of you, column 5 says that the revenue expected from postal and philatelic operations divided by twelve because we are talking about one month of the year, is $100,000, so that relates to the budget figure for how much we expected to bring in in postal and philatelic revenue, and so on down those four revenue items. Coming to the Supply Bill, the expenditure figures in column 5 are one twelfth of the amount that was supplied for the purposes listed for salaries other than education $116,000 a month has been supplied, we actually spent in the month of July $113,000, so in that month $3,000 less was spent than had been supplied. For education salaries that is a nominal figure, that is what we expect the bill for the year to be divided by twelve, don't take that figure too literally, that is an estimated figure. Other expenditure other than capital expenditure we have supplied in the Supply Bill a total of $110,000 per month to be spent. In the month of July we spent only $87,000. For capital expenditure we supplied $11,000 a month. In the month of July we spent on capital expenditures only $4,000. So that is the way these sheets relate to first of all the budget and secondly the Supply Bill, and you can follow it month by month in relation to those two basic things that have been laid down. Does that answer the question.

MRS. GRAY: I will try and relate the answer to the sheets and have another go.

MR. HOWARD: I would be happy to sit down with Mrs. Gray or with any Member and take as much time as you like to help these figures be more understandable because I think they are tremendously useful.

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

Question - put
Motion agreed to unanimously
COMPANY STATISTICS

MR. ACTING DEPUTY PRESIDENT: Further papers. Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President I table a paper which provides statistics of the Company Office in Norfolk Island for the six months ended 30th June 1982. These statistics are as follows Mr. Acting Deputy President - the number of companies registered on Norfolk Island as at 31st December 1981 total 739; the number of new incorporations from December 1981 to 30th June 1982 total 16; the number of companies liquidated or struck off the register from December 1981 to June 1982 total 118; the number of companies restored to the register from December 1981 to June 1981 total 1; the number of companies remaining on the register as at 30th June 1982 total 638. So it gives a present figure at the end of that six monthly period at 638.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Debate Honourable Members.

MISS BUFFETT: I move that the paper be noted. What happens with all these companies, can I ask the Executive Member who just tabled this report what happens to all the companies that are registered and that should furnish reports to the Court and in actual fact do not, is there a legal procedure here on Norfolk, what happens in that situation.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President companies who do not provide returns within the prescribed legislation and the requirements of the Registrar of Companies do incur penalties in certain situations and eventually may well be struck off the register of companies in the Island.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett.
EXECUTIVE MEMBERS STATEMENTS

VISIT BY MINISTER FOR HOME AFFAIRS & ENVIRONMENT

MR. ACTING DEPUTY PRESIDENT: Are there any statements by the Executive Members please. Mr. Buffett.

MR. BUFFETT: Mr. Acting Deputy President I would like to make a statement concerning the visit by the Minister for Home Affairs & Environment the Hon. D.T. McVeigh from 26th to 28th September 1982. Honourable Members will recall that the Minister for Home Affairs & Environment accompanied by Mrs. McVeigh made a short visit recently to Norfolk Island, in fact within only a few weeks of being appointed to his ministerial post. The Administrator has advised that the Minister will again visit to further acquaint himself in Norfolk Island matters at the end of September - from 26th to 28th September 1982. I am advised that the Minister will be accompanied by Mrs. McVeigh, their two sons and Mr. T.P. Paterson who is a First Assistant Secretary with the Department of Home Affairs & Environment, and he will also be accompanied by members of his personal staff.

MR. ACTING DEPUTY PRESIDENT: Thank you. The question is that the statement be noted.

WATER AND SEWERAGE

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: I have a further statement if I may Mr. Acting Deputy President. I wish to make a statement on the sequence of events since the last meeting on matters relating to effluent treatment and disposal, in other words a statement on water and sewerage in Norfolk Island.

Members are now aware of the report by the Chief Administrative Officer dealing with this matter in which a number of recommendations both of long term and interim nature were made. Discussions of these matters have taken place with all Members of this Assembly and officers of the Public Service. From these discussions the following policies have been
adopted in principle:

1. That no person may pollute any creek, spring or groundwater resource including any aquifer, aquifer recharge area or catchment area;

2. That development policies and plans for Norfolk Island will give priority to assuring safe drinking water for the population and for the safe disposal of waste water in order that Norfolk Island may continue to be a safe, healthy and attractive place in which to live and visit;

3. That the natural resources of the Island will be protected so far as possible from pollution;

4. That no development involving disposal of wastes shall take place until the Government is satisfied that such a development has made adequate provision for a safe water supply, safe waste water disposal and the safe disposal of all other waste material. Priority shall be given to protecting the Broken Bridge and Watermill Creek catchment areas;

5. That to the maximum practical extent the principle of 'user pays' shall be followed;

Interim measures to assist in implementing these policies have also been agreed to and they are these:

1. That existing treatment plants shall be properly supervised and be required to operate correctly;

2. That all principal sources of pollution identified in the report be required to instal approved holding tanks for waste water and to arrange for the waste water to be taken away by tanker and disposed of at an approved depot. As an interim measure only, Headstone Tip shall be the approved depot;

3. That all existing bores and wells shall be examined to determine whether they are safe water supplies and whether they are a threat to other underground supplies. Deficiencies shall be corrected or the bore or well closed. Priority shall be given to bores and wells offering water for sale;

4. That all future bores and wells shall be required to be water tight to the depth necessary to seal off water bearing formations that are or may be polluted or have undesirable characteristics;

5. That suitable standards will be established for all future bores and wells;
6. That all water for human consumption at accommodation houses and restaurants and public places shall be passed through an approved filter before being used. Regular health tests shall be made on the water at the owners expense. It is desirable that this provision be effected within a period of 3 months. An approved filter is one approved by the Health Inspector;

7. That a continuing health educational programme shall be prepared for approval by the Executive Committee to make the people of the Island aware of the health requirements of water supply and waste water disposal;

8. That such policies as are relevant to the interim situation, be applied immediately and necessary legislation be introduced as a matter of urgency to ensure their implementation.

Further to these interim measures that I have just read Mr. Acting Deputy President, longer term measures as follows have also been agreed to:

1. That a reticulated water supply system and water treatment plant remain under consideration and a piped sewerage scheme and sewerage treatment plant with a discharge to an acceptable point on the coast remain under consideration;

2. That the proposal that the Australian Government be asked to contribute towards the cost of these schemes, to remain under consideration;

3. That a ponding system for stormwater be investigated at the confluence of the Kingston drain and Emily Bay discharge areas to protect the beach from chemical, bacteriological and solid waste pollution.

The first steps of implementation have now been taken. Five accommodation houses together with the hospital, have been notified of the necessity to change their methods of effluent disposal. A meeting of the proprietors has subsequently taken place and planning is under way to effect compliance with these policies.

On the long term measures investigations are proceeding. These measures may be items requiring major expenditure of capital and I must stress in light of this possible expense, that we must investigate all possibilities to ensure the final plan is the best available. For this reason, this plan cannot be evolved overnight, it is however being treated with utmost priority to bring about a solution as quickly as possible.
The firm of Gutteridge, Haskins and Davey have been engaged to provide further information and recommendations for water reticulation, effluent treatment and effluent disposal. Their report should be to hand by the end of next week.

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

BOARDING HOUSE ORDINANCES

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Mr. Acting Deputy President at our last meeting I was requested to investigate and bring forward a submission for consideration in relation to revocation of unused boarding house licences. I would like to bring Honourable Members up to date with the progress of that work. Some time ago I had discussions with the Chief Administrative Officer and the Legal Adviser in relation to accommodation licensing generally and in relation to minimum standards. Within the last day I have received from the Chief Administrative Officer draft instructions to the draftsman in relation to these matters. I am now in the process of incorporating into them provisions in relation to revocation of unused boarding house licences in accordance with the request of the House at our last meeting and I hope that by the time of our next normal meeting I will be in a position to circulate proposals to all Members.

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

MISS BUFFETT: Can I move that the statement be noted and ask Mr. Brown he has stated that he will try before the next meeting to bring that matter forward - would there be anything preventing you being able to bring it forward for sure so that it does not go on and on from one meeting to the next.

MR. BROWN: No, I certainly propose to circulate the concepts amongst the Members. At an appropriate time the Accommodation Proprietors Association should also be advised of it, but I do expect that by the time of our next meeting this will be ready for the Members to look at.
MR. ACTING DEPUTY PRESIDENT: Further debate Honourable Members.

MR. JACKSON: A question through you to Mr. Brown Mr. Chairman. In the report when you mention the licensing of these premises did it specifically state that those operating as tourist apartments and those that have tourist licences and not operating for tourist apartments, is there anything in the report that separates these two particular questions.

MR. BROWN: Yes Mr. Jackson I have what the Administration believes to be a comprehensive list of those licenced premises which are being used for tourist accommodation and those licenced premises which are either not being used at all or are being used for other than tourist accommodation.

MR. ACTING DEPUTY PRESIDENT: Any further debate Honourable Members. The question is that the statement be noted.

Question - put

Motion agreed to unanimously.

MATTER OF PUBLIC IMPORTANCE

MR. ACTING DEPUTY PRESIDENT: A matter of public importance. Mr. Buffett. Mr. Buffett has moved that this matter of public importance be submitted to the House for discussion, namely that the integrity of the Norfolk Island Government is jeopardised by information brought to light in a judgement of the Supreme Court of Victoria delivered on 7 May 1982.

MR. HOWARD: I raise a point of order Mr. President. The point of order that I am raising relates to Standing Order No. 64 - 62 is the one I am thinking of, which says that all personal reflections on Members shall be considered highly disorderly and I want to speak to try to make clear why I believe that point of order applies to this situation. I found on coming into the Chamber today notice of this matter being proposed to be brought, I was dismayed to see it, I am surprised and puzzled at the way the statement we were given begins.
It says Mr. Buffett has proposed to Mr. President that a matter be submitted. The Standing Orders as I read them say that a matter of public importance may be brought by a Member proposing it to the President of the Assembly at least three hours before the meeting. What I find myself reading here apparently, and perhaps I am mistaken, is that Mr. Buffett proposed to Mr. Buffett that he bring a matter of public importance. I think the role of the President in the Standing Orders is clearly meant to be one of judgement and screening to be conducted by the President, and I think there is something if the words that I read here are what they seem to say, that Mr. Buffett in fact proposed to Mr. Buffett, himself, that this matter be brought, then I think that screening process has not been carried out and I think the matter is highly suspect. More importantly I am well aware as many people on the Island are that there has been a deliberate intense effort made on the Island to denigrate Mr. Brown by use in particular of an article that appeared in last week's Norfolk Islander - Mr. Brown has made a statement about that article and has told us that in his view it was not an accurate account that it was biased and malicious. I hold that same view, and my point of order is that I believe the matter that is proposed to be raised here has as its central purpose reflections on a Member which are highly disorderly.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett for further comment.

MR. BUFFETT: Mr. Acting Deputy President I point out that the matter is one that I considered needed to be raised and I raised it in the manner that was provided for by Standing Orders and discussed that with the Clerk within an appropriate time frame. It is a matter that I do consider a matter of public importance...

MR. HOWARD: And the President agrees with him.

MR. BUFFETT: May I say this Mr. Acting Deputy President that I am quite willing for the Members to show their preference for the situation as to whether they consider it as a matter of public importance. I am quite well aware that some Members may not like the matter but that is not the question, the question is one as to whether it is a matter of public importance. That is one way of tackling it. I am quite happy in
the circumstances of course should the Deputy President care to have carriage of the matter if the way that it has to date offends some Members.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: Mr. Acting Deputy President following on Mr. Buffett's suggestion I would seek leave to move that the House vote on the question of whether this matter should be brought.

MR. JACKSON: Mr. Chairman before that vote is taken, through you, in all due respect to what Mr. Howard said earlier in his point of order to Mr. Buffett, I am surprised...

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson Mr. Howard has sought leave to move a motion. Is leave granted.

MR. JACKSON: What is the motion.

MR. HOWARD: That we accept Mr. Buffett's suggestion that the House itself decide whether this matter be brought.

MR. ACTING DEPUTY PRESIDENT: Is leave granted Honourable Members. Leave is granted.

MR. HOWARD: I move that so much of Standing Orders be suspended as is necessary to allow me to make the motion that I propose to make.

MR. ACTING DEPUTY PRESIDENT: Those in favour stand. Standing Orders are suspended.

MR. HOWARD: I move that the House...

MR. JACKSON: Mr. Chairman...

MR. HOWARD: I have not made my motion.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.
MR. HOWARD: I move that the matter of public importance proposed by
Mr. Buffett not be brought before this House.

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

MR. JACKSON: I am very surprised at Mr. Howard when he took a point
of order on Mr. Buffett a few minutes ago under Standing Order 62.
I am also surprised and puzzled when Standing Order 62 states that all
imputations of improper motives and all personal reflection on Members
shall be considered highly disorderly - now not less than half an hour
ago Mr. Howard was entering into a tirade here of accusations which I
considered highly disorderly.

MR. HOWARD: Point of order, it is irrelevant to the debate.

MR. JACKSON: It is relevant. Now I consider that each and every
Member has here before them a matter which was heard in the Supreme
Court of Victoria before the Honourable Mr. Justice Crockett and the
Commonwealth Government against John Terence Brown.

MR. SANDERS: Point of order.

MR. ACTING DEPUTY PRESIDENT: Point of order Mr. Jackson.

MR. SANDERS: Standing Order No. 62, the one that was used before, I
think Mr. Jackson is being disgusting that he is using his powers on
the Assembly to denigrate another fellow Member of the Assembly.

MR. JACKSON: Through you Mr. Chairman, I am not using those powers at
all, I am supporting a motion that brings before this House a matter
of public importance. Mr. Brown has stated here this afternoon that it
is not correct, well therefore each and every Member here this
afternoon - and I hold in my hand the judgement that was delivered by
Mr. Justice Crockett on 7 May 1982...

MR. ACTING DEPUTY PRESIDENT: The matter under discussion is that the
matter of public importance be not brought.

MR. HOWARD: I call for the question.

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

Question - put
The House voted:

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

NOES, 3
Mr. Buffett
Miss Buffett
Mr. Jackson

MR. ACTING DEPUTY PRESIDENT: The ayes have it. The question is that the motion be agreed.

MR. BUFFETT: I'm sorry Mr. Acting Deputy President the question is in a negative form and I would just like you to prompt me again as to how it is phrased.

MR. ACTING DEPUTY PRESIDENT: The question is that the matter of public importance be not brought.

Question - put
The House voted:

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

NOES, 3
Mr. Buffett
Miss Buffett
Mr. Jackson
NOTICES

ROAD TRAFFIC (AMENDMENT) BILL 1982

MR. ACTING DEPUTY PRESIDENT: Notice No. 1, Miss Buffett, the Road Traffic (Minimum Driving Age) Bill.

MISS BUFFETT: Thank you Mr. Acting Deputy President. I present the Road Traffic (Amendment) Bill 1982 and move that the Bill be agreed to in principle. Do I read the Bill?
I have prior to this incorrectly used this data to speak to the petition I brought forward on behalf of the Bill so I will just cover the points again. I seek the Members consideration that the intention of this Bill is to revert back to the age of 15 years the age by which people are permitted to drive vehicles of 125cc's or less on the roads and that this matter be laid on the table until the next sitting.

MR. ACTING DEPUTY PRESIDENT: Further debate. Mr. Howard.

MR. HOWARD: I would like to support Miss Buffett in bringing this Bill. She has done a lot of work on it. I think when the House voted to raise the age to 16 we were led to believe that we were operating on the basis of considered views by both the Magistrates and the Police. It since then has been pretty well established as far as I can tell by things people have brought to my notice that perhaps that was not so, that perhaps the 15 year olds have not been much of a problem on the roads after all, that the police maybe feel they have trouble in controlling 15 year olds, well I think that is the job of the police really, if they cannot control 15 year olds then who on earth can they control. I am happy to have the Bill brought and I will be delighted to see it go through. My only regret is that it somehow was not given a matter of urgency so that it could go through at the same time as the Road Traffic Bill itself but I simply want to thank Miss Buffett for the work she has done and to say that I will support the Bill when it comes.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Howard. Further debate. Mr. Jackson.
MR. JACKSON: Mr. Chairman at our last sitting I strongly opposed the increase in age from 15 years to 16 years for the purpose of obtaining a learners permit to operate a motor cycle having a piston displacement of not more than 125cc's on a road. I believe if there had been a closer examination of the reasons given to up the age from 15 to 16 this would not have happened, and I appreciate the campaign that has been conducted since our last meeting by individuals and by the general public to have this particular section 15 of the Road Traffic Act brought into this House for further debate. I also appreciate the confidence that has been given to our children by those who organised the petition and those who signed it. I also noticed in the Chamber this afternoon some of our budding motor cyclists, but it got a bit too boring for them and they have now departed. No doubt there are many more up and coming 15 year olds listening to this broadcast. I am also certain a lesson has been learnt all round, and should we have the numbers to win this amendment, your performance and general behaviour on the road will be closely watched. Finally I congratulate Miss Alice Buffett for bringing this amendment into the House.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Jackson. Further debate. Mr. Quintal.

MR. QUINTAL: Yes Mr. Acting Deputy President, I also strongly opposed raising the age from 15 years to 16 years to be able to obtain a learners licence at the last sitting. I was very pleased and proud the same as Miss Buffett was today to see some of our young and up coming children who certainly have shown that they know the meaning of democracy and maturity and it was good to see them in the Chamber today. They successfully took up a petition signed by approximately 348 persons. The young 15 year olds and others called a meeting with Miss Alice Buffett MLA at the Public School...

MISS BUFFETT: I invited them to.

MR. QUINTAL: Sorry, Miss Buffett invited them to a meeting, and other members of the community were approached and Bryan Nunn who has always been a supporter of our young people and has done so much to help our
young children, offered to help in their cause. In the Norfolk Islander of Saturday 28 August under the heading Letters to the Editor a letter appeared signed by Bryan Nunn, Gary Robertson, John Ryves, Jack Fitzpatrick, Jim Kiernan and Alice Buffett. The letter starts by saying, "We the undersigned support the young people of the Island who are seeking to have the age at which a learners permit with all its restrictions be put back to the age of 15 instead of 16 under the new Traffic Act". The letter further states that, "Only one person in this age group was prosecuted last year for a driving offence and the Police withdrew the prosecution". The person referred to was charged for negligent driving. It is my understanding that this lad was doing a wheelstand on private property. Young children start doing wheelstands on push bikes at a very early age, some of them show off at times and it is a wonder that there are not more accidents to and from the school with children on push bikes. I am certain that the worst offenders are persons from 18 years and over who love a bit of speed, this is a process of growing up, just the same as myself and others when we used to ride horses, and when I think back we must have been a dash nuisance to the public, galloping flat out, yelling at the top of our voices, all hours of the night. A person who holds a learners licence has to apply for renewal every two months. All the Police have to do if a person plays up is to take the licence away for two months and that would be a lesson to the person concerned and also any other person who holds a learners licence. In my opinion we have some find 15 year old children and children of other ages who we are proud of. In this case they have shown maturity in their actions, let's give them a go and when a vote is taken on the amendment to the Road Traffic Act of 1982 I do hope it will be unanimous. Thank you.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Quintal. Further debate.
Mrs. Gray.

MRS. GRAY: Thank you Mr. Acting Deputy President. A salutary lesson has certainly been learnt by me. I assumed that children did not leave school until the age of 16 therefore I assumed that the withholding shall we say of the licence was not quite as disruptive as it now appears when I learn that children are able to leave school at 15. I am prepared to support the Bill that Miss Buffett brings forward.
I have made some further enquiries which indicate that statistics at the moment indicate that no change is warranted. It is perhaps interesting to note that in previous years the, what can I say, the charges, the protests, whatever, laid against 15 year olds was much higher than it is now. The present Police Force is adopting a trend towards cautioning, an away from a summons. I think the problem is there, we are going to perhaps reiterate the law, and lets just say that laws are only as good as their enforcement or their enforcers. I hope the children, and they are children, are made fully aware of the possible ramifications of their breaking what amounts to a law. I will support the Bill when it comes forward I would think.

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

MR. HOWARD: I move that the question be adjourned.

MR. ACTING DEPUTY PRESIDENT: The question is that the debate be now adjourned and the resumption of the debate be made an Order of the Day for the next sitting.

Question - put
Motion agreed unanimously
Debate (on motion by Mr. Howard) adjourned
Resumption of debate made an Order of the Day for the next sitting.

NORFOLK ISLAND GOVERNMENT TOURIST BUREAU (AMENDMENT) BILL 1982

MR. ACTING DEPUTY PRESIDENT: Notice No.2, the Norfolk Island Government Tourist Bureau (Amendment) Bill 1982. Miss Buffett.

MISS BUFFETT: Thank you Mr. Acting Deputy President. I present the Norfolk Island Government Tourist Bureau (Amendment) Bill 1982 and move that the Bill be agreed to in principle. This is purely self explanatory in that I have proposed the provision for an auditor, requiring the auditor to be approved by the Legislative Assembly and also by requiring the Executive Member to lay a copy of
the auditors report before the Legislative Assembly. This provision proposes a new section in the principal Ordinance which would give the Internal Auditor of the Administration access to the books of accounts of the Bureau. Again provision is made by which any report by the Internal Auditor in respect of an audit he has carried out on the Bureau's accounts is laid before the Legislative Assembly.

MR. ACTING DEPUTY PRESIDENT: Any further debate. Mr. Howard.

MR. HOWARD: I think it is a good Bill, thanks again to Miss Buffett. I would like to make one suggestion if she cares to do it, if not I would be glad to, it is a small amendment that I think ought to be brought in the title of the Bill, so rather than being the Tourist Bureau (Amendment) Bill, it seems to me it ought to be the Tourist Bureau (Accounting or Auditing) or something of that kind, to make it easier for people later on to know what it is about.

MISS BUFFETT: I would be happy to call it the Tourist Bureau (Audit) Bill.

MR. HOWARD: Will you bring that kind of an amendment to make it clearer.

MISS BUFFETT: Do I bring it forward now Mr. Acting Deputy President, No. Right.

MR. ACTING DEPUTY PRESIDENT: Further debate Honourable Members. Would a Member move the adjournment of the debate.

MR. JACKSON: I move the adjournment of the debate.

MR. ACTING DEPUTY PRESIDENT: The question is that the debate be now adjourned and the resumption of the debate be made an Order of the Day for the next sitting.

Question - put
Motion agreed to unanimously
Debate (on motion by Mr. Jackson) adjourned
Resumption of debate made an order of the Day for the next sitting.
NORFOLK ISLAND PUBLIC HOSPITAL (AUDIT ETC) BILL 1982

MR. ACTING DEPUTY PRESIDENT: Notice No.3. The Norfolk Island Public Hospital (Audit etc) Bill 1982. Miss Buffett.

MISS BUFFETT: Thank you Mr. Acting Deputy President. I present the Norfolk Island Public Hospital (Audit etc) Bill 1982 and I move that the Bill be agreed to in principle.
Clause 1 is the formal short title.
Clause 2 covers the formal interpretation provision defining the principal Ordinance as the Norfolk Island Public Hospital Ordinance 1953.
Clause 3 - normally an Act comes into operation on notification of its assent being published in the gazette, with the exception of section 4 the normal procedure will apply in respect of the Bill. With regard to section 4 this is deemed to come into operation on the same date as appropriate provisions of the Norfolk Island Act 1979 so that any grants made to the Hospital Board by the Administration since that date are not called into question.
Clause 4 - at present section 17 of the principal Ordinance states that the revenue of the Board include any subsidy which may with the approval of the Minister be contributed by the Norfolk Island Administration. The requirement to obtain the Minister's consent is now no longer appropriate and this clause proposes its omission.
Clause 5 - this provision proposes the amendment of section 20(2) by requiring the Hospital Board to put its estimates in by May each year instead of July to bring the Board into line with Administration and Legislative Assembly budgetry procedure.
Clause 6 - this provision proposes the repeal of section 21 of the principal Ordinance which states that the books and accounts of the Board shall be audited each year by an officer appointed by the Administrator who shall report to the Administrator and replaces it with more detailed provisions which include a provision that the accounts shall be laid before the Legislative Assembly.
Clause 9 also proposes a new section in the principal Ordinance which would give the Internal Auditor of the Administration access to the books and accounts of the Hospital Board. Again a provision is needed to provide that any report the Internal Auditor makes on the accounts
is reported to the Assembly.
With that I present the Bill and commend it. Thank you.

MR. ACTING DEPUTY PRESIDENT: Further debate Honourable Members. Mr. Howard.

MR. HOWARD: Again good work on Miss Buffett's part. I think this kind of attention to detail is overdue and is healthy. I would like to foreshadow one amendment that I think I will want to bring next time so that Miss Buffett and others can think about it if they like. There may be problems that it will present.

In clause 6 she proposes that an Auditor be appointed by the Administrator. In taking that kind of an action the Administrator would be bound to act on the advice of the Minister and to appoint whoever the Minister suggests he appoint, that is the way the Norfolk Island Act reads. If it can be done without getting tangled in retained powers and Assembly powers, I think I would like to see the Auditor appointed by the Administrator on the recommendation of the Assembly so that we could recommend some local person and the Minister would not be saying well we have got some good Auditor or Accountant here in Canberra we will send him over; then we might be up for $10,000 of charges to audit the hospital's accounts or something of that sort.
I would like to foreshadow that I may be bringing that kind of an amendment. If there are no more comments I would move that debate be adjourned.

MR. ACTING DEPUTY PRESIDENT: The question is that debate be now adjourned and the resumption of debate be made an order of the day for the next sitting.

Question - put

Motion agreed to unanimously

Debate (on motion by Mr. Howard) adjourned

Resumption of debate made an order of the day for the next sitting.
MR. ACTING DEPUTY PRESIDENT: Notice No.4. The Norfolk Island Public Hospital (Amendment) Bill 1982. Mr. Sanders.

MR. SANDERS: Thank you Mr. Chairman. I present the Norfolk Island Public Hospital (Amendment) Bill 1982 and move that the Bill be agreed to in principle.

The purpose of the introduction of this amendment is to save any happenings in the future of the hospital being able to enter into any large expense in buildings or anything without the consent of the Assembly who has to raise the money. I find it quite a unique situation where it is possible that large capital expense can be incurred without consent regardless of the fact of whether we have the money or not to pay. I commend this Bill.

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

MR. BUFFETT: Mr. Acting Deputy President earlier in the proceedings of this House there were a number of questions in respect of the Hospital Board. At that time I made mention that monies to the hospital as I understood it are allocated in two separate categories - one on a general subsidy basis and one on a capital works basis. As I understand this particular Bill it addresses the capital works basis, and it is also my understanding that the Supply Bill when it is presented in this Assembly, either the first or subsequent ones throughout the year, if it contains a provision for an amount to be made available to the Hospital Board for capital works projects, it is so listed in a specific capital project vote, and of course that being the case it is not available for works other than those that has been provided for in that particular sense. Therefore I am inclined to think that maybe it is not a matter that the Board or any other authority has gone off and willy-nilly spent monies, in fact under the existing system there is some element whereby the funds that are for capital projects do in fact need to come before this Assembly in the manner of a Supply Bill, and so there is that opportunity that already exists as I understand it Mr. Acting Deputy President for some input
by Members of the Assembly. I would like to examine that concept between now and the next time we examine this Bill in light of what is proposed in this particular Bill. I would like to draw the relationship between them because it may not be necessary. That is my point of view of course but it may be so on further examination, but I would like to draw attention to the fact of that particular funding of hospital capital works.

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

MR. SANDERS: Thank you Mr. Chairman. I was very perturbed as you can all recall in I think it was the meeting of the 14th of May and also at the end of the June for the budget where there were three separate Supply Bills, one for $1,100; one for $24,500 and one for $30,000. On all occasions this was passed. There was no balance sheet, there was no reason given of why the money was needed. The balance sheet that has been presented today actually shows that none of this money was needed if the management of the hospital had gone about collecting their debts. I feel that in the future large amounts of public money like this should not just be spent without giving a reason. The purpose of this amendment is that in future if any monies are required for any capital expense that the reason be given, the plans drawn and the total Assembly deciding first whether the thing is necessary and secondly whether we have the money to do so. I am not belittling the hospital I am just trying to put the clamps on on the money.

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: Thank you Mr. Acting Deputy President, I would just like to foreshadow my support of Mr. Sanders' proposal.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.

MRS. GRAY: A couple of questions please. The new section 18(a), specifically sub-clause 3, which asks that the Board furnish to the Executive Member (a) a statement in relation to the hospital work including the purpose of the work; and (b) such plans, specifications
and other particulars that the Executive Member thinks necessary. I must assume that there is provision elsewhere for those documents to go before the Building Board, but is it provided for in this piece of legislation.

MR. SANDERS: I would imagine that it would be a formality that it should go before the Building Board.

MRS. GRAY: There is no need for it to be spelt out, perhaps the Executive Member responsible might elucidate.

MR. BUFFETT: For the Building Board?

MRS. GRAY: I beg your pardon, yes.

MR. BROWN: I'm sorry could you repeat what you were asking.

MRS. GRAY: Certainly. Clause 3 of the new section 18(a) which is stated on page 3 of the Public Hospital Ordinance states that plans should come before the Executive Member etc., I must assume that elsewhere there is provision for them to go before the Building Board.

MR. BROWN: We are talking here of two different Executive Members I would think. It appears that in this particular Bill we are talking about the Executive Member with responsibility for the hospital, but the Board then has to make the normal application for building approval.

MRS. GRAY: Thank you.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: I might as part of the debate put in a question that if Mrs. Gray wants to pursue that idea she might bear in mind, I am going back to the days when I had an assisting role and was Chairman of the Building Board, the Building Ordinance does not bind the Crown, it does not bind Australia, the Commonwealth, they can come and build a building without Building Board approval, and I think there is a
question of whether it binds the Norfolk Island Government, now I am not saying that I think it does not bind the Norfolk Island Government but it may not and that is worth checking.

MRS. GRAY: Mr. Acting Deputy President if I may just comment there, Unfortunately that then leads us back to the question of who owns the hospital.

MR. SANDERS: I am not too sure about the hospital but I think the Assembly controls the money.

MR. ACTING DEPUTY PRESIDENT: Further debate Honourable Members. Will a Member move the adjournment of the debate.

MR. BROWN: I move that debate be adjourned Mr. Acting Deputy President.

MR. ACTING DEPUTY PRESIDENT: The question is that the debate be now adjourned and the resumption of the debate be made an order of the day for the next sitting.

Question - put
Motion agreed to unanimously
Debate (on motion by Mr. Brown) adjourned
Resumption of debate made an order of the day for the next sitting.

MR. HOWARD: Mr. Acting Deputy President could I seek leave to ask a question of you on these last two or three Bills that we have been discussing. Those three Bills, the Tourist Bureau Bill and the two Public Hospital Bills, effect a number of people in the community who may want to know what the Bills actually say and I just wanted to confirm that copies of the Bills will be available and if so, where, from the Clerk? People will want to see them.

MR. ACTING DEPUTY PRESIDENT: The usual procedure is that the Bills will be available at the Clerk's office.
INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS
OF RACIAL DISCRIMINATION

MR. ACTING DEPUTY PRESIDENT: Notice No. 5, Miss Buffett. International Convention on the elimination of all forms of Racial Discrimination.

MISS BUFFETT: Thank you Mr. Acting Deputy President. I move that this House, aware that paragraph 4 of Article 1 of the International Convention on the elimination of all forms of Racial Discrimination recognises that certain racial and ethnic groups require protection for their advancement, and that this protection is not thereby racial discrimination, is of the opinion that measures taken to protect the interests of the descendants of those 28 who settled on Pitcairn Island are within this exemption, asks the executive member to take such action with the Commonwealth Government as may be necessary to have this situation recognised, so that appropriate legislation may be made to aid the return to Norfolk Island of descendants of the Pitcairn settlers who arrived and settled on Norfolk Island in 1856.

In moving this motion Mr. Acting Deputy President, I value the situation whereby the people of Norfolk Island are being given the opportunity of internal self government as a territory under the authority of the Commonwealth. I gratefully acknowledge the recognition given by the Commonwealth that the residents of Norfolk Island include descendants of the settlers from Pitcairn Island and that the Parliament recognises the special relationship of the said descendants with Norfolk Island and their desire to preserve their traditions and culture. It is now by constitutional provision that special measures need to be taken for the sole purpose of securing adequate protection of the culture and traditions that have become identifiable as those of the people belonging to the Island by very virtue of their complete official transfer to this Island.

The motion seeks no other rights than those of the Pitcairn descendant to continue the perpetuation of their communal, traditional way of life on Norfolk Island. In no way whatsoever do I seek to weaken our very valued relationship with Australia. I gratefully prize the possession of Australian citizenship and gladly contributed towards my representation whilst living and working in Australia at various times and would do so if required to here.
Mr. Acting Deputy President for over 120 years we have been free to return to Norfolk Island as our homeland as people belonging to Norfolk Island by right. The immigration restriction ordinances have been enforced in past years to place restriction on immigrants from outside who had no relationship to people living on Norfolk Island and who were not entitled to live here without special permission from the Administrator. The ordinances were drafted to protect the Norfolk Islanders in their own environment and any person wishing to immigrate to the Island had to prove their assimilation into the community of Islanders. The person of Pitcairn lineage always had unquestioned rights of entry into Norfolk Island and of enfranchisement by enrolment if born while parents were living off Norfolk Island. I claim that a false disenfranchisement of the resident by right has accidentally occurred since the drafting and interpretation of the Immigration Ordinance of 1968. The once practical immigration policy has been smothered by the anomaly ridden technicalities of the 1968 Ordinance and exactly as has been predicted by eminent and respected Australian and local observers, property and land speculators, tax evaders and immigrant residents have leapt in while the loopholes are stretched open and ravaged the fast deteriorating resources of this beautiful Island and its people. The disaster of the 1968 Immigration Ordinance was the displacement of all people of Pitcairn descent excepting those born on the Island. The Pitcairn descendants should not have come into the category requiring an entry permit. The intention of the provision for a person to be declared a resident was never in regard of the person entitled to be so by virtue of his Pitcairn lineage, the intention was to provide an instrument by which the person from elsewhere than Norfolk Island and unable to claim Pitcairn relationship could upon meeting criteria apply to be a declared resident. Part 3 of the resident section of the Immigration Ordinance 1968, like its predecessor did not categorise people of Pitcairn descent as residents because they are not immigrants. Essentially some of our children must further their education away from here. If children are born away from here to parents entitled to residency here and those children do not come to reside here before they reach the age of majority, clause 9 of the Racial Discrimination Act when applied to our Ordinance discriminates against the rights of that person whose parents are Islanders in that he is not entitled to his parents nationality, thereby he cannot freely live amongst his own people
and enjoy the same rights. I maintain this is not the purpose of the Racial Discrimination Act at all and is seriously hastening the extermination of a unique ethnic community. It is a very important matter that Norfolk Islanders be able to come back into their own environment to express their culture. Culture and traditions are expressed and they cannot do them scattered all over the world. The intention of the Racial Discrimination Act was never to denationalise a person. They say keep the green parrots and the robins and propagate the Phillip Island hibiscus but keep out the people. Our culture and traditions are communal and the people must be together to be able to continue certain cultural activities. They have to continue to oversee the preservation of the beauty of this Island which undoubtedly over the last 120 years the people of this Island, apart from having built the roads and all those other things, have very actively and through hard work preserved and taken pride in; It is necessary for them to be together to continue to worship their Christian religion in their traditional manner which is a very strong tradition of this Island and came here no stronger tradition than that of the Christian religion; continue to compose and sing their songs of praise and thanksgiving and also of fun; to continue to take their food to the beaches and cook with freshly caught fish and picnic where they sing, laugh and play; continue to mingle at leisure with the tourists, if the tourists have any free time left; continue to teach and weave baskets and hats etc from Island grown flax and mu-u, en a plun, en a rahulu, and to continue to go in groups to pick weaving and broom material - go pick mu-u en a rahulu, en a niau; to continue their passionate observance of at least Sunday mornings.

Thank you Mr. Acting Deputy President, I put that before Members for their consideration, thankyou.

MR. ACTING DEPUTY PRESIDENT: Further debate Honourable Members. Mr. Sanders.

MR. SANDERS: Mr. Chairman I would like to commend Miss Buffett on her flowery book. I thought the purpose of all that we have been trying to do is to get rid of discrimination and all you are trying to do is bring it back. I must oppose the motion.
MR. ACTING DEPUTY PRESIDENT: Further debate. Mr. Jackson.

MR. JACKSON: Mr. Chairman, I wholeheartedly support the motion, also the statements and sentiments presented by Miss Buffett 100%. I congratulate Miss Buffett for bringing this particular question to the House in this manner. I am aware that this particular section of the Immigration Bill has been one of a contentious nature and it still has not been resolved. We have before us now two recommendations from the Department for consideration in a manner that we may be able to resolve this particular question concerning the Pitcairn descendants. I am also aware that tomorrow the Minister responsible, Mr. Brown, has convened a meeting at 10.30 a.m. in the Committee Rooms for the purpose of discussing the Immigration Bill of 1980. I am not in any way attempting to perhaps put this motion aside until after that meeting because I do believe that all Members here should air their views on this particular question, however if it is to be that this motion is to be put aside until after the meeting which has been convened for tomorrow, I am prepared to move in that direction.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Jackson. Further debate Honourable Members. Mr. Quintal.

MR. QUINTAL: Mr. Acting Deputy President I also support the motion moved by Miss Alice Buffett and I congratulate her for bringing the matter forward and also I support her views wholeheartedly. One thing is for sure and very definite and that is Norfolk Island is a place very dear to most Norfolk Islanders and always has been and when the Pitcairners were given Norfolk Island in return for Pitcairn Island, the Pitcairn Islanders arrived here and they set up their own homes, and I think the fact that they were given freehold property - a married person being entitled to 50 acres of land, and a single person could apply for 26 acres of land - and that is the reason that we have freehold properties on the Island, and it is my belief, my strong belief, that a lot of the land that was taken by the Australian Government really belonged to the people. The early settlers did a lot for Norfolk Island when things were really bad. It was not very long after they first arrived here that they were catching whales from rowboats with a hand harpoon and were receiving a very small amount of money for
a barrel of oil; and they have seen very hard times on Norfolk but most of them really happy times, and things were tough on the Island and the people, the Islanders, kept the place going in good and bad times. An Australian coming from Australia is allowed if he has children, grandchildren, great grandchildren, to move all of his family back to Australia the same as a New Zealander or any other person and I feel that the people of the Island should be given exactly that privilege as well, they should be allowed to return to their homeland whenever they feel like it. It has been said by some that they would not want to see some of them come back, well the same way that we would not like to see some other naughty boys come to the Island and take over. I feel that this motion moved by Miss Buffett is a must and I will support it to the fullest.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Quintal. Further debate. Mrs. Gray.

MRS. GRAY: Thank you Mr. Acting Deputy President. I may have become a little confused and I seek clarification. When Miss Buffett spoke to the motion she said that it made no claim except to foster traditional rights, but then she went on to mention the Immigration Ordinances and the Bill and the restrictions which they place and have placed on people wishing to return to Norfolk, so I then reconsidered and thought right you mean it to be a little deeper reaching than is expressed here.

MISS BUFFETT: Can I explain what I mean.

MRS. GRAY: I am happy.

MISS BUFFETT: Can I answer Mrs. Gray, I obviously have not fully explained myself. Through you Mr. Acting Deputy President, the matter is clause 4, article 1, I am claiming that in order to preserve and protect this ethnic group which to be is a fading world heritage, we need to apply the interpretation of clause 4 of article 1 and to be able to do so we need to be together, now the Immigration Ordinance - we were for 120 years able to come back but it is in the interpretation of the new 1968 that had never been spelt out, that Norfolk Islanders need come back but years ago to get back in one of the conditions was
that if you were a Norfolk Islander it is like having a citizenship act, you see we do belong here, we are the citizens, so these immigration acts are purely to do with immigrants and they have been turned around to apply against us and thereby exterminating the race. Point taken?

MRS. GRAY: Sure, in other words Miss Buffett seeks automatic right of return for people of Pitcairn descent.

MISS BUFFETT: Yes, those who are the automatic citizens.

MRS. GRAY: Yes, I wonder through you Mr. Acting Deputy President whether Miss Buffett has any idea what that entails in terms of numbers — and I think it is an astronomical figure.

MISS BUFFETT: Yes may I answer, the point is that not everyone wants to come home, but the fact of the matter is the ones who dearly want to come home are the ones who contribute, mainly they want to come home because of the genetic longing, what runs in the blood of your veins is a genetic recognition — the environment admittedly is great, but genetically it can never be denied, and those who particularly want to come back are the only ones wanting to come back. There can be regulations to prevent the tax evaders, if they are going to be naughty the same as anybody else as far as I go they have to be prosecuted the same. I seek no other right than the recognition of citizenship, that we are citizens of the Island.

MRS. GRAY: May I continue Mr. Acting Deputy President.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.

MRS. GRAY: Then it comes down to a matter of interpretation of the Racial Discrimination Act and if I may read the section to which we are referring which comes from part 1 and it is number 4 — "Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedom
shall not be deemed racial discrimination provided however that such measures do not as a consequence lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were undertaken have been achieved”. The word that I have circled is equal enjoyment, and this is where I have a problem. I agree, I support your motion, the concept, but I have great difficulty in relating it to the law, and this is something that I expressed in my policy statement – the Racial Discrimination Act provides for people to be given equal rights and the minute you grant a privilege you have created unequal rights.

MISS BUFFETT: It is not a privilege Mr. Acting Deputy President, if I can come back again. The Racial Discrimination Act provides for a person to have their nationality, clause 2 of Article 1 distinctly states that you may have citizens and non-citizens, non-citizens cannot expect to be citizens just because someone else is a citizen. Anyway I will not carry on in the House, I can see Mrs. Gray after. Thank you.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: Mr. Chairman this is the area where I may have to disagree with a section of the motion as Miss Buffett has outlined in her latest comments on her motion. I am aware that in the first Immigration Bill of 1980 that was passed unanimously in this House there were certain conditions placed in the Bill concerning this special section, and I think it is section 18 of the original Bill concerning those of Pitcairn descent. Now in that Bill one of those conditions was that for a person claiming Pitcairn descent both or one parent had at one time to be an ordinary resident of Norfolk Island. Now the reason for that being placed in the Bill was because it was highlighted at discussions with the First Legislative Assembly that if you made it an open slasher for anyone to claim Pitcairn descent well we would be completely swamped, and that condition that one or both parents had to be an ordinary resident at some time made certain restrictions that they cannot go back into the past and say look I am of Pitcairn descent – someone may be on the other side of the world, I am entitled to go to Norfolk Island, well that is not real, I mean that is why I indicated earlier in my contribution that this particular contentious issue is to be debated at a meeting convened for tomorrow. I suppose we can stop here and thrash
this particular section out but we have to come to grips and resolve this situation because I moved a motion early in the life of this House that we place a freeze on anymore enter and remain permits or even declaring residents. Now once we clear this up, it has been around too long, this particular recommendation from the Department has been back here on Norfolk Island for about three or four months with these two particular clauses that they have asked certain Members of this Assembly to decide which clause would suit the situation, the conditions that we are trying to resolve here at present. Once we resolve that situation then the Pitcairn descent situation would be resolved once and for all, and I do believe that once we come to grips and decide what conditions we are going to place on those of Pitcairn descent, those who can claim automatic residency once they claim they are of Pitcairn descent, well then we will be able to settle this situation. As we are all aware if everyone of Pitcairn descent claims that they are of Pitcairn lineage well there will be tens of thousands, perhaps more, who would like to come to Norfolk Island, so this is one section where I disagree, and I am certain we have been operating on an outdated, outmoded 1968 Immigration Ordinance and I believe a motion of this nature highlights the situation where we agree we have got to settle this immigration situation. I place those views and honestly say that there has to be conditions placed before we open up the field, on this Pitcairn descent situation.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.

MR. SANDERS: Thank you Mr. Chairman. I would like to quote one paragraph here, part 1 of Article 1, paragraph 1 - "In this convention the term racial discrimination shall mean any distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose of effectively nullifying or impairing the recognition, enjoyment or exercise on an equal footing" - and I also emphasise the **equal** - "of human rights and fundamental freedom in the political, economic, social, cultural or any other field of public life". This clearly states that discrimination is just not on and I could not possibly support anything that discriminates.
MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: Thank you. I think it is a very good motion in many ways. Mr. Jackson has referred to the fact that we are to meet tomorrow to talk about this same sort of subject, he has suggested we might want to wait before acting on this until that meeting has been held. My feeling is that that is not necessary really because the motion has been worded in a way that does not really tie anybody's hands very tightly, and that is one of the things that I like about the motion, it does not set out a series of exact laws and say we direct that this shall be done that way, it says that we ask the Executive Member to take such action as may be necessary to have this situation recognised so that appropriate legislation can be made. I think that begins to pick up Mr. Jackson's point that you may have to lay down some qualifications and some limitations and that is what I read into the word appropriate legislation, so I think the motion has been well worded in its general direction, I think the importance of the motion and its general direction as far as I am concerned is very great, I agree with what Miss Buffett said and what Mr. Jackson said and what Mr. Quintal said, and I think I can help with the problem raised by Mrs. Gray and with the problem raised by Mr. Sanders. I agree with Miss Buffett that what has happened on Norfolk has been an accident, I think the principle of outlawing racial discrimination is a sound principle and I think when Australia extended its Racial Discrimination Act to Norfolk Island they were doing what seemed to them to be a sound thing. I do not think, and I believe this is the point Miss Buffett was making, they intended to take away the rights of some small group. The idea of preventing racial discrimination is to prevent a big group from bludgeoning a small group. The idea of a Racial Discrimination Act is to protect minorities, to protect ethnic groups from discrimination against them, and the section of the Racial Discrimination Act that Miss Buffett includes in her motion or that she mentions in her motion was a recognition that in some cases there may be sort of a reverse kind of discrimination that works against a minority and that is to be avoided, and that in certain cases a particular ethnic group may need some protection. I agree with Miss Buffett that this is one of those cases and I would like to now talk specifically to the point that Mrs. Gray
was making and the point that Mr. Sanders was making. Mrs. Gray stressed the word equal - the purpose of the Bill is to assure equal enjoyment of fundamental rights; and Mr. Sanders emphasised the words that what racial discrimination was was any distinction based on race and so forth that prevented people from being on an equal footing. If you read down a little further in the schedule to the Act, which is the International Convention on the Elimination of all Forms of Racial Discrimination, you find that the fundamental rights of people that are to be equally shared are spelled out exactly. I am talking about Article 5, paragraph (d) and I want to point to the second item in that article which is (ii) one of the rights that is to be assured to all people equally is the right to leave any country including ones own and to return to ones country. Now in Australia by virtue of the Racial Discrimination Act anyone can leave Australia and come back to Australia. By extending the Racial Discrimination Act to Norfolk Island the implication is that any Australian can leave Australia and come back to Norfolk Island, I do not think so, it is universally agreed that Norfolk needs an immigration law to keep the place from being flooded with people, but I take the view that giving a Pitcairner the right to return to Australia is not giving him the right to return to his own country. I am talking about people of Pitcairn descent. I think those of them who regard Norfolk Island as their country need the right to return to their country, and that means Norfolk Island, it does not mean Australia, and I think that that is a right that should be protected to people of Pitcairn descent. There are a couple of questions that get raised in the wording of the motion as you put it Miss Buffett, through you Mr. President, I do not think they are serious, but you referred to the 28 who settled on Pitcairn, I do not know that there are any pure direct descendants, only of John Buffett or of Pastor Nobbs or of Evans, but those were not in the 28, and I think you have excluded them accidentally.

MISS BUFFETT: Thank you, I have.

MR. HOWARD: Right. Secondly, toward the end of your motion it says to aid the return to Norfolk Island of descendants of the Pitcairn settlers who arrived and settled on Norfolk in 1856, that includes most of the people on Pitcairn Island now - they are descendants and I am not sure whether you want to include them, whether you want to give them the right
to return to Norfolk Island if they want to, if you wanted to argue for that I would certainly be willing to listen to the argument but I wondered whether you intended to include them.

MISS BUFFETT: No. Can I answer through you Mr. Acting Deputy President. As a matter of fact I refer to the ones referred to in the Norfolk Island Act, which are the descendants of those people who settled on Norfolk Island. The Norfolk Island Act does not spell them out, it possibly could include the Pitcairners, but I can amend it when I amend the figure 28.

MR. HOWARD: Going back to the question raised by Mrs. Gray and Mr. Sanders of equal enjoyment of rights, I think people of Pitcairn descent who regard Norfolk as their homeland in order to enjoy equally the right to return to ones own country, need the right to return to Norfolk Island. I do not think that right is met by saying you can return to Australia if you want to, it is Norfolk Island that is their country, not Australia, and that is what I see as being equality, they have the equal right to return to their own country.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.

MRS. GRAY: Through you Mr. Acting Deputy President to Mr. Howard, ones country and thus the right of return to it I thought would be established by birth and or nationality, possibly by parentage and grand-parentage.

MR. HOWARD: May I comment, that was the intention of the Immigration Bill as it was originally drafted. As I recall Mr. Jackson said someone one of whose parents had been ordinarily resident, I thought we went to grandparents, I am not sure, it was either parents or grandparents, and that is where the cut off point was, that if one of your parents or maybe grandparents had been a resident here and you wanted to move back to Norfolk Island you could. That was the way the Bill was first drawn up in 1980.

MRS. GRAY: I would like to pull that point back to establishing nationality.
MR. HOWARD: If I could comment on the word nationality. Country
does not have a clear legal meaning apparently, a country means a place.
Mr. McVeigh, the Minister, when he is here talking to us in this room,
spoke about your country, meaning Norfolk Island, and a country is a
place, it is an area, it can even be a region, you can talk about the
north country in England and that is a country, it is a place that has
distinguishing social and cultural and maybe language characteristics,
and that is a country. When you start talking about nationality I think
your talking about a nation and your talking about the concept of a
sovereign state which has the power to grant nationality, and we are
under the authority of the sovereign state of Australia but we are a
separate country from Australia.

MRS. GRAY: If I may just finish it off Mr. Acting Deputy President,
again it is a matter of parentage, possibly taking it back to grand-
parentage, country of birth, country of birth of the parents. Now
because you give me residency you do not give me Norfolk Island as a
country, I retain my nationality which is Australian.

MR. ACTING DEPUTY PRESIDENT: Are you answering that Mr. Howard.

MRS. GRAY: I think perhaps elsewhere. Thank you Mr. Acting Deputy
President.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.

MR. SANDERS: I just wish to reply to Mr. Howard. I was not aware that
Norfolk Island was a nation and I thought we were all Australians.

MR. HOWARD: Australia bestowed Australian citizenship on everyone born
on Norfolk Island through an Act of the Australian Government and it
bestowed Australian citizenship on people here, it did not bestow
Australian citizenship on New Zealanders who live here. Yes, most
people on Norfolk Island are Australian citizens, that is correct, there
is no question about that, and enjoyed many of the benefits of
Australian citizenship, I would say almost all, but in some ways it is
as though they were Australian citizens living in a slightly different
country that had slightly different laws.

MR. SANDERS: Well they are Australian citizens, living in an Australian territory a little bit away from the coast.

MR. HOWARD: Living in a different country called Norfolk Island. Miss Buffett made the point that she was not wanting to drive any wedge between Australia and Norfolk Island and neither am I, and I do not see that as the purpose of the motion. I see the purpose of the motion being to set in motion an effort to correct an accidental thing that happened to the Pitcairn descendants on Norfolk Island, I think it was done by accident, I think it needs to be corrected.

MISS BUFFETT: If I can come in here again. The point is the small ethnic group is endangered.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: If I could make one comment on that. There have been a number of comments about how the place would be absolutely flooded by tens of thousands of descendants if the door were opened to all descendants, and Mrs. Gray talked about a multitude or a massive number or something, there are not that many. I have had occasion just recently to go through the best figures I can get from a variety of sources as to how many people there are around the world who think of themselves as being Pitcairn descendants, the number is about 1,500, most of them are here, there are about 650 here, about 390 in Australia, 250 or something like that in New Zealand, surprisingly there are about close to 280 maybe in Tahiti and the other islands of French Polynesia, there is a scattering in other Islands of the Pacific, a few in the New Hebrides, a few in New Guinea, some in America, some in England, but if you scrape together all that you can count everywhere, there are about 1,500 and I think that is getting down to endangered species level.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.

MR. SANDERS: Mr. Chairman can Mr. Howard please inform this Assembly where he got those figures from.
MR. HOWARD: Yes, from a variety of places. The estimate of the number of Pitcairn descendants in Australia and New Zealand are drawn from my friend Judge Nimmo's Report, and in getting those figures my belief is that he had authority as a Royal Commissioner to ask from the Australian and New Zealand Census and Statistics Bureaus how many people have you got who are of Pitcairn descent.

MR. SANDERS: I was not aware that you filled those things in in a census.

MR. HOWARD: Well all I know is that those were his figures. The estimate of the number in Tahiti is based on a figure that Len Brown, who is on the Island now, got. He said he went to some effort in Tahiti a few years ago and came up with a figure of 185 or something like that. Those are the sources of the figures. I do not think they are miles off.

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

MR. BUFFETT: Mr. Acting Deputy President, dae es thing sullun in dae House ought to look orn goode, es thing gwenna look out for uwus sullun, uwus lettle sullun en uwus relation all about, nort for fall out l롱gfo tether sorta sullun but for make sure we nor dead out cos nor dar much ucklun ya, nor dar much ucklun all about - Mr. Howard jus dunna larn. We hawa look out for uwus way for do de thing, for side we liwe en for uwus family. I domine a change de thing lettle bet, I domine a adjourn tull we se dunna talk morla, but I believe I gwenna vote for et. I wunta move Mr. Acting Deputy President we tek out 28 in dae thing en we put in after 'Pitcairn Island', 'prior to 1856', now ef we do dar we gwenna tek in dem Buffett en I likea do dar Mr. Deputy President.

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

MRS. GRAY: Do I understand that that falls after the first time the words 'Pitcairn Island' occur.
MR. BUFFETT: 'Pitcairn Island' after 23.

MR. ACTING DEPUTY PRESIDENT: Further debate on the amendment Honourable Members. The question is that the amendment be agreed to.

Question put
Motion agreed to unanimously

MR. ACTING DEPUTY PRESIDENT: The question is that the motion as amended be agreed.

Question put
The House voted -

AYES, 8 NOES, 1
Mr. Buffett
Mr. Howard
Mr. Brown
Mr. Christian-Bailey
Mrs. Gray
Mr. Quintal
Miss Buffett
Mr. Jackson

Motion agreed.

CONTROL OF SALE AND TRANSFER OF FREEHOLD LAND

MR. ACTING DEPUTY PRESIDENT: Notice No.6. Control of sale and transfer of freehold land on Norfolk Island. Miss Buffett.

MISS BUFFETT: Thank you Mr. Acting Deputy President. I move that this House recommends that the Government introduce legislation to control the sale and transfer of freehold land on Norfolk Island, such control to include the offer of any land for sale initially to residents at an approved valuation.
I have brought this into the House for discussion Mr. Acting Deputy President because there has been considerable representation made to me by people from the community who quite rightly state that land is being speculated upon or speculation is taking place in land and the people here are being outpriced, they cannot afford to buy land, they cannot subdivide and they cannot afford to buy land and I feel that I would like the Executive Member to introduce legislation to discourage this speculation so that the speculator will be the person who pays and not be the loss of the person selling. I don't think I will say anymore, thank you.

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

MR. HOWARD: I am against speculation too, I think is really a drastic and very undesirable way of trying to control it. Mr. Powell of the National Capital Development Commission suggested to the Council several years ago a way of controlling speculation which has since become the basis for the Assembly's policy on its own view of land speculation, which is that if you want to subdivide in a way that is not harmful to the Island you can do so if you want the subdivision to build a house on to live in, not to flog off, not to sell to somebody, now I think that is a sensible way of controlling subdivision and it is the basis for the Assembly's present policy. Unfortunately we have not yet got Australia to agree to it as near as I can tell but I am certainly hopeful that in the course of discussions that we have about a planning scheme for the Island that we will come to something of that kind because I think land speculation does not benefit the people who live here really. I think this motion is a very wrong way to do it because it hurts a lot of people. The idea of having to sell your land at a written valuation that somebody makes, who makes the valuation. What I want if I want to sell my land is to be good friends with the valuer, I think people would be very mistrustful of being told that you have to sell at a valuation, I think people if you have freehold land should be able to sell it and get whatever the market will bring for it and that applies to many of the people who are worried about speculation right now, I think if one of them wanted to sell some of their land they would want to get the best price they could, they would not want to be told no you can only charge
so much for it, I do not think you can bring down the price of land by doing that, but you will bring down the price of land by doing that and I think you will hurt everyone who owns land by bringing the price of land down that way. People have various reasons or necessities that cause them to sell land and I think if you have freehold land that that is part of the element of freehold land. It goes all the way back to Governor Dennison when he first recommended that the land here be freehold and he said that he thought the people ought to have the right to deal with the land as their own, and that is what freehold land is, you can deal with it as your own not the way somebody else tells you how to deal with it. On limiting subdivision to prevent speculation I am totally with you but I think there is a better way to do it than this and I am totally against the idea of requiring people to sell land at less than its true market value.

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.

MR. QUINTAL: Mr. Chairman, I do not intend supporting the motion for many reasons, one is that the value of land on Norfolk Island depends on the availability of sale or of persons wanting it and there have been a lot of persons who have speculated and have had their fingers burnt in the past, and if the economy keeps on going down this situation could get worse for persons who paid really high prices for their land. We all know that speculation has been going on. The other thing that makes me wonder about bringing in regulations to control this sort of situation is that I know of a person who applied to give a 3 acre section in a 2½ acre area and it has taken 18 months to get the approval through, and that person was entitled to give that land under the present Ordinance to her daughter because it was more than the area in that particular part of the Island, and I think that is a shocking affair and there are others waiting patiently to give land to their children and I think it is a bit too much to tie this sort of situation up at this present time, I think it will sort itself out actually.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.
MR. SANDERS: Thank you Mr. Chairman. Land has always been speculated with. Surely persons have the right to sell what is theirs for whatever they can get. In actual fact it is mainly the Islanders who have sold their land and subdivided it and then complained because it has been sold. Miss Buffett herself had 15 acres on Grassy Road and subdivided it into ten portions. Rather than go any further I oppose this motion.

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

MRS. GRAY: I have always understood that the value, and that is what we are talking about, of freehold land was established in the market place and I think that is one thing that this restricts and I do not think it is possible. It might work where all land is leasehold land, and this sort of restriction works on Lord Howe Island for improved property, and that is supposed to change hands at valuation, that is what it is supposed to do, that is offered to a local resident, or was in the past, I believe it still is though I may be wrong, and any resident of Lord Howe Island was given first option to buy that at valuation, what happened after that was granted I am not too sure.

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

MR. QUINTAL: Mr. Chairman, Mr. Sanders mentioned that Miss Buffett had sold how many portions, ten portions of land, it may be that Miss Buffett might be the same as other people who had been forced into the position where they have had to sell land for reasons known to themselves, probably health and other reasons and it has probably broken their hearts and I do not mind Mr. Sanders mentioning it but I feel that this is one case where Miss Buffett was in dire need of that money the same as other persons and as Mr. Sanders says a freehold piece of land belongs to a person and they should be able to do what they like with it, and like other countries they have done exactly what Mr. Sanders has just mentioned, they have sold their land too, it does not matter where you go people have sold their land, their heritage more or less, and it is sad that a person has to do it.

MR. ACTING DEPUTY PRESIDENT: Further debate. Mr. Jackson.
MR. JACKSON: Mr. Chairman. This motion to me excludes one of the most important items on the Island at present, not the sale of freehold land which is the concern of many residents who have sufficient land for their family, but they are restricted, prevented because of some reason for subdivision. I moved in the First Legislative Assembly and again in this one that there should be a policy set up under the family subdivision again. I am aware that in the old Council days that the family subdivision was flouted, was used, however I do believe that many residents who wish to subdivide a portion of land to give to their children would agree to certain conditions being put on that land, such as it not being sold for ten years. Some residents have indicated to me that you can put any restrictions on it because if they get permission to subdivide it to give it to their children or immediate family, it will be there forever, and I would say that in this subdivision clause that is preventing many people on this Island from carrying out the particular subject I am just speaking about on subdivisions, some are suffering financial hardships because of being held up for some reason or other and preventing them from being able to subdivide to give to their immediate family. I have always been a strong supporter of the rights of the individual and I will continue to support the rights of the individual and I will continue to say that if anyone wishes to get the best price for something well they immediately do so. This reminds me of a motion I placed in this House either late in the First Assembly or early in this one, of mass wholesaling of land to non residents. Now I placed before the Minister at the time that before anyone could enter into this mass wholesaling of land they must be a resident and until they become a resident well they just cannot go out, but however that motion was beaten, and this motion does not take the part of the other one that I introduced earlier because the sale and transfer of freehold land includes the offer of any land for sale initially to residents. Well look I can support that part of it but if the resident does not want to buy it at the price that the owner wants to sell it for well then we are interfering with the rights of an individual again. Therefore I cannot support the motion.

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