reduction of a levy and that relating to the liability of a person to pay the levy. And if you don’t do that there is a penalty of $1,000. Nothing in an enactment or the relationship between persons, whether the relationship is that of a banker and a customer, a solicitor and client, or otherwise, operate so as to prevent a person from furnishing information to the Executive Member under subsection 1, and the Executive Member in that case is Mr. Howard, if the Bill passes.

Section 7 of this Bill provides a penalty for making false or misleading statements, but we find under section 9, a person shall not make whether orally or in writing, a false or misleading statement - penalty $2,000. Now we get to section 11, and I consider that this section is one that is the last straw - Death of a prescribed person. Where at a levy day a prescribed person has died and any levy due from that deceased prescribed person on that levy day shall be a debt due from the estate of that person. Now you cannot get away with it while you are alive, and they want it when you are gone. It says that it shall be a debt due from the estate of that person. It means that they can sell your home or land to retrieve that debt. And the Bill goes on, and on, to the repealing of the Public Works Ordinance of 1976 if this Bill succeeds. Now may I add where will all this end. Will there be a levy shortly to purchase a new generator; or a levy to upgrade the telephone exchange, and so on. There is no provision in this Bill for dependants should there be only one wage earner in the family, no provision for dependant children under the age of 16; there is no provision for children over 16 who are continuing their education; there is no provision in this Bill for those who have adopted children or who are caring for children under the age of 16. Therefore Mr. Chairman there is discrimination against those who have dependants compared to those who have no dependants. Furthermore, if this Bill is passed you will find that those on set salaries such as the Administration workers, the Executive Member, who is Mr. Howard, and has access to the Administration wage sheet, will be automatically levied the full amount on their income, compared with those income earners outside of Administration who are only obliged to forward in their estimated six monthly income. Well as far as I am concerned it is a one way ticket, it is a shemozzle, and what a feeble and clumsy method by Mr. Sanders to...

MR. BROWN: Point of order Mr. Chairman.
MR. ACTING DEPUTY PRESIDENT: What is your point of order Mr. Brown.

MR. BROWN: Mr. Jackson is casting improper reflections upon Mr. Sanders. I ask that those comments be withdrawn.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson would you please withdraw.

MR. JACKSON: Feeble and clumsy, is that your determination, I challenge the determination...

MR. SANDERS: Order Mr. Chairman. This matter is not open for debate. I believe your ruling is final.

MR. JACKSON: Have you ruled.

MR. ACTING DEPUTY PRESIDENT: Yes.

MR. JACKSON: What should I withdraw.

MR. ACTING DEPUTY PRESIDENT: The words that were offensive.

MR. JACKSON: What words were they, Mr. Chairman, I am asking you.

MR. ACTING DEPUTY PRESIDENT: Feeble and clumsy.

MR. JACKSON: Well if they are offensive I withdraw. It is a method by Mr. Sanders to introduce income tax on the people of Norfolk Island then attempting to disguise it as a levy for the purpose which I have read out. No doubt the electors will have something to say about this. And I will state here and now that I strongly oppose the Bill because of the nature it has been presented.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.

MR. SANDERS: Thank you Mr. Chairman. Most of Mr. Jackson's objections are already written into the Social Services Act. Those penalties and what have you already apply and have been passed by this House. It appears to me the same thing continues with Mr. Jackson's way of thinking
that you must get what you can but you should not contribute if you wish to live on this Island. I actually thought that I would get strong support from Mr. Jackson because he is always talking about income tax. It seems to have created the required criticism for starters.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson did you wish to comment.

MR. JACKSON: I would say that anyone who wished to introduce income tax and disguise it as a levy should be man enough to admit that it is a form of income tax to be introduced into Norfolk Island, and if income tax is to be introduced well lets put it on a fair and equitable stage, not in a manner as has been presented by this Bill as I see it. I do not see that as any means of objection by Mr. Sanders, if Mr. Sanders wants to introduce a Bill on income well lets go the full basis of it, but don't do it in a manner which will discriminate - and that is one of your favourite words Mr. Sanders, but the income side of your Bill discriminates against those on low incomes and lets the ones who earn $18,000 and above off the hook because they will be paying the same as those of the middle income earners. Someone earning $50,000 a year will only be taxed as if they earn $18,000 a year. Well that is discrimination as far as I am concerned.

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

MR. SANDERS: It appears that Mr. Jackson did not bother to listen to my opening speech. I mentioned the anomalies that existed in the thing for the purpose of leaving it open for criticism. He also in reading out the amounts did not bother to mention that if anybody got less than $5,000 that they did not pay anything. Thank you Mr. Chairman.

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

MISS BUFFETT: Thank you Mr. Acting Deputy President. I will only pass a couple of comments at this stage because I would like to wait for comments from people. While we were debating the Customs amendment proposals I did bring to the Members notice and for the Finance Minister's
consideration, instead of the imposition of a 6% tax on food that this be one of the areas where levies were updated financially to 1982, present day realistic figures. Mr. Jackson has brought to Members notice this afternoon quite a few of the points that have concerned me and I will leave the rest of my debate until then. Thank you.

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.

MR. QUINTAL: Mr. Chairman, we all realise that money is a must if we are going to carry out the water and sewerage scheme. It will cost us a lot of money, the money has to be found somewhere, I do not know where, but it seems to me if this Bill if it is passed, would probably cost more to police than what we might get out of it because it seems to me that it will take quite a bit of policing and the other thing is people have a very very easy way of cheating - that is persons who are making a lot of money, and that is something that we will have to take into consideration. I do not intend to discuss the paper much further, but I would like to have a good look at it and leave it until the next meeting, but I do think that money has to be found from some source and it would be a good idea for some persons to come up with a good equitable way of raising finance.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Quintal. Further debate Honourable Members.
The question is that the debate be now adjourned.
Question - put
Motion agreed
Debate (on motion by Mr. Jackson) adjourned
Resumption of debate made an order of the day for the next sitting.

ANSON BAY TELEPHONE SERVICE

MR. ACTING DEPUTY PRESIDENT: Notice No. 8, telephone service to Anson Bay subscribers, Mr. Sanders.

MR. SANDERS: Mr. Chairman. I move that this House aware that OTG will shortly be resuming a cable now used to serve telephone subscribers
at Anson Bay, requests the Government to provide such other facilities as may be necessary to continue an uninterrupted telephone service to those subscribers. Mr. Chairman I have been informed that the cable is to be returned to OTC at the end of this year; that there is only one pair of spare cables and that originally it was 1975 that the Administration first asked for the loan of this cable, and the Administrator of the day said that it was only a temporary loan. Mr. Chairman that is seven years ago. I ask this House to take immediate steps to have another cable run or that there be communication between the telephone authorities here and OTC to get this matter resolved in the fastest possible manner.

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

MR. HOWARD: I support it.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: Mr. Acting Deputy President, I support this motion 100%. It is a concern with me that the Members go back early in the life of this Assembly when I placed before the House a similar motion of this nature and drew attention to the meeting that we had with the OTC personnel when they came over to discuss the Anzacan cable and its buildings out at Anson Bay. At this particular meeting Mr. Mick Wood indicated that they had certain telephone lines available at the request of this Government. Well that request was made and those lines were made available, and it meant that some of the long standing applicants in the Anson Bay area, were connected up, but not all, there is still a long list within this area who have applications in and their future connection at this stage as I see it is bleak. So therefore a motion of this nature has my full 100% support. Now what concerns me is that in the budget tabled in this House there was no provision for a similar capital works such as this. Now it would be tragic that we find ourselves with all the phone connections owned by OTC in the Anson Bay and surrounding areas are disconnected come December when it has been estimated by the Manager of OTC that that is when they will require those lines to be handed back. Now if it is finance, I do believe this
Government as a whole should decide if finance is going to be made available for this capital works, and I would hope to hear from Mr. Howard on the nature of how finance is going to be made available to keep these people in the Anson Bay area on the phones and for the ones with outstanding applications in to be connected also.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: Mr. Jackson is quite right, there is no money in the budget for it, money has not been allocated, but as Mr. Jackson is aware we do have just close to a million and a half dollars in IBD's and other investments drawing interest. We can, if the House wishes, spend all of that money or any part of it for anything that seems worthwhile, bearing in mind that each time we spend $10,000 of it we lose say $1,800 a year in interest that otherwise we would have been earning if we left it in the investment.

MR. JACKSON: But it is not our money.

MR. HOWARD: I'm not sure what that means.

MR. JACKSON: That money belongs to the people, it is the peoples money.

MR. HOWARD: It is the Islands money and it is doing the Island great service by earning very good interest rates at the moment. I said very briefly when Mr. Sanders got through speaking that I support the motion that he has made. What the motion does is request the Government to fix this situation. Clearly plans will have to be made for doing that. There will be costs involved in doing it no doubt, and at that point I would simply have to come back to the House and present a Supply Bill asking that the House vote for - well I first of all have to get the Administrator's approval to propose the spending of money, propose that we discuss it, the House would then need to approve it and if the House wants to spend the money it is there.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.
MRS. GRAY: Thank you Mr. Acting Deputy President. It is my understanding that the whole matter of telephones is under consideration. I would await comment from the Executive Member responsible.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett do you wish to comment.

MR. BUFFETT: Thank you Mr. Acting Deputy President. At our last sitting, I am not too sure whether it was last Wednesday now or in fact the sitting before that, I made a statement which gave an up to date state of how things stood in respect of the telephone service. I addressed the matter of exchange equipment and I addressed the matter of external plant, and I gave notice at that time that there were some quite extensive investigations going on in respect of both of those areas, and when I had some concrete proposals in a form that could be brought forward, that would be done, and then some examination of the finances could then be examined once that is known and the whole package could be brought forward for consideration. So that matter is progressing.

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

MR. SANDERS: Could I request from the Executive Member that this matter be treated as a matter of urgency, this is now September, which only leaves a little over three months to have the job completed, not commenced.

MR. BUFFETT: If I may Mr. Acting Deputy President, I am aware of that time factor and I have been on the site within recent weeks with the Manager of OTC - not for that particular purpose I might say but whilst there we had some brief conversation about that, and I think there can be a holding situation until we are satisfactorily able to run our own cable. The Manager of the OTC I would want to say was most co-operative in ensuring that there is a continuation of supply in that area and I am appreciative of that.

MR. SANDERS: I also found Mr. Wood also terribly co-operative, but I believe the situation is fast approaching the time that we are going to embarrass him when he requires the use of his own cables. This
temporary thing as I said is over seven years old.

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.

MR. QUINTAL: Through you Mr. Acting Deputy President can I ask the Minister responsible if he has any idea of the cost factor.

MR. BUFFETT: I mention Mr. Acting Deputy President that there are studies being completed in respect of those two areas and until they are complete it is a bit premature for me to try and put a price tag on them. I will do so as soon as possible but I have not got that at this moment. Needless to say I do support this motion, I do consider that it is one of importance and I do recognise that there needs to be some continuity of service there. I think I have mentioned on an earlier occasion that there are some medical telephone connections in this area which we would certainly wish to have preserved for the benefit of those who are in such situations.

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

Question - put
Motion agreed to unanimously.

ORDERS OF THE DAY

ESTABLISHMENT OF KENTIA PALM & NORFOLK ISLAND PINE INDUSTRY

MR. ACTING DEPUTY PRESIDENT: Order of the day No.1 Honourable Members. The establishment of a Kentia Palm and Norfolk Island Pine industry. Mr. Jackson.

MR. JACKSON: Mr. Chairman I presented this motion following up on a submission sent to each Member of the Assembly by Mr. J.B. Huckstep. This motion at the previous sitting was discussed and I moved the adjournment of that discussion because in presenting the submission in
the first place I made it quite clear that in presenting the submission I was in no way supporting a proposition that would take away or interfere with the local growers, local exporters unless there are provisions and protection placed in a motion for those people. I placed it before the House for further investigation and consideration and asked the Executive Member to prepare a report on the proposals contained in the submission for consideration. Now it is quite clear Mr. Chairman that we do not need legislation for anyone to enter into the Kentia Palm and Norfolk Island Pine seedling industry, anyone can enter into that now, as one member of the community, Mr. Gerald Goudie, has done already. And may I add that Mr. Mark Hayes has also, and they are doing well. But the point is that this palm seed industry is one that has come up over the years with Norfolk Island's history and there are many people who earn their income and some their living from the export of palm seeds. That is why in the first instance I looked forward to the Executive Member responsible coming up with certain proposals. I am certain that anyone who wishes to enter into this Kentia Palm seed industry, the local exporters would be quite willing to sell their seeds to those who wish to enter into this industry at the same price as what they would get on the export market, and I am sure they can get complete unity with the growers and exporters under that situation, so therefore I cannot support a proposal as I have indicated that does not give those people the protection that I have indicated, and unless there is a proposal from the Minister responsible of recommendations that do not have these protections, well I cannot support that proposal.

MR. ACTING DEPUTY PRESIDENT: Further debate Honourable Members. Mrs. Gray.

MRS. GRAY: Mr. Acting Deputy President I would like to seek the permission of the House to move an amendment to the motion which is before us.

MR. ACTING DEPUTY PRESIDENT: Is leave granted Honourable Members (leave granted).
MRS. GRAY: Thank you. The motion has been circulated. I would like to move that all words after the word 'that'—first occurring—be deleted and the following words substituted, this virtually constitutes the entire motion: 'this House being of the opinion that the submission circulated to Members by Mr. J.R. Huckle in respect of the establishment of a Kentia Palm and Norfolk Island Pine industry on Norfolk Island contains proposals worthy of further investigation and consideration directs—(a) that there is by this motion a Committee formed consisting of the Executive Member having responsibility in the area; Alice Buffett and Greg Quintal; and (b) that the Committee so formed prepare a report on the proposals contained in the submission for consideration and approval by the Legislative Assembly'.

I don't believe that that contravenes anything which has been said in debate in the House Mr. Acting Deputy President and I ask that consideration be given it.

MR. ACTING DEPUTY PRESIDENT: Debate Honourable Members. Mr. Brown.

MR. BROWN: Mr. Chairman I support the amendment. By means of this amendment I am sure we can achieve everything that Mr. Jackson is aiming at. It is something that needs to be considered with proper time and proper effort and energy and I think that this is a sound way to go about it. I support the amendment.

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

MR. QUINTAL: I wish to support the amendment also Mr. Chairman, I think the move is a good move with a Committee being formed. I would like to mention something about the palm seed industry on Norfolk Island and some of its problems, and that is that it is my understanding that in Holland they grow plants to a certain height then they are put on trucks when they are ready to be marketed and then the trucks drive on to ferries and then the ferries ferry the palm trees to markets such as in England—London especially. That is why I have always thought that the cost of producing plants over here and getting them on to the market with the high cost of freight rates and the uncertainty at times of
getting palm trees away, I think this could be quite a problem. I would like to support some of the views by Mr. Jackson, and one is that any person can come in and buy seed, it has been done in the past. Mr. Owen Evans who has been operating in this industry for longer than anyone else, and his father operated the business before him, and I would certainly not like to see anything done to harm either he or Berry Chapman or any other local growers in any way. I feel that these people have done quite a good job and every year they create a lot of work for persons who might be short of work at the time and I have worked for Owen Evans and he pays good wages which is good and I would think if we can find other means and ways of operating some part of the deal with him, that might suit him, I would support that, but I would not like to see anything happen to any industry that has been carried on for so long.

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

MISS BUFFETT: Thank you Mr. Acting Deputy President, are we speaking to the amendment, yes, thank you. May I comment that while my services are always available for any investigation or any matters to do with the welfare of Norfolk Island, in reading this amendment I would like to ask Mrs. Gray how would she consider having this amendment include a broader basis, not just the Kentia Palm. I have every confidence that Mr. Buffett, the Executive Member who has been called upon in Mr. Jackson's motion to prepare a report on the matter, include Kentia Palm. I said in my address last time that I would like to see the Kentia Palm industry included as a part of a primary industry project because I feel if too much goes into this business there is not sufficient grounds without interfering with the status quo, and the amount of money that is being spent on the existing trees on the Island - rat proofing and spraying, not only spraying the trees and the seeds but spraying the roots because there is considerable problems with root disease amongst palm trees as you are probably well aware. The whole basis of the matter is the getting of the seed. But if you want a Board I don't mind going on it.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.
MRS. GRAY: Mr. Acting Deputy President I have no objection, certainly Miss Buffett may move an amendment to the amendment, I would be prepared to support it if she wants to broaden the terms of reference provided it does not take much longer time for such a report to come to this House.

MR. ACTING DEPUTY PRESIDENT: Miss Buffett do you wish to move an amendment to the amendment.

MISS BUFFETT: I think I will wait until Mr. Buffett speaks. I am willing to go ahead and do a report on this.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: I am happy to propose an amendment to the amendment if that might help, and it may read something like this, if I could try this with the House Mr. Acting Deputy President. 'This House being of the opinion that the submission circulated to Members by Mr. J.B. Huckstep in respect of the establishment of a Kentia Palm and Norfolk Island Pine industry be further investigated with any related agricultural industry, and directs that there is by this motion etc, for the rest of it. What I am trying to do there is take in what Miss Buffett has mentioned about a wider sphere which I think may be helpful to the situation.

MR. QUINTAL: Would you be prepared to add 'horticultural'.

MR. BUFFETT: Yes I would.

MR. QUINTAL: Thank you.

MR. BUFFETT: The Clerk has kindly provided a couple of other words - maybe I could try this - may I have your indulgence. Remain as is but where it says '(b)', add these words, I will read (b) as it exists and then add the other bit. (b) says that the Committee so formed prepare a report on the proposals contained in the submission for consideration and approval by the Legislative Assembly. Then add, 'such report to include such other agricultural and horticultural matters as the Executive Member considers appropriate after investigation'.
MR. ACTING DEPUTY PRESIDENT: Debate on the amendment to the amendment.

MR. JACKSON: I would like to express and make it quite clear that I would have liked to have seen it embodied into the amendment to the amendment, the amendment or even the full motion in the first place, that there must be protection to those who are already engaged in growing and harvesting and exporting Kentia Palm seeds at present and for the future, that the Committee informing their opinion and their consideration, take that into consideration when they come down with their report, otherwise if they come down with a report that would take away the rights of individuals they can rest assured that they will not get my support.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett.

MR. BUFFETT: Could I try another one. Exactly as I have said but add another clause, something to this effect - 'Recognition must be made of the necessity to not impinge on the existing Kentia Palm or Norfolk Island Pine traditional industry arrangements'.

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.

MR. QUINTAL: Mr. Acting Deputy President, I do not see that as very necessary because I think the Assembly knows our views on the matter and that we do not intend destroying anything like that anyhow.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: I support what Greg just said. I think if you add words saying that it must not impinge in any way on anything, that may tie the Committee's hands. Leave it to the Committee to look around and come back with what they think ought to be recommended, and if it is no good we won't accept it. But lets not tie their hands too much in what they are allowed to look at.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett would you read your amendment please.
MR. BUFFETT: Yes. Would you like me to read the whole thing as it then stands - it is this Mr. Acting Deputy President - 'This House being of the opinion that the submission circulated to Members by Mr. J.B. Huckstep in respect of the establishment of a Kentia Palm and Norfolk Island Pine industry on Norfolk Island contains proposals worthy of further investigation and consideration, directs (a) that there is by this motion a Committee formed consisting of the Executive Member having responsibility in this area; Alice Inez Buffett and Gregory Gilbert Francis Quintal; and (b) that the Committee so formed prepare a report on the proposals contained in the submission for consideration and approval by the Legislative Assembly. Such report to include such other agricultural and horticultural matters as the Executive Member considers appropriate after investigation; and (c) recognition must be made of the necessity to not impinge on the existing traditional industry arrangements'.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Any further debate Honourable Members.

MR. BUFFETT: Mr. Acting Deputy President can I just say I say a word in defence of putting this about the traditional Kentia Palm and Norfolk Island Pine industry. I think it has been acknowledged by a good number of Members in this Assembly that there should not be an arrangement that would so impinge. I think there is some hesitancy amongst those people who are involved in that traditional aspect, and I would like to try and make it quite clear to them that this is not an effort to so impinge on that traditional aspect, and I think it would be helpful to the cause of preparing a report if it can be clearly demonstrated that it is not the intention of the House to try and marr or do otherwise to that.


MRS. GRAY: I am happy to be advised on this. I hesitate to put words into motions which close doors. To support your amendment in other words, the final sentence, I am a bit troubled.

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.
MR. QUINTAL: I support the views of Mrs. Gray, and as we have to report back to the Assembly I do not think those words are necessary.

MR. ACTING DEPUTY PRESIDENT: Mr. Buffett would you care to withdraw clause (c).

MR. BUFFETT: Well I would like to get some further feeling if I could Mr. Acting Deputy President because I am aware that it is an area of concern and I really would like to ask Members to consider that aspect, that some people who are involved in this particular area do have a great deal of concern, and it has been said and I think certainly acknowledged that it is not desired to create waves or impinge upon those traditional activities, and if that is the case I would respectfully like to ask Members to be able to give some assurance that that is not the desire. I do not think at all that it means that the examination of how it works now is excluded from the report, I think it is in fact an effort to ensure that there is recognition of that and how it works.

MR. ACTING DEPUTY PRESIDENT: Mr. Brown.

MR. BROWN: Mr. Chairman I am not suggesting that we should change the existing traditional arrangements, but I do agree with what Mr. Quintal has said.

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

MISS BUFFETT: Thank you Mr. Acting Deputy President, if I may I will just read a portion of my address when this matter was introduced at the last sitting to support Mr. Jackson's concern, and my concern, about infringing on industries that have been established at great expense for many years, and I quote: "Surely no-one could scheme to pirate the palm seed market. I would endorse the concept of the Administration expanding into the palm and pine seed and seedling industry if overseas demand were to indicate such desirability, but not to take the business from nearly century old private enterprise". Thank you.

MR. ACTING DEPUTY PRESIDENT: Thank you Miss Buffett. Mr. Howard.
MR. HOWARD: The Committee that is proposed by Mrs. Gray includes Miss Buffett and Mr. Buffett, and they are both clearly in favour of protecting these people and I think they can rest assured that the Committee knows which way it is going.

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

Question - put
Motion agreed to unanimously

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

Question - put
Motion agreed to unanimously

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

Question - put
Motion agreed to unanimously.

SUSPENSION OF HOUSE

MR. BROWN: Mr. Chairman it is now a little after 5.30, we still have a number of items to deal with on our paper, I would like to move that this sitting be now suspended until 2 p.m. on Wednesday 22 September 1982. Mr. Buffett will not be here for next Wednesday and that is the reason for proposing a suspension for two weeks.

MR. ACTING DEPUTY PRESIDENT: Debate Honourable Members. No debate. The question is that the sitting be now suspended until Wednesday 22 September 1982 at 2 p.m.

Question - put
Motion agreed to unanimously

Sitting suspended at 5.55 p.m.
RESUMPTION OF SITTING (12 Noon 10 September 1982)

MR. PRESIDENT: Honourable Members the sitting of this House was suspended on Wednesday last to be resumed on Wednesday 22 September, therefore before we are able to conduct business there is a need to amend that motion to permit us to meet today, and I seek such a motion.

RESCISSION OF MOTION OF SUSPENSION

MR. SANDERS: Mr. Chairman, by leave I move for the rescission of the suspension motion passed 8 September and for substitution of the following motion: "That this sitting of the House be suspended for such period as Mr. President may, by notice to Members, determine".

MR. PRESIDENT: Thank you Mr. Sanders. Debate. Mr. Sanders.

MR. SANDERS: Mr. Chairman I would like to move that this House be open today for the appointment of an Acting Chief Administrative Officer.

MR. PRESIDENT: Thank you. Debate Honourable Members. Mr. Jackson.

MR. JACKSON: Mr. President could clearer information be given on the reason that we are here today to appoint an Acting Chief Administrative Officer.

MR. PRESIDENT: Mr. Jackson that is not quite relevant to the matter that is before the House. We are in fact moving an amendment to the motion as to the time we sit. The substance of any motion will come before the House at a later stage. Any further debate Honourable Members. The question is that the motion be agreed.

Question - put
Motion agreed to unanimously.

MR. PRESIDENT: Thank you Honourable Members, and in accordance with that motion I determine that the House should meet at 12 Noon on Friday 10 September 1982.
APPOINTMENT OF ACTING CHIEF ADMINISTRATIVE OFFICER

MR. PRESIDENT: Honourable Members the one motion that is for consideration is the motion concerning the recommendation of an appointment of a person to act as the Chief Administrative Officer should that become necessary; and I call that motion before the House, and Mr. Howard has resumption of the debate in that particular matter, Mr. Howard.

MR. HOWARD: Thank you. On Wednesday I moved that Bill Sanders be appointed to act as Chief Administrative Officer in the absence of a Chief Administrative Officer, and debate on that motion was adjourned. We are now debating that motion and I seek leave to move an amendment to that motion.

MR. PRESIDENT: Is leave granted. Leave is granted Mr. Howard.

MR. HOWARD: I would like to move that the motion be amended by omitting all of the words after 'That' where it first occurs, and substituting the following words: 'this House, acting in accordance with section 8(3) of the Public Service Ordinance 1979, recommends to His Honour the Administrator the appointment of Mr. Gilbert Hitch as a person to act as Chief Administrative Officer during a vacancy in the office of the Chief Administrative Officer or while the Chief Administrative Officer is absent from duty and that the terms and conditions of his appointment should be that while acting as Chief Administrative Officer during a vacancy in the office of the Chief Administrative Officer or while the Chief Administrative Officer is absent from duty, he should receive the remuneration applicable at that time to the office of Chief Administrative Officer but otherwise on the same terms and conditions then applicable to him as an officer of the Norfolk Island Public Service'.

The background to that proposed amendment which I think, I hope, will answer the question that Mr. Jackson raised just a minute ago, is as follows. On Wednesday the House recommended to the Administrator that Mr. Gilchrist's appointment be terminated. That recommendation of the House has gone to the Administrator. As the Norfolk Island Act provides, the Administrator's handling of that kind of recommendation is one of
the matters on which the Administrator must act in line with advice that is given to him by the Minister, and as we know from the Minister's comments on the radio this morning, the Minister has directed the Administrator to make an investigation of the background of that set of circumstances, and until that has been completed the Minister, I believe, will not direct the Administrator to deal either way with the recommendation that we made on Wednesday. So until that process is completed the House has made a recommendation, which the Administrator has, and the Administrator as soon as sensibly can be, will respond to that recommendation one way or another.

Gil Hitch had, as we were informed on Wednesday, resigned his position as the man who acts as CAO when the CAO is away. Yesterday morning Mr. Buffett, Mr. Sanders and I met as the three Executives to continue carrying on the business of the Government and one of the first things that we considered as a group was the question of who we felt might be the best one to be the Acting Chief Administrative Officer. Mr. Sanders said that he thought it would be a good idea if we were to ask Mr. Hitch if he would be willing to re-consider his resignation. Both Mr. Buffett and I thought that was an excellent idea. We then spoke with Mr. Hitch and told him what our views were and said that if he were willing to re-consider his resignation that we would be very pleased. There were some technicalities in the way of his doing so. Mr. Hitch examined those during the morning and found that it was not possible really for him to withdraw that resignation that he had given, that it could not be reversed and that if he is to be the one that we recommend to act as CAO when the CAO is not there, that the House needed to once again recommend to the Administrator that Mr. Hitch be appointed to that position. That is why we are gathered here this morning, if the House wishes to recommend that to the Administrator, that is necessary to be done in order to allow Gil Hitch to act when there is no CAO.

In moving the motion I will try if I can to make sure that the legalities of the situation are clear. John Gilchrist holds the appointment from the Administrator as Chief Administrative Officer. That appointment continues unless or until his term of office runs out or until the Administrator cancels that appointment. Neither of those has happened now. Certainly there will be no cancellation of his holding of that appointment while the investigation that the Minister mentioned this morning is going on. So the CAO right now is John Gilchrist. We have
no-one at the moment who is holding the position to act for the CAO if for some reason the CAO is not acting - if he goes away on a trip or whatever.

The purpose of this motion is to propose that the House recommend that Gil Hitch be that man. He has told us that he would be happy to accept that appointment and that if it becomes necessary for him to act as CAO that he can assure everyone of his absolute complete cooperation in doing the very best job that he humanly can. Mr. Buffett and Mr. Sanders and I, I think were all delighted by that response of his, and I commend the motion.

MR. PRESIDENT: Debate Honourable Members. Mr. Quintal.

MR. QUINTAL: Mr. Chairman as the Administrator has not cancelled the appointment of Mr. Gilchrist I wonder the reason why we should appoint Mr. Sanders. The motion that is before us is that this House acting in accordance with section 8(3) of the Public Service Ordinance...

MR. HOWARD: Point of order Mr. Chairman.

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

MR. HOWARD: Excuse me, if I can, I think Greg is reading the motion which is the one that I have just moved to do away with and instead of that motion I am now proposing that Gil Hitch be appointed.

MR. QUINTAL: I'm very sorry. I thought it would be unusual to appoint Mr. Sanders when Mr. Gilchrist had not...

MR. PRESIDENT: If I might clarify to the House. A motion has been moved originally, it was moved last Wednesday, that Mr. Sanders be recommended to that position. There has now been moved at this sitting a motion which will replace that and the replacement is that Mr. Hitch will be so recommended. Mr. Howard.

MR. HOWARD: I thought, speaking on that particular point, I was delighted it was Bill Sanders who suggested that Mr. Buffett and he and I have a talk with Gil Hitch, and while Bill Sanders was the one that I
nominated last Wednesday, Bill Sanders has said he would be happy to have it be Gil Hitch, and I think we all would.

MR. PRESIDENT: Thank you. Further debate Honourable Members. Mr. Christian-Bailey.

MR. CHRISTIAN-BAILEY: I have nothing further to add to the debate Mr. President but I do support the motion.

MR. PRESIDENT: Thank you. Mr. Jackson.

MR. JACKSON: Mr. President. I asked a question early in the meeting to clarify the matter within the community, because of the sudden-ness of this meeting on top of the other one that was held on Wednesday, there is some doubt as to the nature of the amendment that is before us this afternoon. It seems, from listening to the Minister this morning on his telephone link-up, that things have changed, and in fact the motion that was moved and passed in this House on Wednesday terminating the appointment of Mr. John Gilchrist has not been accepted...

MR. BROWN: Point of order Mr. President.

MR. PRESIDENT: Point of order - Mr. Brown.

MR. BROWN: The Honourable Member is misleading the House Mr. President, the resolution of this House is under consideration by the Minister and it would be misleading to suggest in any way that the Minister has rejected it.

MR. PRESIDENT: There is no point of order Mr. Brown but you may have participation in the debate to put your views after Mr. Jackson.

MR. JACKSON: Thank you Mr. President. So in fact a status quo remains, whether it be protem, whether it be after the Minister has considered relevant points which he asked for in his telephone hook-up. In the amendment here before us this afternoon we have, because of the necessity to bring such a motion and an amendment into this House, to legalise the situation, we find that an amendment has been altered to the original
motion where Mr. William Winton Sanders was originally nominated to take the place of the Chief Administrative Officer. Now we have an amendment here before us where Mr. Gil Hitch has been nominated to be Acting Deputy Chief Administrative Officer - something quite different to the original discussion that took place here on Wednesday is now here before us. I am quite delighted that Mr. Gil Hitch has accepted this position but I would like to make it quite clear within the minds of people in the community who are not quite satisfied with the situation that exists at present, and Mr. Howard has stated that also and I would like to reiterate what Mr. Howard has said - Mr. Gilchrist's position continues, and this meeting here now is not to decide whether Mr. Gil Hitch replaces him, he will only act in a position in the event that Mr. Gilchrist should be away from work or leave the Island for any business, he will act in an acting capacity. So therefore it is my intention to support the amendment.

MR. PRESIDENT: Mr. Brown.

MR. BROWN: Thank you Mr. President. I feel that the public in particular should be aware of the real nature of this motion. The legislation provides for the Assembly to make a recommendation to the Administrator for the appointment of a Chief Administrative Officer. It also provides for the Assembly to make a recommendation to the Administrator for the appointment of an Acting Chief Administrative Officer, or to use the actual words - a person to act as Chief Administrative Officer during a vacancy, and so forth. Mr. Hitch was previously such a person. He resigned that position, leaving us with no-one to act as Chief Administrative Officer during a vacancy for any reason. This House has taken a very responsible step today in meeting together at short notice in order to ensure that there is a recommendation before the Administrator as to a suitable person to act as Chief Administrative Officer during a vacancy. I would hope that all Members and all of the public would recognise the responsible step which is being taken and that no-one will attempt to move on to side issues or to gain political ground as a result of what has been done. Mr. Hitch will not be a controversial appointment, he has done the job in the past and done it very well. I certainly intend to support the motion.
MR. PRESIDENT: Further debate. Miss Buffett.

MISS BUFFETT: Thank you Mr. President. I feel that this motion as read by Mr. Howard has wisdom. Mr. Hitch has displayed his sincere interest in the affairs of Norfolk Island and its people by accepting the proposal put before him by the Executive, and I am thankful that they have asked him to reconsider his resignation. Mr. Hitch has had an association with Norfolk Island since 1970 Mr. President, as you would be well aware, and Members. He came here in June 1970 as Official Secretary and Deputy Administrator. Since 1951 Mr. Hitch has in actual fact been engaged in the Public Service in Australia and he has gained very valuable experience in all areas of municipal government, of local government. We know him here as a very capable man. He has the theoretical knowledge which he couples with practical application in a most pleasant manner; he is not a person - you do as I say, he is a most well liked person in the community, he is a very valuable person. I dreaded the thought of government in Norfolk Island and the people having lost him in his previous position and I am very grateful to him for coming back. He has liaised with hospital matters, school matters, Historical Society, the Museum, Conservation, all the qualities of life as well as the ordinary day to day running of road maintenance, he understands the lot. I commend the motion. I thank very much the situation that has come before us now that Mr. Hitch has accepted the post. Thank you.

MR. PRESIDENT: Thank you. Mr. Howard.

MR. HOWARD: I think I can speak on behalf of all three Executives in thanking other Members for their support for the motion, and I would like to ask that the question be put. I beg your pardon Mr. Chairman.

MR. PRESIDENT: Mrs. Gray do you wish to have the call.

MRS. GRAY: No, I'm sorry, please continue.

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

Question - put
Motion agreed to unanimously
MR. PRESIDENT: I put the question then Honourable Members. First the amendment to the motion. Those in favour of the amendment.

Question - put
Motion agreed to unanimously

MR. PRESIDENT: The amendment becomes the motion. I put the question of the motion Honourable Members.

Question - put
Motion agreed to unanimously.

SUSPENSION OF HOUSE

MR. PRESIDENT: Honourable Members I seek suspension of this sitting. Mr. Sanders.

MR. SANDERS: Mr. Chairman I move that this sitting of the House be suspended for such period as Mr. President may by notice to Members determine.

MR. PRESIDENT: Debate Honourable Members.

Question-put
Motion agreed to unanimously.

MR. PRESIDENT: Honourable Members I say that it is likely that I will determine the date that has been earlier determined by the House for 22 September but if there are any other matters that come up of course I will make a determination accordingly. Honourable Members this House stands suspended.

Sitting suspended at 12.27 p.m.
RESUMPTION OF SITTING (2 p.m. 22 September 1982)

MR. PRESIDENT: Honourable Members this sitting is resumed from Friday 10 September 1982 at this time which has been by notice to Members. We are at Order of the Day No. 2. But prior to that, Mr. Howard.

PAPERS

MR. HOWARD: Mr. President could I ask leave please to table some papers that I am obliged by law to table before the end of this month. I am required within three months of the end of the financial year to table an accounting for what happened to the $50,000 advance that is given to the Executive Member for Finance to use in smoothing out the flow of money during the year. At the end of the June 30, 1982 year I was able to hand back to the Government all of the $50,000 except for $899 worth and I table an account of what happened to that $899 and where it was.

I would also like to table a record of a transfer of money, $3,000, to help repair the Cascade jetty, which was a transfer from one fund to another. If I may table both of those please.

MR. PRESIDENT: Thank you.

APPOINTMENT TO THE NORFOLK ISLAND BUILDING BOARD

MR. PRESIDENT: Mr. Sanders.

MR. SANDERS: Mr. President I seek leave to move a motion.

MR. PRESIDENT: Yes Mr. Sanders. Is leave granted Honourable Members. (leave granted).

MR. SANDERS: Pursuant to section 6(2)(a) of the Building Ordinance 1967
this House elects Bernard Edwin Christian-Bailey to be a member of the Building Board.

MR. PRESIDENT: Debate Honourable Members. There being no debate I put the question. The question is that the motion be agreed.

Question - put
Motion agreed to unanimously

ORDERS OF THE DAY Cont’d

DISPOSAL OF SEWERAGE EFFLUENT

MR. PRESIDENT: Honourable Members we are at Orders of the Day. Order of the Day No.2, Disposal of Sewerage Effluent. Mr. Howard.

MR. HOWARD: Thank you. This is debate on a motion that Mr. Sanders introduced on 4 August concerning water and sewerage, which is a matter of concern to all of us in many ways. Unfortunately water and sewerage and what ought to be done about it on the Island seems in some ways to have become a bit of a political football and my view is that that is not good for calm coolheaded proper debate and consideration of a very important matter. One of the problems that we get in to in discussing the question is that as it gets involved in political matters, Members arguing one side or another side tend quite naturally and understandably to debate and argue as forcibly as they can, and when the going gets rough and when the debating gets serious on that particular subject there is a very unfortunate situation that arises. I think it has yet to be established clearly that Norfolk Island has any serious health problem related to water and sewerage at all. I think there is very strong agreement on the Assembly and in the community that we need to take care of our water supplies; that we need probably to pass some legislation and to enforce some existing legislation to make sure that we do not pollute the Islands water supplies for the future, that we take good proper responsible care of them. I think if we were careless, if we were poor representatives of the community, if we acted foolishly, if we
allowed other people to act foolishly, I think then there might be a risk that we would indeed spoil water supplies for the future, and I think that is something we need to pay attention to. I think it is yet, as I said a moment ago, to be established that there is right now any serious health problem on Norfolk Island, but in the course of debate on water and sewerage matters when the debate gets heavy, some perfectly dreadful frightening scare words begin to be used, words like cholera and typhoid and the black death and all sorts of monstrous disease scary things which do not exist on Norfolk as a problem now but which if we were careless we might be exposing the Island to at some possible future time. I think it is harmful to the Island to have those dreadful words being thrown around the table in angry debate, I think it is frightening, and absolutely unnecessarily so, to people to hear those care words being used.

Therefore I would like to propose an amendment to the motion that Mr. Jackson moved on 4 August, which essentially re-writes his motion. It essentially, if it were adopted, would become a different motion from the one that Mr. Jackson put, and I would like now to move this amendment which I think reflects what I believe is the responsible position for the Assembly to take at the moment.

The amendment that I propose is that all words after the first three words of Mr. Jackson's motion, which were 'That this House', be omitted, and the following words substituted — "That this House - (1) Affirms its support for all appropriate measures to assure that the Island's underground water supplies are safeguarded from pollution, that high quality water is available to all residents and visitors, and that effluent is properly disposed of; and (2) Directs that a Committee consisting of all Members be formed to consider and deal with such measures, the Committee to meet as frequently as necessary to assure that the objectives mentioned in (1) above are pursued promptly and forcefully and that suitable legislation as necessary is introduced into the House by the Executive Member; and that the Committee established by this resolution be recognised by the House as an authorised departure from the general rule laid down by the House in its meeting of 7 April 1982, appearing at page 213 of hansard". That is the motion Mr. President, and I will speak to it if I may. The changed resolution that I am proposing first of all makes it
absolutely clear that...

MR. JACKSON: Mr. Chairman can we have a point of order.

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

MR. JACKSON: I am not saying this in any facetious way but Mr. Howard has before the House an amendment to my original motion, now is he introducing another motion or is he continuing as Order of the day No. 2 an amendment to my original motion.

MR. PRESIDENT: There is an amendment that is being moved by Mr. Howard in respect of your original motion Mr. Jackson. No point of order. Mr. Howard.

MR. HOWARD: The amended form of the resolution that I am proposing does three different things. First of all it makes it clear in simple short words that we care about protecting our water supplies and we care about making sure that high quality water is available and that effluent is properly disposed of. There is no question about that, there is no argument about that among any of us. Secondly it says that discussion of this contentious matter ought to be carried out in closed sessions of the Assembly until we decide what we are doing and what is necessary. And next of all, because the House resolved back in April that all meetings of the Assembly at which there was debate or voting about community matters should be conducted in the open, that is a matter of open government and I have supported open government from the beginning, I think this is a case where we want for good reasons to depart from open government, I think this is a question that because of the scare overtones that can be put into it without good reason, that it is something we ought to discuss among ourselves and then bring into the Assembly what our conclusions have been. So the third part of the motion specifically recognises that this is an exception from the general policy of open government and I think the reasons for doing that in this case are very good, and I commend the proposed amendment.

MR. PRESIDENT: Mr. Jackson.
MR. JACKSON: Mr. President. First of all I do not wish to scare anyone in debate on this particular serious situation, however Mr. Howard has admitted that his amended motion completely re-writes my original motion which I put before the House on 4 August concerning the disposal of sewerage effluent, therefore in my opinion this amendment of Mr. Howard's is in fact another motion and it should be treated accordingly. Point 2 of Mr. Howard's amendment, which reads in part, and I quote - "Directs that a Committee consisting of all Members be formed to consider and deal with such measures". Now may I remind Mr. Howard that following upon a report to the Executive Members at an Executive Committee meeting on Monday 9 August, this report was given by the Chief Administrative Officer, Mr. Gilchrist, regarding water supply and sewerage. It was agreed then because of the serious nature of that report that all Members of the Legislative Assembly meet at 9.30 a.m. on Wednesday 11 August to discuss the report. Now all Members other than Mr. Bernie Christian-Bailey were in attendance at the Committee Rooms on 11 August, and after a lengthy debate the following policies were agreed to - and may I quote the following recommendation that was decided and agreed upon at that particular meeting on 11 August, and these policies were brought into the House as recommended by all Members, except one, of the Legislative Assembly. The point that I am raising is in opposition to part 2 of Mr. Howard's amendment because in my opinion a Committee has been formed and it has considered certain aspects of the report which flowed from my original motion on 4 August. It was agreed at this particular meeting on 11 August - (1) That all existing treatment plants shall be properly supervised and be required to operate correctly; It was also agreed that all principal sources of pollution identified in this report be required to install approved holding tanks for waste water and to arrange for waste water to be taken away by tanker and disposed of at an approved depot. And it goes on to list some of the priorities in this report which I will not speak of at this stage. It goes on to say as an interim measure only, Headstone tip shall be the approved depot. It was also agreed 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 should be given to bores and wells offering water for sale. It was also agreed at that meeting on 11 August 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. It was also agreed that suitable standards will be established for all future bores and wells. It was agreed that all water for human consumption at accommodation houses, restaurants, public places, shall be passed through an approved filter before being used. Regular health tests shall be made on 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. It was agreed that a continuing health education 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. Finally it was agreed 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.

Therefore Mr. President it disturbs me to think that what has been recommended at that Committee meeting, it appears in Mr. Howard's amended motion they wish to be dispelled, with the recommendation that was brought down by the Members who attended that meeting, and he is seeking that another Committee be formed to discuss other matters. Therefore a further delay, when this has been put to the public, these recommendations have been placed before the public, they have been put over the air, and if there is to be any legislation to be implemented on policy, well these 8 recommendations that were decided at the 11 August meeting should be implemented immediately.

MR. PRESIDENT: Mr. Howard.

MR. HOWARD: Thank you. Mr. Jackson has made four points and I will talk to each of them. First of all he said that in proposing an amendment that effectively re-wrote his original proposal I really was dealing with something that ought to be a separate motion. Well I am sorry that Mr. Jackson does not understand the Standing Orders and the way the Assembly works but that is the way the Assembly works. Next Mr. Jackson said something that really is pretty dense. He read out a series of points that the majority of the Members of the Assembly had agreed to which subsequently were read out by Mr. Buffett in this Assembly, which subsequently were printed in the Norfolk Islander, which
are known to everyone, which have been agreed by all of us, and he is pretending that I am trying to do away with those. That is just silly nonsense, it is mischievous. Next of all Mr. Jackson spoke at some length about a meeting of all Members on 11 August, and he talked about the fact that those resolutions had been arrived at at that meeting. All my amended motion is intended to do is to ratify that kind of handling of the matter in the future. I think that was a proper and sensible meeting, I think there should be more such meetings. I think those meetings should be conducted in committee, I do not think it is necessary to be on the radio and to be making political capital of a very sensitive and very delicate issue, I think that is contrary to the best interest of the Island. Lastly Mr. Jackson says some how or other he interprets that my proposal is one that will cause delay. I direct his attention to the wording of the amendment that I have proposed - that a committee consisting of all Members be formed to consider and deal with such measures, the committee to meet as frequently as necessary to assure that the objectives mentioned in (1) above are pursued promptly and forcefully. Now if that is his idea of delay then I guess we are talking a different language. I am not proposing delay, I think it needs action, I think it needs action in the quiet considered atmosphere of a Committee Room and not in a political form where people are trying to score political points. That is the purpose of the motion.

MR. PRESIDENT: Mr. Brown.

MR. BROWN: Mr. President there may be some doubts as to some of the matters which were raised in the report which was considered several weeks ago as Mr. Jackson has earlier stated. Some further reports were sought at that stage, I understand that some of the results of those have been returned but I have certainly not seen them if they have been. But no matter what the result of those reports may be, this is a matter which should be considered calmly and competently and without panic. It is my understanding that only in the last few days have the accommodation houses been given copies of even part of the reports which have been considered by the Members during August. It is my understanding that the accommodation places have certainly not had access to all of the reports and that they have not had the opportunity as yet to comment on all the reports as a result. I appreciate that Mr. Howard's proposed
amendment does not do away with the urgency of considering the problem, but I think that I should say that the Commonwealth had control of this area for many years, if there was the urgent type of problem that some Members would like us to believe, I am sure that the Commonwealth would have acted years ago. They obviously do not believe that there is such a problem. As I said this is something that should be considered calmly and competently and without panic. Mr. Howard has proposed a very proper way to achieve this and I intend to support his amendment.

MR. PRESIDENT: Mr. Quintal.

MR. QUINTAL: Mr. Chairman, just a very short time ago we had a very big tourist scare and I do not believe the scare has been cured yet. I believe that there are quite a lot of people who would not come to the Island because of that scare that was highlighted at the time. I feel that the motion moved by Mr. Ed Howard is a good one and I feel that we should deal with this matter really calmly and not let it blow up like it blew up before, and I do not see the difference between handling it in Committee and bringing it back to open Council at a later date, and I certainly will support that move.

MR. PRESIDENT: Mr. Brown.

MR. BROWN: Mr. President I move that the question be put.

MR. PRESIDENT: Honourable Members the question is that the question be put.

Question - put

The House voted -

AYES, 5
Mr. Brown
Mr. Christian-Bailey
Mrs. Gray
Mr. Quintal
Mr. Sanders

NOES, 4
Mr. Buffett
Mr. Howard
Miss Buffett
Mr. Jackson

Motion agreed
MR. PRESIDENT: The question is that the amendment be agreed.

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

Amendment agreed

MR. PRESIDENT: The amendment becomes the motion. I put the question that the motion...

MR. HOWARD: Debate Mr. President.

MR. PRESIDENT: If you so wish.

MR. HOWARD: I voted no on whether the question be put. I had the feeling that...

MR. PRESIDENT: That is not the matter that is before the House.

MR. HOWARD: I understand that. I am talking to the motion as amended. The reason that I voted no on that was that I had the sense that Miss Buffett or Mr. Jackson or yourself Mr. President, may still have something more to say, and I think if there is more to be said, now is the time to say it before we vote on this thing and I just did not want the final vote rushed through; if people have things to say lets hear it.

MR. PRESIDENT: Debate Honourable Members. Mr. Jackson.

MR. JACKSON: Mr. President, I am very disappointed that a situation such
as this, where a motion is put before the House to silence debate on an issue of importance, and I state...

MR. HOWARD: Point of order Mr. President.

MR. PRESIDENT: Mr. Howard.

MR. HOWARD: Mr. Jackson quite in a disorderly way a moment ago mumbled something about being gagged, he has his chance to speak now and I think it is improper that he should claim now that he is being silenced. He has the opportunity to talk and he is not being silenced.

MR. PRESIDENT: Yes there is no point of order Mr. Howard, Mr. Jackson.

MR. JACKSON: Mr. President, may I add that I do not suppose there is anyone more concerned around this table about the serious situation of the water on the Island than what I am, and also as far as tourism is concerned. My two policy statements prior to both Legislative Assembly elections has been - and I quote that policy - "That the welfare and the people of Norfolk Island is my paramount concern", and I stand by that policy, because I am concerned for the people of Norfolk Island if something is not done immediately and done effectively, not in introducing amendments to a motion that had enough meat in it to carry out the necessary legislation to be brought forward. Perhaps the one before us will dampen down the original motion which I introduced on 4 August. One of the recommendations of the Select Committee Inquiring into Tourism, which I also completely support, was to ensure that all its policies regard Norfolk Island primarily as the home of its residents and not primarily as a tourist resort. Well I wonder if it is still in the minds of the present Assembly that Norfolk Island is the home of its residents and not primarily a home for the tourists. May I add also that whatever the outcome tourists will always find some other place to go, but to pull up foundations and shift Norfolk Island residents to another place is another consideration. Therefore I honestly believe, and I introduced this motion into the House because I was concerned with the situation, and if I may I will quote the original motion that I had before this House on 4 August, the motion that Mr.
Howard has set out to amend. My original motion was that - "This House, appalled at the present position with regard to the disposal of sewerage effluent and the resulting pollution of water supplies, request the Executive Member to bring before this House at its next sitting for approval by this House, the Government's proposal to correct this extremely serious situation, such proposals to include the immediate discontinuance of all disposal of sewerage effluent down bores."

Now what Mr. Howard tried to take me to task on earlier in the afternoon was that which had been brought before the House of the 8 interim measures that I read out here to the House, which has been broadcast over the radio, and the Minister responsible for health has brought those recommendations into this House. So those policies have become effective from my original motion to this House, so why is it now that Mr. Howard deemed himself fit to come forward with an amended motion to alter and dampen down that original motion which I just quoted to the House.

MR. BROWN: Point of order.

MR. PRESIDENT: Point of order, Mr. Brown.

MR. BROWN: In the event that Mr. Jackson is imputing improper motives towards Mr. Howard or is casting personal reflections on him, what he is doing is out of order Mr. President.

MR. PRESIDENT: Mr. Brown the chair does not interpret that that is casting imputations in respect of this matter. I do mention however that he will have the opportunity to put his views to the House at the conclusion of Mr. Jackson's address to the House, and I might also say that the same is of Mr. Howard in the earlier point of order that was raised. Mr. Jackson.

MR. JACKSON: Therefore Mr. President the democracy that was carried out on 11 August in the Committee Room of this Assembly, and may I add in attendance at that particular meeting when these interim measures were brought down, were all the Executive Members, Mr. Brown, Mr. Buffett and Mr. Howard, also attending was Miss A. Buffett, Mrs. C. Gray, Mr. G.G.F. Quintal, Mr. Sanders and myself. Also in attendance at that meeting was
the Chief Administrative Officer Mr. Gilchrist, the Legal Adviser Mr. Paul Rosser, the Administrative Officer (Operations) Mr. Marcus Tilley...

MR. BROWN: Point of order Mr. President.

MR. PRESIDENT: Point of order, Mr. Brown.

MR. BROWN: Standing Order No.68 Mr. President – It is my submission that the material Mr. Jackson is putting before this House is irrelevant, tedious and repetitious. Mr. Jackson may well prefer that purportment to a statement that he is without authority reading from Executive Committee minutes.

MR. JACKSON: Open government, I would like to draw your attention...

MR. PRESIDENT: Order Mr. Jackson. My attention has been drawn to Standing Order No.68 which I will read to Honourable Members - "The President after having called the attention of the House to the conduct of a Member who persists in irrelevance or tedious repetition either of his own argument or of the argument used by other Members in debate, may direct him to discontinue his speech". I do not interpret Honourable Members that there is tedious repetition in the matter. The point has been raised by Mr. Brown that there may be quotation from minutes I think you might have said, Mr. Brown, there is no real Standing Order of this House which prevents a Member to so read. There may be an informal arrangement amongst Members but I am not able to take that to task in the House as you will realise. Mr. Jackson.

MR. JACKSON: Mr. President, may I continue. The reason I brought this to the notice of the House, that is the persons who were in attendance, is to show that we had the best legal opinion, we had the best legal advice in coming forward with recommendations as I have introduced here this afternoon such as the 8 policies which flowed from the original motion by myself. Therefore it is imperative once again that an alteration should take place of these policies that have been read out here this afternoon, and I do believe that if another committee is formed to consider all other matters well some of these will gradually drift away. If it is in the interest of anyone else who wishes to
speak on this, wishing to put this agreement aside, well they should say so, but I do believe that what is in these 8 agreed interim measures that were introduced into the House at a sitting by the Minister responsible, Mr. Buffett, are an interim health measure which was agreed on by all Members. Therefore I cannot see any reason why a further amendment should be required unless there may have been, and I say may have been, certain objections from certain departments who may be affected, some tourist establishment who may be affected by some of the proposals and recommendations in these reports...

MR. BROWN: Point of order.

MR. PRESIDENT: Point of order Mr. Jackson. Mr. Brown.

MR. BROWN: Standing Order No. 61 and 62 Mr. President.

MR. PRESIDENT: Mr. Jackson I will ask you to withdraw your most recent words which I do interpret may cast some imputations and improper motives, I would ask you to withdraw those.

MR. JACKSON: I withdraw.

MR. PRESIDENT: Thank you. Mr. Howard did you wish to have the call.

MR. HOWARD: No, I am happy to have Mr. Sanders speak, I see his hand up.

MR. PRESIDENT: Mr. Sanders.

MR. SANDERS: Thank you Mr. President. I feel more will be achieved in solving this delicate problem if the opportunity to grandstand no longer exists. I support the amended motion.

MR. PRESIDENT: Mrs. Gray.

MRS. GRAY: We are speaking to the amendment to Order of the Day No. 2.

MR. PRESIDENT: Yes, we are speaking to Order of the Day No. 2 which is now an amended motion.
MRS. GRAY: Thank you. I was a little confused by Mr. Jackson's address, he made so many references to the motion which I thought had been disposed of. I would like to support the motion purely and simply because taking it back to the point which again Mr. Jackson has cited, there are a number of things to be clarified as covered by those points, there is at least one which requires some legislation, there are at least two which require specifications and there are a couple which are already covered by Ordinances. I think that the place for us to iron out or work up towards and to legislation which I hope will be brought to this House very quickly, is in the situation as suggested by Mr. Howard's motion. Thank you Mr. President.

MR. PRESIDENT: Miss Buffett.

MISS BUFFETT: Thank you Mr. President. It will be necessary for me Mr. President to ask through you Mr. Howard a question, if he would accept the question. With the amendment now becoming the motion, the first part of Mr. Howard's motion reads - "Affirms its support for all appropriate measures". Now "all appropriate measures", I would wish Mr. President to find out if those appropriate measures are those policy points which have already been read out by Mr. Jackson which have been unanimously agreed to by the Executive and unanimously agreed to by Members at the adjournment of the Executive meeting, whether those will be the appropriate measures referred to and named as such.

MR. PRESIDENT: Miss Buffett I should make the point that I am not able to call upon Mr. Howard in an answering a question category, however I am quite willing to give him the call if he wishes to contribute in the debate.

MR. HOWARD: I am happy to answer that. If this resolution passes, we nine will be a Committee that will be considering water protective measures. Those nine will decide what is appropriate. It is certainly not part of my motion to say what is appropriate and what isn't. If Miss Buffett is concerned that somehow my motion will go back and rescind the things that were agreed on on the 11th of August, I cannot do that. If you want to rescind something you have got to move a motion
to rescind something, and that is not part of my motion at all. Those agreements made by the Members I think stand. It may turn out, this is quite a separate issue, that some of those things that we agreed were desirable may not be able to be carried out, that is not for me to say or for any of us to say, some of them may physically be impossible of being carried out, but as to the question of what is appropriate, that is a matter for the Members to decide.

MR. PRESIDENT: Miss Buffett.

MISS BUFFETT: Thank you Mr. President, may I continue. Mr. President this motion before us now in my opinion effects the invalidation of the original motion. Firstly it requires us in calling this, to deny the condemnation of the present condition regarding effluent disposal and contaminated water supplies; secondly it requires us to condemn the ministerial statement announced by Mr. Buffett in this House on 1 September; thirdly it requires us to refute a previously unanimous vote of the Executive and indeed of the Assembly on 11 August. I realise the importance of solving a situation such as is before us, I know that it has to be done, but continually pushing aside recommendations that are brought up is not going to help the tourists come here, if anything it is going to deter them. We owe it as an Assembly to the people of Norfolk Island, we owe it to the tourists, to make sure that the matter is cleared authoritatively. Doctors for many years have put the situation forward that the matter is important. I cannot support Mr. Howard's motion. It is against the health and welfare and quality of Norfolk Island life. Thank you.

MR. PRESIDENT: Mr. Howard.

MR. HOWARD: Well I think what Mr. Jackson has said, much of what he said, and most of what Miss Buffett just said, are wonderful arguments in favour of my motion. I think we need to talk about water and sewerage and water protection in a sensible intelligent way trying to solve what problems may exist. I do not think we ought to talk about it, trying to score points off each other. Miss Buffett mentioned that if the motion as it is put passes, it will be a condemnation of Mr. Buffett's
statement in the House on 1 September, it is not going to be any such thing. Miss Buffett may think she can win some points by trying to get people to believe it will refute that or condemn it, it won't, and I think she is just stirring. She said it will have the effect of refuting the unanimous vote...

MR. PRESIDENT: Mr. Howard I should draw your attention to a point of order that was earlier raised in this House and I would ask you to withdraw those remarks, which I interpret may tend to impugn motives of a Member of this House.

MR. HOWARD: If I impugned anyone's motives I certainly withdraw. Miss Buffett says that it would refute the unanimous vote of Members of the Assembly. Not so. I was one of the ones who voted for those policies, I am not against them, I am not trying to refute them. The motion is not that we refute them, they are part of the record, they are part of the things we are carrying out. She made one point that I agree with. She said that the motion as it stands now would deny the condemnation of the situation that was in Mr. Jackson's original motion. That is true. Mr. Jackson's original motion said that he proposed that the House agree that the House was appalled at the present position. I don't think we ought to be appalled, I think we ought to use our brains. If we have got problems lets fix them, lets don't sit around thunderstruck, being appalled by something when we have got a job to do, lets get the job done. Next of all Mr. Jackson's motion in ominous tones talked about this extremely serious situation. I think it is a serious situation and my motion wants to deal with it seriously. The wording of the amendment that I put that the House has agreed to makes it clear that it is a serious matter and it ought to be dealt with seriously, but yes there was an overtone of to my mind not fully warranted condemnation in Mr. Jackson's original motion which was to my mind a political thing and not a good government thing, and yes I want to deny what I consider not to be the totally responsible condemnation that was in his original motion, I wanted to get rid of that, I want us to deal with water and sewerage as intelligent grown up people and not as a bunch of polies having at each other.

MR. PRESIDENT: Mr. Jackson.
MR. JACKSON: Mr. President I wonder who is attempting to play politics. However at this stage I seek permission to withdraw my motion, and in withdrawing my motion all the things that were set out to do on the original motion has been achieved in these 8 policies that are here before the House.

MR. PRESIDENT: Mr. Jackson I am not able to accede to your request to withdraw the motion, it is now in possession of the House.

MR. JACKSON: I did seek leave.

MR. PRESIDENT: I am really not able to seek the leave of the House at this stage Mr. Jackson as you will be aware there has been an amendment to your motion and that amendment has already been voted upon. We are a considerable way through the processing of such a motion and I do not see that I could seek leave of the House to have it withdrawn at this stage of proceedings. Mr. Howard.

MR. HOWARD: Mr. President I gather I may be mis-judging that Mr. Jackson has said what he wants to say and that Miss Buffett has said what she wants to say. Mr. President your vote was against the amendment and it may be that you want to say something on this subject, if you do I wish you would, otherwise I would like to move that the question be put.

MISS BUFFETT: Can I say something before it is.

MR. PRESIDENT: Yes Miss Buffett.

MISS BUFFETT: Thank you. Mr. President lets get the job done has been said continually on this matter, for several months now every time a recommendation comes up that would assist the cause of cleaning this situation up, some other excuse is used and the matter is pushed off until the next meeting and the next meeting. So I think it certainly is not getting done as a result of all that. Thank you.

MR. PRESIDENT: Mr. Howard.
MR. HOWARD: In reply to that point of Miss Buffett's I would like to draw her attention to the fact that the motion as we are considering it now forms a Committee and asks that it meet as frequently as necessary to assure that the objectives are pursued promptly and forcefully. Mr. Buffett has water and sewerage in his portfolio, I should think it would be entirely up to him as to when the next meeting of such a Committee is called to consider it, and if Miss Buffett is worried about delay, that is a matter for when Mr. Buffett wants to call the Committee together.

MR. PRESIDENT: Miss Buffett.

MISS BUFFETT: Can I ask, I don't know whether it is too late or not, to the third part of Mr. Howard's motion where it reads - 'and that the Committee established by this resolution be recognised by the House as an authorised departure from the general rule laid down by the House and referred to in Minute No. 7 of its meeting of 7 April 1982' what I would like to suggest is that after the words 'as an', if I could read what I would like to see. I would like an amendment to this as follows - 'and that the Committee established by this resolution be recognised by the House as an authorisation to rescind the general rule laid down by the House'. It would change three words - 'departure from the' to 'rescind the' general rule laid down by the House and referred to in Minute No. 7. I don't know how to go about it, do I seek leave to ask that amendment.

MR. PRESIDENT: Honourable Members I need to point out that if there is to be an amendment to a motion, proper notice should be given, failing that leave will need to be sought from the House, and I am quite happy to seek leave on your behalf at this time to see the feeling of Members Miss Buffett.

MR. HOWARD: Point of order Mr. President, I think the Standing Orders say that you can move an amendment to an amendment, doesn't that let Miss Buffett in at this point.

MR. PRESIDENT: Is leave granted to move an amendment. Leave is granted. Miss Buffett.
MISS BUFFETT: I seek leave to move an amendment to the last part of Mr. Howard's motion so that it reads - "And that the Committee established by this resolution be recognised by the House as an authorisation to rescind the general rule laid down by the House and referred to in Minute No.7 of its meeting of 7 April 1982". Thank you. And that would delete the three words 'departure from the' and replace them with 'to rescind'.

MR. PRESIDENT: Debate Honourable Members. Mrs. Gray.

MRS. GRAY: Mr. President. Surely an amendment should address itself to the original motion, not something that has been put before the House some months ago.

MR. PRESIDENT: Leave has been sought and leave has been granted to pursue the amendment.

MRS. GRAY: I find difficulty in grasping the amendment as it has been put Mr. President, it appears to me to attempt to amend a motion which was put before the House some months ago.

MR. PRESIDENT: I find no difficulty with the acceptance as before the House Mrs. Gray. Mr. Howard.

MR. HOWARD: I have got two problems with the amendment that I think Miss Buffett is proposing. One is that it does not make English language sense, I do not know how the Committee established by a resolution can rescind a motion of something or other, it does not follow, so I have got trouble just with the English language on that one. Much more importantly I think what she is driving at is that she wants to rescind that resolution that the Assembly made which is one that said lets have open government, lets debate things in public. I don't want to rescind that, I want to hang on to that motion, I think it is a valuable resolution that the House establish, I think things should be discussed in the open, I don't like the idea of proposing an amendment at the last moment that suddenly allows a whole lot of things to be done in secret, I think we ought to have open government. I think water and sewerage is
an exception for a good reason, but for everything else lets keep it in the open. I am against the amendment.

MR. PRESIDENT: Miss Buffett.

MISS BUFFETT: Thank you Mr. President, if I may draw Mr. Howard's and Members attention to quite a few meetings that have been held recently which instead of doggedly arguing one thing is working and the other thing is not, everyone has enjoyed those meetings, there have been discussions and exchanges of ideas, they are not contrary to open government and no objection was given to having them at the time, and I think it would be conducive to good government if more discussions could be had along those lines as is being referred to in Mr. Howard's motion. Thank you.

MR. PRESIDENT: Further debate Honourable Members. There being no further debate I put the question which is that the amendment to the amendment be agreed.

Question - put

The House voted -

AYES, 3
Mr. Buffett
Miss Buffett
Mr. Jackson

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

amendment to the amendment not agreed.

MR. PRESIDENT: We are still with the motion as amended Honourable Members. Further debate. Mr. Brown.

MR. BROWN: Mr. President I move that the question be put.
MR. PRESIDENT: The question is that the question be put.

Question - put
Motion agreed to unanimously

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

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

Motion, as amended, agreed.

POLICE OFFENCES (AMENDMENT) BILL 1982

MR. PRESIDENT: The next Order of the Day Honourable Members, Order of the Day No.3, the Police Offences (Amendment) Bill 1982. Resumption of debate on the motion that the Bill be agreed to in principle, and Mr. Howard has the call. Mr. Howard.

MR. HOWARD: Thanks, I have the call Mr. Chairman because I moved the adjournment of it at the last meeting. It is Mrs. Gray's Bill that she is moving and I will simply abandon the debate to her if she would like to speak to it.

MR. PRESIDENT: Mrs. Gray.

MRS. GRAY: Thank you Mr. Howard, thank you Mr. President. It was adjourned because we discovered that Members had not been circulated with a copy of the Bill, I hope this time they have it, and be it a fairly simple one. The Bill has come forward really as a result of an answer
to a question on notice which I put before the House some time ago. The answer coming forward indicated that there was a degree of discrimination in the Police Offences Ordinance, apparently it was just about the only Ordinance or enactment on Norfolk Island which contravened that law. The sections of the Ordinance, that is sections 35, 36 and 37, allow the Courts to recommend to the Administrator to deportation, the method of deportation, and the subsequent prevention from return to Norfolk, of a person other than one born on Norfolk or one of whose parents was born on Norfolk, convicted under sections 31, 32 and 33 of the Ordinance. The offences for which a person may be deported are minor and of various kinds - vagrancy, begging, carriage of weapons, drugs, resisting arrest and so on. However this same power of deportation is not spelt out in respect of other more serious offences under the Crimes Act, therefore the Ordinance as it stands is in some respects contrary to the Racial Discrimination Act in the first instance and in other respects inconsistent with other enactments in force on Norfolk Island. As the law stands at this moment it is quite possible for a resident as defined in the Immigration Ordinance who was not born on Norfolk Island, to be recommended for deportation, whilst a person who is not a resident by definition but one of whose parents was born on the Island, could or would not be recommended for deportation following conviction for committing the same offence. The grounds upon which a person may be deported should be spelt out in the relevant Immigration Act and I believe the present Immigration Ordinance and perhaps we could anticipate its replacement shortly due for consideration, does that also. Under the new Act an action which contravenes the Racial Discrimination Act is not allowed and there is provision for the Executive Member or an authorised officer to deport a permit holder convicted in Norfolk Island of certain offences punishable by imprisonment of six months or longer. Therefore Mr. President whether or not a person is deported from Norfolk Island for committing an offence shall rest in the decision of the Courts and the Executive Member responsible for immigration, not on the basis as is presently racial discrimination. I commend the Bill to the House Mr. President.

MR. PRESIDENT: Thank you Mrs. Gray. Further debate Honourable Members. Mr. Howard.

MR. HOWARD: I support it, I think that once someone becomes a resident on Norfolk that you cannot deport them. In the long difficult path that
leads up to someone being considered for and granted residency there is a period of at least five years in which the Immigration Review Board and people in the community have a chance to look that person over, and I think that is the time where you decide whether there may be something crook about that person, maybe you do not want them to stay for good reasons. Once you have given a person residency I don't think you can deport them anymore. They have given up their home elsewhere, this is their home and I don't think you can deport people from their homes. I think you can punish them if they do naughty things you can put them in jail or fine them or whatever, but you certainly cannot deport them, and on that ground I am very strongly in support of this. I think Mrs. Gray is to be commended for having dug the thing out over a series of steps that she took in questions to the House, questions to Executive Members, and I think she has identified something that might seem a small point but it is in the law and it is wrong, I think it ought to be fixed and I support her proposal.

MR. PRESIDENT: Mr. Sanders.

MR. SANDERS: Thank you Mr. President. I have difficulty in accepting the sincerity of Mrs. Gray on matters of discrimination when earlier on in this same meeting she supported a motion of Miss Buffett’s which was nothing other than blatant discrimination, however I support any motion that eradicates discrimination. I support this Bill.

MR. PRESIDENT: Mr. Jackson.

MR. JACKSON: Mr. President. I take it on Mrs. Gray explanatory notes that she seeks to repeal sections 35, 36 and 37.

MRS. GRAY: If I may Mr. President, there is a typographical error on the explanatory note, it is sections 35, 36 and 37, as were marked in the photostat copy.

MR. JACKSON: I accept that explanation Mr. President, because it concerned me when I first had a look at what Mrs. Gray was seeking to repeal - section 33, and it caused me some concern. However what I see that Mrs. Gray is actually saying is in fact that it is her wish and