SECOND NORFOLK ISLAND
LEGISLATIVE ASSEMBLY

HANSARD

Twelfth Sitting
(1 December 1982)
Executive Member for Administration, Education & Health
(The Honourable David Ernest Buffett)

Surface Transport
Roads, Footpaths & Bridges
Street Lighting
Water Supply
Electricity Supply
Drainage & Sewerage
Garbage & Trade Wastes
Primary Production
Slaughtering
Domestic Animals
Pounds
Pests & Noxious Weeds
Recreation Areas
Cemeteries
Forestry & Timber
Fire Prevention & Control
Quarrying
Prevention of Nuisances
Noxious Trades
Gases & Fuels

Firearms
Explosives
Places of Public Entertainment
Museums, Memorials & Libraries
Boarding Houses & Hotels (food & beverages)
Foodstuffs & Beverages
Trading Hours
Markets & Street Stalls
Hawkers
Radio & Television
Telephone Services
Coastlines, Foreshores, Wharves
Lighterage
Registries & Rolls
Social Services
Education
Health
The Environment
Culture & Traditions

Executive Member for Planning, Tourism & Commerce
(William Winton Sanders)

Building Control
Advertising Hoardings
Tourism (including tourist accommodation)
Fishing
Immigration
Land Use Planning & Subdivision
Air & Sea Transport (other than Lighterage)
Legislation Planning
Future Planning
Commerce

Executive Member for Finance
(Edward Davenport Howard)

Revenue Raising
Public Monies
Postal Services
Customs
Liaison with the Public Service Board
Retail Price Index
Bond Store and Future Commercial Undertakings of the Administration
MEMBERS OF THE LEGISLATIVE ASSEMBLY

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

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

STANDING

Business Committee

Mr. President
Mr. W.W. Sanders
Mr. E.D. Howard

Standing Orders Committee

Mr. President
Mr. J.T. Brown
Mr. B.E. Christian-Bailey
Mr. G.W. Jackson

House Committee

Mr. President
Miss A.I. Buffett
Mrs. C.B. Gray

Commonwealth Legislation Standing Committee

Mr. W.W. Sanders
Mr. J.T. Brown
Mrs. C.B. Gray

SELECT

Headstone Jetty Select Committee

Mr. W.W. Sanders
Mrs. C.B. Gray
Mr. G.W. Jackson

Kentia Palm & Norfolk Island Pine Industry Select Committee

Mr. President
Miss A.I. Buffett
Mr. G.G.F. Quintal
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**Adjournment**

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

MR. SANDERS: Mr. President. I record with regret the passing of George Starr Christian on Saturday 13 November 1982 at the Norfolk Island Hospital, aged 76 years. Starr, as he was always called, was a gentle, kind, humorous and courteous Norfolk Islander. He was one of two sons of the late Julius Christian and Bertha (nee Quintal). On leaving school Starr firstly worked on Norfolk Island as a handyman at Government House and at other homes on the Island. At the age of 16 he travelled to Queensland to work as a Jackaroo on a sheep and cattle station. From there along with four other Norfolk Islanders he went on a two year working stint to the Solomon Islands. Returning from the Solomons he joined the staff of the Austral Bronze Company in Sydney, working there for 42 years. He and his wife Hagar returned to live in Norfolk some 13 years ago.

To Hagar and family, to Starr's daughters and their families, and his brother and family and to his many friends, this House extends sincere sympathies.

I also record with regret the passing of Desmond Graham on Sunday 14 November 1982 at the Norfolk Island Hospital, aged 62 years. His judgment of the sea was always respected and his passion for and skill at the sea earned him the name of Bosun, as he was affectionately known. Desmond was born in Sydney. At a very early age he went with his parents to the New Hebrides where he attended school until he was about 11 years of age. The family then coming back to Norfolk to live. He married at an early age and he and his wife Beverley had 8 children - George, June, Jan, Dianne, Joy, David, Barry and Glen. Beverley died soon after the birth of Glen. Desmond was launch driver for the Administration and also Plant Operator and before his retirement was a familiar figure driving the grader or the roller along the roads. His love of fishing and gardening were his main hobbies.

To Des' family - George, June, Jan, Dianne, Joy, David, Barry and Glen and their families, and to his many friends, this House extends sincere sympathies.

I also record with regret the passing of baby Neale, son of Beatrice and Neale McCoy. To Beatrice and Neale this House extends sincere sympathies.
MR. PRESIDENT: Honourable Members as a mark of respect I would ask if you would all stand in silence please.

MR. PRESIDENT: Honourable Members I would like to make mention this afternoon that present in the public gallery of the House are 32 students from the Norfolk Island Central School, from Year 6, and they are here to observe the machinery of government in this House this afternoon, and I would like on your behalf to say welcome to them. They are under the jurisdiction of Mr. Greg Saxon.

I would also like to make mention Honourable Members that the microphones that you are normally accustomed to have been removed for some servicing and there are replacements there in their stead. I would ask that when you are ruffling your papers or the like or using your papers in fact you do not cover the microphones, it will help the recording arrangements - they are not quite the same capacity as the others.

QUESTIONS WITHOUT NOTICE

INTRODUCTION OF COMPUTERS INTO ADMINISTRATION

MR. PRESIDENT: Questions without notice. Mr. Quintal.

MR. QUINTAL: I wish to ask the Executive Member for Finance, at an Executive meeting held in November mention was made regarding a proposal to introduce computer systems to certain areas in Administration. Will the Minister responsible say whether a decision was made and if so what was the outcome.

MR. HOWARD: Thank you. In the June Supply Bill for this financial year's funds the Assembly provided money for a professional reorganisation of the accounting system in the Administration. That reorganisation has been largely completed and I will be speaking about that a little bit later. In the first stage of that work it was recommended by the people who were looking at the accounting systems that we examine the possibility of getting computers on the Island. They were commissioned to make such a separate study and that study has now been done within the
total budget that was allowed for doing the whole review of the accounting systems. I have a copy of the terms of reference and I will mention just a couple of the things in them which I think are worth noting. The people doing the study were asked in part to examine the Administration's accounting and other record keeping operations and to report on which if any of those operations could be carried out more efficiently or more reliably by the use of computers, bearing in mind the following six things - (1) the tight constraint on capital expenditures made necessary by the Island's financial pressures; (2) physical problems including high humidity at Kingston, dust, the salt air at Kingston, fluctuations in electricity voltage and frequency and the distance at which some operations such as the Customs, Post Office, Bond Store, Works Depot and the Airport are located; (3) the lack of any degree of familiarity with computers by Public Service officers and Members of the Assembly; (4) the particular requirement of a Government to be absolutely certain of the preservation and protection of certain basic records; (5) the need to safeguard the privacy of information relating to the affairs of private individuals; (6) the remoteness of the Island from elaborate maintenance, service and repair facilities. The report on that study is due here on the Island some time this week. We have not yet received it. When it is received it will be examined by the Executive Committee, by the CAO, by the Public Service Board, by senior officers in the Public Service. No decisions have been made yet and we'll need very thoughtful input from a lot of people about that report once it arrives. The Accountant and I discussed with Peter Avins and Harry Thomas who were the two men carrying out the computer study what they had in mind in their draft report before they left the Island, and in general as a result of that discussion, I expect that the report is going to recommend first of all that computers do make sense for the Administration and they will pay for themselves and that they will allow much better handling of many procedures; secondly I think it will recommend that we should get good equipment that has proved itself in remote localities elsewhere; next of all I believe it is going to recommend that we should take it step by step starting at first with using computers for the Philatelic Bureau, overseas telephone calls, billing for electricity accounts, pay roll in the Public Service, and the registration of motor vehicles, and I also expect that the report is going to say that if we decide in late January or early February to go ahead that we could be in operation by about August of next year.
The draft report I believe is going to say that they can see a possible staff savings of perhaps 8 or 9 people in the Administration toward the end of 1983. Now that possibility remains to be seen. The Philatelic Bureau for example might if we put in computers be able to do the same work that they are doing now with fewer people or they may be able to do much more work with the same number of people that they have now. On that particular point, on the chance that the Assembly will decide that we should go ahead with computers, and from what I see so far I think it makes sense, on the chance that we will go ahead with computers I have made a preliminary approach to the Pitcairn Island Administration to see if we install computers in our Philatelic Bureau operations here whether Norfolk Island could take over as the Pitcairn Island Philatelic Bureau for them, and I think if we installed computers and have excess capacity, an arrangement of that kind might be very beneficial to Pitcairn and might be very beneficial to us. I have made that preliminary approach, what will come of it I can't tell you at this point. My point is that effect on the number of people in the Administration or direct effect on jobs is something that can't clearly be forecast now, it is something that has to be looked at carefully by a lot of people, the Public Service, the Public Service Board, ourselves, and it is nearly a year from here to there. If we do go ahead and if there are staff savings to be made, if there are some job reductions, I think we will need to make sure with discussion and collaboration with the Public Service that what we do is responsible and fair.

There are two basically different views about management in the world. One is the view that people take in the United Kingdom and in the U.S. which is that if you can save staff, if you can reduce the number of your employees you do it, you just chop the jobs off and give people a severance payment and you say goodbye and off they go down the road. There is a very different view that is followed in Japan, which is that you go to work at a very early age for one of the large Japanese companies and you spend the rest of your life with that company and you work hard for them and they look after you and it is a life long relationship and there is no notion of dispensing with people just because you can do without them. Now where Norfolk Island ought to stand on that scale I don't know and I think it is the kind of thing the Assembly has to think about and I think the Public Service have to think about. My own inclination is to think that we ought to be some place on
the scale over on the side of the way Japan thinks. I don't think that we can promise eternal jobs for everybody for as long as they live on the other hand I certainly don't feel myself that we ought to be thinking in the hard nose ruthless way that large companies in the U.K. and in the U.S. or in Australia think about chopping people off if you can do without them. I think that that's a question we're going to have to look at very responsibly and I think that it's going to take collaboration among a lot of people to do it. I'm sorry to give you such a long answer but it's a complicated question and I hope that answers the question.

MR PRESIDENT: Mr Jackson

MR JACKSON: Mr President, the follow-up to that question. Mr Howard you gave an elaborate report and a more specific report to the Executive Committee on the 22 November concerning computers. Now would you say how many would be purchased? How much they would cost? And who would install and programme these machines?

MR HOWARD: The study was done primarily by a man called Peter Avins who has been the head of the Computer Service Bureau which is part of the Accounting Firm of Hungerford Hancock and Offner who have been doing the study of our reorganisation of accounting. He believes that we should buy two machines produced by an American company called Data Point. He believes that we should buy second-hand machines not new ones which he says they have bought many of and which are available for far less than the cost of new ones and which they have themselves operated in eight or nine cities in New Guinea under conditions at least as difficult and remote as the ones on Norfolk Island. He is proposing that his people would do the programming for us and then would continue to be available to help us with programming problems, fault finding and fixing in day to day operations. Approximately $60,000 all told to do the things that I've been talking about.

MR PRESIDENT: Mr Jackson

MR JACKSON: Mr Howard you identified in the Executive Committee Meeting and again here today that the Philatelic section will be the one that's most affected. You stated in the Executive Committee in your report
them Norfolk Island style not B.H.P. style. Could you elaborate on what was meant by Norfolk Island style?

MR HOWARD: You're asking tough questions and switching my words around and I don't much like the overtone of what you're saying. I didn't say that I'd like to dismiss anyone - so let's get that straight. Secondly, I think you're twisting it when you say that the Philatelic Bureau would be most affected. The Philatelic Bureau is a part of the Administration that needs computers worst. We've just had a study done by Ken Wright of Crown Agents in England of the Philatelic Bureau. He's been living on the Island for six months and left recently. He did a first class job of helping to reorganise the way the Philatelic Bureau operates and to get them out of a situation where they were running five/six months behind in filling orders. It was an intolerable situation which had to be fixed and he fixed it. Almost his strongest recommendation of all was that we needed computers. He said 'I'm told that you don't have the money to buy, you can't afford them, but that's what the Philatelic Bureau needs desperately'. So it's not a matter of the Philatelic Bureau being the most affected its a matter of its being an judgement of two sets of separate and outside independant people. The part of the Administration that can benefit most from having computers. Now if there are job redundancies, my having said that I thought we should deal with those Norfolk style rather than B.H.P. Style is the kind of thing I was talking about a minute ago when I was comparing the U.K/U.S.A. management philosophy on one hand or the Japanese philosophy on the other. I can't tell you exactly what Norfolk style is and I don't think you can tell me. I do know that we are not running a tough hard edged ruthless kind of management here of the kind that you would find in a B.H.P. A B.H.P. has to run a ruthless kind of business to satisfy their shareholders. I think Norfolk can be more considerate to people and be more reasonable - moreunderstanding. We are smaller, everybody knows everybody on the Island. I think we are in a position where we can be decent people and can handle these things in a way a family would handle them instead of the way a large necessarily cold business corporation would handle it. And that's the difference that I meant.

MR PRESIDENT: Mr Jackson

MR JACKSON: I am concerned with any redundancy whatsoever without notice being given for these persons.
MR PRESIDENT: This is question time Mr Jackson if you could confine yourself to questions please.

MR JACKSON: I'm leading up to a question Mr President. Mr Howard, will you be making a statement to this House, before the computers are installed, on how many perhaps would be made redundant in any area of the Public Service?

MR HOWARD: The question is "Would I be making a statement". That sounds as though it's my project. It's been my project up until now - it was at my instigation that the study was done, and the House provided the money that allowed it to be done. But as I said before, I think that when the report becomes available, and I hope that will be this week, I think only the very best judgement, the very best thought that we can get from the Public Service Board, from the Senior people in the Public Service, from all the Members of the Assembly should be had. I think we've got some serious responsibilities that we need to handle well and it's not really my judgement that's doing it or making the statements or making the decisions I think its going to be combined group judgements of all of us trying to do the right thing for the Island.

MR PRESIDENT: Miss Buffett

MISS BUFFETT: Thank you Mr President. Through you I ask a question supplementary to these question to Mr Howard. Does Mr Howard consider that his statement regarding possible computerization of the Philatelic Department and the other Departments named that Philatelic and the Administration of Norfolk Island is very much what the rest of the world may call cottage industry and it is an industry in itself, created and developed very successfully over the many years for the economic welfare of the people of Norfolk Island. The question is, has this aspect of Administration been taken into account?

MR HOWARD: I think it has to be and I hope it will be and I hope you'll be there talking about it. I think it's very important.

MR PRESIDENT: Miss Buffett

MISS BUFFETT: Mr Howard, how could computerization of such progressive
MR HOWARD: I don't know whether I can give a good answer to that question or not because I'm not an expert on computers. I've tried to begin informing myself as an amateur ordinary reader and I keep being surprised at the things computers can do. If I can give you one example in the motor vehicle registry right now we've got registration records for 2,500 to 3,000 cars on the Island. The First Assembly switched to a basis where registration rotates through the year, some people run out of rego. in March, some in April and so on through the year and we've got the stickers that we put on the windscreen. Now human beings can hardly handle that system. It's caused us terrible troubles. Now my own registration ran out in June. I didn't know that it ran out in June. It says so right on the sticker but I don't look on the sticker every day when I get into the car. So the first thing I knew about it was when I got a letter from the Registrar saying your registration was up in June, and its now September so I'm three months out of date with my rego. and that's embarrassing to me. Now really, if we were running a good registry, I should have got a slip in the mail at the beginning of June saying that 'your rego. runs out at the end of this month. Fix it up now!'
Was there a question from Mr Jackson?

MR JACKSON: I'm surprised at the answer you are giving us!

MR PRESIDENT: Order. Mr Howard.

MR HOWARD: With computers, the whole motor vehicle registry, I beleive, would run sensibly, quickly, automatically and would do more for us than the present registry system could do. For example, supposed somebody gets bumped by a car and they didn't quite see it because it all happened in a flash, but suppose it was a blue car and they think it was a toyota and they think its pretty new. If the motor vehicle registry was on computers you'd say to the computer, give us the names of the people who own blue toyotas that are less than three years old and the computer would go 'chomp, chomp, chomp, chomp' and up would come a list of eleven people and the police could then go and talk to those eleven people. That could be a terrific thing for the Island. You could'nt possibly do that with our present system. In other words, computers can do things that are just beyond our capacity to do.

MR PRESIDENT: Miss Buffett
introducing computers if its going to cause redundancies and to consider perhaps that these benefits that the computers may bring to certain areas they would bring to large areas where they are required but in a little small Island such as this I would ask Mr Howard to reconsider his proposal.

MR PRESIDENT: Mr Howard

MR HOWARD: It's not my decision whether we have computers or not. The report is due sometime this week. You'll have a copy - we'll all have copies. Then begins alot of discussion, and if out of that discussion the best view of the people considering the question is that we shouldn't have computers, we want to stay the way we used to be, then we won't have them. It won't be my decision. All of us will be talking about it.

RACIAL DISCRIMINATION

MR PRESIDENT: Mr Brown

MR BROWN: A question for the Executive Member for Planning, Tourism and Commerce? Has any response been received from the Commonwealth Government on the motion passed by this House on 1 September 1982 relating to the International Convention on the Elimination of all forms of Racial Discrimination?

MR SANDERS: No

MR PRESIDENT: Mr Brown

MR BROWN: Thank you Mr President.

SEA FREIGHT TO NORFOLK ISLAND

MR PRESIDENT: Mr Brown

MR BROWN: A further question to Mr Sanders. Has a response been received from any Shipping Company in relation to its interest or otherwise in providing additional or alternative sea freight services to Norfolk Island and if so, what was that response?
at all and the current one is from Karlander, I think, suggesting that they are interested so long as the Norfolk Island Government assures them that they have the total business, not only part of it.

INTRODUCTION OF BOEING 737 TO NORFOLK ISLAND

MR PRESIDENT: Mr Brown

MR BROWN: A further question to Mr Sanders. Has application been made by any operator to introduce Boeing 737 to Norfolk Island? If so, has the Norfolk Island Government been consulted by the Department of Aviation in relation to such application? and again, if so, what arrangements have been made to carry out an environmental impact statement in relation to the operation of Boeing 737 aircraft into Norfolk Island?

MR SANDERS: Thank you Mr President. Mr Brown, I will answer that in three separate pieces that you asked for. I believe that Air New Zealand have made application to have their license varied for a 737. There has been an application by Air New Zealand to fly the 737 for the 400 Rotarians that are due in the 8th, 9th and 10th April for the convention. I have supported their claim asking for dispensation for these persons to arrive or for Air New Zealand to carry these persons. To date, there has been no confirmation from Canberra saying that this has been approved although I have been informed unofficially that Air New Zealand has scheduled the flight for, I think, the 6th and 7th April, - there are two flights - to fly these persons in, and I think it either the 12th or 13th, or 13th/14th to take these persons out. As to the Environmental Study, as far as I am aware, nothing has happened; as to the question on whether the Norfolk Island Government has been consulted by the Department of Aviation in relation to such an application, the answer is, not as yet.

BANNING OF CIGARETTE ADVERTISING

MR PRESIDENT: Mr Brown

MR BROWN: A question for you Mr President, if I may. Is the Executive Member for Administration, Education and Health aware of Legislation introduced recently into the Western Australian Parliament seeking to
follow this lead and introduce similar legislation in Norfolk Island.

MR ACTING DEPUTY PRESIDENT: Mr Buffett

MR BUFFETT: Mr Acting Deputy President thank you. I am not aware of the legislation to which Mr Brown has referred. I am therefore not in a position to state in any terms as to whether it would be appropriate in Norfolk Island or not. If he does have the legislation to which he refers his question, I would be grateful to have it so that it can be examined in light of the factors that he has mentioned.

MR BROWN: Thank you Mr Buffett

NUMBER OF ADMINISTRATION MOTOR VEHICLES AND FUEL CONSUMPTION

MR PRESIDENT: Mr Quintal

MR QUINTAL: I wish to ask the Executive member for Administration, Education and Health what are the number of cars, trucks, motor bikes, tractors, bulldozers, cranes, motor mowers etc used by Administration and the approximate fuel consumption per week?

MR ACTING DEPUTY PRESIDENT: Mr Buffett

MR BUFFETT: Regrettably Mr Acting Deputy President I don't keep a ready reckoning of all the motor mowers and the cranes and the trucks and other vehicles that have been asked by Mr Quintal but of course I can undertake to find out for him and to respond to his question, likewise of course with fuel consumption.

MR ACTING DEPUTY PRESIDENT: Thank you Mr Buffett, any further questions.

BOEING 737

MR ACTING DEPUTY PRESIDENT: Miss Buffett

MISS BUFFETT: Thank you Mr Acting Deputy President. Could I ask a question of Mr Sanders please following on his reply regarding the
it be for any other run? You said special dispensation - I presume it's for only that, but I would like to clarify please.

MR ACTING DEPUTY PRESIDENT: Mr Sanders

MR SANDERS: Thank you Mr Acting Deputy President. As I understand it, Air New Zealand has asked to have their total licence varied but the dispensation that I requested was for the 400 Rotarians during the month of April.

MISS BUFFETT: Thank you

AIRPORT UPGRADING AND CONSERVATION

MR ACTING DEPUTY PRESIDENT: Mr Brown

MR BROWN: A question to the Executive Member for Administration, Education and Health. Is the Executive Member aware of an article in the Norfolk Islander of the 13 November 1982 entitled "Trees and the Airport Upgrading" and of a letter from Mr John Anderson in the Norfolk Islander of the 20th November 1982 in response? Do each of the article and the letter accurately reflect the position - if not, in what respects are they wrong? If correct, or partly correct, what action has been taken to ensure that the contents of the Environmental Impact Statement and the evidence given to the Public Works Committee are honoured and no more than fifty Norfolk Island pines are effected?

MR ACTING DEPUTY PRESIDENT: Mr Buffett

MR BUFFETT: Mr Acting Deputy President, I am not able to respond exactly to the details of the Norfolk Islander of 13 November and Mr Anderson's letter of 20 November. Nevertheless, I can say some things which may, hopefully, help in that context. It is known, Mr Acting Deputy President, that the Department of Aviation has made known that in the upgrading process for the Norfolk Island Airport there will have to be attention to some trees, Norfolk Island pines and other trees in the vicinity of the upgraded Airport. There is at this time on the Island visiting a Mr Hewitt from the Department of Aviation who has visited before and he is here further pursuing
on their property and he will also be talking in detail about trees that may be on government property, that is, roads, reserves and crown leaseholds. The latest figures that I have had quoted to me at this time are that there may be thirteen pines that may be necessary to be removed. There may be some 100 pines that may be requiring some attention such as lopping or trimming of their tops. I would stress that at this time the information that has been made available to me is that many of those trees of course are already receiving this sort of treatment and have done so for a number of years. That is the information that I have at this time. I might say, in connection with Mr Anderson whose name has been mentioned as the author to the letter to the Norfolk Islander, that he has written to me and he has made his views known and he has sought some opportunity to address himself and the views of his society which is the Norfolk Island Conservation Society to this question and of course I would welcome such an address being made. I have already mentioned to Mr Hewitt of the Department of Aviation who is presently on the Island that there is this sort of interest and I have asked him to speak with some people who have already contacted me in the vein that I have already addressed. I think that that's about as much as I can say on the matter at this time Mr Acting Deputy President.

MR ACTING DEPUTY PRESIDENT: Thank you Mr Buffett Further questions without notice Honourable Members. Mr Jackson.

PINE SEEDLINGS

MR ACTING DEPUTY PRESIDENT: Mr Jackson

MR JACkSON: Mr Chairman I have three questions that I wish to address to the Executive Member for Administration, Education and Health. The first one concerns pine seedlings and the removal of young pine seedlings from Reserves and Crown Leases. I am aware that a licence fee is payable for the collection of firewood from Crown Leases and Reserves. A fee is also charged for the collection of pine seeds, from these areas. Would you inform this House what fee is charged for the gathering of young pine seedlings on these Reserves?

MR ACTING DEPUTY PRESIDENT: Mr Buffett

MR BUFFETT: Thank you Mr Acting Deputy President, I don't however, think
collection of firewood. I don't recall there being a prescribed fee for the collection of seedlings and also I don't recall at this moment anyhow, and I am relying on my memory, I have not examined the official records, I don't recall a licence being granted for persons to in fact take seedlings from Crown Reserves.

MR ACTING DEPUTY PRESIDENT: Thank you Mr Buffett

FORTNIGHTLY RADIO BROADCAST

MR ACTING DEPUTY PRESIDENT: Mr Jackson

MR JACKSON: The next question regards the fortnightly radio broadcasts that was done by the President on a fortnightly basis. There is concern within the community regarding your fortnightly radio broadcasts. Would you inform this House, what were the reasons if any for this community service to the Island to be suspended?

MR ACTING DEPUTY PRESIDENT: Mr Buffett

MR BUFFETT: Mr Acting Deputy President the Executive of the Legislative Assembly have discussed this matter with me and in fact, terminated the President's Broadcasts. Two reasons in fact were stated as I recall them. Firstly my action in advising the Community about the Chief Administrative Officer's situation which was back in September of this year and secondly, that there was thought that with radio time that I may have some political advantage in the event of an election that might be held in the Island. I should say of course that I don't share those views but majority rules in the environment that it was discussed. Arising out of that there was a proposal that all Executive Members may in fact rotate the performance of the radio broadcasts and that prior to such radio performances going to air the content of those broadcasts may be vetted by the other Executive Members and it was left on that basis unless an alternative suggestion could be made principally by myself in respect of that situation. I have not made an alternative proposal.

MR ACTING DEPUTY PRESIDENT: Mr Jackson

RADIO STATION EQUIPMENT

MR CHAIRMAN: Mr Chairman, regarding radio station equipment.
the Executive Committee on the 22 November. Was this matter discussed and if so, what were the results of those discussions.

MR ACTING DEPUTY PRESIDENT: Mr Buffett

MR BUFFETT: Mr Acting Deputy President, the radio station equipment has been discussed by the Executive Committee. I have no reason to doubt on the date that has been quoted although it is not clearly in my mind at this moment. There was a proposal for some pieces of equipment that in fact had come to the end of its useful life. There was agreement that in fact there was a need to provide this equipment but it was not resolved as to where the money would come from and that is the state of the situation at this moment, in other words, there is agreement that there was a necessity for the gaining of this equipment. The financial arrangements for its purchase needed to be examined further.

MR ACTING DEPUTY PRESIDENT: Thank you.

FORTNIGHTLY RADIO BROADCAST

MR ACTING DEPUTY PRESIDENT: Mr Howard

MR HOWARD: Thank you. I would like to ask Mr Buffett in relation to the answer he gave about the fortnightly radio broadcasts if it would not have been more accurate of him to say that the Executive Committee proposed as he said, that the three Executives take it in turns to do the broadcasts showing each other the texts of what they were going to say the day before and that Mr Buffett said that would not suit him and that the other two Executives said well if that won't suit you will you come up with something better and he said I'll try and is is not true that all three of us agreed that until you came up with something that was more agreeable to all of us than that there wouldn't be any more broadcasts.

MR ACTING DEPUTY PRESIDENT: Mr Buffett

MR BUFFETT: Mr Acting Deputy President if Mr Howard wishes to answer my questions on notice I suppose you could give him the call from the Chair.
MR BUFFETT: ... and I'm answering that question, ... and I have made my response to the answer that has been asked of me without notice.

MR HOWARD: Mr President, that doesn't answer my question. Would it not be more accurate for him to have said what I just said?

MR BUFFETT: Mr Acting Deputy President I have given an answer to the question that has been asked of me. If Mr Howard wishes to place it in another context he is at liberty to do so at whatever time he so proposes. I in fact have answered the question and that in fact, is my response to his question.

MR ACTING DEPUTY PRESIDENT: Mr Howard

MR HOWARD: Mr President, Mr Buffett answered the first question put by Mr Jackson about radio broadcasts. He has not answered by separate and distinct question to him. Would it not have been more accurate for him to have told it as I told it?

MR ACTING DEPUTY PRESIDENT: Mr Sanders

MR SANDERS: It would have been said as Mr Howard said it.

MR ACTING DEPUTY PRESIDENT: Mr Buffett, do you wish to respond to this any further.

MR BUFFETT: No Mr Acting Deputy President. If you wish to give the call to somebody to respond to the questions that are asked of me that is at your liberty. I repeat again that I have answered the questions that have been asked of me and I am not going to enter into further debate about it I rather think that it is simply prolonging the situation.

MR ACTING DEPUTY PRESIDENT: Mr Brown

MR BROWN: Mr Acting Deputy President I note that Question Time has now gone past the thirty minutes and I move that Question Time be extended for a further fifteen minutes
Question - put
Motion agreed to unanimously
Question Time (on motion by Mr Brown) extended

GOVERNMENT MEDICAL OFFICER

MR ACTING DEPUTY PRESIDENT: Mr Brown

MR BROWN: Mr Acting Deputy President I wish to ask a question of the Executive Member for Administration, Education and Health. It is in four parts. Firstly when does the Government Medical Officer leave Norfolk Island? Secondly, has a replacement yet been appointed? Thirdly, did a Doctor come to Norfolk Island at our Government's expense to see if he would like to take the Assistant G.M.O. position? and fourthly, has that doctor now advised that he is unavailable?

MR ACTING DEPUTY PRESIDENT: Mr Buffett

MR BUFFETT: In response to the first question, when does the present Government Medical Officer leave Norfolk Island? The date for that has not been finally determined. It relates to a time when in fact a replacement can be recruited in respect of his office. You'll have to prompt me in respect of the second one Mr Acting Deputy President.

MR BROWN: Has a new replacement been appointed?

MR BUFFETT: A replacement has not as yet been appointed. Advertisements has been placed in various newspapers in Australia and in New Zealand to recruit a replacement for the Government Medical Officer. There have been responses at this time to that but applications do not close until the 10th of this month. The third question was, did a Doctor come to the Island to examine the situation in respect of the second Government Medical Officer's position and the answer to that is yes. A Doctor did come to examine the situation here and returned to the mainland. He has currently advised that changed circumstances in his own domestic situation make the taking up of that appointment in the time frame that was earlier considered, not possible.

MR ACTING DEPUTY PRESIDENT: Thank you Mr Buffett

TELEPHONE EXCHANGE
MR BROWN: A further question to the Executive Member for Administration, Education and Health Mr Deputy President. Again this is in four parts, and as I have not provided a written copy of this I am happy to prompt as the responses come forward. Firstly, will the Norfolk Island Telephone System be connected to the ANZCAN cable and if so, when will it be operational. Secondly, will the Norfolk Island Telephone Exchange be compatible with the ANZCAN equipment. Thirdly, will ISD facilities be available and if so, when and fourthly what is being done in the meanwhile to reduce the sometimes lengthy delays through the present exchange both for the benefit of the hard worked operators and public?

MR BUFFETT: The first of those questions, will the telephone system be compatible with the ANZCAN arrangement which is approaching its real work here in Norfolk Island - I can say that the answer is yes, that there is an aim that the local situation be compatible with the ANZCAN arrangement so that in fact we can take advantages of using that particular service for telephone calls and probably other more sophisticated equipment. In response to the second question, will the exchange be compatible with the ANZCAN arrangement, this to some extent depends upon which way we move in respect of the purchase or upgrading of present equipment that is in the exchange arrangement now, and a decision has not yet been finalised in respect of that and that leads on to the third question that arises, will I.S.D. facilities be available. It really depends upon the earlier decision as to whether that will be possible. What I can say is that the total advantages of having the I.S.D. facilities is very well known and it is hoped that Norfolk Island can of course make use of that facility. The fourth part of the question is what is being done about the length of delays that is being experienced. Some of those relate to upgrading or replacement of the exchange equipment that I earlier referred to but I do have some understanding that there is a possibility of including another channel in the arrangements that are available and if that is possible that may help the flow of calls to and from Norfolk Island.

MR ACTING DEPUTY PRESIDENT: Thank you Mr Buffett. Any more questions Honourable Members.
notice Honourable Members.

PAPERS

AMENDED ACCOUNTS FOR NORFOLK ISLAND ADMINISTRATION

MR ACTING DEPUTY PRESIDENT: Are there any papers Honourable Members.

Mr Howard.

MR HOWARD: I would like to table amended accounts for the Norfolk Island Administration for the financial year ended 30th June 1982. I circulated just before the meeting began copies of these accounts to Members for them to examine and for discussion at our next Assembly meeting. Obviously it is impossible for you to discuss them in any detail when they've just been handed out. Copies of these accounts will be available and I would like to urge interested residents to get copies and examine them and see what they say. Copies will be able to be got from the Clerks Office at the Assembly at I think, a price of $2.20 which is the standard per page charge - it is 22 pages of accounts. And people who aren't residents who are interested in the accounts of the Island I think will get alot of interest, satisfaction and information from looking at them. Just a couple of highlights. These amended accounts are the distilled results of the review and reorganisation of accounting procedures that was authorised by the Assembly in the Supply Bill late in June. The whole setting out of the accounts that has been followed in the past has been revised and made simpler and clearer. Some problems that have plagued the Accounts for years, for example, how to handle education expenses which are very substantial which come in irregularly has been solved and are now being according to generally accepted accounting principals. The depreciation schedules for the Administration undertakings have now been worked out and have been applied in a sound and completely revised way. For the first time in many years Norfolk Island now has a form of accounts that shows plainly and clearly how we perform financially and what our true financial position is. Not only for the Administration but for each of the main undertakings, each one of them set out as if it were a business on its own. Electricity supply, telephone service, lightering service and the Liquor Bond. The results of this reorganisation of the accounts have in every way come up to my highest expectations when I recommended that the Assembly make the funds available back in June. I'm sure that they're going to be a tremendous aid to good Government
study these accounts I have it in mind to introduce a Bill at the
February sittings to specify how this accounting system should be
maintained from now on. The Accountant for the Administration is
enthusiastic enough about the new system so that he would like to
start using it with the half year accounts for June through December
this year and they should be available in February. I would like
to express my appreciation and admiration for members of the firm
of Hungerford, Handcock and Offner who came here and did this job--
I think they did a superb job. I'd like to express my thanks to
all of the many people in the Administration who worked with them
and who made a terrific contribution toward getting to where we are
now and also to thank Angus Cuthbertson who was the one who originally
suggested to me that Mr Harry Thomas would be the man to do the job.
He said, if you could get him he'd be the best man in the world but,
he said you couldn't possibly afford him. Well we were lucky enough
to get him and we were able to afford him and this is the result.
I am very pleased to table them, I think it's a big step forward and
I think it will do us good for a long time to come.

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

TOURIST BUREAU COMPARATIVE FIGURES 1981/82

MR SANDERS: I wish to table a report from the Tourist Bureau being
the comparison figures between 1981/82 November. The decline still
continues - there is a discrepancy in the month of November of 367
persons. It amounts to 1474 bed nights which is a loss to Norfolk
Island in accommodation of approximately a quarter of a million
dollars.

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

FINANCIAL INDICATIONS

MR HOWARD: Thank you Mr Chairman. I would like to table the financial
indications for four months to the end of October. Copies have been
circulated to members some days ago. I would like it included in
hands and as usual. The month of October once again showed showed
that revenue was less than our expenses were. We were behind by
$66,000 in that month. I said at last month's meeting that I expected
by the end of October we would be about $200,000 down for the year through
happy result. The principal shortcoming is that revenue has not been coming in the way we hoped that it would. Expenses on the whole continue to be quite well contained by the Administration.

<table>
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<tr>
<th>Financial Indications for Executive Member for Finance for Four Months Ended 31/10/82</th>
<th>1</th>
<th>2</th>
<th>3</th>
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<tr>
<td><strong>REVENUE</strong></td>
<td>Last month</td>
<td>Same month</td>
<td>Comparison with previous year</td>
<td>Total year to date</td>
<td>Revenue Supply proportion</td>
<td>Comparison</td>
<td>Total last year to date</td>
<td>Comparison</td>
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<tr>
<td>Postal and Philatelic</td>
<td>58</td>
<td>231</td>
<td>-75%</td>
<td>284</td>
<td>401</td>
<td>-29%</td>
<td>395</td>
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<tr>
<td>Customs</td>
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<td>267</td>
<td>-20%</td>
<td>269</td>
<td>-20%</td>
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<tr>
<td>Liquor Bond</td>
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<td>25</td>
<td>+21%</td>
<td>86</td>
<td>100</td>
<td>-14%</td>
<td>94</td>
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<tr>
<td>All other revenue</td>
<td>74</td>
<td>50</td>
<td>+48%</td>
<td>273</td>
<td>288</td>
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<td>393</td>
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<td>857</td>
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<td>1038</td>
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<tr>
<td>Salaries (other than Education)</td>
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<td>104</td>
<td>+14%</td>
<td>165</td>
<td>503</td>
<td>-6%</td>
<td>552</td>
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<td>Education estimated salaries</td>
<td>71</td>
<td>30</td>
<td>+3%</td>
<td>104</td>
<td>120</td>
<td>+3%</td>
<td>120</td>
<td>+3%</td>
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<td>Other Expenditure (other than Capital Expenditure)</td>
<td>114</td>
<td>44</td>
<td>+159%</td>
<td>395</td>
<td>402</td>
<td>-3%</td>
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<td>Capital Expenditure</td>
<td>11</td>
<td>46</td>
<td>-70%</td>
<td>52</td>
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<td>+24%</td>
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<td>TOTAL</td>
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<td>1036</td>
<td>1067</td>
<td>-3%</td>
<td>1064</td>
<td>-3%</td>
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<tr>
<td>-66</td>
<td>+169</td>
<td>-179</td>
<td>-11</td>
<td>-86</td>
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**NOTE:** Revenue/Supply Proportion - is an arbitrary calculation 1/12 of estimated Revenue or Supplied Funds multiplied by number of months to date.

**REMARKS:**
STATEMENTS

HISTORICAL BUILDINGS

MR ACTING DEPUTY PRESIDENT: Statements. Mr Buffett

MR BUFFETT: Thank you. Mr Acting Deputy President during last week I attended a meeting in Canberra of the Interdepartmental Committee on Historical Buildings in Norfolk Island and I would just like to mention to Members that there was examination of some important issues in respect of the historic buildings, the restoration programme in Norfolk Island, such as the programme of works for the next year and consideration of works on a five year plan basis specifically, there was discussion on the restoration or otherwise of the duplex building in Quality Row which is the No. 2/3 building, that closest to the Paradise Hotel but conclusions were not in fact reached in respect of that proposal. I am encouraging the Committee to meet on Norfolk Island on the next occasion that they do come together to meet so that the issues involved in the Kingston and Arthur's Vale historic areas may be assessed first hand by that group of people. You will know, Mr Acting Deputy President that in excess of a quarter of a million dollars is spent annually on the restoration projects in Kingston and therefore the information that is available to the group that examines that work and sets some priorities in it needs to be available to them and one of the things that I think will be helpful to that is for them to see first hand some of the details as necessary here in Norfolk Island, and hopefully that will come to some fruition. You will realise Mr Acting Deputy President that the duplex building to which I have referred if in fact it does become part of the restoration programme will assist the facade of the Quality Row Street which is a historical aspect, it also of course will have the practical aspect of assisting some of the housing problems that's faced.

MR ACTING DEPUTY PRESIDENT: Thank you Mr Buffett.

PHILATELIC DEPARTMENT

MR ACTING DEPUTY PRESIDENT. Mr Howard

MR HOWARD: Thank you Mr Chairman, I would like to make a statement...
question to the study of the Philatelic Bureau that had been made by
Mr Ken Wright who was from the Crown Agents and I said that that study
had been completed. It has been reviewed by the Chief Administrative
Officer, and the Revenue Manager and me. His six months here has done
a tremendous amount of good. He was able to help philatelic get out
of the backlog that they had got into simply because there was too much
work for them to handle. They were working under not very good conditions
with old fashioned, what Miss Buffett calls 'cottage industry' methods,
and it just got beyond them. As near as I can tell the new systems
that he put in are working well, and I think from what I hear of people
in the Philatelic Bureau, they are getting more satisfaction because
they know they're up with their job, they are able to handle it, and
that's been a good performance. I would like to report also that
an agreement has virtually been reached under which a subsidiary of Readers
Digest which is called 'Seven Seas Stamps' which is the largest stamp
dealers in this part of the world, will issue probably in March or April
next year a hard bound slip cased album of the 1982 Norfolk Island stamps
including one copy of each stamp, each one in a proper plastic container
with descriptions of the stamps and the stories behind them with some
history of the Island. The size of the book will be about half the
size of a standard sheet of letterhead, horizontally. The Readers Digest
believes that they will be able to sell, from memory, about 8,000 by
direct mail promotion in Australia. We believe those will be additional
sales to people who don't now collect Norfolk Island stamps. Our
immediate income from the Readers Digest for the sale of the stamps
to them that they will put into the albums will be about $40,000. In
addition they will give us as part payment for the stamps about 5,000
copies of the albums for us to have and us to sell here on the Island
and at stamp shows when we attend them and other such places. So all
in all it is the selling of our 1982 stamps in what I think will be a
very handsome presentation in a way that will bring us additional
revenue without exploding the philatelic market one bit more than we
are now - simply making good use with what we have. I am very pleased
about that arrangement and I believe its going to go through. It looks
at the moment as if there is no reason why it shouldn't.

I would also like as part of this statement on philatelic to do
what I intend to make as a regular policy, which is to table for the
Assembly records and to pass around the table copies of the latest current
Philatelic journal. All of us may not take the time to look in
a look at and going into the official record of the Assembly and I'll circle these around the table for people to have a look at and if they can then end up with a copy to go onto the official Assembly records. These are the latest issues, one is the first day cover showing the four military uniform stamps and the other is the new aerogramme with a picture of Kingston and a little stamp with a cannon on it.

PUBLIC SERVICE REMUNERATION

MR HOWARD: Mr Deputy President I have one more if I may. In the Supply Bill earlier this year the Assembly provided $8,000 to cover the estimated cost of having an independent study made of the comparison between wages in the Norfolk Island Public Service and elsewhere on Norfolk Island. The Public Service Board has worked very co-operatively with the Executive Committee in working out the terms of reference for that study. The Public Service Board has now made arrangements with a firm called Touche Ross and Company which are world wide extremely reputable accounting and management services people who will conduct that study. It will be carried out here on the Island between December 10th and 19th by a man from that Company whose name is Eric Whiting. The purpose of the study very briefly without spelling out all the terms of reference is to give us a comparison as to the remuneration that applies to comparable jobs in three different groups of people. First in Norfolk Island Public Service; secondly among other residents on the Island who are not members of the Public Service but whose remuneration is determined on the mainland, that would include Commonwealth Public Servants, it would include people in the Commonwealth Bank, it might include the Manager of Burns Philp I'm not sure, anyway people who are not in the public service here but whose remuneration is determined on the mainland rather than on Norfolk Island; and thirdly, people who are not in the public service who are living on the Island whose remuneration is determined here and I think, and the Public Service Board agrees that having that kind of comparison done and set out in an independent way will be useful to us and to the Public Service Board in arriving at decisions that we all will have to be arriving at about remuneration of our own control. Eric Whiting December 10 to 19, I hope that the people in business around the Island, even though I hope it will be a busy time for them, I hope they will make time to help Mr Whiting and to give him all the information that they can because I think this study is very important for a lot of reasons. The price, all up expenses in all
MR ACTING DEPUTY PRESIDENT: Thank you Mr Howard. Any further statements Honourable Members.

REPORTS

MR ACTING DEPUTY PRESIDENT: Mrs Gray, I understand that you wish to present certain reports.

MRS GRAY: Yes, thank you Mr Chairman, I would like to make a report on the behalf of and at the request of the chairman of the Committee Investigating the Extension of Commonwealth Legislation to Norfolk Island.

EXTENSION OF COMMONWEALTH LEGISLATION TO NORFOLK ISLAND

Perhaps if I could preface that Report with a couple of remarks. Concern was expressed at the last sitting re the circulation of Commonwealth Legislation to members. I think to some extent we’ve solved that problem. Memoranda have been circulated to members indicating that copies of the Bill will be in the hands of the Clerk and that those Members wishing to sight or copy the papers may do so at the offices of the Clerk. It may be in order that I table that correspondence Mr Chairman for the record. Members will recall that at the last sitting of the House a number of taxation bills which were intended to extend Commonwealth Legislation to Norfolk Island were acknowledged. Further tax bills have now come to hand. They are:— The Taxation Unpaid Company Tax Assessment Bill 1982; The Taxation Unpaid Company Tax Vendors Act 1982; The Taxation Unpaid Company Tax Promoters Act 1982. These Bills are supplementary to those dealt with at the last sitting and members may be aware that as late as last night the Taxation Legislation was being fought in Australia therefore the Committee suspends recommendation until final legislation has been agreed by the Australian Government. Members will also recall that at the last sitting in respect of the Australian Broadcasting Corporation Bill clarification was sought from the Department of Home Affairs and Environment regarding the Legislative powers which the Assembly retains under item 35 of the Norfolk Island Act. That item 35 is Radio and Television. Should such Commonwealth Legislation extend to Norfolk Island the same clarification is sought in respect of the Broadcasting and Television Amendment Bill 1982 and the Television Stations Licence...
Television Amendment Bill 1982 and the Television Stations Licence Fees Amendment Bill 1982 should not extend legislation to Norfolk Island. However, the Committee believes that the extension should be reconsidered when the information requested from the Department of Home Affairs and Environment is provided. It may be the wish of the House to accept or otherwise that recommendation.

MR SANDERS: Mr Chairman, I move that that recommendation be accepted.

MR HOWARD: Debate Mr Chairman.

MR ACTING DEPUTY PRESIDENT: Mr Howard

MR HOWARD: I have a question on the tax bills. The Committee's recommendation is that the Committee suspends making any recommendation. There is one aspect that troubles me and I think troubles a lot of people on Norfolk, which is that as I understand it the Commonwealth Bills are being passed so as to be retrospective to some previous time and I wonder whether the Committee couldn't, considering even though Australia doesn't get its act together and decide what the bills ought to say, my own feeling would be that we could very well resolve that we don't want to be extended to in a retrospective way. I think retrospective legislation is for the birds. I think it's undemocratic and unjust and wrongful. They may be pressured into having such things politically in Australia but I don't think we are subject to those pressures and I think we are able to be sensible and fair and decent and to say no to retrospective legislation. Now whether that can be built into the motion at the moment as an amendment I don't really know. I would be interested in any views other Members might have about it.

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

MR JACKSON: Mr Chairman did I hear Mrs Gray say that a recommendation on these taxation bills, because they are being debated in the House at present and in Canberra in Parliament, that decision could be deferred until a final result has been heard? I am of that same opinion, that we should not make a decision here at this present time until the finalisation of those bills have been debated. I do not share the views of Mr Howard that we completely disregard any retrospective
views of the convenor of that report, Mrs Gray, that we defer a decision at this stage until a final decision has been made in the House in Canberra.

MRS GRAY: Thank you Mr Chairman. I believe that it is the feeling of the Committee that the aspect of retrospectivity contained in the taxation bills is a little difficult for us to handle. If Mr Howard could perhaps at this stage word an amendment to our recommendation it may be accepted by the House.

MR JACKSON: First of all Mr Chairman, I for one do not know and I don't think any other member, only perhaps the ones who have examined these pieces of legislation. I at this stage would not like to cast a vote whether we want something or whether we don't want something. I have not seen this piece of legislation that Mrs Gray just indicated and it would be wrong on my part to disregard the electors in that decision in casting my vote in that direction without properly sighting these pieces of legislation.

MR HOWARD: Could I by leave propose an amendment to the motion that the Committee's recommendation on the ABC Bill be accepted. I would like to amend the motion to read that the Committee's recommendation on the ABC Bills is accepted but that in relation to the Tax Bills the Assembly believes that retrospective legislation should not be extended to Norfolk Island however those Bills are finally passed by the Australian Government.

MR ACTING DEPUTY PRESIDENT: The question is that Mr Howard's amendment be agreed. Any debate. Mrs Gray.

MRS GRAY: I would like to split the motion that we deal with the retrospectivity of taxation legislation as part of the recommendation contained in the report that in fact recommendation be suspended but then take the provision of the ABC Bills separately.

MR HOWARD: I am happy to revise my proposed amendment if that is alright with you Mr President.

MR ACTING DEPUTY PRESIDENT: I suggest that we deal with the Television Bill first Mr Howard.
MRS GRAY: Would it help if I read the Television Bills recommendation again? 'Therefore this Committee believes that the Australian Broadcasting Corporation Bill 1982, the Broadcasting and Television Amendment Bill 1982 and the Television Stations Licence Fees Amendment Bill 1982 should not extend legislation to Norfolk Island. However, the Committee believes that the extension should be reconsidered when the information requested from the Department of Home Affairs and Environment is provided'. That was information clarifying the substance of Item 35 in the Norfolk Island Act.

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

Question - put
Motion agreed to unanimously

MR ACTING DEPUTY PRESIDENT: Mr Howard

MR HOWARD: Could I now by leave Mr Chairman move that the Assembly has no recommendation concerning the tax bills that the Committee has reported to us on but that the Assembly resolves that it does not wish any tax or criminal legislation to be extended retrospectively to Norfolk Island, ever.

MR ACTING DEPUTY PRESIDENT: Debate Honourable Members. Miss Buffett.

MISS BUFFETT: Thank you. Just one question Mr Acting Deputy President. Could I ask Mr Howard why we don't want retrospective legislation?

MR HOWARD: Yes. I am happy to answer that. Retrospective legislation is what ancient rulers like Genghis Khan used to do to people. They would say, 'I hereby declare that you are guilty of doing something that two years ago when you did it was alright but I now declare that it was a crime. I think a law has to be on the books and tell people that that's a crime or your subject to tax on that, before they sock you with a jail sentence or with a payment for tax demand. I don't think they can later on - in fact I think it's absolutely immoral - to say that something you did two years ago which was legal then, we now declare was illegal. That's just not fair to human beings.
that be that be applied then? If something was wrong two years ago, it is still wrong now surely. There is no declaration that a situation is a crime now that wasn't a crime then or can you fill me on that?

MISS HOWARD: I agree with Miss Buffett on that. If something was wrong two years ago and it is still wrong now it was wrong two years ago. But how do you find out if something was wrong or not. You find out by looking at the law and the law tells you that this is wrong or it tells you that that is alright. What they are doing now in Australia is talking about - under political pressure - is changing the law to say that even though it wasn't in the law that it was wrong when you did it two years ago, we are now going to pass a law to say that it was wrong two years ago when you did it. In other words they are changing the rules after you have done the deal and I do not think that that's fair.

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

Question - put

Mr Buffett, Mr Brown abstaining

The motion was carried

OMBUDSMAN AMENDMENT BILL

MRS GRAY: The Ombudsman Amendment Bill was tabled at the last sitting of the House without recommendation. The Committee wishes to express a degree of optimism regarding this particular piece of Commonwealth Legislation and I would like to quote from the document itself. Part of it says '... but does not include the Norfolk Island Act 1979, the Northern Territory (Self Government) Act 1978 or an enactment of Norfolk Island or of the Northern Territory'. It is proposed to amend the Ombudsman Act 1976, that is of Australia, to extend the Ombudsman's jurisdiction to actions taken by both Commonwealth and Territory Administrations in Cocos Keeling Islands and Christmas Island. However, in view of the degree of self government that has been granted to Norfolk Island the Ombudsman's jurisdiction will not extend to the Territories Executive Government. This Bill does not seek to extend the powers of the Ombudsman into areas for which the government of Norfolk Island has responsibility but does extend to actions taken by...
Legislation. For example, the Administrator performs certain functions under the Passports Act and the Australian Citizens Act. These may be the subject of investigations by the Ombudsman. The Norfolk Island Government would have to create its own legislation and Ombudsman to investigate appeals against its own Executive Governmental action. The Committee recommends that the extension of the Ombudsman Amendment Act to Norfolk Island be approved and notes with satisfaction the legislations acknowledgement of Norfolk Island's self governing status.

MR SANDERS: I move that the Committee's recommendations be accepted

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

MR HOWARD: I wholeheartedly support what Mrs Gray has said. I think that we are getting there. Bit by bit they are actually recognising that we do have self government here. I think it is splendid.

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

Question - put
Motion agreed to
Mr Buffett abstaining

MR ACTING DEPUTY PRESIDENT: Mrs Gray

**ESSENTIAL SERVICES LEGISLATION**

MRS GRAY: Thank you Mr Chairman. The Committee wishes to make mention of another matter in this report. On 12 July this year the Administrator wrote to the Executive Member for Administration, Education and Health advising him that essential services legislation was being formulated by the Commonwealth and that it was intended to extend that legislation to Norfolk Island. The Administrator advised that the Department had undertaken to keep him advised upon the progress of the legislation. I am referring, incidentally, to correspondence which has been circulated to members Mr Chairman. On 21 October last the Administrator again wrote to the Executive Member for Administration, Education and Health and asked for his comment as soon as possible as the Attorney-General's Department was anxious to issue instructions for drafting and was pressing the Department of Home Affairs and Environment for the Norfolk Island Government's views. A copy of that letter was circulated to the committee investigating the extension of Commonwealth Legislation. The Committee
both necessary and reasonable. The Administrator wished to be informed whether the view expressed was that of the Committee or of the Assembly. On 11 November the Committee sent out a memorandum to all members of the Assembly requesting views on the extension of the legislation. To date two replies have been received by the Chairman of the Committee. An invitation has been extended to members of the House to express their views regarding the formulation of Commonwealth legislation - and how often do we hear the wail in this House that Australia is walking all over us. Now you have been given the chance to participate and the opportunity has been ignored. The Committee hopes that after ascertaining the views of all members it may be able to make a recommendation concerning the extension of essential services legislation at the next sitting.

Thank you Mr Chairman.

MR ACTING DEPUTY CHAIRMAN: Mrs Gray

HEADSTONE INVESTIGATION COMMITTEE

MRS GRAY: Thank you Mr Chairman. The Report from the Headstone Investigation Committee. I am not going to read all this I promise. Just some of it. An interim report from this Committee was presented at the last sitting of the House and if I may begin with a resume of that. At 6 October sitting of the House a Committee comprising Bill Sanders (the Executive Member having responsibility for sea transport) Gilbert Jackson and myself was appointed charged with the duty of investigating and considering the proposals put to members regarding the construction of a jetty at Headstone. The Committee was also specifically instructed to consider any other related matters. The Committee met subsequently to elect a Chairman and to put in train advertisements calling for submissions. The Committee is pleased to report that it received in all 23 submissions, 13 oral and 10 written submissions. The written submissions were received from Compagnie des Chasseur Caledonien of Noumea, from the General Manager, M. Cordeat; from Mr R.H.H. Nobbs; Mr David Buffett on behalf of John Ryves; Captain Jean Gada of the vessel Ile de Loumier, from the Norfolk Island Conservation Society; Peter Woodward, Borry Evans and Norm LeCren; Geoff Bennet of the South Pacific Shipping Company of Norfolk Island; Dennis Tanner of Norfolk Island; Jim Anderson and Sue and Paul Menghetti. Oral submissions were heard from Bill Blucher of Martinis Agencies; Mr Boy Satt Buffett; David Buffett; John Nobbs, Mike Carrol; Micheal
there has also been correspondence with the Office of the Administrator and the Department of Home Affairs in Canberra. Discussions have been held with the Works Supervisor, Boonie Buffett; with the lighterage manager Palmer Anderson; with Ray Kempthorne of Kaipara Excavations; Art Mawson; Ian Kenny and Toon Buffett. The Committee has also examined the reports of the Royal Commissions of 1904, 1926 and 1975. The Annual Reports from 1914 to the present day, reports furnished by consulting engineers Wilton and Bill Dobie and Partners of 1970; Mr N. Silver Principal Maritime Works Engineer with the N.S.W. Region of the Department of then Housing and Construction dated 1975, Captain Ron Ware, Honorary Marine Consultant to the Government of Norfolk Island dated 1982 and the Kingston and Arthurs Vale Management Plan. Various documents on file with the Administration of Norfolk Island.

What follows is a summary of ideas and knowledge which came forward. The motivating submission put forward by Peter Woodward, Borry Evans and Norm LeGren called for the development of an alternative landing place at Headstone which could be used for lighterage and launching of fishing boats, and if necessary for air sea rescue operations when conditions were not suitable at Cascade and Kingston. In the report upon which this precis is based, details may be found of the development of a landing at Headstone which was completed in April 1924. Records show that use of that facility was minimal at least as far as lighterage was concerned. Between 1924 and 1938 the landing was used once or twice per year. Cascade and Kingston being used 20 to 30 times each year for lighterage operations. Local knowledge seems to indicate that should conditions not be suitable for launching of craft or unloading cargo at both Kingston and Cascade then Headstone will on most occasions, also be unsuitable. Local knowledge also indicates that Headstone is a most treacherous area, big waves seeming to appear from nowhere out of otherwise calm conditions. On occasion the water close to Headstone may be calm, that is in the immediate lee of the Island, but boatmen claim that when conditions elsewhere are rough then outside, say 300 yards in the lee, will be rough also. However, notwithstanding the foregoing, the Committee wishes to recommend that discussions be encouraged between representatives of cruise shipping lines, the Department of Transport and the Administration of Norfolk Island to ascertain the feasibility of establishing an alternative passenger landing stage. The Committee considers that based on an average usage of say, five times

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Other sites considered and discussed during the formulation of the Committee's report were Ball Bay, Cascade and Kingston. There seemed no weight of local opinion in favour of investigating Mullins Bay and The Cord. It should be stressed at this stage that almost without exception those who made submissions agreed that present facilities at Cascade and Kingston should be upgraded and stabilised before any improvements elsewhere be undertaken. A number of submissions and reports suggested some form of development at Ball Bay, these ranged from a small boat launching ramp to a full scale harbour. In 1904 the matter of a wharf was considered by the Royal Commissioner, Alexander Oliver and even earlier a small settlement was formed at Ball Bay during 1788 with a view to establishing a second landing place. That is, even before Cascade was developed by Philip Gidley King in 1792. Since then such development has been investigated regularly. A pneumatic bubble breakwater was suggested in 1961, the sinking of a large naval vessel was suggested in 1966 and there have been suggestions for creating moulds at the head of the Bay. Perhaps the most exhaustive study was carried out by the Sydney firm of Consulting Engineers, Wilton and Bell Dobie and Partners 1970. Their recommendations included the advise that "...Ball Bay is the only location on Norfolk Island to be considered in investigating the feasibility of providing improved facilities for vessels" The Committee recommends that discussions be encouraged between the representatives of cruise shipping lines, the Rotary Club of Norfolk Island, Captain Ron Ware, Dennis Tanner and the Administration with a view to there being mutual cooperation and assistance in the initial construction of a small boat ramp and possibly appropriate passenger landing facilities at Ball Bay with perhaps at a later date more extensive work. The assistance and advise of the Department of Transport, specifically the search and rescue organisation should also be sought. As already stated, those who made submissions to the Committee agreed that facilities at Cascade and Kingston must be stabilised before any attempt is made to construct major facilities elsewhere. The reports of Wilson and Bell Dobie and Partners in 1970, Mr Silver in 1975 and Captain Ron Ware 1982 give details of the proposed improvements recommended at both Cascade and Kingston. It is the recommendation of this Committee that immediate action be initiated to prepare, improve and extend the existing facilities at Cascade and Kingston landing places. The Committee was also charged with investigating the possible use of roll-on/roll-off cargo
handling concepts and any other methods of handling cargo which may prove more efficient for Norfolk Island. The Committee wishes to thank Matty Nola for his contribution in this area. However, it has proved beyond the means of this Committee to consider fully the possibility of alternatives for Norfolk Island conditions. It is the understanding of the Committee that a sub-committee of the Chamber of Commerce is presently studying the feasibility of alternate cargo handling methods for the Island. In respect of air/sea rescue facilities once again the Committee has not been able to consider fully the requirements of the Department of Transport. It is the recommendation of the Committee that discussions be held with the Department of Transport, the search and rescue organisation to ascertain their needs and requirements for air sea rescue facilities, that there cooperation and assistance be sought with a view to establishing manoeuvrable equipment and teams on Norfolk Island. In the meantime, the newly graded access road to Anson Bay be maintained to provide emergency access to the sea to the west of the Island should it be needed. Mr Chairman the basis for these recommendations is contained in a report which will be circulated to members and other interested persons at the earliest opportunity hopefully for discussion at the next Assembly meeting. Could someone move that consideration of the report be made an Order of the Day for the next sitting please.

MR SANDERS: Mr Chairman, I move that consideration of the report be made an Order of the Day for the next sitting.

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

MR HOWARD: Would Mrs Gray say that the Committee's views come down in favour of cruise ships coming here and dropping people off for an afternoon or a day - is that intrinsic in the recommendation?

MRS GRAY: I do not believe that we addressed that matter Mr Howard.

MISS BUFFETT: Thank you. Do I have to move that that Report be noted. I would like to congratulate the Committee responsible for the Report and the presentation of it, and the work that has gone into it.

MRS GRAY: Thank you Mr Chairman and thank you to Miss Buffett. We must also as a Committee thank all the people who came forward
MR ACTING DEPUTY PRESIDENT: Thank you Mrs Gray. The question is that the motion be agreed. Those in favour.

Question put
Motion agreed unanimously.

VARIATION OF TERMS AND CONDITIONS OF APPOINTMENT
OF PERSON TO ACT AS CHIEF ADMINISTRATIVE OFFICER

MR ACTING DEPUTY PRESIDENT: Mr Buffett you have a matter?

MR BUFFETT: Thank you. Mr Acting Deputy President, I seek leave to move a motion concerning the variation of terms and conditions of appointment of a person appointed to act as the Chief Administrative Officer. Mr Acting Deputy President I move that this House, acting in accordance with section 8(5) of the Public Service Ordinance 1979, recommends to His Honour the Administrator that the terms and conditions of appointment of Mr Gilbert Hitch as a person appointed to act as Chief Administrative Officer during a vacancy in the office of the Chief Administrative Officer or while the Chief Administrative Officer is absent from duty should be varied to provide that he should receive while so acting the remuneration previously applicable to Mr John Gilchrist.

Mr Acting Deputy President you will know that on the 10th of September this House did agree the terms and conditions in respect of Mr Gilbert Hitch to act in the position of Chief Administrative Officer. Part of the arrangement was that the remuneration so provided would be that applicable to the post of Chief Administrative Officer as then existed. It provided otherwise that apart from the remuneration side of things that his terms and conditions would relate to his present arrangement determined by the public service ordinance. What has been now brought to light is that on 16th of this month the formality of the post held by the previous Chief Administrative Officer will cease and therefore there will be a void in respect of this particular area. This motion is designed not to promote anything further than exists but is a motion to promote continuity of the existing situation and upon that basis I commend it to the House.

MR HOWARD: I had some concern and so did Mr Sanders when we first saw the wording of this motion shortly before the meeting and discussed it with Mr Buffett. Our concern was that Gil Hitch's situation and
concerned that there might be room for some confusion or some misunderstanding or some non-applicable aspects of the former Chief Administrative Officer's remuneration as applied to Gil Hitch, but as Mr Buffett points out a recommendation of the Assembly at this meeting is needed to keep the thing going past the 16th of December, and my comment on it is that I intend to support the motion but that I would like it if Mr Buffett could bring to the Executive Committee at least a rundown on how the remuneration translates to Mr Hitch in other words from an expatriot to a resident. Or from a non-member of the Public Service to a man who is a member of the Public Service, and if there are some bugs in that translation from one job to another then maybe we could comb those out by some amending legislation at the February meeting, but to keep the thing going I think that we need to adopt this resolution now.

MR SANDERS: Thank you Mr Chairman. I also support Mr Buffett's motion, the only thing that concerns me is that, are we just referring to remuneration or are we referring to a contract? Perhaps this matter could be clarified at the next Executive Meeting or could Mr Buffett answer it now?

MR BUFFETT: What I can confirm Mr Acting Deputy President, is that the terms and conditions in respect of the present person who is acting in the position have been earlier set by this Assembly on the 10th of September, and in brief, it said that the terms and conditions of Mr Hitch's occupancy of the post would be the same as normally applies to him in his job as far of the Public Service Ordinance dictated. The only exception would be remuneration and the remuneration is that specified to be that applicable to the then existing office of Chief Administrative Officer. The point I have made is that the formalities of the existence of that position will cease on the 16th of this month and this is to provide the continuity of that part of it, not to alter any of the other parts.

MR HOWARD: Could I just make sure that Mr Buffett has no problem with what I was saying and to have a look at it in closer detail then we've been able to do so in the shortness of time between now and the February meeting, and if in it anything needs fixing, then fix it in February otherwise just let it go. Does that agree with you?

MR BUFFETT: I am quite happy to check out that detail Mr Acting
MR ACTING DEPUTY PRESIDENT: The question is that the motion be agreed.

Question put
Motion agreed unanimously

VARIATION OF TERMS AND CONDITIONS OF APPOINTMENT OF CLERK

MR ACTING DEPUTY PRESIDENT: Notice No. 1. Variation of terms and conditions of appointment of Clerk. Mr Howard.

MR HOWARD: Thank you Mr Chairman. I would like to move that this House pursuant to Section 48(6) of the Legislative Assembly Ordinance 1979, recommends to Mr President that as from 13 December 1982 the terms and conditions of the appointment of the Clerk be amended in the following manner -

(a) that his terms and conditions of appointment shall be those from time to time pertaining to the public service office of Legal Adviser in so far as they are applicable and not inconsistent with the Legislative Assembly Ordinance 1979; and

(b) that in addition to performing the work of Clerk in accordance with the Legislative Assembly Ordinance 1979 the Clerk shall draft all necessary legislative instruments, and direct and control the work of any person appointed to act as Clerk.

The need for the motion Mr Chairman is that the Clerk has been holding two separate positions. One as Clerk and one as Legislative Draftsman. His appointment is in the separate job of Legislative Draftsman ends on 13 December. It is I believe the wish of the House that he should continue doing both the work of the Clerk and the Legislative Drafting work that is needed. I do not think that there are any changes that will come about of any consequence from this. The same people will be doing the same things. I commend the motion.

MR SANDERS: Thank you Mr Chairman. I support the motion.

MR JACKSON: Mr Chairman. This motion is not a surprise to me. I believe it was set in motion some months ago. What I have to say about it, I am not saying it about the person because I beleive there is a principle involved in this present proposal for the appointment. I do believe that this motion may set a very dangerous precedent with respect to the one we are with us now. We have applications from
stay on Norfolk Island, and go over the terms of reference, the period of appointment that they had come to Norfolk Island to carry out their duties. In Mr Borrowman's case his terms of reference was for a period of appointment for two years. I believe that time was up in February 1982. Now he has had extensions at various times up until the 13 December. Mr Borrowman may be with us for a long time. He may be with us permanently. I do not know. I agree with what Mr Howard says. The same man will be doing the same job but what I am concerned of is the precedent that we are setting. Now there was a definite term of reference in this appointment and I wonder if the "fine print" of this terms of reference will alter in this appointment. I know that there are recommendations within the motion that he comes at the same wages category and conditions as that of the Legal Officer but that was not previously spelt out in the terms of reference drawn up in 1980.

MR HOWARD: Point of Order. I am wondering -- there is a provision recently adopted in the Standing Orders that if we are going to discuss the terms and conditions or so forth of any particular person in the Public Service then we ought to do so in closed session. Now I do not know how much further Mr Jackson is intending to go in this personalising of what he is saying but if any further I think we ought to close the meeting in line with Standing Orders.

MR ACTING DEPUTY PRESIDENT: The Clerk has indicated that he wants it discussed in public Mr Howard.

MR JACKSON: I am not intending to make a public statement or what we have been used to in the past, characterising of other public servants, at the same time I think that I have the right and duty to raise my views on this particular point. I have not said yet, and I am surprised that Mr Howard took the point of order, as I have not yet said whether or not I will support the motion. What I am debating on is the principle involved. Neither the man nor the position but the way in which we are going about it and therefore there are conditions in this terms of reference and what I would like to be known is whether that terms of reference will that continue for as I have said, the appointment may be for a long time, or even permanent. Now certain conditions in this terms of reference have been criticised to other members of the Public Service. And I am doing this to take into account one certain condition
of return air fares. There has been much criticism of the public servants in the past in this House of the half air fare. Now we have all seconded officers who after two years service hereon Norfolk Island and they intend staying on Norfolk Island for another twelve months, they get a full return airfare for themselves and their families— and yet we have had much criticism in the House of public servants having a half air fare. Now I wonder, perhaps Mr Howard can enlighten me on this, whether the terms of reference in this contract of Mr Borrowman, will that continue with the other points that he has raised, putting Mr Borrowman as the Draftsman and Clerk of this House on the same level of salary rate as the Legal Adviser. Would those terms continue.

MR HOWARD: Let me try to answer the question. I do not know what the terms and conditions of the Legal Adviser are or will be in the future but in the wording of the motion it is proposed that the Clerk's terms and conditions of appointment be the same as those of the Legal Adviser, and the reason for that is that in assigning Legislative Drafting to the Clerk you obviously would be making a mistake either to pay him more than the Legal Adviser gets or to pay him less. This is an Assembly appointment and it seems to me to be important that the Assembly in its conduct show that appointments of the Assembly are treated even-stevens just the way public service appointments are treated, neither better nor worst. In other words, if you work for the Assembly you don't do better than if you are in the Public Service, you don't do worst. We are not hiring cheap help nor are we giving sweet deals to people we like. The same deal as the Public Service. Now whatever the terms and conditions of the Legislative Assembly or the Legal Adviser should be this motion proposes that the terms and conditions of the Clerk should be equal. Whatever those terms are, the motion proposes that those two positions both of which must be filled by trained lawyers, should be identical.

MR QUINTAL: Yes Mr Chairman. I believe that when you give a person that suits the majority of the Assembly members then the idea in my opinion is to try and keep him and I strongly support the motion.

MR BUFFETT: Mr Acting Deputy President, in considering this motion I do not think that it can be a matter of considering whether a particular person is suited to the task or whatever, that of course comes at another time when the actual selection is made for the post. What concerns me now is as I see it, is that the present
post of Draftsman is within the sphere of the Public Service Board machinery and as we all know the Public Service Board has a statutory task to in fact provide services which includes personnel to perform the work that the government which derives from this Assembly needs to have done. And of course, to so persue this task they have what is called an establishment which are necessary within the Public Service Structure for persons to fill so that the work can in fact be done.

It is my understanding that the post of Legislative Draftsman at this time is provided for by the Public Service Board and is filled at present within that machinery arrangement. That is the situation in respect of the other services that are required by the Government. That is how the personnel are engaged, are set about their tasks and in fact catered for in the general sense. This particular motion proposes to change that in respect of one particular post - that of Draftsman. It proposes to take that post from out of the sphere of the Public Service Board and place it in another context. I see some - which has been mentioned by other members I have to say - some matter of principle that I find difficulty with. I think that if we adopt the approach that in fact we want to do this with this post or maybe another post, one then starts to question whether in fact you do need to have a public service board machinery which has a Statutory task of doing just those things, and you might want the alternative of in fact this Assembly pursuing other appointments within the machinery that I have earlier referred to. And I think that that is not the way that we should do it. I think we should utilise the existing machinery that we have which I think is doing an efficient job. Mr Howard earlier mentioned in debate this afternoon that there is a growing relationship with the Public Service Board. This was mentioned in the context of further salary comparisons, Touche Ross etc. That being the case I think it is well to recognise that the Board has expertise in this area to be able to appoint and manage people for the Government for the Assembly - that is their statutory role. Once you go outside that I see it as a precedent that is undesirable. I should stress that that is in no way trying to address particular occupants of any position. I would not wish to support the motion which moves in the direction that I think is not desirable. I think it would be best to leave the arrangement as it now lies and it has been so since the commencement of the self overnmental arrangements here. I think that that is the way that it should continue and on that basis you will see that I am not able to support the motion as it stands before us.
MR BROWN: Thank you Mr Chairman. In one of his recent visits to the Island the Minister for Home Affairs said that when he appoints someone to a job he wants to appoint the best possible person. Mr Borrowman has done an excellent job in the time he has been on this Island; he has been able to guide both the first and the second Legislative Assemblies; he has been able to do so without allowing any question of personalities to enter into his work; he has been loyal to all members, he has given equal service to all members and we might go a hella long way before we find someone as good as him and certainly a long while before we find anyone better. I don't think we can afford to experiment. The position is a very important one, the action that is being taken is not rare action. This situation is common in various parts of the world and I support it.

MR HOWARD: I share the feelings Mr Brown has been expressing. But as Mr Jackson and Mr Buffett said, really we ought to be talking about principles here not a man or a particular person. Mr Buffett spoke about the Public Service Board and how it has the machinery for providing the people that are needed. There are two very important exceptions to that provision and they are exceptions for good reason. The first exception is the Chief Administrative Officer, who is appointed on the recommendation of this Assembly. The Public Service Board has nothing to do with this appointment whatsoever. He is appointed by the Administrator on the recommendation of the Assembly. That was done intentionally and knowingly. The other exception is the Clerk of the Legislative Assembly who is appointed by this House. Not by the Public Service Board. Now what we have had for the last two or three years is a very curious anomaly of the one man having two totally different appointments. One a Public Service Board appointment and one an Assembly appointment. We recognised in this situation that the Public Service Board had some views, some principles, some policies, and that the Public Service Board ought to have some input into it. We've talked about it with the Public Service Board and the recommendation both of the Public Service Board and of the Acting Chief Administrative Officer was in effect, they didn't think that the Legislative Draftsman appointment should be renewed further, but that if the Assembly wanted to appoint a Legislative Draftsman of its own not as a Public Service Board appointment, both the CAO and the Public Service Board sent to us copies of the Australian Law that sets up the Parliamentary Councils which is outside the Public Service Board, which is a separate
So both the CAO and the Public Service Board said that if you want to do it you might think about doing it this way, that is, setting up a Parliamentary Council Office to do Legislative Drafting on Norfolk Island and appoint who you like to do it. In the event it seems simpler. The idea of setting up such an office is one that has some merits to it. We might do well to copy the Commonwealth style.

But, in the event it seemed simpler to adjust to the immediate date of December 13 simply to extend the duties of the Clerk in the way that the motion proposes. I don't think that there has been any clash at all between the Public Service Board and the Executive Committee or any members of the Executive on this matter. I think that the Public Service Board and the CAO have been helpful to us. They have tried to suggest how we might go about making this switch over. The proposal that has led to this very motion that we are discussing at the moment was sent to the Public Service Board and described in detail and the comment or advise or recommendation of the Public Service Board were invited and we were formally notified by the Chairman of the Public Service Board that the Board really had nothing further to offer in the way of advise about this. So they are fully aware of what we are doing. They have no further advise that we should be doing anything different than this, I think that it is a sensible move and I think we have talked about it long enough.

MRS GREY: I will be brief then Mr Chairman. I can't see within the terms of this motion any experimental action. Far from it, I can see a natural alignment of the two positions - that of the Clerk to the House and that of the Legislative Draftsmans. Mr Howard seems to indicate that this could be an interim measure. I support the motion as it stands.

MISS BUFFETT: The principle is a touchy one. I pay tribute to Mr Borrowman himself, I am not referring to Mr Borrowman, his services I cannot fault and I am very grateful. I only hope that in the Assembly's efforts to solve what is presently a short term problem that no damaging precedent will be caused. I take note of Mr Howard's statements regarding recommendations by the CAO and the Executive and Public Service Board. I appreciate that there has been an effort by the Public Service Board to establish a workable and practical system in this instance, the method of this motion I don't really comment on very much - best left out - but I do appreciate the negotiation and
co-operation that has taken place between the Public Service Board and the Legislative Executive. I see merit in the establishment of a position of continuity of knowledge but I also respect, very highly respect, previous decisions made on the matter. I hope that there will be expediency with the matter in hand now, if the Executive has made enquiries regarding the legislation of a Parliamentary Council I think that the expediency of that move would be advisable and I would hope that there is a prevention of any long term disrupting repercussions in any decision to solve this short term problem.

MR JACKSON: I whole heartedly agree with what Mr Brown said concerning Mr Borrowman so far as his position and his work here on the Island in the time that he has been here and I, like Miss Buffett, in stating opening here in this house, Mr Borrowman has given me all assistance, every help courtesy and all Assembly in our work here in the Assembly and I cannot fault that. Mr Brown said that Mr Borrowman has done a good job. Well I acknowledge that, and so has others, other seconded officers. They have done perhaps the same job, but they have had to leave when their time was up. When their contracts expired, they had to leave the Island, but this situation that we find ourselves in, a new position has been created to alter that. Now, in concluding that I sincerely hope that we do not get from the other seconded officers, from school teachers who wish to extend their stay, a flood of applications demanding, precedent has been broken, others have had to go, they have got to go, why can one stay in a position that has been created, and they have to get off the Island as much as they would dearly love to stay here. That is what I say when I said in my opening remarks in the first instance, I see it as a very dangerous stage in setting such a precedent as this.

MR SANDERS: I think that everybody is getting away from the fact that Mr Borrowman did not ask to extend his time, we asked him if he would extend it. I disagree with Miss Buffett that this is an interim measure. I support Mr Borrowman for the work that he has done here and I support the motion as it stands.

MISS BUFFETT: I would just like to make a comment that I wish Mr Sanders had made known that the Assembly had asked Mr Borrowman if he could stay. I mean, the situation is that it shows the lack of communication in this place is sickening...
The House voted -

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

NOES 1
Mr Buffett

ABSENTEES 2
Miss Buffett
Mr Jackson

ROAD TRAFFIC FEES

MR ACTING DEPUTY PRESIDENT: Mr Howard, a notice appearing in your name

MR HOWARD: Yes, thank you Mr Chairman. I move that the Assembly disapproves a proposal to raise the registration fee for private cars and utilities from $30 to $45, and asks that the Executive Council advise the Administrator that such an increase should not be made, or if made, should be rescinded, and I would like to speak to that motion if I may.

Laws are made in two ways generally, either by passing an Act that becomes law or by making Regulation. Acts frequently allow Regulations to be made. Now Regulations are just as binding on people as an Act is. Usually Regulations are thought to deal with relatively minor matters that are not that important and that the major matters have to be dealt with by Acts. Under the Motor Vehicle Act that we passed several months ago, the power to make Regulations was created and recently there has been a recommendation to the Administrator that he make certain Regulations under the Motor Vehicle Act. Some of those involved are a review of annual fees for the registration of buses and bikes and cars etc. That list of fees was reviewed quite carefully by a number of people in the Administration and was reviewed by the Executive Committee several weeks ago and one of the recommendations put to the Executive Committee was that the motor vehicle registration fee be increased from the existing $30 up to $45. In my mind, most of the other recommended increases were adjustments to correct what really were anomalies in the situation, but I see the proposed increase of 50% in what it costs to register a private car or a ute as being something different from the correction of an anomaly. I see it as a general tax on everybody on the Island. Everybody
this is a time for new taxes on the whole Island. I think that there is a squeeze financially, and I think that we are asking the people in the Public Service to hold down their spending to hang on and get by on the income that they are earning now and I do not think that it is fair to do that and at the same time sock everybody 50% more for motor vehicle registration. I think that it is a general tax and I do not think that it is the time for general tax on the Island. We could use the money! We need the money! We are running short - we running in the red but I do not think that now is the time to increase taxes and that is why I move my motion. I oppose that increase and I would like to ask the Assembly to endorse what I have said.

MR SANDERS: Mr Howard's suggestion that an extra $15.00 per year is too large an increase which amounts to 4c extra per day. The total amount of registration is actually 12c per day on the assumption that this 50% is included. Anybody that thinks 12c per day for the right to run a car on the road is excessive, I believe that their attitude is ludicrous. It would appear that the traditional rights so often mentioned in this House are to continue. For example, give or pay nothing but expect the World in return, for example, all weather roads top waves to fix them, expensive equipment that is necessary to fix them just so long as we do not have to contribute. Mr Howard's suggestion and especially as he is Executive Member for Finance, is aware that the Island Revenue is in the red approximately 200,000 so far this year and is likely to erode half a million dollars from our reserves by the end of this financial year. I believe that this situation is ridiculous. The policy that the users should pay appears only to have effect if it is somebody else paying and not ourselves. I oppose the motion.

MR BUFFETT: Mr Acting Deputy President. Not very long ago this House did undertake an important and extensive revision of the Motor Traffic Laws in Norfolk Island and this was a very useful and meaningful piece of adjustment in the legislative arrangements. Those pieces of legislation of course brought to light the real need to make some revision in the fees that are applicable. and we are addressing one of the fees at this time. One needs to bear in mind that the amount that is proposed is not an exhorbitant amount at all. It is a $45 figure which in fact relates to a total annual period. One needs to bear in mind that the last time that it was raised was in 1978 and in fact it was raised from $20 to $30. That too was a 50% increase that has been
at this time and I don’t see that the amount that is proposed is out of the question. I think one needs to keep in mind that costs do rise and one needs to take into account that there needs to be some effort to cover these expenses and it can be done without a great deal of financial inconvenience. I do not see that the fee should be varied from as it is now and I therefore do not support the motion which in fact wishes to adjust the arrangement that now exists or is about to exist.

MRS GREY: It may be of interest to note that we have apparently approximately 2,000 involved in this exercise and if they were registered at the old fee it would raise a revenue of $60,000 give or take and if it was at $45 it would raise a revenue of $90,000. I must confess to be a little intrigued by the Executive Member for Finance being able to turn up $30,000 particularly at this time. I am inclined to vote against this motion. I must assume on the basis of what has been said here that in fact it was a 3 to 1 decision of the Government. I beg your pardon, two to one, an increase in the Government already! I probably cannot add to that, perhaps some of the members here today would be applying for fleet owners discounts but apart from that I have no comment.

MR HOWARD: I comment on something that each of the last three speakers have said. Mr Buffett referred to an increase in 1978 from $20 to $30 and said that he thought that was quite proper. I thought it was quite improper. That was taxation without representation. Now that was before the Norfolk Island Legislative Assembly came in to being and before the Norfolk Island Act was passed. It was tax imposed on us from Australia without any of our own representatives really having Executive Legislative Authority to do anything about it. Secondly Mr Sanders says that it is a traditional way to get everything and pay nothing for it. Among the things he talks about people getting are all weather roads and the machinery that is necessary to keep on hand to fix those roads. I want to remind Mr Sanders that we are not sealing any new roads this year. I want to remind him that we are not working that paving machinery, that repair machinery as hard as we have in previous years as we are squeezing down on that and the roads are getting a little bit less all weather than they used to be. All this is getting less than he got a year ago not more - and here we are proposing to jack up what we are charging him by 50%. Mrs Gray says
income but I think we have to look for increased income in new kinds of ways. I think we are taxing residents hard enough now. I think we are taxing tourists hard enough now. I think we have squeezed philatelic earnings about as we safely can, in recent years and we are planning to earn a little less this year to make that business more durable. I think we have got to look in other directions than increasing the taxes on people and I think that an increase on motor vehicle, ordinary private car registration fee is just a plain tax on everybody whatever you call it. It may be small, it may be a few cents per day but I do not think that this is a time for increasing taxes on people and I think that the residents of the island are taxed heavily enough right now.

MR BROWN: Thank you Mr Chairman. On its own, $15.00 might not seem very much money but times are hard. Out in the business world of this island there are not very many spare jobs. There are many businesses which this year are not making any profit. We are not insulated from world trends. The economies of Australia and New Zealand in particular effect us, and those economies are certainly not improving at the moment. The community expects us to keep our charges at a minimum, and when the community's income falls it expects us to reduce our charges where possible not to increase it. We must in the light of the financial indications provided earlier today by Mr Howard look at reducing our financial demands. Certainly we should not force increased charges on the whole community without investigating cutting costs as the alternative. I support the motion.

MR SANDERS: Mr Howard has just stated a few moments ago, he in actual fact reminded me that maintenance was not being done on the roads - essential maintenance. Would not this be the method of getting the money to do so? I do believe that with the number of vehicles on the Island per head of population that we are approximately 2½ vehicles for every man woman and child on the Island and a few spare ones for pregnant women. Would it not be realistic if we find the $15.00 too rough to get rid of the other 1½ spare vehicles that we have. I still oppose the motion.

MR GUTHRIE: Mr Chairman. There are some persons on the Island
might not have to pull a few of those cars off the road and whether we will not lose what we are trying to gain. The other thing is that we all realise and know that the economy is well down and that there are a lot of people leaving the Island and there are a lot of persons with cars that are leaving the Island also. I for one have five vehicles out in my place and they are all bombs. The whole lot of them are bombs and I do not intend registering them next year. But, I am not in favour of increasing the fees. I think that things are going to be really tough on the Island and there are a lot of people who have not seen a depression and a lot of people might have to face up to a really bad depression in the future. I do not want to paint a glum picture about anything but I do support the motion.

MRS GRAY: Just a query Mr Chairman, is Mr Quintal declaring a pecuniary interest in this motion?

MR SANDERS: If Mr Quintal has difficulty in finding the extra 4¢ per day to put his four bombs on the road, I also suggest that he get rid of them.

MISS BUFFETT: Thank you Mr Acting Deputy President. I think that it is quite some time since the registration rose - the people that I have spoken to are quite happy with the rise in registration. I put forward a proposal for registration increase when I was speaking to or against the 6% on food which did not affect the Minister for Finance half as hard as the increase is effecting him on cars. Perhaps they do not drive as much as they eat. But I realise that there is no public transport here. I have given it a lot of thought because to increase 50% it sounds a lot but it is 50% over four years and apart from that the value of $15.00 over that four years has changed considerably in real money. I have thought about the people to whom this 30¢ per week will make a difference and I feel if the additional burden would be too much perhaps we could warrant an exemption of pensioners. I am not going to support the motion. I feel that the increase is justified.

MR JACKSON: I do not believe that Members who have already spoken have assessed the full nature of the proposal that has been put forward by the Executive Council to be put to the Administrator on the overall increases and decreases. There are recommendations
has concerned themselves with the commercial vehicle carrying capacity up to two tons which in a sence, some of those private cars are in fact excess in weight than a small commercial vehicle under two tons. Now it is recommended that they go up from $45 to $60. Now no-one has said anything about the registration of hire vehicles. Motor cycles - there is no move there for hire motor cycles. It is $30 at present and the recommended fee is still $30. Now when we look at the private hire car it has been reduced. The present fee now is $105 and its recommended fee is $90. No-one is worried about that. But when we look at the poor taxi owner - the private hire car which I consider to be a taxi, it is increased - the recommended price - the fee now is $52 - the recommended fee is $100. No one has cared to comment on those things. They have centred their debate around with what the motion is so skillfully manouvred to. Something that will stand out in the eyes of the community which if you will remember, at the last Sitting, I asked the Minister responsible for registration to register my strong opposition to the terms of what this present motion is about. Now all members know that. I expressed by opposition at the last sitting. But it concerns me when everyone turns a blind eye on the recommendations and proposals that I have just read out. What about the taxi. Has'nt some people got the right to make a living? A proposal from $52 to $100 but reducing the hire car from $105 to $90. I suppose if we had buses like the mainland where you could walk out the front door, and up the corner and wait for it it may be alright. One has an alternative. But here on the Island his motor vehicle is his only transport or he can hoof it and walk. However, that's not too good for the people who are out of condition and getting on in years. If this proposal on the recommended fees had been across the board, had been comparable to all other increases I certainly would not support the motion. But seeing that everything is being ignored and the motion has centred on this particular question of the private car and utility, because I committed myself last time and that committal still stand, I support the motion.

MR HOWARD: I guess in winding up the only comment that I would make is that of very interested surprise at Miss Buffett's comment that all the people that she has spoken with are quite happy about the rise in rego. Well she must have alot of friends on Philip Island because I do not think that the people here are going to like it.
Question, that the motion be agreed -

AYES, 5
Mr Howard
Mr Brown
Mr Christian-Bailey
Mr Quintal
Mr Jackson

Motion agreed

NOES, 4
Mr Buffett
Mrs Gray
Miss Buffett
Mr Sanders

LAND SUB-DIVISION POLICY

MR SANDERS: I wish to move a motion that where the Administrator has received an application to subdivide land either under Section 5(1) or 11(2) of the Land (Sub-Division) Ordinance 1967 and in accordance with section 6(1) and 11(3) of that Ordinance as the case may be has referred the application to the Legislative Assembly for consideration, the executive member shall, on behalf of the Legislative Assembly, consider the application in accordance with the following policy -

(1) He shall consider each of the following matters and shall not recommend the proposed subdivision to the Administrator unless he has satisfied himself -

(a) that the size and shape of the parcels into which the land is to be subdivided and the purposes for which the parcels are to be used are suitable; and

(b) that the means of access to each parcel is adequate for the purposes for which the parcel is to be used; and

(c) that any increase in the use of existing public roads which provide access to the land it is proposed to subdivide will not be excessive or undesirable; and

(d) that the sizes of the parcels in the proposed subdivision will be suitable having regard to the size of other parcels of land in the vicinity; and

(e) that the nature of the terrain of the land it is proposed to subdivide and the surrounding land renders the proposed subdivision suitable; and

(f) that, in appropriate instances, adequate provision will exist for the disposal of sewerage from each separate parcel; and
subdivided or adjacent land or on the general
class character of the ecology in Norfolk Island.

(2) In general he will not recommend to the Administrator
a subdivision which will produce parcels of land which
do not meet the requirements of the Coldham plan as regards
minimum size. However, if having regard to the matters
specified in (1) and, where he considers it appropriate, the
personal circumstances of the owner of the land, he is
of the opinion that special circumstances exist and that a
departure from the minimum sizes specified in the Coldham
Plan would not in those circumstances be unreasonable he
may recommend approval of the subdivision to the Administrator.

Mr Chairman I would like to point out to everybody concerned that all
those sections except for the second paragraph which is the final
one are actually what is in the Ordinance. The reason for putting
in the last one is that there are circumstances that arise where it
becomes necessary for persons who may be ill or something that might
be necessary to have a departure from the Ordinance. I have
here a letter I received from the Administrator on 13 October 1982
and it is with reference to what the Minister in Canberra acknowledges.

The letter reads "My dear Minister, At our regular meeting
on Thursday last you raised the matter of Land Sub-divisions and
the absence of policy guidelines for the use in determining
applications to subdivide land in Norfolk Island. Hereunder for
your information is the text of a telex message I have received from
the Department in relation to this matter. I quote "Concern in
recent years over increasing number of applications to sub-divide
freehold land has led to development of policy proposals to achieve
greater control, however, any policy guidelines having ministerial
approval are those instigated by the Department and approved by
Minister Ellicott on 9 December 1980. Following consultation with
the Norfolk Island Government they require Administrator in
considering any applications that have regard to and reports
specifically on the wide range of matters specified in section 12 of
the Ordinance. On the policy proposals that has been developed
by the Norfolk Island Government and discussed with the Department
none have reached the stage of formal submission to the Minister.
Guidelines referred to in your telex appear to be those proposed for
exceptions to the Assembly's recommended moratorium on subdivision.
This proposal was never put to the Minister and before it could be