needs the civil authority to order people to come and talk if they don't want to come and talk, and I would like to move that that paragraph be left out.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.

MRS. GRAY: I would just like to say Mr. Acting Deputy President of course the words used don't say that, if that is in fact a true interpretation of what the words say in law, as a motion of this House I most certainly agree with Mr. Howard.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.

MR. SANDERS: I support Mr. Howard's statement that paragraph (3) be removed for the simple fact that as Executives we can get all papers and records anyhow.

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

Question - put
Motion agreed to unanimously

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: I would like to ask Mrs. Gray a question if I can. Ordinarily in parliamentary procedure when someone sees the need for a committee and proposes that it be formed, the person making the proposal includes himself on the committee. Now what we have got is Mrs. Gray proposing that a bunch of the rest of us get stuck into a lot of work that she would like to see us do, and I would be happy to stand down from her nomination to the Committee if she would like to put herself on the Committee, and I think that would be quite appropriate.

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

MRS. GRAY: I can but accept.
MR. HOWARD: It would require an amendment, and if I could ask leave I would move such an amendment.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders has the call.

MR. SANDERS: I support Mr. Howard's amendment mainly on the basis that if Mrs. Gray thinks she is going to create a lot of work for a lot of people she might as well get involved herself.

MR. HOWARD: May I seek leave to make that amendment.

MR. ACTING DEPUTY PRESIDENT: Leave is granted.

MR. HOWARD: I move that item (1) of the motion be amended so as to omit any reference to the Executive Member for Finance and that Mrs. Chloe Gray's name be added to the proposed members of the Committee.

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

Question - put
Motion agreed to unanimously

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

MR. JACKSON: Mr. Chairman, I am aware that elaborate and specific plans have been compiled concerning the proposal to develop the Headstone landing site once again for the purpose of discharging and unloading cargo. I clearly remember quite well the working of the motor vessel Hinamoa in the late 20's and early 30's when dangerous and primitive methods were used to load fruit and bananas on to the Hinamoa for the New Zealand market. I am also aware that in proposals within the planned development of this area it has been cited as a place when unfavourable seas at the other two normal landing places, Kingston and Cascade, are out, Headstone could be used as a launching place for fishing boats, especially the commercial ones and those that take out tourists. It is also mentioned in the report that it could be a launching place in the event of an aircraft having to be ditched around or near Norfolk. Well
I see nothing against all that, I think it is a wonderful proposal, and I go further in congratulating the three persons who signed the letter, a copy which was forwarded to me, namely Mr. Peter Woodward, Borry Evans and Mr. Norm LeCren. Mrs. Gray has recommended in this motion that a Committee of three be formed consisting of Mr. Howard, Mr. Sanders and myself, well now Mr. Howard has stepped down it will now be Mrs. Gray, Mr. Sanders and myself, to investigate the planned proposal of the three gentlemen who I have just mentioned who were responsible for providing me with their draft proposal of the Headstone development. And may I add I am quite happy and willing to be part of a Committee.

However there is another major item in the development proposal and that is the estimated cost of this project. A sum of $250,000 has been mentioned in the report as an approximate cost for the work proposed. Another point concerning jetties that the Members should be made aware of is the amount of time being lost in lighterage operations because of the conditions of our two traditional landing places, Kingston and Cascade. At low tide at Cascade with a little surge, lighterage operations have to cease because of lack of water in the jetty. Whether it is silting up or whether the jetty needs extending has to be examined, but hardly do we ever finish a ship without sometime during the operation work has to cease at low tide, and this goes for Kingston also. I am aware that the Kingston jetty has been dredged approximately 12 months ago but this was alongside the jetty. The main concern at low tide at Kingston is just inside the niggerhead where lighters and launchers settle on the bottom at low tide, and no matter how good the sea is, work has to be suspended either for the rest of the day or until more water comes back in. Now the main point I am raising here is that I have mentioned all of this to the Members because of the serious consequences if we neglect these two landing places which we use at present. It could be of such delays, as I have mentioned, which could affect the future freight rates and if that was to happen because of these two landing places being neglected I can only describe it as irresponsible government, so therefore Members I draw that to your attention while we are considering this proposal, and I have indicated that I am willing to sit as a Committee member, to the state and condition of our other two traditional landing places where work has continually to be suspended because of the conditions that exist at low tide at both landing places.
MR. HOWARD: The Committee will benefit a lot from having Mr. Jackson on it. The way I read point (2) in the terms of reference that Mrs. Gray has written is that the Committee is to consider the Headstone proposal and any other related proposals, and the way I read that would allow Mr. Jackson to say look there have been proposals, maybe they haven't been written, to improve the Kingston pier or the Cascade pier and to take those into account as well.

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.

MR. QUINTAL: Mr. Chairman, I also wish to congratulate the three gentlemen, Mr. Peter Woodward, Mr. LeCren and Mr. Bennett, also Mr. G. Anderson for bringing a matter of importance to the Island to the Assembly. In the early days of shipping Headstone, as Mr. Jackson mentioned, the Hinamoa used to sail here quite often and Headstone was used quite often for the exporting of bananas when the banana boom was on and also oranges and other produce to New Zealand. At one time we exported a considerable amount of produce. In the last 12 months or more, shipping to the Island has certainly proved that we do need an alternative wharf site. The shipping freight costs which are continually going up are really frightening, and it is any wonder when a ship has to sit out at sea for days on end. I do agree that something could be done to the Kingston and Cascade jetties but of course the Committee will discuss all these matters and probably come up with a scheme that might suit. It has been said that another suitable landing place is a place called Mullens Bay or Flagstaff. When the wind is in the easterly quarter Mullens Bay is an ideal place and I feel that that should be looked at although the road out there is a very long road to have to use if a ship was worked out there. There is often times when boats have had a problem getting in through breakdown of motors or other reasons, and usually they have headed for Mullens Bay. Several years ago Mr. Art Mawson offered to extend the pier at Cascade by pushing the cliff down and using the heavy boulders for the extensions. He offered to bring in the machinery at his own expense and also do the work at his own expense. It is a pity this offer does not still exist. This offer was made to the Council several years ago when I was a member and I thought it was sad that this wonderful offer was turned down, and I guess Mr. Art Mawson wanted to do something for the Island and probably the building at the hospital maybe the reason that he took
that on was probably because he was turned down in his efforts to do the Cascade pier. If we talk to him nicely he might still be of that opinion. I do feel that that cliff at Cascade should be knocked down, it is very dangerous, and I notice where Aafjes has been quarrying over towards Simons Water, that cliff-face that was quite dangerous is a very safe cliff-face at present, and that could happen with the Cascade pier by using the spoils to push a wharf out at Cascade. I support the principle of the Headstone landing place and I feel that some good can come out of this if we can find that good thing called finance.

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: Thank you Mr. Acting Deputy President. I feel that there has come forth some very good suggestions as a result of Mrs. Gray having tabled these letters and proposals by citizens of the community. I think there are two major questions arising from the discussion so far, firstly what do we need most, the alternative landing site or the repair of the two other landing sites that is probably causing the reason for the requirement of the third one. The firm opinion of a lot of residents of the Island who have lived through many years here and been involved with shipping and unloading and exporting and importing, and I have gained younger views as well from those involved, who feel very strongly about the expenditure of so much money into Headstone jetty at a possible denial of maintenance and safeguarding of Cascade cliffside and the two landing jetties themselves. The cliff is a definite hazard now and I don't think we can bury our heads in the sand much longer about the dangers of that cliff-face, whereas I feel that Headstone would be an excellent project if it were safe, but I have very great reserve about asking anyone to use Headstone because of the disastrous fatalities that have happened there in the past. May I draw attention to the fact that nevermind how sophisticated ships may become and equipment may become and the jetty may become, nothing can overcome the sudden swells that arise just off the jetty when the sea looks perfectly calm for so long and then a series of swells rise immediately at the end of the jetty. This is the reason not much activity goes on at Headstone and has been the reason for many years. I am pleased that we have people of experience on this Assembly during
discussion on this very important subject. I don't feel that for reasons of being able to use sophisticated heavy equipment that might be on the Island now, is sufficient reason to hastily come to a decision without giving thorough investigation into this matter.

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

MR. HOWARD: Thank you Mr. Chairman. The Clerk has just drawn Mrs. Gray's attention and my attention to Mays Parliamentary Practice which points out - A Committee which has not been given the power to send for persons may not without leave of the House request persons to attend as witnesses or examine persons who tender themselves as witnesses. Could I therefore seek leave to move that the House gives leave to this Committee if it is formed to request persons to attend as witnesses and to examine such persons.

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

MR. HOWARD: I move that leave be granted by the House to the Committee if it is formed, to request the attendance of persons and to examine those persons.

MISS BUFFETT: Can I ask a question on that. By that clause requesting people to attend etc, is there any criteria - are they obliged to attend - they don't have to, well that's alright, if it was more or less a demand I could not agree.

MR. ACTING DEPUTY PRESIDENT: The question is that Mr. Howard's motion be agreed.

Question - put
Motion agreed to unanimously

MR. ACTING DEPUTY PRESIDENT: Any further debate Members. Mr. Quintal.

MR. QUINTAL: Yes Mr. Chairman, I would just like to mention one thing and that is that just recently a gentleman by the name of Mr. Floris
arrived on the Island and he said that he had a landing barge that he was prepared to bring to the Island and he claimed that he could land the barge in Ball Bay at any time, and if he does come up with some figures and come up with some proposition that is suitable I feel that the Committee may look at them because they have landed the barge at Lord Howe several times and it is suited to those conditions, and if a landing barge could be encouraged to come over here, especially if it would drop the freight rates, I feel that it would be a big advantage because it would save a huge costs in boats and launches and might be something that we could have over here one day.

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: This is sheer ignorance and I shouldn't be confessing it but isn't Mr. Buffett the Executive Member for jetties etc.

MR. BUFFETT: I can confirm that yes I do have responsibility for jetties and foreshores Mr. Acting Deputy President if that clarifies the point.

MR. ACTING DEPUTY PRESIDENT: Further debate Honourable Members. There being no further debate the question is that the motion as amended be agreed.

Question - put
Motion, as amended, agreed.

COMMITTEE TO INVESTIGATE COMMONWEALTH LEGISLATION EXTENDING TO NORFOLK ISLAND

MR. ACTING DEPUTY PRESIDENT: Notice No.5. Mr. Sanders.

MR. SANDERS: Thank you Mr. Chairman. I wish to move a motion that this House, being of the opinion that any question of whether Commonwealth legislation or proposed Commonwealth legislation should be extended to, or should extend to, Norfolk Island is one that should be decided by all Members of this House, directs - (1) that there is
by this motion, established a Committee consisting of the Executive Member for Planning, Tourism & Commerce, Mrs. Chloe Gray and Mr. John Brown; and (2) that any question of whether Commonwealth legislation or proposed Commonwealth legislation should be extended to, or should extend to, Norfolk Island, be referred to that Committee for consideration and recommendation before any other action is taken by the Government in respect of such question; and (3) that the Committee's report or recommendations under the preceding paragraph shall be brought before this House for consideration and approval at the first sitting of this House following the referral of the question to the Committee; and (4) that this House's recommendations in respect of any question reported to the House by the Committee shall form the basis of the Government's policy in respect of the application or proposed application of the Commonwealth's legislation or proposed legislation to Norfolk Island.

Mr. Chairman I circulated a letter to all Members of the Assembly setting out the details - would you like me to read it - "On 18th May 1982 the Administrator wrote to the then Executive Member for Planning, Tourism & Commerce with reference to the extension of the Domicile Act 1981 to Norfolk Island. A copy of the Administrator's letter is attached. The Administrator seeks in the first place the attitude of the Executive to the extension of the Act to Norfolk Island indicating that he will require the advice of the Executive Council on the matter. In the second place he raises the broader issue of the procedure which should be adopted by the Executive Committee in determining whether particular Commonwealth legislation ought to extend to Norfolk Island. In my view such matters ought to be determined by debate in the full Legislative Assembly so that all Members may have some input on the question and so that the public will be fully informed as to both the fact and the consequences of the extension of Commonwealth legislation to the Island. I propose that prior to discussion in the Assembly on a particular piece of legislation that it should be considered by a committee of the Assembly whose terms of reference are to examine all Commonwealth legislation which is proposed to be extended to Norfolk Island and to report to the Assembly on such legislation with a recommendation as to the Assembly's action. It will be the responsibility of the Executive Council to advise the Administrator in accordance with the views expressed by the Assembly. In summary I propose that the
question of the extension of any particular Commonwealth legislation to Norfolk Island be decided by a full vote of the Assembly; that there be established at the next meeting of the Assembly a standing committee on the extension of Commonwealth legislation to Norfolk Island; that the committee comprise three Members being myself, as Executive Member having responsibility for legislation planning; Mr. J.T. Brown and Mrs. C.B. Gray; that any proposal by the Commonwealth as to the extension of Commonwealth legislation to Norfolk Island be referred in the first instance to the standing committee; that it be the duty of the standing committee to examine and report to the Legislative Assembly upon the proposal; that the Executive Council advise the Administrator in accordance with the decision of the Assembly. What I propose will have the advantage of greater involvement of non-Executive Members. I would propose that the committee would have access to appropriate offices of the Public Service to assist it in considering and formulating a view on Commonwealth proposals. With respect to the Domicile Act 1981 it appears that this has been fully considered by the Executive Committee and it has been agreed that it should extend to Norfolk Island. I accordingly propose that the Executive Council at its next meeting advise the Administrator to that effect.

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

MR. HOWARD: In line with the parliamentary point that the Clerk brought to our notice on the previous motion, could I seek leave to move the addition of a fifth part of the motion saying that leave is given to the committee to request the attendance of persons and to examine them.

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

MR. HOWARD: Then I move that a paragraph numbered (5) be added to the motion, reading - (5) that leave is given to the committee to request the attendance of persons and to examine them.

MR. ACTING DEPUTY PRESIDENT: Debate Honourable Members. The question is that Mr. Howard's motion be agreed.

Question - put
Motion agreed to unanimously

MRS. GRAY: Thank you Mr. Acting Deputy President. I am inclined to agree with the point raised by Bill Sanders that thorough examination of Commonwealth legislation prior to its acceptance or otherwise here on Norfolk is most desirable. The committee should be placed in such a position as will enable it to examine the ramifications of legislation introduced here and in doing so avail itself of all possible information both for and against, as it applies both here and in Australia. I have sort of got mixed feelings about which three to do the job. The situation before or as it is prior to this motion is that the three Members of the Government make that decision on legislation, and in the past that decision has been made in the Executive Committee and did not reach the floor of this House. I feel that that surely defeats the purpose of this body, of this Legislative Assembly. The function of this body is to legislate and that function was being taken away from it. The committee will be asked to recommend action to the House not to take the decision away from it as has been the case until now and I certainly support the motion Mr. Acting Deputy President.

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

MR. HOWARD: I support it too, I think it is healthy.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: Mr. Chairman, this motion certainly gives a broader representation to what previously went on where only Executive Members advised the Administrator of what laws should extend here. This motion has put it on a more broader footing where it will be brought into the House, and a decision made by the 9 elected Members in the House and the Administrator advised accordingly. Therefore I also support the proposition.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Jackson. Further debate. There being no further debate the question is that the motion, as amended, be agreed.
Question - put
Motion, as amended, agreed unanimously.

REFERENDUM ON VOTING SYSTEM

MR. ACTING DEPUTY PRESIDENT: Notice No. 6. Mr. Buffett.

MR. BUFFETT: Thank you Mr. Acting Deputy President. I move the motion standing in my name on the notice paper Mr. Acting Deputy President, that this House offers advice to the Administrator that he directs a referendum to ascertain the opinion of electors on the question as to whether they are in favour of a change from the Proportional Representation type of system of voting to a new Cumulative System of voting.

All Members will know that there has been much debate both public and private and written and verbal for that matter on the system of voting in Norfolk Island. This debate really commenced before the Assembly commenced in August of 1979 and it does continue to this day. It has also been the subject of a referendum on a particular method of voting and also proposed legislation in this House on at least two occasions. As a result of an offer by Mr. Ian Wilson who was at that time Minister for Home Affairs & Environment, which in turn resulted from a delegation consisting of Miss Buffett, Mr. Howard and myself to the Minister on the voting question, an enquiry was undertaken by Mr. Abbott and Dr. Snider both of the Australian Electoral Office into the type of electoral system most appropriate to elections of the Norfolk Island Legislative Assembly. This report has been presented and in short it proposes a Cumulative Voting System.

Mr. Acting Deputy President because of the wide opinion on the electoral method within the community which I have earlier referred to, I consider that the best course of action if there is entertained of the idea to change the method of voting, that the community should be consulted, and the method of doing so is by referendum, hence this motion which I do commend to Members of this House.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Further debate. Mr. Howard.
MR. HOWARD: I support the proposal for one reason in particular most strongly. The voting system that the Island had from the beginning was changed in 1979 in effect on the orders of Mr. Ellicott, he said the system you have isn't right, I am going to change it. The Council of the day opposed the idea, later a referendum showed that the people did not like the change, the majority did not like the change. Our Minister now has said to us in his visit here last week that he thinks a proposed change in the voting system this time should be put to the people. I think that is where voting systems ought to be decided on, by the people, not by the Assembly, not by the Minister, not by the Parliament of Australia, but by the people who have to use the system, the electors of the Island. I am extremely pleased that the Minister has said that he would like to hear the result of such a referendum and he would then feel that the Island had spoken and that that would be binding for a long time to come. I like his being willing to have that question decided at referendum and I support that and I think we ought to remember that he said that, I think giving to the Island the right to choose its own voting system is a very valuable thing. I support the motion.

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

MISS BUFFETT: Thank you Mr. Acting Deputy President, I wholeheartedly support Mr. Buffett's proposal for a referendum. While doing so I would like to clarify a misrepresentation made in a statement in the House last meeting by Mr. Brown, stating that I was a known supporter of the Preferential System when in actual fact I was one of the three delegates who represented Norfolk Island for the First Past the Post System to Minister Wilson in November with Mr. Howard and Mr. Buffett, and I put forth a very sincere case in support of First Past the Post. However that is buried. What I do consider now is that the people have the chance to say whether they like this system, which I think a lot of people are, I am in favour of this system now that we have been able to use it, I think it is quite good, but I also see the good qualities of the Cumulative System. We have agreed around the table and discussed the matter and I think it is very right and proper that it go before the people. Thank you.
MR. ACTING DEPUTY PRESIDENT: Thank you Miss Buffett. Further debate.
Mr. Jackson.

MR. JACKSON: Mr. Chairman, there is no doubt the motion sets out clearly what is meant by the desires that have been expressed by the Members who have responded to this motion so far, that it is the duty of this Government to place such a vital question to the electors, but in doing so there is now some confusion of what has been stated by the two officers and even explained amongst ourselves of what actually is the Cumulative System. I was of the opinion, listening to the officers, that you had nine votes and you can place them on nine candidates if you so desire, put one on each, you can also put the maximum of four on one and do what you like with the others. Now I believe there is some advice or a telex has arrived that says you can place one vote on your ballot paper and that paper is valid, now that being the case I would strongly support that if there is to be a referendum to decide what this motion has directed, those in favour of a change from Proportional Representation to the new Cumulative System of voting, that an educational system, a clear educational system to the public and to all of us also, be carried out so that we clearly understand what is meant by this Cumulative System. Now before I would entertain any vote of a referendum where any voters on this Island are not clear what this new system means, if that is done I support the motion.

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.

MR. QUINTAL: I just want to say very few words. I do support the motion, I think it is a very good one and very clear. In the past we did have First Past the Post voting system but a Minister thought that it wasn't good enough for us so he took that privilege away from the people and gave us something that we did not want, or the majority did not want. I am very pleased that our Minister today has seen fit to let the people of Norfolk Island decide and not take it into his own hands and give us something that we do not want again. Therefore I support the motion.

MR. ACTING DEPUTY PRESIDENT: Thank you. Mrs. Gray.
MRS. GRAY: Thank you Mr. Acting Deputy President. I certainly support the motion and intend voting accordingly.

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

MR. HOWARD: I would like to comment on Mr. Jackson's point which I think is entirely sound and valid. You cannot put the question to referendum unless people know what the Cumulative Voting System is that we are talking about, and there are still some uncertainties about that. I said earlier that I had hoped to table a Bill today, and for a couple of reasons it was not appropriate to do so, I hope it will be possible to get these uncertainties combed out and to introduce a Bill describing the Cumulative System as it is proposed precisely, I hope that can be introduced at the next meeting of the Assembly and I hope that will be at least a couple of weeks before the referendum so people will have a chance, after the House has looked at it and discussed it at least once, not passed it but discussed it, I think the people ought to have a look at what it is we are talking about. I support what Mr. Jackson said.

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

Question - put
Motion agreed to unanimously.

MR. ACTING DEPUTY PRESIDENT: Notice No.7. Mr. Howard.

MR. HOWARD: This is the Bill that I will not be bringing today.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Howard.
MR. ACTING DEPUTY PRESIDENT: Notice No. 8. Mr. Buffett.

MR. BUFFETT: Thank you Mr. Acting Deputy President. Notice No. 8 which stands in my name covers the Fuels Bill of 1982, and I present that Bill Mr. Acting Deputy President.

Mr. Acting Deputy President there has been a number of situations of recent times within the Australian scene that has been cause for concern in respect of the management and supply of liquid fuels in emergency situations. The Commonwealth, State and Territories have been asked to co-operate within guidelines to create management arrangements for the supply of liquid fuel in emergency situations, and for Norfolk Island's better protection it too should be a participant, hence this legislation of which I give notice today Mr. Acting Deputy President, and I would like to explain some of its provisions as follows.

The long title of the Fuels Bill 1982 records that it deals with the storage, distribution, transportation and handling of certain fuels. Its principal thrust is to enable the exercise of control over essential fuels, in particular petroleum fuels, in any circumstances or emergency that may occur on Norfolk Island. Further it provides a legal framework for the making of provisions for safe storage of fuels and specifically deals with one particular safety aspect, namely the prohibition of the practice of smoking at petrol pumps.

Clause 1 of the Bill provides for its short title.

Clause 2 contains the necessary definition provisions, in particular fuel is defined as petroleum, a petroleum product or a petrochemical, whether in a gaseous, liquid or solid state.

Clause 3 empowers the Executive Member to require of a supplier of fuel certain information relating to the quantities of fuel held, the rate of supply and source of supply.

Clause 4 empowers the Executive Member to exercise certain powers of entry and inspection of premises used for storage and supply of fuel.

Clause 5 also gives authority to require information from persons in charge of storage facilities as to quantities etc of stored fuel. The powers conferred by clauses 3, 4 and 5 are conferred to enable an Executive Member to have available to him information upon which the emergency powers contained in the legislation may be responsibly
exercised.
Clause 6 enables the declaration by the Executive Member of a state of emergency with respect to fuel. Such a declaration may be made where it appears to the Executive Member either that the maintenance of essential services, that is the generation of electricity, is or is about to be threatened by a reduction in the supply of fuel to Norfolk Island or where hardship is being suffered by residents through a reduction in fuel supplies. A declaration of an emergency remains in force for a maximum period of 28 days but may be extended if that situation becomes necessary.
Clause 7 deals also with the authority of the Executive Member. In summary they involve control over the supply of fuel during an emergency by restricting or rationing.
Clause 8 is a machinery provision dealing with notices and directions that are given during an emergency.
Clause 9 enlarges the Executive Members powers of search and enquiry during an emergency.
Clause 10 makes it an offence to obstruct the Executive Member or an authorised officer in carrying out functions under the legislation. It is important for me to emphasise and to repeat Mr. Acting Deputy President that the emergency powers are exercisable only where threats to fuel supplies or a fuel shortage threatens essential services or involves hardships for persons living on the Island.
Clause 11 deals with smoking or exposing a naked flame at petrol pumps. In short that is made an offence, as is supplying petrol whilst a person is smoking in close proximity to the pump. Petrol pumps will be required to be marked with a warning against smoking.
Clause 12 and Clause 13 empowers the Executive Member to delegate authority and also empowers the making of regulations relating to this particular piece of legislation.
I say again Mr. Acting Deputy President that the piece of legislation is one that will allow for emergency powers and will only be exercisable when there are threats to fuel supplies or a fuel shortage threatens essential services or involves hardship for persons living on the Island. And on that basis I present it to the House where it will lie on the table of the House so that it can be considered by all Members and by the community for a period until we next meet again Mr. Acting Deputy President. I commend it to the House on that basis.
MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Debate Honourable Members. Mr. Jackson.

MR. JACKSON: Mr. Chairman. No doubt the Bill will lay for the necessary time until the next sitting, but the Bill has been brought in especially, and Mr. Buffett has stated the reasons, for emergency power and essential services in the case of shortages that may arise in the natural supply of fuel. What I suppose will be in the minds of many residents, it is certainly in my mind, is why should we have to interfere with anyone else's fuel in an emergency, why can't this Government set up its own fuel installations, why can't this Government import its own fuel and set up their own tanks and set up their own distribution points, and then in the case of an emergency there is no need whatsoever to infringe on anyone else's fuel which at this present stage we would have to. So therefore I would like the Minister who is responsible in the carriage of this Bill to take on board these points because it is dear in the minds of the public that this Government should have their own tanks, have their own tanker coming in and pumping out fuel for the consumption of Norfolk Island, and in the event of any emergency such as what Mr. Buffett has just said we will have it completely in our hands instead of moving essential emergency Bills to do just this.

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

MRS. GRAY: Thank you Mr. Acting Deputy President, despite the fact that countries around the world are tending to privatisate, Mr. Jackson pleads once again for nationalisation of an industry, if I can call it that, on Norfolk Island.

Mr. Acting Deputy President I would like to comment particularly the clause which deals with smoking near petrol pumps, it is something which has been of some concern to people on the Island and I am very pleased to see that this has been included in the Bill. Thank you.

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

MR. BUFFETT: I just need to make one point, that raised by Mr. Jackson in which he asked that it be taken aboard. I, at this time anyhow, can
only make this comment from the Government's point of view Mr. Acting Deputy President, that the Government has not exercised a wish at this time to enter into what is at present a service provided by private enterprise. This Bill does not address that matter at all, it does provide some statutory arrangements if we do find ourselves in an emergency situation whereby the overall interests of the Island can be so managed and arranged that there is protection all round.

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: Thank you Mr. Acting Deputy President. I feel that the Norfolk Island Government should be the recognised body responsible for the establishment of priorities should an emergency situation arise whereby fuel supplies from the usual source are interrupted suddenly. We all know the turbulence being experienced in the political climate of the Arabian Gulf and expedition in the passage of this Bill can only ensure the essential wise precautionary measures to be taken for the prevention of almost complete dislocation of essential services on the Island and the effects of such could prove quite devastating. I wish at this point to also congratulate the Executive Member for the safety precautions which he has embodied in clause 11 of this Bill regarding safety at petrol pumps. Thank you.

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

MR. SANDERS: Thank you Mr. Chairman. I consider this a very worthwhile Bill and I support it.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: Thanks. Mr. Jackson's thought about the Government possibly establishing fuel supplies I don't think would in any way make the Bill that Mr. Buffett has introduced one bit less necessary. Even if the Government had its own tanks if there happens to be a fuel emergency, if suddenly the shipping lines get shut down from a war or whatever, we would want to control the Government's fuel and everybody else's fuel to make sure it went in the right and necessary places. I think it is a good Bill, a sound Bill. My concern is that it is a bit like a fire extinguisher, you hope you are never going to need it, you
better have one someplace, but people don't pay too much attention to fire extinguishers because they think they may not need them. I hope the people who are involved in fuel storage and sale on the Island will get their hands on this Bill urgently in the next several weeks and will read it and think to themselves suppose this fire extinguisher actually had to be brought out and used, how is it going to work, and I think they ought to turn their minds to whether this is a practical plan, it looks practical to me but I am not in the fuel business, and I think we will feel easier if they looked at it and if we know a month from now that it sounds sensible to them. I support the Bill.

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

MR. QUINTAL: I think this Bill is very necessary and it is a very good one. I notice here in one clause it says something about switching off your engine before you open your petrol tank - that is something I have seldom done, I don't remember doing it at all, and it is a wonder somebody has not blown up one of the petrol bowser with that awful filthy habit of smoking. I support the Bill.

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

MR. BUFFETT: If I could just make it plain Mr. Acting Deputy President that it is not my purpose in presenting this Bill to conduct an anti-smoking campaign.

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

MR. SANDERS: Thank you Mr. Chairman, I have the feeling that Mrs. Gray and Mr. Quintal would like to have smoking in this House included in the Bill.

MR. ACTING DEPUTY PRESIDENT: Will a Member move the adjournment of the debate. Mr. Buffett. The question is that the debate be now adjourned and the resumption of the debate made an order of the day for the next sitting.
Question - put
Motion agreed to unanimously
Debate (on motion by Mr. Buffett) adjourned
Resumption of debate made an order of the day for the next sitting

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.

MR. SANDERS: Mr. Chairman, owing to the very lengthy programme that we still have to go and the hour of the day, I move that this sitting of the House be suspended until next Wednesday at 2 p.m.

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

MR. BUFFETT: I think we can get further on today Mr. Acting Deputy President.

MR. ACTING DEPUTY PRESIDENT: Debate.

MR. QUINTAL: I would like to see us go ahead Mr. Acting Deputy President. Actually I think this is one of the very few meetings where we all seem to have agreed with one another and it has been quite pleasant up to date.

MR. SANDERS: I am quite happy to withdraw that motion if the Members are happy.

ELECTRICITY (SUPPLY) BILL 1982

MR. ACTING DEPUTY PRESIDENT: Notice No.9, Mr. Buffett, the Electricity (Supply) Bill 1982.

MR. BUFFETT: Thank you Mr. Acting Deputy President. I present the Electricity (Supply) Bill 1982 and I move that the Bill be agreed to in principle.

Mr. Acting Deputy President this Electricity (Supply) Bill is a Bill relating to the generation purchase and supply of electricity by the Administration and for related purposes. The real intention of this Bill
Mr. Acting Deputy President is to place upon a statutory footing the
generation and supply of electricity which is presently carried out by
the Electricity Undertaking. The supply of electricity is a matter
falling within schedule 2 of the Norfolk Island Act and it is considered
desirable that there be legislation to regulate the obligations of the
Administration and the consumers of electricity. In particular it
should be recognised that the Electricity Undertaking is not at present
a statutory body but an agency through which the Administration's
functions of the generation and supply of electricity are carried out.
At present obligations between the Administration and consumers of
electricity are contractual obligations and it is really considered
desirable to have these replaced with clear statutory obligations of
universal application, and so I attempt to describe the various clauses
within the Bill to this House Mr. Acting Deputy President.
The first clause is of course only formal relating to the short title.
Clause 2 is the interpretation provision. One aspect of that to which I
will draw attention is electrical plant, which is defined as plant and
associated works used to generate and distribute electricity including
meters, electricity lines and apparatus concerned with such lines, poles
and towers and the fences, buildings and other works used to house and
protect the plant.
Clause 3 of the Bill details in specific terms what the Administration's
powers are to the generation and supply of electricity and the hiring
cut and sale of plant.
The next clause of the Bill empowers the Administration in order to carry
out its functions of the supply of electricity to enter on land and make
appropriate examination of the land. This power is exercisable only
after the Executive Member has given written notice to the owners of the
land of the Administration's intention to do so.
Clause 5 empowers the Administration to construct or maintain electricity
plant above or beneath the surface of the ground, to enter upon land to
carry out service repairs or maintenance and to do what is necessary for
those purposes. Once again these powers are exercisable only after
notice has been given.
Clause 6 provides that where trees or vegetation growing on property may
interfere with electricity plant, the Administration may serve a notice
upon the owners and occupiers of that land requiring the trees to be
lopped or vegetation cleared, and empowers the Administration in the event
that the owner does not carry out such a request, may enter and carry out the work.

Clause 7 relates to the maintenance by the Administration of electrical plant and empowers the Administration where necessary to remove or erect fences or any gates hindering the exercise of its function. Once again this is exercisable only after notice has been given to the owner. Clause 8 provides that where a sub-division has taken place and as a result of such sub-division it becomes necessary to alter the position of or remove an electrical installation, the sub-divider may be required to pay the cost of any such work.

Clause 9 of the Bill casts an obligation upon the Administration in exercising any power under the legislation to cause as little damage and as little inconvenience as is possible and to pay compensation to any owners of land which is adversely affected by the exercise of duties. Such compensation may be payable in respect of temporary or permanent damage or inconvenience. The amount of any such compensation will be as agreed between the owner of the property and the Administration or in the absence of any such agreement, determined by an appropriate Court.

Clause 10 of the Bill confers upon the Administration the statutory entitlement to sue for amounts due under the legislation and contains certain evidentiary provisions to facilitate proof of amounts that may be due.

The next clause requires that where electricity is supplied by the Administration there shall be installed a meter to ensure such supply and makes provisions for checks to the meter to be carried out by the Administration when required.

Clause 12 deals with applications for supply of electricity and imposes an obligation upon persons who are connected to the electricity supply to pay the costs thereof.

Clause 13 empowers the Executive Member by notice in the Gazette to specify from time to time the price of electricity and imposes upon consumers the statutory obligation to pay at that price.

Clause 14 of the Bill empowers the Executive Member may by notice prohibit the use of certain classes of electrical appliances or to limit the time to which they may be used or the class of consumer by which they may be used.

The next clause contains certain provisions as to notices that may be given by the Executive Member under those two previous clauses, that is
the price of electricity and the categories and classes of electrical appliances.
Clause 16 provides that deposits may be required from consumers of electricity.
The next clause requires that at least 48 hours notice is to be given by consumers of intention to cease occupation of a premises.
Clause 18 empowers the discontinuance of supply of electricity in the event of non payment of the amount due to the Administration or non compliance of the obligations that relate to that supply.
Clause 19 empowers the Administration to interrupt the supply at any time and exempts the Administration from liability in respect of such interruption.
Clause 20 prohibits the supply of electricity except with the consent of the Executive Member.
Clauses 21 and 22 create offences for a person to destroy damage or interfere with electrical plant or to unlawfully use electricity.
Clause 23 exempts from liability a person acting for the Administration under the legislation providing the person acts in good faith and for the legitimate purpose of the legislation.
The second last clause empowers the Executive Member to delegate his powers under this legislation.
The last one provides that regulations may be made dealing with the matters detailed under this Bill.
That gives an outline Mr. Acting Deputy President of the provisions that are contained within the Electricity (Supply) Bill which, as I have said earlier, will provide a statutory basis so that the contractual obligations that exist now are more clearly and widely known for all those who are involved, that is the supplier - namely the Administration, and the consumers who live in the Island.
I commend this Bill to Members, it will sit on the table of the House for a period of time until we meet again.

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

MR. SANDERS: Thank you Mr. Chairman. I have difficulty with a few of these clauses. One is the power to enter land and make surveys. No. 1 reads 'the Administration may for the purpose of ascertaining the suitability of land for carrying out functions under this Act, enter upon
and inspect the land'; and '(b) on land so entered make surveys, take levels, sink bores, dig pits, examine the soil and do other acts necessary for that purpose. Before the Administration enters upon land in pursuance of sub-section 1 the Executive Member shall give written notice of the Administration's intention to do so to the owner and occupier of that land'.

I find that I have a lot of difficulty with the Executive Member being able to say what somebody is going to do with their land. I think it is basically very rude, it is not even asking the owners permission, it says he shall. I think that there ought to be the owners permission right at the top before (a) and I also think that right at the very bottom the Executive Member shall give a written request, not a notice. Also clause 20 - persons not to generate electricity in competition with the Administration. This is another condition that is put on the people of Norfolk Island if they find it too expensive to provide power for themselves under the existing situation where you are taking away the right for them to generate their own.

Also another one I disapprove of is the exemption from liability. As far as I am concerned if anybody comes on to my property and does damage they are going to pay.

I disapprove of those three. Without appropriate amendments I oppose the Bill.

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

MISS BUFFETT: Mr. Acting Deputy President if Mr. Buffett wished to reply to something I am quite willing to wait until he does so.

MR. BUFFETT: I didn't really mean to elaborate any further at this sitting, the purpose as I have mentioned Mr. Acting Deputy President is to place the Bill on the table so that it is available for comment both by the community and by Members of this House. I do note with interest Mr. Sanders' comments in respect of people who have private property and how they wish to protect it, I certainly will bear that in mind when we come to Order of the Day No. 6 in respect of the notice paper that is before us this afternoon.

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.
MISS BUFFETT: Thank you Mr. Acting Deputy President. I also agree with Mr. Sanders on clause 4. I think a request should be made. Also in clause 20, page 23, I would like to ask the Minister responsible, Mr. Buffett, if he could clarify the position for a person wishing to generate his own electricity, run his own refrigeration etc, from methane gas for instance, supply his own power—surely he would not have to apply to the Administration in this case. Do you mind if I ask that question.

MR. BUFFETT: Mr. Acting Deputy President the thought behind this was that if there is to be an Electricity Supply Authority that it should be done on an as economical basis as one can arrange, and of course the more consumers one can utilise the cheaper it becomes and it is thought that if there is a clause which in fact does require people to be a consumer it may well assist in the costing process. That is a provision that lies there at present and I am happy to have comment from other Members upon it if they find difficulty with it; that is the very purpose of laying it on the table.

MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: Thank you. I would like to come back in on this with another difficulty I have. I agree with the principle of the Bill but I have difficulty with clause 20 because in the not too far distant future I sincerely hope that we will be looking into the use of the resource of effluent for the provision of gas for the production of electricity. Thank you.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: I think it is a fine thing to be putting electricity supply on a statutory footing, that is needed, the Island has gone along a very long time without that being done. I think it needs to lie on the table and be worked on, maybe a good deal longer than a month. I think a great deal has so far not been thought about that I think needs to be thought about if for the first time we are going to put electricity supply on a statutory footing, and I would like to foreshadow some subjects for possible amendments that it seems to me are needed if we are
going to have a balanced, sensible law on this subject. For example electricity can damage and harm people - shouldn't there be something in this Bill that says we supply the electricity but you use it at your own risk. For example storm or earthquake can bring wires down and wires full of electricity can cause damage. What is the Administration's duty on that kind of situation, what is the Administration's responsibility, what liability do we have. For example variations in voltage and in the frequency of alternating currents can cause damage to certain kinds of equipment. The Administration supplies electricity that everybody knows is variable. Shouldn't the law make it clear that what the Administration offers is electricity as is and that we don't accept liability for damage resulting from variation in the current. For example are some users of electricity on the Island given electricity without charge or at a cut rate, if so who are they and why. Shouldn't the Bill set out the fact that all electricity is to be charged for and for example shouldn't the Bill set out that if special rates or free electricity are considered to be proper in some cases, shouldn't the Executive Member be required to table in the Assembly what those special deals are and why. As one little example, does the Commonwealth pay for the electricity that goes to Government House or doesn't it, I don't know, if they don't, why don't they. A major shortcoming in the Bill so far as I am concerned is that it says nothing about an Electricity Board. An Electricity Board was set up some long time ago to provide two services that I think are very important. One was to provide citizen oversight of the Electricity Undertaking and its efficiency, the planning of the supply of electricity and the charging for electricity. Electricity is a vital community service and electricity is also a major item in the cost of living for all of us, and I think having a citizen board acting as a watch dog on the Electricity Undertaking is a very valuable thing. Secondly the Electricity Board was set up to provide volunteer citizen assistance in certain special areas that the Administration may not have particular skills, such as for example electrical engineering or the construction field or purchasing or particular kinds of accounting or knowledge of world fuel trends and so on. That is the kind of information that an Electricity Board of volunteer citizens can bring to bear on the Electricity Undertaking. I am troubled that a Board is not provided for in this Bill, I am curious to know whether there is a Board any more and if there isn't a Board any more, what happened to it, and why. I would like to know whether the
Board members, or the former Board members, had a chance to comment on this Bill and what it contains. Shouldn't they be asked for their comments, I think they should. Those are a few of the rather broad reaching aspects of electricity and electricity supply that it seems to me we need to think about before we go much further with our first statutory Bill on a very important subject, and I would like to foreshadow that I will be looking at possible amendments to deal with some of those matters. I am a little concerned that the Bill, at least to my knowledge, was never brought through the Executive Committee, it has not had some of the kinds of scrutiny that would have led to that sort of thing being looked at, I think they need to be looked at.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: Mr. Chairman. This Bill has been in the pipeline now for three years. There was, in the early life of the First Legislative Assembly, an Electricity Board, that Board had no statutory powers. This Bill now before us will give the Board that power, to examine and advise. This Bill before us which has been so long coming and so important and now it is on the table I am quite happy to see it there, however Members around the table have indicated that they will be foreshadowing amendments, well that is good, that is what a Bill is about, that is why it lies on the table for a month or, as Mr. Howard has recommended, it should lay for longer, well that is good too because we can well remember the debate, the number of amendments that took place on the Road Traffic Bill, and here this afternoon most likely we will deal with one of the last, and I hope the last, amendments to that lengthy Traffic Bill. So a Bill of this nature I am not frightened of, if anyone is frightened of it well surely between now and the next sitting the opportunity is there if anyone feels there is something being omitted out of it, to amend or include certain proposals. But once again I am quite happy to see the Bill before us because it has been three years since the initiation of this Electricity Supply Bill was commenced.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray, sorry, Mr. Buffett.

MR. BUFFETT: Thank you Mr. Acting Deputy President. I think it may be
helpful if I just comment on a couple of things that have been mentioned, one by Mr. Sanders and a couple by Mr. Howard, it may just help clarify some of the thoughts. Mr. Sanders for example found some difficulty with the Administration not necessarily having liability in some areas. Mr. Howard has mentioned that there should be some clear indication that there shouldn't be any responsibility for example on such things as fluctuations of power and the like. That might be a difference of opinion between those two Members, I just point out that as far as the proposed Bill is concerned, and it is only a proposal at this time, clause 23 in fact exempts from liability persons within the Administration who act in good faith that is, in the exercise of provision of electricity and the duties that they perform. That in fact covers one of those points that has been mentioned. Another point that was mentioned was that if there are varying rates of electricity that this should be made known. I refer to clause 13 of the Bill which in fact points out that gazetted of electricity prices as they are from time to time are to be gazetted, and of course that would include the total range of whatever electricity rates are, if there are different rates for different categories of buildings or persons or whatever. I do point out that the Bill has been in the pipeline for some considerable time now. It in fact was considered by what was then the old Policy Committee in its general terms, but of course has no doubt been receiving further examination further along the line and it has now come to the situation of being able to be presented for examination and to be tossed around amongst us in this forum, and not only by us but by members of the community and I think that is a healthy way of examining the situation. They are just a couple of points that I thought might assist the examination of some points.

MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Buffett. Further debate Honourable Members. The question is that the 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. Jackson) adjourned
Resumption of debate made an order of the day for the next sitting.

MR. BUFFETT: Thank you Mr. Acting Deputy President, that too stands in my name. I present the Electricity (Wiring) Bill 1982 and I move that the Bill be agreed to in principle. This really is a corollary to the earlier Bill that I introduced. The Electricity (Wiring) Bill is intended to replace the Electricity (Wiring) Ordinance of 1933 - so it is some time ago, and it is considered that that particular piece of legislation did not make sufficient provisions to ensure that persons carrying out electricity wiring procedures are appropriately qualified by today's standards that is. I would just like to again point out some of the clauses that are contained within the Bill for the information of Members and those who may be listening to this particular debate.

Clauses 1 and 2 of course are formal provisions.

The third clause is an interpretation division defining article of electrical equipment, electrical installation and electrical wiring.

Clause 4 provides that electrical installations shall be of a prescribed standard, which until some set standards are prescribed by regulations means the standards set out in the Standards Association of Australia Wiring Rules as amended from time to time, which is that that is currently operated upon.

The next clause provides that electrical installations are not to be connected to mains and that the loading of an electrical installation shall not be increased until the work has been tested by an officer.

Clause 6 provides prohibition of the carrying out of electricity wiring work except by firstly the holder of a grade A electricians licence; (b) whether wiring work is on an electrical installation for use of a single phase supply of electricity having a work pressure not exceeding 250 volts; the holder of an electricians licence grade B; or thirdly a person working under the supervision or direction of a person who holds an appropriate electricians licence.

Clause 7 deals with the procedure for application of an electrician's licence.

Clause 8 deals with the eligibility for granting of a grade A electrician's
licence and the qualifications required, that is the completion of an appropriate apprenticeship in Norfolk Island, the United Kingdom, Australia or New Zealand, and the holding of an appropriate trade course certificate or being able to satisfy the Executive Member or a person approved by him that the applicant for a grade A licence has such knowledge and experience as is necessary to hold a grade A licence. The next clause, clause 9, relates to the qualifications for the granting of a grade B licence. These being in summary having served an apprenticeship and having appropriate experience which would enable an applicant for a grade B licence to carry out satisfactorily under direction or supervision, electrical wiring work.

Clause 10 empowers the Executive Member to replace licences which have been lost or destroyed.

The next deals with the Executive Members authority to cancel or suspend a licence and sets out the circumstances in which such a power may be exercised. These circumstances include the carrying out of work which did not comply with the standards, providing false information as to electrical installations and contravening the provisions of the Bill.

Clause 12 gives the right of appeal to the Court of Petty Sessions against cancellation of a licence.

The next clause of the Bill gives a person authorised by the Executive Member power to enter upon land and inspect electrical installations to ensure that they are in accordance with the required standards. Such person may only do this if he is able to produce a written certificate of authority.

Clause 14 deals with the power of a person authorised to place a defect label upon an electrical installation or a piece of electrical equipment which will prohibit its use until it has been rendered safe.

Clause 15 is an evidentiary provision.

Clause 16 exempts the Administration or its agents from liability provided they act in good faith and without recklessness and for the legitimate purpose of the particular legislation.

Clause 17 empowers the Executive Member to delegate authority.

Clause 18 repeals the old 1933 Ordinance.

Clause 19 provides that regulations can be made under this particular piece of legislation.

Again Mr. Acting Deputy President that endeavours to be a summary of the various provisions contained within this proposed piece of legislation so that it might lie on the table of the House for whatever period of
time is necessary, Members may examine it, members of the community may examine it and come up with proposals in respect of amendments if they so desire.

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

MR. SANDERS: Thank you Mr. Chairman. I have difficulty at a quick glance at this one too, and it also relates to exemptions from liability. In part of this Bill it says if you hinder the fellow that the Executive Member has said can enter your property, you get fined 4 penalty units, and yet clause 16 it states the Administration or a person acting on behalf of the Administration is not liable for any loss or damage. So it is giving the Executive Member the power to tell somebody that he can come on to your land, they can by accident do some damage, and that is perfectly alright. I don't go along with that at all. I oppose this Bill without amendments too.

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.

MR. QUINTAL: Mr. Chairman, I notice in clause 6 it actually takes a little bit of freedom away from myself and others. It says that a person shall not carry out electrical wiring work unless he is the holder of an electricians licence grade A, or, and it goes on, and I think I am one of the best wiring experts on Norfolk and I don't have a licence.

MR. ACTING DEPUTY PRESIDENT: Further debate. Will a Member move the adjournment of the debate. Thank you Mr. Quintal. 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. Quintal) adjourned
Resumption of debate made an order of the day for the next sitting.
MR. ACTING DEPUTY PRESIDENT: Notice No. 11, standing in Mr. Buffett's name, the Medical Practitioners Registration Bill 1982.

MR. BUFFETT: Thank you Mr. Acting Deputy President. I present the Medical Practitioners Registration Bill 1982 and move that the Bill be agreed to in principle.

Mr. Acting Deputy President there isn't at present legislation provisions for the registration of medical practitioners to practice on the Island. Consequently there is no provision prescribing the qualifications to be held by a person seeking to practice medicine or in a paramedical capacity on the Island. It is considered that in the interests of the protection of the community there is a need to ensure that persons who do practice medicine on the Island should hold appropriate qualifications and a consequent need to prohibit the practice of medicine by unqualified persons. This particular Act, the Medical Practitioners Registration Bill provides for the registration of medical practitioners.

I will again endeavour to briefly describe the clauses Mr. Acting Deputy President.

Clauses 1, 2 and 3 are formal provisions and interpretation clauses.

Clause 4 provides that the Administrator shall keep a register of medical practitioners.

Clause 5 provides that registration is effected by the entry of a practitioners name on the register and that such registration is effective for a period of a year.

Clause 6 sets out the qualifications required for registration, those being that an applicant for registration is registered as a medical practitioner under the law of the United Kingdom, a State or Territory of Australia or New Zealand.

Clause 7 provides that registration shall not be effected by the Administrator unless he is satisfied that the applicant possesses those qualifications and is otherwise a fit and proper person to practice medicine.

Clause 8 provides the payment of a fee for registration.

Clause 9 renders it an offence to obtain registration by means of a false or fraudulent representation. Such offence being punishable by a fine.

Clause 10 sets out the disciplinary provisions to the Bill empowering the
Administrator to apply to the Supreme Court for an order that the registration of a medical practitioner's name be removed from the register in certain circumstances which renders a person unfit to continue to practice medicine. The clause gives the Court power to remove a practitioner from the register or to order a period of suspension. Clause 11 of the Bill deals with the Administrator's power to remove a name from the register either in accordance with an order of the Supreme Court or on the cessation of the practitioner's registration elsewhere, his death or upon his request that his name be removed from the register. Clause 12 makes it an offence to practice as a medical practitioner without registration and such offence is again punishable by a fine. Clause 13 provides that only registered medical practitioners may hold official appointments as medical officers. Clause 14 provides that persons other than registered medical practitioners shall not sign medical certificates required to be signed by such practitioners including death certificates. Clause 15 provides for two exceptions from the provisions of the Bill. Firstly the giving of emergency medical treatment by a medical practitioner who happens not to be registered in the Island; and secondly there are exempted from the provisions of the Bill various para-medical practitioners such as chiropractors, dentists, pharmaceutical chemists or druggists, nurses, midwives or physiotherapists.

The final clause, as is with the others that I have mentioned this afternoon, provides that regulations may be made dealing with matters that are detailed in this particular piece of legislation.

Again I explain to the House Mr. Acting Deputy President that this piece of legislation has been one that has been pursued for some time and it has now reached the stage where it can be brought forward for examination by Members of this House and by the community and if thought appropriate to make amendments if that is the wish of Members, and I propose that it lie on the table of the House for a period of time so that all may happen Mr. Acting Deputy President.

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

MISS BUFFETT: Thank you Mr. Acting Deputy President. I have been in consultation with the Government Medical Officer after my reading of this
Bill which I received yesterday, and I have quite a few recommendations for amendments. Perhaps Mr. Acting Deputy President if I asked the Executive Member for Administration, Education and Health if he could call a meeting very shortly of Members to discuss this Bill or could we include the Medical Practitioner at a meeting, or would the Minister prefer me to just come through with some proposed amendments at the next sitting, which would be the best way you would prefer it.

MR. BUFFETT: I am quite happy to tackle it whichever way Miss Buffett would like it, I am happy to have a meeting with her and with other interested parties Mr. Acting Deputy President.

MISS BUFFETT: I think that could only be beneficial if I could ask that then thank you, otherwise I could go on lengthily now, but I would prefer a meeting first. Thank you.


MRS. GRAY: Thank you Mr. Acting Deputy President. I support what Miss Buffett has said and also trust that the Administrator's name is not being taken in vain in the Bill and that his comment and that of the Commonwealth will be sought during the time the Bill lies on the table.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: I think from all of the thinking I have been able to do about this thing, it came before the Executive Committee in March as a proposal, and I have been thinking about it from time to time ever since March, and I still cannot find one reason for bringing this Bill, I don't think it needs amending I think it needs putting in a file someplace and forgetting. I cannot see one danger that it protects the people of Norfolk Island from. I cannot see one benefit that it gains for anybody except some more busy work for somebody in the Admin to do - and I mean nothing critical by that remark. Medicine on Norfolk Island is practised only by the Government Medical Officers at the hospital and by visiting specialists who are invited to come and attend at the hospital under the supervision of the Government Medical Officer. There is no private practice of medicine on Norfolk Island. It is quite
immediately preventable if somebody tries to practice medicine on Norfolk Island simply to cancel his visitors permit and send him off, we control those things by the Immigration Ordinance, I don't think we need a register of medical practitioners, we know who the medical practitioners are, they are the Government Medical Officers and the specialists who come and work at the hospital and they are all under the control of the Administration right now and anyone outside trying to set up a health clinic or something would simply have his immigration permit cancelled and that is the end of that, why do we need more registers and fees and penalties and court hearings and registers and setting up.

MR. ACTING DEPUTY PRESIDENT: Mrs. Gray.

MRS. GRAY: I am trying to recall how many, but we have a number of doctors resident on the Island, I am not sure what their status under the Immigration Ordinance is but should they seek to practice, particularly if they are resident, I don't know that we would have the power to prevent them and I am not sure that I would be interested in trying to prevent them, I would certainly seek to make sure they are fully qualified and so on and so forth as this Bill suggests. I can't support Mr. Howard's comments.

MR. ACTING DEPUTY PRESIDENT: Mr. Sanders.

MR. SANDERS: Thank you Mr. Chairman. I can't remember how long ago it was but we had a lady doctor who came from the States who was practising at our local hospital for some time, I think even performing operations, and after she left they found out she wasn't even a doctor. I support this Bill.

MR. ACTING DEPUTY PRESIDENT: Mr. Jackson.

MR. JACKSON: Mr. Chairman, I think this Bill is most essential. I think it is essential for a number of reasons. It is essential because the health and welfare of the people of Norfolk Island have to be protected and it has to be protected against those that would come in under the conditions that Mr. Sanders has just stated, unregistered persons, and they carry out work before they are detected and some fatality may
occur from that work. I am sure Mr. Howard does not want a situation, in his opposing the Bill, of the Cook Island affair of Merlin Birch who is now in sanctuary in the United States, when he was carrying out work in his cancer clinic and he has been condemned right around the Commonwealth, we don't want a situation like that, and I am quite satisfied that this Bill should come before the House at an appropriate time and be passed as law for this Island for the protection and welfare of the people of Norfolk Island.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: Going back to the point that I was driving at, if a woman came in and practised at the hospital and it turned out she was not a doctor, I think that is the Government Medical Officer's fault - or the fault of the people who appoint the Government Medical Officer - surely we can have control with the help of people like Dr. Travers to make sure that Government Medical Officers are qualified people and know what they are doing, that has to be done, but I don't know that this Bill is needed to assure that. I think what we are talking about is an Island in which medicine really is practised only at the hospital. If Merlin Birch comes in to Norfolk Island, he is shot off the Island in a matter of days under the Immigration Ordinance, you have got no worry about a Merlin Birch here, the Immigration Ordinance covers that. If we have an Island where medicine is practised at the hospital it seems to me that it is already established in the Hospital Ordinance that the medical officer is in charge of medical matters at the hospital and I think that is where it ought to be left, I think setting up a whole new system of registering people may as a matter of fact cause some trouble. I think there may be overtones in it that if doctors who come here on a holiday once in a while think it would be nice to be registered in Norfolk Island and they apply for registration and have the qualifications, I think they can be registered, I think they probably must be registered. Does that then entitle them to practice medicine on Norfolk Island, I don't think it should. I think the real issues are not whether we have a book with a list of doctors in it, I think the real question is who is in charge of medical practice on Norfolk Island, and I think it has to be the G.M.O., I don't think a register is going to cure that.
MR. ACTING DEPUTY PRESIDENT: Miss Buffett.

MISS BUFFETT: If I might just put in this Mr. Acting Deputy President, whilst I have sought further discussion regarding this Bill, I seek it as quickly as possible because of the necessity in my view of establishing a system such as will be set up by this Bill for the protection of the people living in Norfolk Island and for the certainty of a standard - a required standard - of the registration of doctors. One of the amendments that I foreshadow will be made is that a person, to be able to be registered in practice here he must already be currently registered at least in a State of Australia.

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.

MR. QUINTAL: The lady referred to by Mr. Sanders - there was a very fortunate situation that happened, unfortunate but fortunate, that this lady doctor decided to send a person away, and it was just good luck that that person survived, she evidently had quite a big operation and survived the operation, and if it had been left to the lady doctor who supposedly was a doctor, I don't know what would have happened, and I think some Ordinance to cover just that one aspect is worth having.

MR. ACTING DEPUTY PRESIDENT: The question is that the debate be now adjourned and the resumption of debate 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.

SLAUGHTERING (AMENDMENT) BILL 1982

MR. ACTING DEPUTY PRESIDENT: Notice No. 12. Slaughtering (Amendment) Bill 1982, standing in Mr. Buffett's name.

MR. BUFFETT: Thank you Mr. Acting Deputy President. I present the
Slaughtering (Amendment) Bill 1982 and move that the Bill be agreed to in principle.

Mr. Acting Deputy President this Bill, which is an amendment to the Slaughtering Act, does nothing more than change the fee applicable for inspection under the Slaughtering Ordinance. We are losing money on inspections and should not continue to do so. The present fee is 50 cents per head, and $2.00 per head is proposed.

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

Mr. Sanders.

MR. SANDERS: Thank you Mr. Chairman. It was mentioned at the meeting the other day that the overtime for the Stock Inspector was $3,538 per year just to attend the slaughter yard on slaughter days. I would like to say that the Public Service Ordinance states that time off in lieu of overtime is applicable. It is not necessary for a Stock Inspector to be present all the time at the slaughtering of stock. Section 10(a) (1) of the Slaughtering Ordinance states that an Inspector shall examine stock before it is slaughtered; 10(a)(2) states that an Inspector who is present at slaughtering shall keep a book, it does not say he must be present. Section 10(3) says persons who slaughter without notification must inform the Stock Inspector of the time and place, keep the skins and ears for three days - even though that is a health hazzard, by then it is fly blown and everything, but there is no reason why the Inspector can't come that day to inspect skins and ears. He is not qualified to inspect carcasses or anything else. There is no reason why an Inspector cannot inspect stock during the working week; there is no reason why the Inspector cannot arrive at slaughter yards during or after slaughtering has been completed; there is no reason why the fact cannot be accepted that the same skin and ears still apply to the same beast whether alive or dead; there is no reason why the total inspection of skin and dead animals not dressed should take more than fifteen minutes average per slaughter day; and there is no reason why there should be any charge at all as time should be taken off in lieu of. The argument that the user pays should be rectified in charges that apply to drenching of cattle, which is compulsory, and grazing charges on the Common. It is more than apparent that these charges are not enough to pay the Stock Inspector on public service salaries.

In conclusion, the Stock Inspector's salary plus the overtime which has
been stated as $3,538, amounts to a little over $16,000 per year. This does not include his Provident Fund payments by the Public Service Board which amounts to approximately 8% of his salary, or the half airfare he is entitled to under the existing arrangements for himself and family every two years. Assuming there were 1,000 head of cattle on Norfolk Island, which I doubt, this means that the public purse is providing $17.50 per head for every beast on Norfolk Island, plus a vehicle, plus petrol and maintenance – the situation is ludicrous. I do not include pigs in this statement as they are not branded or ear-marked and it is not compulsory to drench them, even though myself and others do. On the matter of pigs all that is necessary is that they be counted if slaughtered for sale. To try and substantiate an increase in charges by penalising a few people who are prepared to do a filthy job, but essential job, is ridiculous and in bad taste. I have personally worked under this antiquated Ordinance for approximately 34 years. I have been to Court on some matters, I have been to the Supreme Court seeking a writ of mandamus with Judge Eggleston presiding, and won. The Government to prevent me from doing it again increased the fines only. It is still possible to take the same action again. It is more than apparent that Norfolk Island does not need a full time Stock Inspector; it is more than apparent that this Ordinance be re-written with consultation with the butchers and any other interested parties who by necessity have to work under it. I strongly oppose this Bill.

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

MR. BUFFETT: Mr. Acting Deputy President, as I mentioned, the sole purpose of the Bill is to raise the per head fee from 50cents to $2.00 to make it more realistic in respect of the expenses or the various costs that need to be taken into account in this day and age. It is some number of years, as I understand it, since that fee was revised. There have been a number of matters raised by Mr. Sanders. I really don't think that all of them relate to the matter that I am addressing, which is basically a fee to more properly cover the services that are performed. If there is a thought that there should be a total revision in what services should be provided, then I am very happy to have
discussion and see what can come out of that. But whilst we do have the piece of legislation that we do, there is a necessity for a fee to be charged and I don't think we should be losing money on it whilst we are obliged to charge and provide that particular facility. As to whether the duties of the persons who are involved in this activity are in fact performed full time or otherwise is really a matter that the Public Service Board and the Chief Administrative Officer of course needs to examine, and it is my understanding that examination has been made within reasonably recent times to substantiate the service that is being provided, and I might go on further that I think that the standard of the stock in Norfolk Island has risen considerably, almost dramatically, over the past couple of years during which time there has been the advantage of having the oversight of a full time Stock Inspector, but anyhow I'm starting to go on about those things which I really think are probably not totally relevant to the fee basis only Mr. Acting Deputy President. The sole purpose of my raising this matter is to put the fee on a more realistic basis and I am quite happy to have further discussions if there is a proposal in fact to change some of the policies in respect of the slaughtering piece of legislation.

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

MR. SANDERS: I appreciate Mr. Buffett saying that he would discuss these matters on having the Ordinance re-written, I think it is a good idea. The situation of increasing a charge at this moment reeks of Parkinson's law, the situation is created and the easy way out is to charge more money to make the thing realistic. I oppose the Bill completely.

MR. ACTING DEPUTY PRESIDENT: Mr. Quintal.

MR. QUINTAL: Mr. Chairman it seems to me that the increase from 50 cents to $2.00 doesn't add up to very much really, it is a little over $1,000 per head. I made enquiries and I found out that Bill's Butchery kills 4 head of cattle and 3 pigs per week; Lou Evans kills 6 head of cattle and 4 pigs per week. That means a total of 520 head of cattle per year and 364 pigs. I think if we want to save money there is money to be saved in the overtime. It seems to me that approximately $70 a week for overtime just to have a look at a few animals, inspect a few animals, is just not on as far as I can see, and surely we can find a person to
take on this weekend job at a lot lower figure as employment is getting so hard to get on the Island and there are a lot of people who are getting out of work, and surely we do not have to find this kind of money just for overtime to look at a few animals. I think it is just not on in my opinion. And the other thing I wish to say is the extra cost which in my opinion is not necessary will go on to John citizen—and that means the man with a big family, and I do not agree and would not support the Bill.

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

MR. JACKSON: Mr. Chairman, after listening to all that perhaps it is fortunate that I am in the fishing game. However I also see this Bill, not in the same view as Mr. Quintal or Mr. Sanders. I am always concerned when there is any extra cost that will be in the long run added on to the community, and I will continue to argue that we should always try to hold costs down that will eventually be passed on. But as to Mr. Quintal's point of view, no way will I support a view where he would like to introduce cheap labour to satisfy a need in opposing our local workers, and I would not support a view of that nature. Perhaps when we look at this 50 cents up to $2.00, when you add it up that represents a 300% increase. What I see in this Bill is if there had been a closer examination of the Ordinance in the past well we would not be in the situation where a jump of this nature from 50 cents to $2.00 would be anywhere near that, and therefore I take the point that the convenor of this Bill has stated he is quite happy to have meetings with others and hear their views, and no doubt that may be the best solution instead of perhaps waiting until the necessary time that this Bill will lay on the table until the next sitting and then come back again and thrash it out. If we can thrash out this particular question between now and the next sitting and come to some form of an agreement that may suit the majority of the Members around this table well then at least we have tried to come to grips with the situation that it seems now will cause some contention around the table here this afternoon. Therefore if Mr. Buffett is prepared to call together the people responsible in this particular industry and have discussions with them, well it may pay dividends in the long run.
MR. ACTING DEPUTY PRESIDENT: Thank you Mr. Jackson. Miss Buffett.

MISS BUFFETT: Thank you Mr. Acting Deputy President, while I agree with Mr. Jackson's proposal, I think it is a good idea to call people together, we are being a little reluctant in any move it appears to bring fees to a more realistic figure, when it doesn't suit in some areas it won't apply. It doesn't apply to the imposition of a bed tax on tourism, it doesn't apply to a realistic figure on cattle, it is not a realistic figure in other directions, so I think we will either have to stop taking notice of accountants who say the value of money is falling or we will have to be quite realistic and increase fees. Fees just can't remain at the same basis over the years. If there is to be amendments to Bills well come at it at a different angle but I think so many of the Administration charges are not realistic, they just have not increased over many years. Whilst I support the context of this Bill I will also support a meeting and I would like to be present to hear all concerned because it does concern a lot of people on Norfolk.

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

MRS. GRAY: In principle Mr. Acting Deputy President I am against patchwork legislation and I think listening to Mr. Sanders and to Mr. Jackson that there is I think room for consideration of the Slaughtering Ordinance as a whole rather than just an alteration of just this part of it, whether or not the rise is justified I know not, as yet, I will have to go and talk to my friendly local butcher, it looks like he needs the business.

MR. ACTING DEPUTY PRESIDENT: Thank you Mrs. Gray. Further debate. Will a Member move the adjournment of the debate. Thank you Mr. Howard. The question is that the debate be now adjourned and that 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.
COMMUNITY SERVICE ORDERS BILL 1982


MISS BUFFETT: Mr. Acting Deputy President I have no copy of Notice No. 13, and I have checked my mail, and I would like...

MRS. GRAY: That does not preclude its presentation Mr. Acting Deputy President.

MR. JACKSON: Neither do I have a copy.

MR. QUINTAL: I did not receive a copy myself.

MISS BUFFETT: We have no chance to comment on it.

MR. SANDERS: Mr. Chairman I present the Bill and it lays on the table for a month anyhow.

MR. ACTING DEPUTY PRESIDENT: Debate. Mr. Sanders.

MR. SANDERS: Thank you Mr. Chairman. I present the Community Service Orders Bill 1982 and move that the Bill be agreed to in principle. The Community Service Orders Bill 1982 endeavours to provide Courts in Norfolk Island with a further alternative in sentencing offenders who appear before them, that is an alternative to the Court's existing options of fine, good behaviour bond and imprisonment. The Bill if passed into law will enable the Courts as an alternative to sentencing an offender to imprisonment to order that person to perform for a specified number of hours work that will benefit the community. Schemes of a similar nature have been introduced on the Australian mainland both in the States and by the Commonwealth, both with respect of offences against Commonwealth laws. In a press statement issued on 6 September 1981 in relation to the Commonwealth's intention to legislate for community service orders the Attorney-General Senator Peter Durack, QC, observed that community service orders have proved successful in the States where it was in force. He said, and I quote, "among other benefits the scheme resulted in lower costs than those incurred when an
offender was imprisoned. It prevented the substantial disruption to the offenders family and work environment and helped protect the self esteem of the offender. In addition it prevented contact by the offender with hardened criminals in jail while at the same time providing the community with a service which had a tangible benefit. It should be pointed out that Senator Durack's comments with respect to family and employment disruption and to costs, apply with even greater force to Norfolk Island where an offender sentenced to imprisonment must serve his sentence on the mainland, a thousand or more miles from his family, and the cost to the Norfolk Island Government.

The Bill is aimed at giving Courts on Norfolk Island an additional sentencing option. At present the Courts find themselves confronted with no satisfactory alternative to imprisonment which may, in many cases be called for. Understandably reluctant to impose a sentence of imprisonment the Courts find themselves left with a choice between imposing a fine, and in many cases the legislation permits only a very minor fine, or otherwise an offender to enter into a good behaviour bond, a course which will, in the case of some offenders, has been previously found wanting. This Bill will permit the Court in a case where it would otherwise consider imprisonment, to offer to the offender the opportunity to perform community service. That is a point that I must emphasise because of the International Labour Commission to which Australia is a party. A community service order may be made only in the case of adult offenders, that is 18 years or more, and with their consent. I may say the Chief Magistrate of the Court of Petty Sessions, Mr. C.L. Hermes, has spoken favourably of the concept of community service orders to Members of this Assembly and to the local magistrates. It is also my understanding that the local magistrates in discussion with officers of the Administration have expressed their support for the proposed scheme. I propose to outline the provisions of the Bill.

Clauses 1 and 2 are formal provisions.

Clause 3 is the interpretation section. Amongst other definitions community service work is defined as meaning unpaid work approved by the Administrator or unpaid work of a class or description so approved.

Clause 4 provides that where an adult offender is convicted of an offence punishable by imprisonment the Court may instead of imprisonment order that the offender perform community service work for a specified number of hours. The maximum number of hours depends upon the serious-
ness of the offence. For the most serious offences, that is offences punishable by more than two years imprisonment, the maximum number of hours is 400. The Court is given power in addition to making a community service order, make an order for compensation, impose a disqualification where appropriate and forfeiture of property where appropriate.

Clause 5 provides that where imprisonment is ordered or where an offender is discharged on recognisance to be of good behaviour, the Court shall not make an order for community service.

Clause 6 provides that a community service order is not to be made unless - (a) the offender consents; (b) he is a suitable person to perform community service work; and (c) there are suitable arrangements for the provision of the offender.

Clause 7 deals with questions related to the existence of more than one order with respect to offenders and provides that the Court may specify a period of up to two years in which the work is to be performed.

Clause 8 provides for the appointment of supervisors by the Administrator with the advice of the Legislative Assembly.

Clause 9 deals with the Court's obligation to specify a supervisor when it makes an order.

Clause 10 gives the Court power to specify conditions of a community service order.

Clause 11 poses an obligation on the Court to explain clearly to the offender the nature and consequence of the order.

Clause 12 requires the order to be reduced to writing and served on the offender.

Clause 13 requires a person in respect of whom an order has been made to comply with the directions of the supervisor and to perform the work satisfactorily.

Clause 14 requires that a supervisor shall not give a direction which would conflict with a persons religious beliefs or with his school or employment obligations.

Clause 15 deals with the duration of an order.

Clause 16 empowers the Court in appropriate circumstances to revoke or vary an order upon the application of either the offender or the supervisor.

Clause 17 empowers a Court dealing with a subsequent offence to revoke or vary an order.
Clauses 18 and 19 deal with the powers of the Court in the case of non-compliance with an order. Amongst other consequences it is an offence punishable by a fine of up to $500 to fail to comply with an order or the Act. Clause 20 empowers the making of regulations for the purpose of the Act. In summary the Bill provides tangible benefits to the community whilst at the same time enabling an offender the dignity of carrying out useful work. I commend the Bill.

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

MRS. GRAY: I am very pleased to see the Bill Mr. Acting Deputy President. I can see immediately that we will have a problem of supervisors; I hope that it may be overcome. Probably that is all I would comment on at this stage as we have just sighted the Bill. Thank you.

MR. ACTING DEPUTY PRESIDENT: Mr. Howard.

MR. HOWARD: I would like to ask a question of Mr. Sanders if I can. We have just had the Bill handed to us for the first time. The theory I support; I think it is an excellent theory. I am scratching my head over section 4 and the equivalent amount of hours of work that can be required in certain kinds of cases, for example in an offence punishable by a term of imprisonment not exceeding six months the maximum number of hours of community service work that can be prescribed is 50 hours. Now just doing a quick bit of maths, that says that if somebody commits a crime for which he can be put in the slammer for six months, he can instead of doing that, work Saturday mornings for three months, and that seems to me an odd translation - do you know where that translation came from, where those comparisons were drawn.

MR. SANDERS: From the Legal Adviser.

MR. HOWARD: It seems at a first glance in that section to tremendously reduce the severity of punishment that is provided for in the laws now. Somebody goes to jail for doing something for two years or longer, the most community service work you can give them is 400 hours, in other