

MR PRESIDENT: Good morning Honourable Members, we commence with the Prayer of the Legislative Assembly

Prayer

Almighty God we humbly beseech Thee to vouchsafe Thy blessing upon this House, to direct and prosper our deliberations to the advancement of Thy Glory and for true welfare of the people of Norfolk Island. Amen

Gentlemen, please feel free to remove your coats if that would be more comfortable for you

Condolences, are there any Condolences?

MR E CHRISTIAN: Mr President there are no Condolences

MR PRESIDENT: Petitions, are there any Petitions? Notices, are there are Notices?

Questions Without Notice

MISS BUFFETT: Thank you Mr President. Mr President I direct this question to the Minister having responsibility for shipping. Is it a fact that the current shipping operator service in Norfolk Island from New Zealand following the recent sinking of the Celtic Kiwi immediately increased freight rates and made it clear that unless some importers were prepared to pay the increased rates they were threatened by this company that they would, before the shipping of any products to the Island, have to pay that increased fee and that the fee on the Saturday was \$120 per cubic tonne and on the Monday was \$228 or a cubic metre, was \$228 a cubic metre thank you Mr President

MR N CHRISTIAN: Thank you Mr President. I am aware that after the sinking of the Celtic Kiwi that freight rates immediately rose to precompetition rates. I am not aware that any importer to Norfolk Island had been threatened that if they didn't pay up front they wouldn't get their freight on the ship but I could certainly make some enquiries and advise this House if that was the case

MISS BUFFETT: Mr President I have another question directed to the Minister for Community Services regarding what has been referred to me as a loophole in the Employment Act and ask the Minister if he would check out the situation and report back to this House at the next ordinary meeting. The situation where employees working on listed public holidays are not paid at overtime rates if they are in fact paid above the minimal rate of \$5.00 an hour?

MR E CHRISTIAN: Mr President, any employee who is working on a public holiday must be paid the overtime rate provided that the wage he is already being paid is not above the existing or the set minimum rate

MISS BUFFETT: A supplementary question please. Thank you Mr President. Could I ask the Minister if he could provide in the Act where it says "provided they are not being paid above the minimal \$5.00" and because so that the intention of the Act is seen to be being carried out thank you

MR E CHRISTIAN: Mr President I'll take that on notice and I'll bring it forward and make a perfectly clear statement at the next Assembly meeting

MR SANDERS: Thank you Mr President. I direct this question to Mr Ernie Christian and the question is, when can this House and the Island expect to see the approved development plan of the Rawson Hall area as promised by you in the House in February of this year and do you propose to approve further developments contrary to law, a law that this House passed unanimously

MR E CHRISTIAN: Mr President again I am waiting on Health and Building to produce that plan for me. The Health and Building Officer has been off work again. I will be chasing him to get it forward as soon as I can

MR SANDERS: Thank you Mr President. I have one for Mr Neville

Christian, and the question is, did all the sand in the radio station for the sewerage scheme, not having been used go back to Kingston to rehabilitate the excavation site or was the sand used elsewhere?

MR N CHRISTIAN: At the conclusion of the sewerage project there was approximately 120 cubic metres of sand left over from that project, it was stored in the paddock at the radio station for sometime and has subsequently been used as bedding material for the high voltage underground electricity cables across Mount Pitt

MISS BUFFETT: Thank you Mr President, I have a further question for the Minister for Community Services. Could the Minister advise whether he will be setting up an unemployment register in Norfolk Island now that the Employment Act is functioning?

MR E CHRISTIAN: Mr President at this stage I am looking into it, I can't give a guarantee either way with it, it needs discussion with the Minister's and that but it is certainly being looked into

MR SANDERS: Thank you Mr President. I have a further one for Mr Ernie Christian and it's to do with the rostering of staff. Will the Minister enquire as to the possibility of rostering staff so that Post Office, Customs and Accounts are available for those people working at lunch time and are working all day to enable the public access during those particular periods

MR E CHRISTIAN: Mr President I'll take that on notice and certainly make some investigation into it if there is a need for that to happen then I think it should happen but I will take it on notice and put in some investigation

MR BROWN: Mr President I ask this question of Mr Ernie Christian. Can the Minister advise the total final cost of construction of the Rawson Hall Netball Courts and the proportions of that cost which are being paid by each of the Administration and the Netball Club. Can the Minister further advise whether the same assistance will be available to all present and future sporting and other social clubs

MR E CHRISTIAN: Mr President I have a reply here which I meant to bring forward for a question I took on Notice previously. I'de just like to read out a letter from the Chief Administrative Officer to the Works Manager "Refer your Memorandum 18 November outlining costs to date for the construction of the above netball courts. In the House on 20th November 1991 the Minister has agreed to provide a final costing on this project to the next Sitting of the Legislative Assembly. Please provide me with a final costing as soon as practical". Noted on the bottom of that is a reply which says "Paragraph 2 says the Minister has agreed to provide final costing at the next Sitting of the Legislative Assembly. Accounts received are under review, see folio 36 and final costs may not be available at the next Legislative Assembly meeting." At this stage Mr President, I don't have the final costs nor the breakdown of the costs and that was dated in the last couple of days

MR BROWN: I wonder if Minister Christian would be so good as to take the matter up with extreme urgency. It's now quite some time ... or, is it a fact that it is now quite some time since the particular project was completed and is it a fact that all of the bills have in fact been received and if so can the Minister advise us just what is the cause of the delay

MR E CHRISTIAN: It is a fact Mr President that it has been some time since the thing was completed. As I understand it not all of the bills have been received at this stage and the delay is because there is some problems with some of the bills which have been received which the Administration is taking up with the contractors, suppliers, whatever but I will certainly take it on to chase it but that is what I am being told by the Administration

MR BROWN: I ask this question of the Minister for Finance. Can the Minister advise if the procedure followed by Members of the Legislative Assembly and Members of the Administration staff to draw travelling allowances, and could the Minister advise what proof is sought before and after travel in order to obtain such allowances

MR N CHRISTIAN: Basically Mr President, travel allowances authorised by a Section Head or an Executive Member or the CAO prior to getting the travel allowance and as far as I am aware the only provision after you've received that travel allowance is a notice of acquittal that the funds were spent in a manner that they were intended to spent, that is, for the particular purpose that you received it for

MR BROWN: Can I ask a further question in relation to the same subject Mr President and this question is also directed to the Minister for Finance. In respect of travelling allowances, can the Minister advise how the number of days of travelling is calculated. For example, if an MLA travels from Norfolk Island on a Tuesday and returns in the same week on the Thursday for how many days travel would he be paid, would it be for each of Tuesday, Wednesday and Thursday or would it be for only two days

MR N CHRISTIAN: I would have to check that one out Mr President and give some concrete answers. Obviously it would depend to a fair degree on flight times

MR BLUCHER: Could I just add something to that Mr President as some sort of an answer if Mr Brown would accept my reasoning, as I understand with all expenses that are being issued and paid for travel most expenses it doesn't matter where or who you are based on one night. They are based on nights accommodation as I understand it, so much per night

MR SANDERS: Thank you Mr President. I direct this question to Mr Ernie Christian, and the question is is it a fact that because of the inaction of yourself and the Chief Administrative Officer with regard to the provision of an alternate quarry site for the provision of crushed rock products for Norfolk Island, the price of gravel is to increase considerably this week

MR E CHRISTIAN: Mr President I don't know if the price of gravel is to increase this week or not. As far as I'm concerned the delay in establishing another quarry site isn't because of inaction by the Minister nor the CAO. The matter has been a source of discussion and work by the previous Minister for Community Services and also myself since I took it over. We are progressing the matter at this stage as fast as we can but we are awaiting the appointment of a Technical Officer to handle some of the proceedings

MR SANDERS: Is it a fact that for approximately two years there has been much correspondence going backwards and forwards over this problem and that no action is apparent to the persons who were writing the letters

MR E CHRISTIAN: Mr President there has been alot of correspondence going backwards and forwards from both sides. I certainly recognise that there's been action on our side, the sending of letters alone, the meeting of Members of the Assembly and Members of the Administration with the other people concerned, as far as I'm concerned that does say some type of action

MR BROWN: This question is the Minister for Tourism. Could the Minister advise the House how the Minister and the Tourist Bureau calculate the number of days travelling for the purpose of travelling allowance. Perhaps I could assist a little further Mr President, in particular, could the Minister advise how many days travelling allowance would be paid to a person who departed Norfolk Island on a Tuesday and returned to Norfolk Island on a Thursday. Would it be three days or would it be two days

MR SMITH: Yes, that's quite easy to answer from the Tourist Bureau's point of view Mr Brown. The way travelling allowance is done with the bureau these days, is it's done on actual costs, say, if Mr Snell the Executive Officer travelled, when he gets back he gets reimbursed for his hotel and the associated costs. We don't as such pay an amount of \$100 per day travelling allowance

MR SANDERS: Thank you Mr President. I have a question, I don't know who's responsible for Museums. Mr Christian? I direct this

one to Mr Ernie Christian. Have you authorised the handing out of personal business brochures at Museums and if so, is this service available to all business houses on Norfolk Island

MR E CHRISTIAN: Mr President, no I haven't authorised anything in that fashion

MR SANDERS: Mr President, a supplementary question. If personal business brochures are being handed out do you undertake to stop the procedure immediately

MR E CHRISTIAN: Mr President I undertake to do some investigation on the matter

MR BLUCHER: My question relates back to the Employment Act if we may, to the Minister for Community Services. Is the Minister aware that the calculation of 15 cents per person per hour for the working week, or working month is providing a complete nightmare to the administrators of that and that is the employers, and if he is aware of that, or if he isn't aware of that, would he undertake a review or consultation with employers on that because I can say that it is a nightmare at present

MR E CHRISTIAN: Mr President, to my knowledge it isn't a nightmare. We have had one or two people come down since this was introduced and we've gone into discussion with them. I certainly don't intend at this stage to look at any review on the matter but if there are employers who do have a difficulty they are quite at liberty to contact myself or the Employment Officer and we will try and help them in any way we can

MR BLUCHER: Thank you. Will the Minister if he undertakes a review, or undertakes some consultation, consider that a means or calculation be an average rather than 15 cents per person per hour. You gain on one and you lose on the other, it would average out fairly well

MR E CHRISTIAN: Mr President, I'll undertake to have discussions with anybody that wish and I will come back to this Assembly if there should be problems along those lines

MR SANDERS: Thank you Mr President. I have one for Mr Neville Christian and the question is, I asked it at the last meeting but I think that I've missed a little bit and the question was, who has authorised the dumping of rubbish at the airport and what precautions are taken to ensure that health is safeguarded by such actions. Would it assist Mr President if I perhaps gave Mr Christian the reasoning behind it. I understand that there is tanalised products included in the rubbish that is being burnt which in effect, every time it rains washes down into the creek. The creek incidentally, happens to be mine but it's the starting of the creek that goes through to, down past the Chapel and out to Barney Duffey's and I believe that some undertaking should be taken to ensure that, well, preferably that rubbish not be dumped there, but at least it would be safe

MR N CHRISTIAN: Thank you Mr President. I wasn't aware that tanalised or hazardous materials were being burnt there. If they are it is in fact a problem. As I said at the last meeting, the main aim at the airport was to accommodate the tree stumps and branches that were too large for the burning pit at Headstone and most tanalised off cuts and things from buildings or demolished buildings were quite capable of being handled at the Headstone one, but equally there I suppose the problem of burning tanalised timber, even at Headstone may need to be looked at because from time to time the burning pit at Headstone is cleaned out, the ashes out of there at one stage used to be put over Headstone but in recent times have been put into the landfill at the airport so there may be equally be a problem there from the burnt residue

MR SANDERS: Mr President if Mr N Christian would undertake to look into the matter as a matter of urgency

MR N CHRISTIAN: Yes I will do that

MR ROBINSON: Thank you Mr President. My question is addressed to Mr Ernie Christian. Is the Minister prepared to admit that his list

of portfolios is too large for one man to handle efficiently and if so, what is he prepared to do about it

MR E CHRISTIAN: Mr President it certainly does keep me busy and it's up to this Assembly if they wish to change that and I will leave it to them Mr President

MR ROBINSON: Thank you. I find it unfair of this Assembly to load so many portfolios onto one man who also has to run his own private business

MR PRESIDENT: Is there a question Mr Robinson?

MR ROBINSON: Is there any way you can see that will solve this problem

MR E CHRISTIAN: Mr President I will bring this before the Committee Meetings of the MLA's for their decision

MR BROWN: Mr President I direct this question to the Minister for Tourism. Could the Minister advise the circumstances under which he invited Minister Simmons to attend and speak at this weeks Tourism Conference

MR SMITH: Thank you Mr President. When we were putting this conference together it was suggested that Mr Simmons be invited to attend the Conference being a Minister for Tourism, that his interest in tourism should be the same as ours in that way. From what I understand he was not able to make it at the time but then when we understood that he was going to be on the Island after all to meet with the Assembly, which he did, we invited him to join us for lunch and close the first session of the Conference on Monday morning which is what he did

MR BROWN: In respect of the same Conference Mr President could the Minister advise if it a fact that not a single Minister nor our President nor our Deputy President attended the Conference dinner on Monday evening, and is it a fact that the Administrator and his wife were left to represent the Legislative Assembly of Norfolk Island

MR SMITH: Thank you Mr President. I wasn't there myself John because as you can see with all these drugs that I've got sitting on the table here, was not able to make it myself, perhaps if you were there you could tell us whether there were other Members there

MR E CHRISTIAN: Mr President if I could help in that question. I was certainly not at that meeting, neither was the President, we were both attending the school presentation which had been arranged many months earlier

MR PRESIDENT: Not by way of apology in the matter, because one can't be in all places at all times, but I should make it clear that there is a very long standing arrangements that the President of the Assembly certainly recognises the end of year activities at the Annual Prize Giving of the Norfolk Island Central School and indeed in my official capacity I honoured that commitment on behalf of all Members of the Assembly. I would hope that that would not be brought into a political connotation to make things more difficult than they are

MR SANDERS: Just a supplementary question, perhaps it could be resolved by Mr Smith telling us whether you in fact were invited to that dinner

MR PRESIDENT: Yes I was certainly invited and I tended my apologies in the appropriate way so that there would be no reason for my not being able to attend

MR BROWN: I direct this question to Mr Ernie Christian, is the Minister aware that at this weeks Tourism Conference there was severe criticism of the poor general state of the roads in Norfolk Island. Is it a fact that the roads have been generally neglected by this Legislative Assembly and when can the Norfolk Island taxpayer and the Norfolk Island visitor expect to have roads of a reasonable standard and what are you doing to ensure that that standard is both obtained and maintained

MR E CHRISTIAN: Mr President I am aware that it was mentioned by some of the speakers at the Tourist Conference. The biggest probable slow down on the maintenance of roads has been for a couple of reasons. One is the unavailability of tar sealing equipment. The other one has been the unavailability of Administration staff because of work on the airport. The sealing equipment has been ordered, temporary staff were taken on to try and catch up and keep up with the potholing, this now that the airport is finished, is going ahead as fast as possible, drainage work is being installed along Taylors Road which was intended to be the next main roading upgrade to put in drainage and stuff which we can now carry out the completion because of the ordering of the tar sealing equipment

MR SANDERS: Thank you Mr President. I also direct this one to Mr Ernie Christian and the question is, is it a fact that the Forestry Department now use outside contractors for fencing rather than doing it themselves

MR E CHRISTIAN: I'm not aware that they are, they're using outside contractors for quite a few things. I'm not aware of them actually using them at this stage for fencing, if they are, I would say it is because Forestry is committed to a very very full programme and they wouldn't have enough staff to keep up

MR BROWN: Mr President I direct this question to the Minister for Tourism. Could the Minister advise whether he believe that the graphs which he presented to this weeks Tourism Conference, showing past, present and future Administration revenue and expenditure are accurate, could the Minister advise who prepared those graphs and who decided on the projected growth rates which were applied in the graphs, and finally could the Minister advise the actual growth percentages which were projected for each of revenue and expenditure

MR SMITH: Thank you Mr President. I'll take those one at a time I think John. firstly, the graphs were prepared by the Administration, particularly the CAO. I would certainly hope that they are accurate. They were done last week. Put it this way, I would certainly think that the CAO would use accurate material. One of your other questions was the projected growth of expenditure and income. That was done based on the trends so far and I realise of course that that could change with Government policy. When the new Assembly comes in next year they could change the way the Government spends. They could also change the income structure but those were based on past trends and it was graphed that particular way. I don't feel that there's anything wrong with them, the way they're done. Your question of percentages, could you just repeat that for me John?

MR BROWN: Yes, there are two outstanding questions actually, firstly, could the Minister advise who decided on the projected growth rates which were applied in the graphs and finally could the Minister advise the actual growth percentages which were projected for each of revenue and expenditure

MR SMITH: The last part I can't answer just off the top of my head but the second one, I did. Or the first part of your question I should say

MR BROWN: Mr President I wonder if I could clarify the responses we've been given

MR BROWN: Is it a fact that you've just told the House that the graphs were prepared by the Chief Administrative Officer, and is it a fact that in saying that to you House you intended the House to believe that decisions in relation to the graphs had also been made by the Chief Administrative Officer based on what you suggested to the House were current trends

MR SMITH: Thank you Mr President. Perhaps I should clarify what you are trying to say there John. As far as the past information is concerned that is definitely straight from the records, but for the projected trends, that's where I said if we want to show this as it has been, that we should carry it on on the same path that the income and expenditure were already travelling down. I couldn't ask the CAO to just

provide it whatever way he thought. It had to be done on the past trends and that's where I wanted it done that way

MR BROWN: Well is it a fact that the graphs which you presented to the Tourism Conference showed expenditure rising extremely significantly and income virtually staying on a flat line

MR SMITH: Yes

MR BROWN: Could I just ask one more question on that line. Are you telling this House that you believe that is the trend which is applying to both revenue and expenditure at this time

MR SMITH: Thank you Mr President. I've been saying this for the last twelve months to this Assembly in my debate about Tourist Accommodation and these facts that I've been trying to put across are exactly what is happening as I see it. Nobody else has contradicted that at this stage and this is the first graphical evidence that we've got that that's the way it has been, and that is the way it is going. If a Member of the Assembly can prove that the trend is otherwise, please let me see it

MR BROWN: Mr President could I ask one further question. Could the Minister undertake to this House that at its next meeting he will present to the House a detailed paper from the Chief Administrative Officer and the Accountant in relation to the rates of growth in both expenditure and revenue which have been included in the graphs which have been presented this week by the Minister to the various people attending the Tourism Conference and in the event that the Minister's projections prove to be seriously inaccurate could the Minister advise this House now, what he proposes to do to correct his error

MR SMITH: Thank you Mr President. I think I got most of the gist of what you're talking about there John, but please, put it on notice for me anyway, but I would say that I wouldn't... there would be no error but I have no problem in getting the information you are asking for and not only giving it to people who were at the Conference but to all Members of the Assembly who should have it anyway. Not a problem thank you Mr President

MR SANDERS: Mr President I've asked this question on a number of occasions of Mr George Smith in relation to Police. Is he yet able to tell this House and the public in general, who is that person in the Administration that is able to not take any action on matter of prosecution if a person is caught stealing. It's imperative Mr President that this service be available to Members of the Public also if this is a consistent method

MR SMITH: Thank you Mr President. Can I just clarify something. With Questions Without Notice, and I may be wrong about this, but I understood if a Member can't answer the question directly when it's asked that they ask that it be put on notice for the next meeting and if that's not done the Member may forget all about it until that time when the question is repeated and I think that I remember doing this with the times that Mr Sanders has asked the question because I'm not really quite too sure exactly what he's asking but could I ask again that Mr Sanders does put this question on notice for the next meeting please

MR SANDERS: Mr President, if I may, I have asked this question every single meeting that I have since I've been on the Assembly. If Mr Smith can't read Hansard and he can't understand the question then I'm a little bit sorry, but I don't think he ought to be the person who's representing that law

MR PRESIDENT: If I may clarify the situation in respect of questions that are wanted to be placed on notice. The Standing Orders quite clearly specify how this is to be done. There is the facility for the question to be appropriately worded, written and lodged with the Clerk and on that basis it appears on the Notice paper. It is only when it is in that form that it is a question that is placed upon notice. I know on a number of occasions and it is quite normal in the process of the Parliamentary procedures that a person of whom a question is asked may not be able to feel that they have all of the detail at that particular time and for the sake of wanting to be helpful may ask that it

be placed upon notice and if that is to successfully be done the procedure that I have mentioned needs to be followed. If in fact that is not done then it cannot be interpreted that the question is on notice

MR SANDERS: Mr President ...

MR PRESIDENT: I don't wish to enter into an argument about it

MR SANDERS: No Mr President because if there's likely to be I would prefer you to come down on the floor. I was just passing an opinion Mr President that this isn't the first time that the question has been asked and I would imagine that Mr George Smith has had ample time to prepare an answer to this question

MR PRESIDENT: Yes Mr Sanders that's not the matter. That's the more political nature of the situation and just to clarify two things, the first thing is you mentioned that I might move to the floor of the House to debate a matter; if in fact I am endeavouring to pursue the business of the House as the President, I of course, will do it from this Chair, and this I am talking about in a procedural way and I need to clarify what I have mentioned a bit earlier that the procedure is laid down in Standing Orders and I've endeavoured to explain them, not to enter into debate about them. If you wish to make a political point about whether or not somebody should or should not answer, that is not a matter for me, and I am not endeavouring to enter into that as part of the debate as you will understand, I am merely trying to get the procedural arrangements understood

MR SANDERS: Thank you Mr President. It wasn't a political point I was just requiring an answer to my question. I just that a person that was responsible for law should be able to answer particular after a period of a few months when it's been asked at every single meeting

MR BROWN: Mr President could I move that question time be extended by ten minutes

MR PRESIDENT: There is a proposal that question time be extended for ten minutes, is that agreed? Fine. Thank you. Are there any questions further without notice?

MR E CHRISTIAN: Mr President, I would just like to give some answers to some questions which were previously asked

MR BLUCHER: Are we still on Questions Without Notice Mr President?

MR PRESIDENT: Yes

MR E CHRISTIAN: These were asked, yes, without notice

MR PRESIDENT: Let me make this clear because I think we will be moving into an area where it becomes even more difficult. If there is a question to be asked, let it be asked, and it will be responded to. If a question is to be placed upon Notice, well let that procedure within the terms I mentioned earlier, be done. If I stick to those rules which are the rules of Standing Orders, it does mean that a person does not have the facility to just up and answer a question that has not been asked on the day so I need to explain that to you on this occasion Mr Christian

MR BROWN: Mr President I wonder if I could clarify a matter for me? There has developed a practise in this House when a Minister either does not want, or cannot, for whatever reason answer a question, there has developed a practise of saying, I will take that question on Notice. I have always interpreted that as meaning, I will take that as having been given to me on Notice and I will reply to it at the next meeting during the period of Questions Without Notice. I had thought that was a practise which had developed in the House and I take it from what you have just said that you would not regard that as being the case

MR PRESIDENT: No, because it's not in accordance with Standing Orders, and if I might make the point Mr Brown that I have noticed that moving towards that situation and I have therefore repeatedly, I might

say, reminded Members of the procedures for placing Questions Upon Notice. This is not the first occasion which I have endeavoured to ask Members to comply with the Standing Orders. Now, if Members don't want to do that, well by all means let me have a proposal for adjustment of Standing Orders. I'm not trying to say that I just want to pursue it because that's the way I want to pursue it. I am endeavouring to pursue it because that is what the Standing Orders indicate to me

MR BROWN: Mr President I cannot disagree with your course of action there, it does enable meetings to have far more order to them but at the same time it might be appropriate for us to acknowledge that when a Minister says, I will take that Question on Notice, he is really saying, I'm not going to answer that question

MR PRESIDENT: Well I really don't want to be drawn into what the political implications of what a Minister's response might be, I really want to come back to what I am trying to do and that is administer an orderly conduct within the House. Let's get onto Questions Without Notice please

MR BROWN: Mr President could I ask some questions of Mr Ernie Christian? Is the Minister aware that on previous occasions a number of questions were asked of him in this House to which he responded I will take that question on Notice and is the Minister now in a position to give answers to those various questions

MR E CHRISTIAN: Mr President, yes I did respond that way and yes I am able to give some answers to those questions

MR SANDERS: Mr President, perhaps rather than use the time of Question Without Notice for giving a Question that Ernie has taken On Notice perhaps his replies could be given at the appropriated time rather than now

MR PRESIDENT: Would you rather make a Statement when the time comes Mr Christian

MR E CHRISTIAN: Mr President I'll make a Statement when the time comes

MR PRESIDENT: Yes. Let's get on. I think Mr Blucher's turn please

MR BLUCHER: Yes, I think we might have used up the ten minutes extension time in a general debate

MR SANDERS: If that be the case Mr President I move that so much of Standing Orders ...

MR PRESIDENT: Not yet Mr Sanders

MR BLUCHER: My questions will be rather brief Mr President. My first question is to the Minister for Tourism. Was the Minister for Tourism involved in the invitation to speakers to the Conference? If the Minister was involved in the invitation to speak at the Conference is there a reason for not inviting local born Islanders to speak at a Conference which dealt with the future of the Island? There was one Islander born and only some school pupils were invited and yet other outside people were invited. My question is, will the Minister at future Conferences undertake to invite speakers from the Island who were born on the Island who have some feel and understanding for the future of the Island to put his views forward rather than ad hoc from the floor of the meeting

MR SMITH: Thank you Mr President. I guess I'm quite pleased that you brought that up Bill because it was mentioned by one speaker at the Conference. It's not true actually that Norfolk Island born people weren't invited. In fact, the President spoke unless you're suggesting he's not one of those people you're talking about. Also Tommy Lloyd. The schoolchildren were definitely residents of Norfolk Island. We invited the Association of the Accommodation Proprietors, we invited the Chamber of Commerce and I can assure you that in those Associations there are plenty of Norfolk Islanders. It wasn't up to us to decide who was chosen out of those Associations to get up and speak, but let me go a

little bit further. That this is only the first stage of what we're talking about. The last two days was mainly with the front line of tourism and we needed to get the views, as you know, of the Airlines, the Wholesalers, the Accommodation people, all the people that you saw there Bill, to get that first, to see what's really happening, which I think we've found a lot out. And to follow that up, I ended the Conference by saying we'd like to meet again early next year and it will be, if you feel that there's other people who should be invited, specifically, to that part of it, I'll certainly take up your second part of your question and do just that

MR BROWN: Mr President could I ask this question for the Minister for Tourism. I'm sorry. Mr Blucher hadn't finished and I'll certainly stand down in his favour

MR PRESIDENT: I did interpret that you said you would be brief

MR BLUCHER: Yes. I will be. My two small questions relate to.., is referred to the Minister for Community Services. Is the Minister aware that ANZCAN has provided to the Administration, if they so require it, huge concrete blocks weighing anything from three to eight or nine tonne each, which may well be used in cases of emergencies for retaining sea walls and those sorts of things, and has it been offered to the Administration and will the Administration accept those for storage in cases of these sorts of emergencies that I've just described?

MR E CHRISTIAN: Mr President I am aware that these blocks have been made available to the Administration. I believe, but I am actually not sure, whether they have been accepted by the Administration or not Bill. They certainly may be useful for some of the purposes which you mentioned. I will speak to Members of the Administration to see what is happening to them

MR BLUCHER: My other question is we have spoken about speed humps or speeding along the Slaughter Bay area with the Christmas period fast approaching there'll be a lot of traffic in that area, and dangerous traffic. Will the Minister undertake to have some means of reducing the speed limit or preventing some sort of speeding activity along that particular which has not had speed humps installed?

MR E CHRISTIAN: Yes Mr President. If Bill realises that there are some speed humps that have been installed down there. We still do have a problem with speeding in those areas. Not so much in the area where the speed humps are but further along in the Slaughter Bay area. Speeding is already started and particularly in this last month. We have reported it to the Police and at this stage the Police will endeavour to do a little bit more extra patrolling in that area to cut them down. There hasn't been at this stage any proposal to extend speed humps along in front of the Slaughter Bay area

MR N CHRISTIAN: Mr President if I could point out, the speed humps in some instances that I witnessed in Emily Bay live up to the name. The faster you go across them the less of a bump you get

MR SANDERS: Thank you Mr President. I had a further question for Mr George Smith in relation to matters of law and the question is, the one that I've also asked before, is do you intend to carry out the laws of Norfolk Island?

MR SMITH: Thank you Mr President. I think I stick by the law - well I know I stick by the law personally. If Mr Sanders is referring to the Police I'm sure that they do a sterling job in looking after the law

MR BROWN: Mr President I direct this question to the Minister for Tourism. Is it a fact that at this week's Tourism Conference virtually no speaker apart from the representative of the Accommodation Proprietors recommended an increase in the number of licensed tourist accommodation units and if so, will the Minister now by ceasing his campaign to increase the number of licensed tourist accommodation units?

MR SMITH: Thank you Mr President. The results of the conference didn't depend particularly on the speakers. At the end of yesterday's session, which I don't think Mr Brown was there, I'm not too

sure, we had workshops at which time everybody at the conference had an opportunity to put their views forward and there's many many views that have come out of that and there's certainly been no resolution yet from what came out of the conference and I will say what I said to Mr Blucher, that early in the new year we intend to have a second part of the conference which will be a major workshop to discuss the issues that come out of that and until that happens, I still haven't taken my notions off the agenda, of my agenda, at this time

MR BROWN: Mr President, could I ask a further question. I in fact was present while the workshops were being held and I in fact spoke to Mr Smith at that very time but ...

MR SMITH: That's why I wasn't sure you were in one of the workshops Mr Brown

MR BROWN: With the greatest of respect you made it sound as if I wasn't in attendance at the conference and ...

MR SMITH: No no

MR PRESIDENT: Order. Order could we have the question please

MR BROWN: Is it a fact that when the spokesman for each of the workshops spoke at the conclusion of the conference not a single workshop recommended that there be any increase in the number of licensed tourist accommodation units

MR SMITH: I don't remember John. There were many many issues that came out of that. I honestly couldn't say yes or no. In fact Mr President, Miss Buffett just reminded me there was a suggestion that there was to be better utilisation of the accommodation, was one of the recommendations now that I'm reminded, thank you Alice

MR BROWN: Mr President I ask this question of the Minister for Finance. Is the Minister aware that a number of former Ministers of the Queensland Parliament were jailed in recent times as a result of irregularities in their travel and other expenses? Is the Minister aware that this week in that same Parliament a number of Ministers of the ruling Labour Party have been forced to resign their Ministries for the same reason. What action will the Minister take to ensure there is a thorough audit of the travel and other expenses incurred during the life of this Fifth Norfolk Island Legislative Assembly?

MR N CHRISTIAN: If it comes to that it's fairly simple. Travel Allowances are looked at by the Government Auditor. They're all in order. I don't think any Member of this Assembly, any Minister or any public servant has taken travel allowance and gone to New Zealand for a skiing holiday

MR PRESIDENT: Mr Sanders. This is a final question in the extension of time

MR SANDERS: Perhaps there ... there were two I wished to ... one is a supplementary question for Mr Neville Christian and one for the Minister for Tourism Mr George Smith. Was the purpose of your recent trip off Norfolk Island a further charge against the public purse and if so, do you propose to make a statement as to the purpose of that trip?

MR PRESIDENT: Who was that to Mr Sanders?

MR SANDERS: To Mr George Smith

MR SMITH: Thank you Mr President. Well I can answer that quite simply, in fact, as I left the meeting to go on that trip last time I told people I was going to a private wedding and if Mr Sanders would like to check with the airline I paid \$512.00 to make that trip and certainly didn't get any travelling allowance to go for it

MR SANDERS: Perhaps I could now ask that supplementary question of Mr Neville Christian. Is it a fact that in the previous year there was a number of irregularities on travel allowance in so much as the Minister for Tourism himself had to pay back two and a half thousand dollars

MR N CHRISTIAN: I'm not aware of anything like that happening. It might have been a small amount. It might have been a small amount of \$150 or something like that

MR SANDERS: Regardless of the amount Mr Christian there was amounts of money by a number of Assembly Members that was returned to the public purse

MR N CHRISTIAN: They were returned according to the accepted procedure. There was no wrong doing as I understand it

MR BROWN: Mr President could I move a further extension of Question Time by five minutes

MR PRESIDENT: A further extension of five minutes is proposed. Is that agreed? Agreed

MR BROWN: Mr President could I direct this question to the Minister for Finance. Is the Minister aware of statements by a number of voters at the recent referendum that they voted YES because the Canberra proposal would give them free pensions and medicare? Could the Minister advise whether the Canberra proposal would in fact have given them free pensions and medicare, that is, free Australian pensions and medicare and if the claims are false, can the Minister advise whether any Member of this House was responsible for circulating such false promises?

MR N CHRISTIAN: Good one Mr President. That's a curly one to ask me to investigate. I'll take this up with John after the meeting so that I have a feel for the question

MR BROWN: I'm quite happy to do that Mr President. Could I ask one further question of Mr Smith? When he returns to the room. I don't know whether he's left for good or whether he ...

MR PRESIDENT: I think it was made fairly clear this morning that Mr Smith is not that well and may need to be excused on a couple of occasions Mr Brown if you would be willing to accommodate that

MR BROWN: Yes certainly. I ask this question of the Minister for Tourism. Was the most recent appointment to the Tourist Board made in your absence and could you explain the reason for the urgency of that appointment and could you also advise who made the decision in relation to that appointment? Furthermore, could you advise the sources of assistance you were given in making that decision and could you assure that the decision was yours and not that of your secretarial staff?

MR SMITH: Thank you Mr President. To start with I don't think I've got a secretarial staff of my own. The appointment was mine and... what was the third part there John?

MR BROWN: Whose advise did you seek in obtaining in coming to that decision

MR SMITH: Only mine

MR BROWN: Only your own

MR SMITH: Yes

MR PRESIDENT: Any further Questions Without Notice this morning Honourable Members?

MR BROWN: Mr President could I ask just one final question of the Minister for Tourism? I asked a question earlier in relation to travelling allowances in respect of the Minister and of the Tourist Bureau and the Minister did kindly answer in respect of the Tourist Bureau to the effect that the Tourist Bureau now does not pay a daily allowance but it reimburses actual expenses. Could the Minister advise in his own case how he calculates the number of days of travelling for the purposes of travelling allowance and could he do so by reference to the example I used earlier in the meeting that is, if you were to go away on a Tuesday and come back on a Thursday would you claim two days

travelling allowance or three days travelling allowance

MR SMITH: Thank you Mr President. I'd have to say again John that we don't give daily allowances. It's the actual cost say of ...

MR BROWN: No. I'm talking of yourself

MR SMITH: If I was to go. I usually travel on the Assembly vote

MR BROWN: That's what I'm talking about

MR SMITH: Oh you're talking about not with the Tourist Bureau? Oh well I would assume that would be two days or two nights as Mr Blucher pointed out before

MR BROWN: Mr President with respect it's all very well to assume something but I'm asking what actually occurs when the Minister travels. In that instance does he claim for two days or does he claim for three days

MR SMITH: I'm really trying to come to grips with that because I don't think I've been away for just two days at a time but if you would like to wait until Mr Christian comes back with the answers that he's going to come back with perhaps we can ... I'm not too sure to be honest

MR PRESIDENT: Any further questions? Then I think we've completed Questions Without Notice this morning Honourable Members. We now move to answers to Questions that might be on Notice. Are there any Questions on Notice that are to be responded to today?

Questions On Notice

MR N CHRISTIAN: Thank you Mr President. Question 42 on the Notice asks, will the Minister provide updated details of travel expenses and airfares drawn against the public purse by ALL persons in the life of the 5th Legislative Assembly? I have the answers here Mr President. I don't know whether Mr Sanders wants me to read them or table the document

MR SANDERS: I think perhaps, how many pages of the bits that are necessary to be read?

MR N CHRISTIAN: There are two pages and it covers not only Assembly Members but everyone within the Administration Public Service

MR SANDERS: Mr President, I could just perhaps clarify that. I spoke to the appropriate Department in the Administration and suggested that I didn't want replies to those Questions, or, those people who were entitled to have it as of right, like the public servants with ...

MR N CHRISTIAN: Annual leave entitlements? No they're not included as far as I'm aware. These are purely to do with public servants travelling in the course of Administration business. That's how I understand this document anyway

MR SANDERS: Well perhaps Mr Christian if you could read it thank you and could you table it thereafter

MR N CHRISTIAN: Okay. This is a summary of travel costs for the two and a half year period from the 26th May 1989 to the 28th November 1991 and I won't separate air fares and travel allowance, I'll just give a total amount for each person. David Buffett \$9802.50; George Smith \$14440.79; A C Buffett I would think this wouldn't be Alice it would be the Health Section \$1562.60; Don Wright \$20945.54; John Tate \$25000.49; Wayne Richards \$8756.91; David Rodgers \$1082; Bill Blucher \$4630; Neville Christian \$17373.30; Kim Davies \$21670; Barry Wilson \$13753.34; Graeme Donaldson \$2465; Wes Cooper \$1960; Steve Mathews \$3769; Peter Conolly \$7744.50; Grant MacCallum \$2578.50; Malcolm Douran \$12068; Tony Giradello \$479; Alan Summerscales \$12813; Ernie Christian \$8333.41; Richard Stevens \$2490; Gaye Evans \$2405.50; Mattie Nola \$1960; S Quintal \$840; Kevin Randall \$420; Robert Westwood \$420; R Graham \$980; G Anderson \$2118; Louis Quintal \$8578; R Douran \$1459; Glen Elliot \$1459; Peter Pye \$2410; Neil Christian \$2410; D Sanders \$3562.30; E Sanders \$1650; A

Bataille \$1650; P Magri \$1650; J M Christian \$1038; A Keeping \$1038; Patrick Brown \$5580; J Sexton \$1100; K Lecren \$1565.51; Paul Finch \$1,220; Neil Chadwick \$1305; for a total of \$240,536.19. And the note that's attached to this Mr President is that prior approval for the expenditure has been obtained from at least one of the following sources:- a) that's the Executive Member b) the Chief Administrative Officer or c) the annual budget and what needs to be highlighted here Mr President is that alot of the staff in there who have travelled have travelled as part of an education process in finishing courses and things like that that are approved in the supply bill. There are substantial costs in there in particular relative to myself and the staff at Telecom which is an expense that will be capitalised into the new telephone exchange. They're substantial funds involved with the negotiations with Ericsons in supply of the new \$M1.4 exchange and the undertaking of training of staff in Malaysia where the Ericson training school is so that explains why there are substantial costs in that area and I think that just about says it all except for one little attachment here that says "airfares for the period 26 May 1989 to the 18th June 1990 are not included as the records for this period which have been audited are in archives which at the moment are in an unsafe area to work". So I would expect that Mr Sanders may have been made aware of that earlier

MR SANDERS: No I wasn't actually but it's ...

MR N CHRISTIAN: I think Mr President that answers that question fairly comprehensively

MR SANDERS: Mr President it seems nearly a quarter of a million dollars is alot of money but there's a couple of instances there that cause me concern. Perhaps Mr Neville Christian could explain why it was necessary to spend \$13000 on sending the Accountant anywhere

MR N CHRISTIAN: Well the Accountant, that's quite easy to answer that one Mr President. The Accountant has travelled on a number of occasions to Sydney for top level meetings with OTC regarding traffic settlement for telephone things, discrepancies and things like that and the general workings of the relationship between the Administration and Telecom, Telecom having become our major revenue earner. We need to keep informed there. We had to get procedures outlined and in place for implementation of the new telephone exchange and the Accountant is rather a loose term. He is, in fact, the Branch Manager of that particular area and as such electricity comes under his jurisdiction, telephones and the liquor bond so he has a fair broad split of responsibility. He has also travelled to Noumea on my instruction to attend a South Pacific Ports Conference on shipping. As a result of his attendance at that conference we were able to get the Townsville Port Authority to do the preliminary engineering work on port facilities for Norfolk Island and the Minister for Community Services has now received some parts of that report so it was very beneficial for Mr Wilson to attend that conference

MR E CHRISTIAN: Mr President I would just like to point out with Neville's reply that Barry's trip to Noumea was to undertake to finish off discussions which had been held earlier in trying to arrange somebody to do a port study with us which had previously been estimated at a cost of somewhere around \$200,000. This survey now has just about been completed and at this stage it's cost us something like around about \$1500 plus his airfare to Noumea so I think we've come out of that well and truly on the right side

MR SANDERS: Mr President, the purpose of asking a number of these questions is there's concern in the community that monies perhaps were spent unwisely. Alot of these matters could have been resolved if after the executive or who-ever it was made a statement in the House as to why he went

MR N CHRISTIAN: As a matter of fact statements have been made. The exact costs haven't necessarily been made in that statement but certainly the reason for the travel in most circumstances has been made and explained to MLA's

MR SANDERS: Oh, perhaps I owe an apology there then Mr President as I have a number of people saying why doesn't somebody do whatever and look at all that amount of money so I took it upon myself to ask the questions to get the answers resolved

MR BLUCHER: Just for clarification Mr President, when you mentioned the costs of travel for the Telecommunications Centre is any of that cost come out of the Communications Centre's own earnings?

MR N CHRISTIAN: That's what I said in the note at the end. They're either approved by the executive member, the Chief Administrative Officer or the annual budget and in all instances where staff of an undertaking has travelled it has been a cost to that undertaking, not to the general revenue

MR SANDERS: Perhaps Mr President, as I have difficulty with perhaps Mr Smith's travel allowance if it's to do with tourism business why isn't it charged against the budget that was allocated to tourism rather than a separate vote. Perhaps Mr Smith could clarify that one?

MR SMITH: Thank you Mr President. Well as I see it, I'm part of the Government and we have a vote for whichever travel we do as Members of the Assembly or Government. The tourism budget has never been budgeted for me to travel, if Mr Sanders thinks that appropriate well perhaps in the next budget we'll budget for my travel

MR SANDERS: I was only enquiring Mr President as to why there were two differences. If Mr Smith can satisfy myself and others then the matter is resolved. I just wanted to know were you travelling out of the budget that was allocated for those purposes or is it the Assembly one which excludes any allocation of monies

MR SMITH: Yes the Tourist Bureau budget doesn't include my travel

MR N CHRISTIAN: I think Mr President that I could add some more clarity to some of the answers. Mr Sanders seems to be concerned about some of the high expenditure and in cases there we've had some fairly high legal travel. Now ...

MR SANDERS: Perhaps Mr President, most of my concerns have been resolved in Mr Neville Christian's statement. Perhaps if he tabled the paper and then if there's any further things we wish to follow up we can do it

MR PRESIDENT: if you care to table that then Mr Christian then we can move on to the next question that's on Notice this morning

MR N CHRISTIAN: Okay. I shall table this paper after I answer the next one because they are all attached to the same one

MR PRESIDENT: Okay. Thank you. Question on Notice next No 46. If you're in a position to tackle that one Mr Christian

MR N CHRISTIAN: Yes Mr President I can answer Question 46. The question says, will the Minister for Finance table in the House at the 11th of December Sitting a full and detailed statement of income and expenditure for the airport undertaking from the date of takeover by Norfolk Island of the airport up to the 31st of October 1991 including details of funds if any transferred to the revenue fund or other administration undertakings. Mr President I won't go through the income and expenditure statement I'll just table that so that it's available for anybody who wants to look at it. It basically says that the airport is going as planned and further to that, the second part of the question, since the commencement of the airport undertaking to the present date no funds have been transferred from the undertaking to the revenue fund or any other fund in the public account of Norfolk Island and I think that says it quite clearly and I table those two documents Mr President

MR E CHRISTIAN: Mr President I'd like to table some papers which came out of the tourist conference in order that they be widely available for the general public. One of those is the Text of Remarks of the Norfolk Island Conference on Tourism by Mr Ed Howard. I'd like to table that very very interesting paper and I think it's one that people should read. This is why I'm tabling these. The other one too Mr President I would like to table are done by the Year 10 students. These are the Popularity of Sports in Norfolk Youth and What are the favourite water sports on Norfolk Island and their locations. In tabling these papers Mr

President I would like to commend Mr Jerry Coffey for the marvellous work he's done in this area with the Year 10 and I table these papers

MR N CHRISTIAN: Thank you Mr President. Mr President I table the following papers. Firstly I table the Financial Indicators for the month of October 1991 and we're running fairly close to budget there. Secondly Mr President I table the Financial Statements for the Administration of Norfolk Island for the year ended 30 June 1991, a fairly big document, and thirdly Mr President, Section 32C of the Public Monies Ordinance 1979 requires that I lay before the Legislative Assembly a statement setting out particulars of all expenditure which remain as a charge to the Executive Members advance for the financial year just ended. This I now do and I will read from that paper. Engineers Report, Airport Runway \$13464; CSIRO's Report on Bees \$3300; Fax machine for the Customs Office \$800; Port Study Expenses \$1702; Public Sector Study Expenses \$372; TV Satelite Dish and Installation No 5 Quality Row \$3000; Departure Fee for Blind Group who visited the Island \$270; Youth Sports Fund <This was a donation> \$1000; Vacuum pump for Forestry - this is for the Tanalising Plant for a bit of machinery that broke down \$5967; giving a total of that financial year of \$29,875 Mr President

MR SMITH: Thank you Mr President I've got the tourist arrival figures for November 1991 and I table those and move that they be noted and I'll just go through them. The arrivals out of Sydney for last November was 829 compared to last year of 1010; Brisbane 514 compared to 464 last year; Melbourne we had 100 passengers; Lord Howe 189 compared to 204 last year, the Australian total was 1632 and in 1990 it was 1678. The Auckland totals 932 compared to 776 last year; Christchurch 177 and 397 last year; New Zealand total of 1109 in comparison to last year of 1173. Charters there were 20 this year 71 last year and gives us a total of 2762 and in 1990 it was 2922. The actual playing total for November which included transits and locals was 3088 people

MR BLUCHER: I move that the Paper be noted

MR PRESIDENT: I already have that motion in front of me Mr Blucher. Mr Smith already moved that. The question is that the Paper be noted and Mr Blucher has the call

MR BLUCHER: Thank you. The figures seem to be a little bit down on last year and as a matter of fact they are up in some areas and down in others seems to be like a dogs dinner in some respects. Is it possible that the reduction in this years figure for this month has been effected by the demise of Norfolk Island Airlines which at that time was bringing in quite a number of people to the Island and do you think that Oxley Airlines have now met that challenge and are bringing in the number of people that should be brought in from those areas. Well, looking at Brisbane this year there was more than last year and quite a bit more than the year before. Lord Howe, which is the only place Oxley comes through Lord Howe whereas Norfolk Island Airlines used to fly out of Brisbane and Sydney too, I don't know. I really ... it's hard to say. Well actually you can see the Sydney figures are down from last year

MR BLUCHER: Well the Sydney figures are up due I guess to the Ansett New South Wales taking a greater hand in promotion in that area

MR BROWN: Mr President I wonder whether the Minister for Tourism could have a look at the Lord Howe figures for me. For the last several months there would appear to have been more passengers carried on the flights from Lord Howe than there are seats on the aircraft and that is the case again this month. I wonder if the Minister could arrange for the statistics for the last three months to be looked at again so that we can correct either the number of passengers or the number of flights because one of them must be wrong

MR SMITH: Oxley Airlines are the only airlines coming out of Lord Howe

MR BROWN: Your statistics say that seventeen flights in this present month brought 207 passengers and that works out at a little over twelve passengers per flight and as I understand it the aircraft do not have more than twelve seats

MR SMITH: What I'm saying John is that there may have been

another aircraft out of Lord Howe. It could be a charter or whatever that I'm not aware of

MR BROWN: Well you should be aware of it if you're aware of the passengers arriving that's my point

MR SMITH: I'll certainly check it out. I don't see it as a major problem

MR BROWN: Well I do because we need to be able to rely on statistics such as these. Where tourism is the major industry of the Island it is extremely important that various forms of marketing information be constantly available and not only be available but also be accurate. That is just one area that just stares me in the eye but because of that I wonder whether there might be other inaccuracies within the figures and if for example, the 829 passengers from Sydney had failed to include four flights that arrived during the month, the number could turn out to be higher than it was in 1990 rather than almost 200 lower. We need to ensure the figures are accurate

MR SMITH: Okay

MR PRESIDENT: Further participation? The question is that the Paper be noted

QUESTION PUT
AGREED

Statements

MR PRESIDENT: We move on to Statements Honourable Members. I would firstly like to make a Statement about the visit of the Minister and if I have your leave I will commence to do that. The Federal Minister for the Arts, Tourism and Territories, David Simmons, visited the Island on the 8th and the 9th of December to hold further discussions with the Norfolk Island Legislative Assembly on the issue of Transfer of Powers to the Island's government and I do say that the visit was to honour a commitment made by Mr Simmons during his last visit to the Island which was in June. Mr Simmons informed Assembly Members that progress had been made since his previous visit on the transfer of powers question. Of the thirty-two heads of powers referred to in a letter which I sent to him on the 23rd July of this year, that is, following his last visit, he said that eleven would be transferred immediately without further negotiation and those eleven are these: Provision of Rural Industrial and Home Credit Finance and Assistance; Mining and Minerals other than Uranium; Community and Cultural Affairs; Housing; Public Utilities; Printing and Publishing; Industry including Forestry, Pastoral, Agricultural, Building and Manufacturing; Prices and Rent Control; Corporate Affairs; Legal Aid; Remuneration Allowances, Other Entitlements of Members, Executive Members and Holders of Office in the Assembly. Five were agreed in principle subject to further discussion in order to resolve detail and those five are: Courts including Maintenance of Law and Order and the Administration of Justice, Correctional Services, The Legal Profession, Private Law and Civil Liberties; Consumer Affairs including Regulation of Business and Professions; Civil Aviation; Flora and Fauna and Fishing. Eight areas of authority were awaiting response from the Minister's Ministerial Colleagues and those areas are these: Land - Public and Private; Land Use Planning and Development; Registration of Land Titles and Instruments; Environment Protection and Conservation including Parks, Reserves and Gardens and Preservation of Historical Objects and Places; Territory Insurance; Child Family and Social Welfare; Scientific Research and Censorship and only two, and those two are Territory Banking and Revenue Raising were opposed at this stage by the Commonwealth, and the Minister, Mr Simmons offered the services of his Department to facilitate officer level discussions with relevant Departments to further these matters. He proposed to us, Honourable Members, that Norfolk Island officials participate in these discussions. I say that we had agreed this approach on our earlier discussions in June and reiterated our agreement at this meeting. The Minister said that the topics agreed for transfer could be included in Regulations at an early date and that he was looking to a finalisation of these topics in early 1992. The opportunity offered by this visit made it possible for the Assembly and Minister to discuss the question of optional representation in the Federal Parliament for Norfolk Island

residents. This issue was also discussed with the Minister at a lengthy meeting held last Sunday night. You will know that in September Mr of Law and Order and the Administration of Justice, Correctional Services, The Legal Profession, Private Law and Civil Liberties; Consumer Affairs including Regulation of Business and Professions; Civil Aviation; Flora and Fauna and Fishing. Eight areas of authority were awaiting response from the Minister's Ministerial Colleagues and those areas are these: Land - Public and Private; Land Use Planning and Development; Registration of Land Titles and Instruments; Environment Protection and Conservation including Parks, Reserves and Gardens and Preservation of Historical Objects and Places; Territory Insurance; Child Family and Social Welfare; Scientific Research and Censorship and only two, and those two are Territory Banking and Revenue Raising were opposed at this stage by the Commonwealth, and the Minister, Mr Simmons offered the services of his Department to facilitate officer level discussions with relevant Departments to further these matters. He proposed to us, Honourable Members, that Norfolk Island officials participate in these discussions. I say that we had agreed this approach on our earlier discussions in June and reiterated our agreement at this meeting. The Minister said that the topics agreed for transfer could be included in Regulations at an early date and that he was looking to a finalisation of these topics in early 1992. The opportunity offered by this visit made it possible for the Assembly and Minister to discuss the question of optional representation in the Federal Parliament for Norfolk Island residents. This issue was also discussed with the Minister at a lengthy meeting held last Sunday night. You will know that in September Mr Simmons announced a Commonwealth decision to incorporate Norfolk Island into the Canberra electorate. We had hoped at this meeting that he would agree to review the decision which was opposed at last week's referendum by 81% of the electors of Norfolk Island and which we are certain would do serious and quite unnecessary damage to the island culture and identity. The Minister specifically did not agree to any review of the decision at this meeting but he agreed to facilitate talks between ourselves and the Electoral Commission about the background and legalities of the proposal. With access to the advice of the Electoral Commission we are confident that we can find a way for the Commonwealth to meet its objective of giving Australian on Norfolk Island an optional Federal vote, and at the same time meet our objective which is to avoid having our island integrated into any specific electorate. If we can arrive at a reasonable course of action we are confident the Commonwealth Government will look at this and to this end Honourable Members arrangements have already been initiated for a meeting with the Electoral Commission on Friday of this week and should be firmly set and we expect it will, we will have a senior officer on tomorrow's aircraft to commence that process. I also make mention that during the Minister's visit he attended Minister Smith's Tourism Conference on the Island but Minister Smith will talk about the Conference. I at this stage mention that Mr Simmons attended it. Thank you

MISS BUFFETT: Thank you. I move that the Statement be noted

MR PRESIDENT: The question is that the Statement be noted

MR BROWN: I move that the question be put

MR PRESIDENT: I will need to explain that I am obliged to put that question if it is presented to me and so I need to do so

QUESTION PUT
AGREED

MISS BUFFETT NO

MR PRESIDENT: Do you wish to have the House called Miss Buffett

MISS BUFFETT: No. As long as I am recorded for having voted against that

MR PRESIDENT: Would the Clerk please ensure that that is done please. Are there any further Statements?

MR E CHRISTIAN: Mr President Mr Sanders asked at a previous Meeting, which MLA's were at a meeting held on August the 27th when the sealing of the tennis and netball courts were discussed. Six of the

eight Members attended. These were Miss Alice Buffett; Mr David Buffet; George Smith; Ric Robinson; Bill Blucher and myself. All Members were in favour of the proposal put forward and apologies were received from Mr John Brown and Mr Neville Christian thank you

MR SMITH: I would like to make a Statement on the Tourism Conference which was held over the last two days. Firstly let me say thank you to all those persons who attended, contributed, organised and most importantly recognised the need for a searching look at Norfolk's principal industry, Tourism. During the last two days all facets of the Industry have been discussed or at least touched upon and these discussions and presentations have involved persons from all sectors both on and off the Island. Mr President the Conference dealt with issues under the broad headings of Planning and Policies; View of Airlines; Views of Wholesalers; Norfolk Operators and Social and Environmental Issues. At the conclusion of the presentations those present were split into four groups called workshops and a convenor selected to co-ordinate each groups recommendations and suggestions. There were a number of matters raised by the various workshops that ranged from clear cut recommendations to suggestions for further investigations and these have not all be en correlated-related because of the short time since the conclusion of the conference yesterday afternoon. As Minister for Tourism Mr President I will say that what was clearly recognised is that we must all become profession in this industry of ours. We must not let the impetus of this Conference languish because of no action and we must continue to pursue measure to have a co-ordinated approach to the industry. And let me say Mr President that I believe it would be of enormous benefit to the whole community of Norfolk Island to be aware of the matters discussed and to that end I will shortly be able to advise them of arrangements to facilitate this. I am pleased to say that an immediate result of the Conference has been the commencement, yesterday of a programme supported both by overseas and local operators in the industry to permit the Norfolk Island School to offer a variety of courses in the industry via satellite. Mr President I will not detail the full proposal at this time as there are still some aspects to be finalised, but I will through the local press set out in detail the proposal and publicly thank all those persons who have enable such a positive action to be achieved so early. And finally, to all those who have attended from Australia and New Zealand and who are returning over the next few days to where they came thank you and a safe journey. And further Mr President I move that the Statement be noted and at the last sitting of the House there seemed to be some misunderstanding of the Tourism Policies that were adopted by us in 1989 and I would like to now read these policies so Members can refresh their memories because they were discussed at the Conference. And for Members benefits, the Tourism Policies are as follows:-1. Tourism is recognised as the basis of the Island's economy
2. Norfolk Island is to be regarded as primarily the home of its residents and not primarily as a tourist resort
3. Norfolk Island's desired level of tourism is set for the time being as not exceeding an average of 820 visitors on the Island each day during peak tourism months
4. The Assembly recognises that tourism has both good and bad effects and seeks the best balance between these
5. The commercial benefits of tourism should go mostly to Norfolk Island residents rather than to non residents
6. Local ownership of tourist facilities is encouraged and overseas ownership is not encouraged
7. The most beneficial length of stay for visitors and for the Island is considered to be ten days or longer
8. The Assembly does not seek an overseas financed international luxury standard hotel
9. All weather activities are encouraged as a legitimate means of levelling the seasonal trough in tourism patterns
10. The airlines servicing the Island are expected to maintain a well informed relationship with the Assembly and the Government
11. The Australian and Norfolk Island Governments should exercise controls over tourism, transit air passengers, airline schedules and types of aircraft using the Norfolk Island aerodrome which will be effective in preserving the Norfolk Island environment and economy and in maintaining policies 2, 3 and 7
12. The quantity of tourist accommodation should be controlled by appropriate legislation and of the time being should not be increased
13. The tourist industry should be constantly monitored so that

appropriate levels of public funding for promotion may be decided

14. The Norfolk Island Government Tourist Bureau should continue to play a basic role in tourism services and statistics monitoring tourism policies and tourist promotion when necessary

15. Public funds should be used to improve and maintain public tourist facilities and amenities

16. A tourist accommodation grading procedure based on local scales such as 1, 2 and 3 pinetrees should be implemented - and on the 7th November I should say there the pinetree symbol grading system was replaced by an internationally recognised star symbol grading system

17. Conservation and ecological protection are recognised as essential not only for tourism but for present and future generations of residents

18. That any promotion and or advertising material produced by the Government or privately for use on or off the Island should contain only substantiated facts and measures should be taken to prevent the publication of any misleading

[Tape ends - short gap]

MR PRESIDENT: Any further participation

MR BROWN: Mr President I heard the Minister refer to a proposal but I'm not really sure what he was talking about when he referred to that. I wonder if he could perhaps help me by clarifying just what he was referring to and when he does so I wonder if he could do something else. Could he tell the House whether he proposes to conduct himself in accordance with the Tourism Policies of the Legislative Assembly or in accordance with the few convenient minority views which were expressed by delegates at the Conference which appeared to coincide with some of those of the Minister? Furthermore, does the Minister intend to continue his practise of publicly criticising this Legislative Assembly's Tourism Policies and if so, when does he intend to resign as a Minister so that in the proper course of the Westminster system he can then do so?

MR SMITH: Thank you Mr President. I may have to take those off you one at a time John. The first was a proposal as I said supported by both overseas and local operators to fund a satellite dish system for the school which will allow them to tap into the TAFE college courses - that's a proposal and there's still things to be finalised on that so I didn't want to go any further. No. 2?

MR BROWN: Do you propose to act in accordance with the Tourism Policies of the Legislative Assembly and do you intend to continue your practise of publicly criticising the Legislative Assembly's Policies and if you do intend to continue that practise do you propose to adhere to the traditions of the Westminster system and resign as a Minister?

MR SMITH: Well firstly I adhere to them as much as any other Assembly has done. As you know yourself Mr Brown in your time in Assembly's that we certainly have exceeded an average of 820 visitors in peak times. That's already been happening since 1986. There's other things that the Assembly hasn't done like "all weather activities are encouraged". No Assembly has stuck to that that I can see, but I may be able to be reminded of that. Mr Brown you made a Statement about me negotiating things which is not the way they should be done in accordance with the Tourism Policies. That was in Hansard here - I'll just find it and I quote "of the Second Assembly and which have been unanimously endorsed by each Assembly since, one of these Policies is that Norfolk Island should be an end destination". I don't know whether Mr Brown was being misleading or what there but there's nothing in the Policies that I can see that says anything about an end destination so I was not, when I was talking about end destinations or through traffic I wasn't contravening any of the Policies. As for No. 12, the one that Mr Brown worries about the most which is the quantity of tourist accommodation, as I said in the last meeting I think it would be pointless me trying to ... or it would be pointless me changing the Policy on that and then trying to get the Assembly to accept that idea that there should be changes to the accommodation. I have been endeavouring to do it the other way and if I get support for it then we will change the Policy. I think that's the appropriate way. On that basis I see no reason why I should resign under the Westminster system style of Government for not following the Policies. Your third one Mr Brown?

MR BROWN: Well you've attempted to answer my question

MR SMITH: Have I? Alright

MR PRESIDENT: Any further participation? No further participation? Then I put the question which is that the Statement be noted

QUESTION PUT
AGREED

MR N CHRISTIAN: Mr President I wish to report that agreement has now been reached between the government and the Civil Aviation Authority on the transfer of the Norfolk Island Rescue and Fire Fighting Service to the Administration. The Authority has generally accepted the proposals put forward by the Government based on the agreed position put forward to MLA's by the Chief Administrative Officer at a meeting of 26 November 1991. I will repeat the Government revised proposals made to CAA. Firstly, CAA agrees to provide the Government with an establishment subsidy of \$50,000 (\$30,000 had originally been offered) at the time of transfer which is the 15/1/92 and a subsidy of \$45,000 per annum in respect of 1992/1993 and 1993/94, payable in January of each respective year. Secondly, the Government and CAA have agreed that CAA will continue to collect RFFS charges on behalf of the Administration of Norfolk Island under the Civil Aviation Act for the remainder of 1991/92 and for 1992/93 and 1993/94. Based on current charges, this aspect of the proposal will generate additional revenue of up to \$150,000 although this amount could be less if CAA reduces its charges, as expected. Thirdly, CAA has agreed to provide one RFFS Fire Officer from 15 January 1992 until 29 February 1992, to assist with the operation of the service at the airport pending the Administration having in place its own qualified and experienced staff. Whilst no guarantee of financial assistance is given by CAA after 30 June 1994, a clause has been included in the transfer agreement that CAA will review the operations of the fire service at the NI aerodrome early in 1994 (no later than 30 April 1994), having regard to:

- . the level of service required in view of the status of the aerodrome and the Australian Government's international obligations;
- . the Administration's ability at that time to introduce RFFS charge; and
- . continued serviceability of the fire tenders provided by the CAA to the NIA

CAA has been adamant, Mr President, that the fire tenders that it is handing over, although old, will "do the job" for many years to come (it was said up to 15 years). The inclusion of the above clause in the agreement will enable the then Government, in 1994 to fully reassess its role in providing an RFFS at the NI aerodrome. Other matters that have been agreed to with CAA which, also, were not part of the original proposal include:

- . The transfer of a storage area (part of building number 4) which was leased to CAA under the Airport Transfer Deed. This storage area houses all of the RFFS mechanical spares

. Additional mechanical equipment owned by CAA and valued at about \$5,000
Mr President, I am pleased to announce that the package of additional arrangements for the transfer of RFFS be worth in excess of \$220,000 over the remainder of this year and the financial years of 1992/93 and 1993/94 and could be as high as \$295,000 if CAA retained RFFS charges at existing rates (although unlikely). The only matter which CAA were unable to agree to was the transfer of a truck currently being used by the RFFS. The truck is owned by the Department of Administrative Services and the Administration would have to negotiate the purchase of the vehicle through that Department - that's if we decided that the vehicle was necessary. The Government accepts, Mr President, that the transfer of the RFFS to Norfolk Island is part of the overall strategy for the Government to have responsibility for airport operations on the Island. The Administration, in conjunction with the Public Service Board, is currently considering staffing levels for the service. On all indications to date the service should operate with less permanent staff than previously employed by CAA but still meet international obligations required under the International Civil Aviation Organisation (ICAO) conventions. Thank you Mr President

MR BROWN: Could I move that the Statement be noted Mr President?

MR PRESIDENT: The question is that the Statement be noted

MR BROWN: Mr President I've got a recollection that may be incorrect but I'd better ask about it. I've got a recollection that we have assured the various airlines who fly to Norfolk Island that the present charges that we levy against them will not increase in the future and my recollection goes further than that, in that I have a recollection of us assuring the airlines that if in the future we happen to assume responsibility for the fire service we would not be increasing the charges to cover that either. I wonder if you could just refresh my memory and tell me whether I'm right or wrong

MR N CHRISTIAN: Mr President, in short we have said that we wouldn't consider increasing the passenger surcharge without it being a deliberate act of the House. There have been assurances given that fire fighting service charges wouldn't be increased unnecessarily. In my statement that I've just made it says that CAA will continue to collect the charge on our behalf. That can be re-arranged at the Government's leisure if it wants to but the mechanism is already in place with the various airlines to collect the charge and it is easier for that to continue now. At the same time with discussions that have been held between MLA's and Administration staff I don't see that we will actually need to increase any fire fighting charges to airlines. I think we will manage at the current levels but bear in mind that CAA themselves are moving to a full cost recovery of any service that they provide so if they are in fact collecting money on our behalf we will have to monitor that situation quite closely

MR SMITH: Mr President could I just add what I feel is really what happened in the first place. As I understood it when we talked about the airport charge and we discussed if we took over the fire service the CAA has a surcharge they put to airlines to cover everything like fire rescue and navigation charges and John might be able to explain them better and that we asked them if they would give us part of that funding when they took over and they said that's impossible because they couldn't define it, but when we met with the guy in Sydney, I can't remember his name, he made the offer that they would take a percentage of that charge that they are already charging for fire service and give it to us which is something that we never had before and in fact we were quite pleased when they gave it to us, so there won't be any actual increase to the airline. They'll continue to charge their normal charge and they'll pay us towards our covering the fire service. That's as I understand it

MR N CHRISTIAN: That's right Mr Smith but Norfolk Island cannot prevent CAA themselves from increasing their charges to the airlines and they have publicly said that they are on the road to full cost recovery for anything they provide so you must assume if that is the case that charges to the airlines will rise. All I've said is that Norfolk Island needs to monitor that situation very closely and maybe in the not too distant future we will have to break the link with CAA and charge the airlines ourselves. What I am saying is that at this moment I don't think that we would have to charge a level that's higher than what is currently being charged

MR BROWN: I wonder if I could just alert Members to the fact that my recollection was different to that and if I misunderstood it there is a risk that the airlines misunderstood it. My understanding was that we were assuring the airlines that although we were charging them a helluva lot of money in this passenger head tax we were not going to charge them at all for the provision of the fire service later on. It might just be worth ensuring that my recollection is incorrect and ensuring that the airlines have not left with a similar misunderstanding which I appear to have

MR PRESIDENT: Further participation? Mr Blucher

MR BLUCHER: I tend to agree with what Mr Brown is saying because from my own recollection from the debates that we have had I have the view, and I still hold the view, that the RFFS, the Rescue Fire Fighting Service was going to be introduced, taken over by the Norfolk Island Government without any increase to the Airlines. That's how understood it also

MR N CHRISTIAN: That's what's happened Mr Blucher. Didn't you listen to my statement?

MR BLUCHER: Well I did but I am trying to get that clarification from you because I am of the understanding Mr President that we gave an understanding to the airlines that the RFFS Fire Service charges will not be increased nor will the passenger charge rate for a period of time

MR BROWN: Perhaps I can assist Mr President. The Civil Aviation Authority levies an RFFS charge in respect of those airports at which it provides a Fire Service. Now I don't see how it can levy a charge in respect of the Norfolk Island Airport once it no longer provides the service. To my mind, it simply would not be legal and if that is the case it is my understanding of the undertaking we gave that we would not be introducing any charge ourselves and so I left with the impression that we were saying one day if we take over the fire service the CAA will cease to charge you and we realise that this charge that we have already introduced which is one of the highest in the world, if not the highest in the world, hurts but to make you feel a little bit better we won't charge you any extra once we're paying for the fire service and all I'm asking is that we ensure that the airlines do not form a view of us so quickly after that discussion, that's unfavourable

MR N CHRISTIAN: Mr President I don't think we've every made any promise to the airlines that we won't charge them for the Rescue and Fire Fighting Service and we certainly have no proposal at the moment to increase the charge then what is currently being levied. CAA will be collecting the charge on our behalf for the foreseeable future because it's convenient. I mean as soon as, you know, we've just got the airport upgrade out of our way, we've got a new terminal coming up, as soon as we are in a position to take this responsibility ourselves I certainly think that's the responsibility we should have. What I intend doing, and this may calm some of Mr Brown's fears, is that once we determine final starting levels for the service and we have a fair indication of the annual costs for running that we may find that we can incorporate them all in the passenger charge and we may be able to abolish the small charge per passenger for the fire fighting service or just not charge it but I'll be coming forward with some financial works in that area and the Assembly can make a decision then but there's certainly no proposal at this stage to burden the airlines with any further charges and I think that message should be quite clear

MR BLUCHER: Just for further clarification of my own understanding and I have been listening to Mr Christian. I don't recall him making a statement in that effect, I am also of the understanding that not all the airlines require the services of the RFFS so therefore if they are charged for the use of the service but don't require it, are we still going to continue charging them

MR N CHRISTIAN: In short Mr President because we have an international airline flying into Norfolk Island we are bound by ICAO to provide certain levels of services. I believe the airline that Mr Blucher is referring to by a law doesn't necessarily need the fire service but nevertheless contributes to it and our figures at the moment are calculated as such that we will continue on with whatever the CAA was charging and I don't think the airline would pull out now if they've already been paying this charge in the past

MR SMITH: Yes thank you Mr President. Mr Blucher's brought up two things there and there's one that I feel very strongly about and the other one, well, it's up to the airline. An airline that flies here, we'll start with that one first as you're referring to a domestic carrier like Ansett, that type of aircraft, they might not require fire coverage which happens on certain days as I understand it, some days they're covered and other days they're not depends which days the firemen take off, but I certainly think that if there was - heaven forbid - and accident that required the fire service I certainly would think that the airline would contribute towards that insurance that the aeroplane certainly wouldn't be sitting there without being covered by fire coverage. The second thing that I get quite annoyed about is the CAA's apparent disregard for their obligation to providing a fire service for international services. As I understand it - well, to go further - if we

were in Australia and one of their ports there had international carriers flying into they have an obligation to provide those sort of services as does any other country for Australian carriers that fly in there. Now they tell us that this is a domestic port from Australia so we are one of those airports then that they should be covering with the fire service and I think they're not sticking to their agreements, their international agreements by pulling out the fire service here. I think that's ...

MR N CHRISTIAN: I think Mr President that in a straight technical sense George may be right. The risk we have here is that CAA charges are rising so high to be completely uneconomical for the one international carrier we have come in here and maybe therefore detrimental to our business. I think it's far better that we have control of the fire fighting service. Meet any obligations that we need to and maybe the charges that we need to recover it, and I think at the moment they would probably be less than what CAA intend charging in the future

MR N CHRISTIAN: Mr President I think Neville's quite right in what he just said but I think that it is very important that we think carefully before we make statements such as that just made by George. Here we all sit around the table saying that Norfolk Island is a territory under the authority of the Commonwealth but not part of the Commonwealth and we say that we want to continue down the path to full internal self government. It is not appropriate under that situation in my view for us to be going to the Australian Government seeking to bludge money from them and seeking to keep an Australian Fire Service here is just that. We want full internal self government. We've got to show that we're prepared to show what it costs

MR SMITH: That's not what I was suggesting Mr Brown. I was suggesting that if we are to provide these sort of services we should be classed as an international airport

MISS BUFFETT: Thank you Mr President. A lot of people are getting the impression that a move towards autonomy should be reworded to a move towards enmity and I don't blame them for the misunderstanding with some of the remarks that go on in this House. I think the sooner we work together in the spirit that we should be working together as a Territory, administered by an act of the Australian Parliament the better we will progress and the better the future of the people will be insured thank you

MR PRESIDENT: Further participation? I will put the question which is that the statement be noted

QUESTION PUT
AGREED

Are there any further statements? Mr Ernie Christian

MR E CHRISTIAN: Mr President, I would like to make a Statement on the extension of the Employment Act to include employers. The Employment Liason Officer has received a number of enquiries to see if it is possible for individual employers to join the public scheme. The Employment Act can be extended to employers provided they make application. The application is on the same form used to declare employees hours of work. Until 31st December 1991 any applicants will be covered immediately. After the 31st December 1991 applicants will need to have been in the scheme for at least 90 days before coming eligible for benefits. Employers who have joined the scheme will be required to provide audited income statements only if a claim for weekly compensation is made. The same rate will apply to employers as it does to employees. Employers who have not already applied to become members of the public scheme should contact the Employment Liason Officer, Mrs Susan Sharkey at the Administration to receive an application form. Thank you Mr President

MR BROWN: Mr President could I move that the last statement be noted

MR PRESIDENT: The question is that the statement be noted

MR BROWN: Mr President I support the move to enable employers if they so wish to insure as part of this scheme. There seems

to have been some misunderstanding in some parts of the community as to what we're trying to do here. I understand that some people have been led to believe that we are forcing them as an employer to cease paying into their personal policies and to join this scheme. I think it's important that we make it very clear that that is not the case for an employer joining this scheme is totally discretionary, he makes up his own mind, and even if he chooses to join the scheme, that doesn't mean that he necessarily has to cancel his other insurance because there may be aspects of the other insurance which are not covered by the scheme itself and so in the event that anyone is concerned about what we are trying to do I hope that they will get in touch with the Minister, with Ernie, and have a talk with him and ascertain what the real facts are because I don't think that any of us have been wanting to interfere in the personal lives of any of the employers

MR E CHRISTIAN: Mr President I thank Mr Brown for making that statement and clarifying this. He's quite correct in what he says and there is no move by this Government whatsoever to try and force people out of the insurance which they already carry

MR BLUCHER: Thank you, just also a supplementary question to what you have been talking about and I understand that there has been no official application by the existing insurance companies on Norfolk to be approved as an insurer. If there is or has been I am not aware that any of them yet has been approved. Now there is a feeling around the community that because some of the insurers are pulling out of their own scheme on the Island because of the introduction of this government scheme there is some confusion going on within the community and within - I'm not too sure of the insurers themselves - but there has to be a reason why they are either not applying to be approved or whether because of the new government scheme being introduced there is insufficient premiums forthcoming from the community to allow them to continue to offer a service to the rest of the community

MR E CHRISTIAN: Mr President what Mr Blucher says is right. At this stage there have been no official applications by any other insurance company to become a registered insurer

MR BLUCHER: So the innuendo in all this Mr Christian is that there is a feeling out there that perhaps purposely the government does not want to approve another insurer so that he can take in all of the insurance covers on the Island, that's some of the feeling that I'm hearing

MR E CHRISTIAN: Could I say Mr President that that is not correct. All insurance companies that we are aware of have been approached and have been asked if they wish to become an official insurer. At this stage none of them have chosen to take that path mainly from what I can gather and from a statement made by one of the insurance companies to our Risk Assessor in the last couple of days, is because there isn't enough policies on Norfolk to make it worth their while to carry on and they were only running that service before in conjunction with their other fire policies and everything else but in actual fact its too costly, they don't want to be in it

MR PRESIDENT: Any further participation? Then I'll put the question that the statement be noted

QUESTION PUT
AGREED

Any further statements to be made this morning? Alright thank you. There are no messages. Reports from Standing and Select Committees? No. We will move on

NOTICES

NO 1 - EMILY AND SLAUGHTER BAYS - PROPOSAL TO CONTROL USE OF BAYS BY CERTAIN POWER AND WIND DRIVEN CRAFT ETC

MR SANDERS: Thank you Mr President. Mr President I move that this House -
(a) is opposed to the use of Emily and Slaughter Bays by power crafts and wind driven craft (including surf skis); and

(b) requests the executive member responsible for sport and recreation (Mr Ernie Christian) to bring forward as a matter of urgency legislation to -

(i) prohibit the use of power and wind driven craft in Emily and Slaughter Bays (other than craft already in use by long-standing commercial operators); and

(ii) restrict the commercial use of Emily and Slaughter Bays by non-powered craft, in the interests of public safety and the environment.

Mr President I've moved this motion because of the numerous complaints by the users of Emily Bay and Slaughter Bay being concerned for their own safety. I understand that because of this activity that there are some people who have discontinued swimming because of the possibility of perhaps being hurt or their inability to move out of the way in a hurry because of age or disability or whatever. I have since putting this motion on the Notice Paper received a letter from Mr Cris Gatehouse, which was addressed to you and its a copy and this morning I have received another copy of a letter addressed to yourself, I think I should read for the benefit of the listening public

MR PRESIDENT: Yes. May I just clarify Mr Sanders that I have received both of those two letters and I have enquired, or ensured that copies have been distributed to each member appropriately

MR SANDERS: Yes, I understand that they have been Mr President. The first letter is a letter from Mr Cris Gatehouse and it's addressed to yourself and it's the common leisure use of Emily and Slaughter Bays. He goes on to say, as has happened many times in the past at this time of the year certain groups are being threatened with exclusion from sharing the waters of Emily and Slaughter Bay. As a person who has enjoyed using Emily and Slaughter for swimming sailing and snorkelling, I know and appreciate that the waters must be shared by all.

It is the only area suitable for all. I also appreciate that swimming and snorkelling will not be made illegal but that sailing may be. As a sailer or twelve years I must object that a group of about twenty sailors will not have the right to share Emily and Slaughter Bays for sailing. At the last meeting we had with yourself, the then Chief Administrative Officer and Legal Officer certain guidelines and a code of conduct was discussed and accepted by the sailors. As a result the two warning signs were placed on the change sheds at both bays. I believe the sailors have kept to their code of conduct and shared the waters responsibly. It must be pointed out again that when the sailors use the water it is usually fairly windy and the water not very crowded. We also sail back and forth on the same course between two points. These two points will depend on the wind direction. Once these two points are decided all other users of the water will know and be able to see what track the sailors are using. A swimmer or diver should be able to accept that the sailors are using that part of the water. I think we have that understanding with most regular users of the bay. As was witnessed by the special constable on duty on the water last year, several users of slaughter bay were swimming deliberately across the course that the sailors were using. The sailors know these people and they are conscious of their use and accommodate them. We share with them. I also believe that a potentially more dangerous situation will arise if sailors are not able to share the waters of Emily Bay and Slaughter Bay and are forced to sail outside the reef. Again, I must stress that the sailors have demonstrated a responsible attitude to other users of the waters and are happy to discuss this matter again with any member of the Assembly or persons who are opposed to sharing the waters and beauty of Emily and Slaughter Bays.

I do hope that my children will be able to learn to sail on the water of the bays and learn to share the things that I have. Yours faithfully and it's signed by Cris Gatehouse. There's a further letter arrived this morning [where's my glasses, I may have difficulty in being able to read it] however, it's addressed to yourself Mr President. We write to protest at the legislation being brought in to ban the use of power or wind driven vessels in Emily and Slaughter Bays, in particular jet ski's.

We own and use jet skis that were bought twelve months ago. There are only three jet skis on Norfolk Island. Most times when weather permits we use the jet skis in the open seas. To get to the open seas we use the passage in the reef at Emily bay. We realise that the bays must be safe for all who use it but is the answer just to ban the jet skis and wind surfers from the bays altogether. Can't we have a compromise. Can't we have a meeting with representatives from all sorts of people who use the bays. We would like to talk and have our point of view heard. Youth of Norfolk Island are slowly being suppressed from doing activities they

enjoy. If such things continue we wonder why youth turns to crime. Young people must have an outlet for their energies otherwise they become angry, frustrated and rebellious. Adults need to talk to young people more instead of just passing laws. If the Assembly bans the use of power water vessels other than the glass bottom boats, what is the surf life saving club going to use in emergencies? In other parts of the world, eg Hawaii, jet skis are used for lifesaving purposes. The once used motor powered rubber dinghys were found to be unsatisfactory in rough conditions has now been replaced by jet skis which are more capable and safer for a life saving situation. Unlike most water vessels the jet ski has no protruding sharp objects as it is powered by an inbuilt jet unit making it safer than most vessels. How can we compromise and keep everybody satisfied. Time set aside that the community knows about by putting up signboards. This worked well for years with water skiers. Beginners wanting to learn to use jet skis need calm safe waters before being able to meet the challenges of the open sea. We ask that should there be a need to ban us from the bay during the winter months when the only people who go swimming need their heads read. The majority of us who use these vessels are old enough to be given the responsibility of voting for members of the Legislative Assembly but are not thought to be responsible enough to practice our sport in Emily and Slaughter bays so please we say to you, please talk to us all, not just ban us. Yours faithfully.

Mr President the two very interesting letters and obviously all the users of Emily Bay need to be considered. There is a large number of elderly and incapacitated people that use Emily bar apart from the youngsters and the tourists and everybody in general and I have a great deal of feeling for these other people with the jet skis and that who would also like to use it but I'm a little bit concerned in Cris Gatehouses' letter, it infers, and I'll reread that paragraph "we sail back and forth on the same course between two points. These two points will depend on the wind condition. Once these two points are decided all other users of the water will know and be able to see what track the sailors are using. A swimmer or diver should be able to accept that sailors are using that part of the water. I think we have an understanding with most regular users of the bay..." I'm a little bit concerned that there seems to be with the use of that paragraph a right as of right of those persons to have whichever part of Emily bay that they suit and the swimmers can have what's left. Anyhow, that's... I'm only just passing that as an opinion. I don't really think that any equipment that's power driven by whatever force should have right of way over any swimmer regardless of where he wishes to go. The letter that was just written, I'm sorry I forgot to say who signed it was Aaron Graham, Ritchie Douran, Darren Crane and Mitchell Graham, there's also in their letter a sense that they should have the right over others and I feel that while they should be considered there is alot say to prevent them from being there. I'll leave it and allow other people to pass comment Mr President

MR E CHRISTIAN: Mr President, after debate I would like to foreshadow I'm moving a motion of adjournment. Mr President since word of this motion got out my phone has been busy and I've been stopped by many people in the street and have got home quite late. The majority have been very upset with what they see as a very discriminatory and unfair motion. They point out that this motion prohibits the school children from using their yachts, the very young children on surf skis which normally 00000000

fill up the corner of the beach where the town drain empties, the children's plastic boats with their small sails and many other rubber and polystyrene floating devices that cannot harm anyone. All residents and users of Emily and Slaughter bays should be able to have a say in how and who uses the main beach area of the Island and in what fashion. A recent study by Dr Angela Ivanovicki show that environmentally present users of the area are not causing any harm. Year 10 yesterday gave a presentation of water use, sport and other matters at the Tourist Conference. It was well received and I have invited their input into the socio environmental management of the bays and along with other users of the bay would intend to put forward a management plan. Because this would take a little time the present commercial operators windsurfers, jet ski owners who in the main are very responsible and safety conscious people have assured me that they would be willing to police their members until controls are able to be put into place. Legislation which is rushed into

invariably finish up punishing those it seeks to protect. Thank you Mr President

MR N CHRISTIAN: Thank you Mr President. I can understand Mr Sanders reasons for bringing this motion forward. There has been quite a bit of concern about what can be termed as irresponsible use of jet skis and sailing equipment in Slaughter and Emily bays. At the same time though I appreciate that most of the people that use jet skis and sailboards in particular, are very responsible people. I think the point that these people need to consider though is that when they lend their equipment to other users they must also instil in the other users this sense of responsibility. I say myself, a Sunday afternoon, where all the complaints stemmed from in Slaughter and Emily bays and the total area was unsafe for anyone else using it. It was a perfectly calm day, it was quite sunny and there were alot of other people on the beach. As soon as I witnessed that spectacle, you could call it, I knew there were going to be complaints. I'm not in favour of banning anybody from Emily or slaughter bay. I support Ernie's idea of putting together a booklet of recommended uses for Emily bay and guidelines for the sale use of that area. I think Mr Gatehouse sets out some valid points in his letter. The people from the jet skis do as well but when it boils down to everything it just means that there's a fair degree of commonsense to be used when you're engaging in this type of activity and you must realise that other people do have a right to be there and can definately be injured by the types of equipment being used. I noticed Ernie was quoting the marine biologist that said current water sports in Emily Bay was not doing any significant damage. I just want members to be aware that jet skis certainly weren't around when that report was written and when you consider damage being done to rivers in New South Wales or Australia in general from powered craft that particular point may need closer scrutiny. Having said what I've said I would hope that Bills' motion today does get adjourned so that we can have further consultation with people from these various groups with an aim to achieving a means without having to necessarily legislate

MR BLUCHER: Thank you Mr President. I've read both of those letters and I've also been approached by particularly members of the wind surfing club if there is such a club. I've not been approached by any member of the jet ski group. As a swimmer in that area I do find it difficult and even dangerous at some time to be able to carry out the enjoyment that I and others have for the use of that bay with not only the wind surfers but also the jet skiis. Now I think over a period of time previous Assembly's have through their inaction condoned the use of all of the activities within the bay areas and it really comes back to our own responsibility to either nip some things in the bud or control them more rigidly by policies and guidelines and consultation with the groups. I have nothing personal against those two groups using the bay for their enjoyment and I do agree that particularly in wintertime there is not many other users of the bay but I don't agree with what they say that people that use the bay in wintertime need their head read. Perhaps, I as one of the users should have my head read for entering the bay whilst they are there. I think we should turn it in that direction. I have no real objection to the shared use of the bay by those other bodies but I will agree that if it is to be agreed that they do share those waters that there are some very rigid controls placed on them for the times to be used and not only the times but also the seasons to be used because the bulk of the users of that bay uses them all throughout the summer weather, in wintertime alot of people use the bay for swimming and exercise in very early mornings and during other periods of the day so it really isn't an area that should only be used in summer but it is used all the year round. When the weather is rough there are not many users or snorkellers in the bay but there are swimmers and there are people using it also and I think if there is going to be an adjournment on this debate then there should be very lengthy discussions held with these people and that this Assembly be very rigid in their decision to control it and I think control is the answer here and for periods of time. When water skiers were using the bay there was an agreement that they use the bay after sunset or 6 o'clock in the evening and in the summertime that was fine and I think they carried out that fairly well but I have noticed that the people that are learning to use this equipment are the ones that don't understand what they should be responsible for and I think that's one of the areas that must be pointed out to them that if they're going to learn or going to be taught that they should stick within the areas because there are people that have

their own windsurfers that are only learners and they'de like to not be as professional as the other users but to enjoy the use of those boards and I would say that if we are going to adjourn this then the consultation should take place very very quickly because we've got the season coming on a very very busy season coming on, we've got the Rotary club with using the bay for raft races and all sorts of sailing equipment on Boxing Day and if we're going to prevent it now well that'll throw things in a bit of a stew so I would hope that all this can be resolved very quickly before the season hits us otherwise there's going to be alot of trouble, alot of boats, alot of people complaining down there and if this is to be adjourned well, for the purpose of which I've mentioned, then I would agree to the adjournment

MR BROWN: Mr President Bill just mentioned that previous inaction by this and other Assembly's may well have led people to feel that the Assembly's have condoned whatever present activities go on in Emily Bay. He's right there. And at various times the Assembly has failed to face up to problems in Emily bay and has found it much easier to simply ignore the problem and to take the view that it might be a bit hard to do anything about it. People might be offended. So do nothing. And that was certainly a mistake. In quite recent times we have seen windsurfers introduced to Emily bay. Don't let's be fooled by saying that people have sailed windsurfers on Emily bay for the last fifty years because they haven't existed. Jet skis we've heard from the letter this morning have been on the Island for a year. Let's not kid ourselves that people forever have ridden jet skis around Emily bay. Even paddle boats have only come in comparatively recent years and if there have been any there have certainly been very few sailing boats until recent years. The traditional use of Emily and Slaughter bay has been for swimming and for walking on the reef and I'll acknowledge, the glass bottom boats. They're the users that are the traditional users and they're the users which in a small area, and make no mistake, Emily and Slaughter bays comprise just a small area, they're the activities which we must protect. One of the letter we received suggested that youth is being suppressed. Well I'm not sure that that's right. I can recall a skateboard ramp being fairly recently constructed near Rawson Hall, space was provided for that and some assistance was given for that. I can recall a very expensive pair of netball courts being constructed next to the Rawson Hall, even the depth of the material beneath those courts was something I'm sure that wasn't just done for the older ladies, because it would be very insulting to suggest that the older ladies needed something like two feet of compacted subsoil beneath the court. It was done so that the multitudinous pounding of young feet wouldn't damage the tarmac area I'm sure. If youth is complaining that it is suppressed when someone comes to court for growing a bit of marajuana then we should make no apology for that form of suppression. We should make it clear that the going rate as of yesterday was \$1500 if you're sprung and we should make it abundantly clear that the law is not going to be changed in Norfolk Island in the same way that it might be changed in some parts of Australia to make growing marajuana legal. Nor are we going to legalise brothels. Nor are we going to do many of the other faddy things that are being done in some of the labour states of Australia but we do have an obligation to protect the traditional users of areas such as Emily and Slaughter bay. I'm not sure whether I'm opposed to the use at all in Emily and Slaughter bay of power craft and wind driven craft. I am certain that I'm concerned about it though. I'm not sure whether I want to vote in favour of prohibiting the use of power and wind driven craft but I certainly want to vote in favour of being able to restrict or if necessary, prohibit their use. Here we are on the 11th of December, we won't be meeting again until February and the next two months really are the time of the year in which very substantial use will be made of that area. I would like to propose to you that we make two slight amendments to Mr Sanders motion. I'd like to propose to you that instead of saying we're opposed to the use of Emily and Slaughter bays we say "we are concerned about the use of Emily and Slaughter bays" and instead of saying "prohibit" in paragraph B1 I would like to suggest to you that we say "restrict or if necessary prohibit" and I would like to suggest to you that we then pass that motion and in doing so we would be making it very clear to the people who are making these other uses of the area, that we are concerned and that they are under notice. But they would have at least two months before there would be time for legislation to be brought into the House and if in that time they were able to demonstrate to us that they were able to self regulate and that they were able to share the use of the area without hurting the use of other people then it

mightn't be necessary to proceed with the legislation or at least it mightn't be necessary to take any action by way of prohibition under the legislation but by passing the motion today we would have clearly said, we are not going to make the mistakes that were made by earlier Assembly's, we are going to recognise our obligations to protect that area for the traditional use of people and if the people who operate their wind surfers and their jet skis and the paddle boats and the sailing boats cannot get their acts together in a satisfactory way we will then have no choice but to actually pass the legislation

MR SANDERS: Thank you Mr President. I think the way that Mr Brown has just described it is excellent. If there is a means of being able to get safety for those that use it without the need to legislate at all, I think it would be marvellous if it could get up and go away. I propose if Mr Brown moves those amendments to support it and I think it's an excellent opportunity to allow those people that use Emily bay to show us that they are responsible persons and I would suggest that if they are responsible persons that Mr Christian need not bring that legislation to the House so if Mr Brown will move those amendments, I propose to support them because I think it's an excellent idea

MISS BUFFETT: Thank you Mr President. Mr President I'm of the view if legislation is not needed in that area it would be best not to go ahead with it. The use of recreation areas for various types of recreation and sport is not restricted to Emily bay. We don't have the horse... the horse races don't happen when golfing matches are on, down at the so called Golf Course, the recreation area there. We have made provision over the years for motorised vehicles to go along the highways instead of the horse and buggy's and I believe that if we can provide a formula that will continue to ensure the safety for all people who use Emily bay, of all ages, and I take Mr Sanders point, of various health conditions and ages, various disabilities, it's essential that they use the bays some of them, there is a concern with me that people who like long swims and need long swims are able to swim to Slaughter bay reef and back and use the reef, it's a particularly good traditional sport here and exercise. I think Mr Brown's proposal for an amendment could be good but I would rather see that we ask the Minister to formulate a policy, I admit that I haven't looked at the Emily and Slaughter Bay management Plan before coming to this meeting, we've all been rather tied up in tourism areas etc., and I apologise for not having reviewed it before I came but I would be in favour of the Minister formulating a plan of safety to be operative within days by policy. We have tourism policies, we have immigration policies, admittedly they operate within laws but I have no problem with the amendments put forward by Mr Brown but it has to go before the House etc at the next meeting and summer's well underway by then. I would have liked to... I ask Mr Brown if, for instance, in (i) where he proposes to change restrict and if necessary prohibit, I would have thought regulate the use of power but however I won't bicker over words there but I put it to the Honourable Members that it is a very small bay, traditional use certainly can't be altered, the young must be catered for, they are responsible, it's only a matter of usually your first spill will give you a sense of responsibility that all the talk in the world would never and putting an older head on young shoulders. I think if the recreation areas everywhere we just have to be aware that we need to each act responsibly and respect and consider each others activities. If necessary, have a couple of signs there. Thank you Mr President

MR SMITH: Thank you Mr President. I agree with what Members have been saying and I agree. I think it's good to see that Mr Sanders has brought forward this motion and even better to see the changes that Mr Brown suggested. This sort of thing, I once said that we legislate in hindsight through lack of planning and I think this is one of those examples, but in particular, I look around here and as far as I know none of us have ever used a jet ski I don't think - well Neville might have - none of us use sail boards, Billie is the most regular swimmer out of all of us and I would suggest that before we do anything, before putting together any policies or looking at these motions is that we all meet these people at the beach at a certain time, say Sunday afternoon when these people if they want us to look at it properly then we meet with them and discuss it and get their views and discuss it properly as much as we're discussing it around here and it's about something that none of us really do and then if something comes out of that we may be able to suggest, some of the things that are being talked about and if these

people agree with it and they don't stick by what we all agree with then we go to these motions. I think that's the most reasonable way to do it

MR ROBINSON: Thank you Mr President. Procrastination is the thief of time. If we take Miss Buffett's and George's proposal we'll end up procrastinating all over this two months period where we're not meeting and end up with a "maybe we'll do something about it". I think Mr Brown's amendment is a good compromise

MR N CHRISTIAN: Thank you Mr President. I think John's amendment is far more final than Bill's first motion. I just would like to say that even though I would support John's amendment to the motion even if the other Members of this House carried that amendment I would still like to see the motion as amended adjourned and not brought to finality. I think the very fact that the next Assembly meeting is not for two months is quite a good thing and whether we introduce the legislation today or in two months time the people that use the bay do know that they are on notice for that two months and it's very simple for us to come forward at the meeting in February and deal with the motion to finality if it is demonstrated over the two month period that in fact it's needed however, I would hope that we can talk with these people as George has suggested. I don't know if we need to go down to Emily bay on a Sunday afternoon and do it but make it quite clear to them that if they force the Government's hand we will move and it may not be to their benefit

MISS BUFFETT: Thank you Mr President. I would just like to draw Mr Ric Robinson's attention to the statement that I said when he accused us regarding procrastination as the thief of time, and draw his attention to the fact that I did propose that the Minister come forward to formulate a plan that will continue to ensure the safety of all and have it operative within a few days and if that's procrastination I disagree

MR BLUCHER: Thank you Mr President. The point I'de like to make is that we are now in the height of the season. Between now and April/May next year there's going to be alot of people using those waters. We're not meeting for about two months - God forbid if something happens in that time - if there is an accident down there, unintentional, then it would be on our shoulders for a long time to come. I'm of the view that now this thing is before us and now we've been given the opportunity of some action one way or the other, we should be doing it now, before anything potentially could happen or before there's risk. I know Mr President that the sailors, or in particular the wind surfers, can't use the bay unless there's a wind or don't use the bay unless there's a wind, they don't use the bays unless there's a particular wind blowing, they do go from point to point. I don't have a real fear of that. What I have a fear of is the learning process, someone borrowing that equipment as Mr Christian has said not knowing full well what the responsibilities are, not being able to immediately control it in that area in amongst swimmers, in amongst children, in amongst divers and snorkel people, in amongst alot of people and in particular tourists, but the risk is there. The risk is there now and now is the time that we should get together and regulate this today, tomorrow, and not have it go any further. I tend to support the amendment to this motion that legislation comes before us as a matter of urgency to restrict. I am also of the opinion that it should be restrict or regulate the use of the power and wind driven craft and so on in that area, as a matter of urgency and with the change in the motion I am now prepared to move, not to move, but to support a change in the motion that we act now

MR E CHRISTIAN: Mr President I go along with what Mr Brown is saying quite abit. I think it's a much more sensible motion and I'm not trying to knock Bill on this, then what was put forward. There is nothing that we can do legally now. We couldn't do anything in any case before the next Sitting of the House. I think that all of the users of the bay are on notice at this present. I have spoken to and will be speaking to within the next week, the basic users of the bays with the wind driven powered craft whatever you like to call it, to try and control the beginners and anybody else that they can in a manner which is reasonably safe over the Christmas period. We certainly can't bring in a law to cover it at this Christmas period but that we do sit down with members of all these groups and work out a proper and sensible management plan for the bays and I think it needs doing and it's well beyond time it was done

MR N CHRISTIAN: Thank you Mr President. I can understand Mr Blucher wanting to be fairly forceful and get this matter dealt with and out of the way. I can't support him though for reasons that I will explain here. I would much prefer that a course of consultation to go on and one of the consequences I feel of rushing it through today is that it will definitely arouse feelings in the people that have been banned and what legislation does, Mr President, is not prevent someone from taking their jet ski down to Emily bay or their sailboard, and it doesn't prevent an accident from happening. What the legislation in effect does is allow the authorities to deal with the offender after the accident or for illegally going down there so I think we've got to be fairly mindful that we don't create another problem here by trying to fix the immediate one and I would much rather see us go through this process of consultation and by saying that Mr President I don't condone law breaking but unhappily sometimes it is a consequence of laws that aren't liked

MR BROWN: Mr President I wonder if I could try to take account of the various things which have been said by seeking leave to move an amendment. Mr President I move the following amendment to Mr Sanders motion:

Firstly in paragraph (a) that the word "opposed" be deleted and that it be replaced by the words "concerned about"

Secondly in paragraph (b) that the words "bring forward as a matter of urgency legislation to" be deleted and that they be replaced by the words "take such action as is necessary to" and

Thirdly, in paragraph b(i) the following words be inserted before the word "prohibit" first therein appearing "regulate or if necessary"

and so Mr President, paragraph (a) would then read "that this House is concerned about the use of Emily bay" and so on, in paragraph (b)

"requests that the executive member responsible for sport and recreation Mr E Christian "take such action as is necessary to". Sorry Mr

President, I missed one word from what I was seeking to delete from paragraph (b). I should have said delete the words "to bring forward as

a matter of urgency legislation" and then paragraph (b)(i) would say "regulate or if necessary prohibit the use of power" and so on. Mr

President if we were to pass a motion in that amended form it would not be necessary for Mr Christian to immediately start to prepare legislation

and he would be able to meet with the various groups in order to discuss just what is necessary. The House would have made it clear that it does

require the problem to be solved but in the event that the problem can be solved simply by consultation and by then completing a plan of use for

the Emily bay area then the problem would be finished but we would be seen today to have done our part and to have passed to the Minister a

very direct request to get cracking on resolving the problem

MR PRESIDENT: Thank you. I have in front of the House, just let me clarify, Mr Brown's amendments as described so what is in front of us now is a formal motion with formal amendments. Mr Blucher

MR BLUCHER: Thank you Mr President. I have some small problem with the last paragraph of the motion and that is "restrict the commercial use of Emily and Slaughter bays by non powered craft in the interests of public safety and the environment. I think there should be some other words placed in there perhaps to use the word necessary again or to use the word regulate but to restrict it might be a little too harsh at this time because I do know that we have condoned or even approved of other types of powered craft being used or for commercial purposes in that bay and that is paddle boats and other things which have been hired out. I don't see a real danger there and I don't see a real danger in floats skis and rubber dinghys and things of that kind so if we can use the word regulate again I would be happy with the rest of the motion

MR BROWN: Mr President, to my amendment I seek leave to add the following:

that paragraph (b)(ii) be amended by deleting the word "restrict" and inserting in its place the word "regulate"

MR E CHRISTIAN: Mr President I have no problem with this amendment to this motion and it going forward as it was read. I certainly wouldn't move a motion of adjournment to this. I think it's very very necessary for some plan to be formulated down here so that everybody knows what there is. We have for instance the horses who are long time users of the bay who swim down there somewhere like half past four in the morning and

it's not very nice getting phone calls at half past four in the morning complaining that they're interfering with swimmers when for the life of me I've never seen a swimmer down there, or very seldom, at half past four in the morning anyway. These are the things which we'd like to regulate. I'd just like to let people know that those that do swim the horses down there, and it's I believe a long standing custom that the horses have been swum down there, particularly leading up to New Years Day races and things like that, do make a point if the horses mess at all on the beach, of picking it up, removing anything like that and getting it out of the way so I think that as well they're entitled to be covered in the use of the bay. I think that the motion as it's coming forward now is a very sensible one and if this is carried I will take immediate steps to consult with members of the public and either call for a meeting of those members with the House at some time or bring forward very very quickly, or as quickly as I can, a possible management plan as is foreshadowed with the amendments

MR PRESIDENT: Any further participation in the debate?

MR DEPUTY PRESIDENT: Any further participation in the debate on this issue Honourable Members? Mr Buffett

MR BUFFETT: Mr Deputy President I wonder if I could just weigh in with these views. I really consider that there are three factors that we should be considering at this time and that is, and those are, that there is a need for guidelines for safe use of the bay areas; the matter is urgent but there is a very essential component that I think needs to be emphasised which has already been referred to but I would like to emphasise it and that is the need for consultation. We have already had two letters which indicate that there has not been a great deal of consultation in some areas and obviously I think those people are making very fair representation that they should be included in the processes of consideration and I feel that if we are serious about wanting to find a solution we need to conduct that consultation and we need to also be seen to be wanting to include them although in some essences it might not be a view that is shared by all members of the Assembly. So that leads us to the motion as amended. If we are to complete the motion today I would want to move another amendment. A small one. But I think important one. But my view is that I think we should demonstrate to the totality of people who have a want to use the area that we should want to hear them all before in fact we conclude our deliberations. What we are doing now is going through the process of that deliberation and so I've got to say that my preference is that we would not conclude the matter today that we would adjourn it. Now that doesn't mean that we delay getting on with finding some guidelines and solutions. I would say that the appropriate Minister has got to do that forthwith, the next day or so. He's got to offer an opportunity for these people to come together and find some solutions because as he has rightly pointed out to us he can't promote legislation for the next couple of months anyway. So that is my preference. If in fact all members are opposed to that then I would want to seek your consideration of having included in the motion as amended the essential component about consultation for example, it has made mention to take such action as is necessary and that's fine but maybe including saying the words specifically "including essential consultation". Now that will I think, in some essence give substance to our want to do that and will assure those people who do seek to be consulted that we've got that in the written brief

MR SANDERS: Thank you Mr Chairman. I haven't got any real difficulty with what Mr Buffett has just said but I find it an unnecessary further amendment when the Minister concerned has already given that undertaking. He has just a few moments ago said that he undertook to get these consultations moving immediately. Is there a need then still to do an amendment

MR BROWN: Mr Deputy President I'm more than happy to incorporate into the amendment that I have moved the words suggested by David, that is, to add after the word necessary in my amendment to paragraph (b) and before the word "to" the following words:
"including essential consultation"

MR DEPUTY PRESIDENT: Mr Buffett are you agreeable to that being recorded

MR BUFFETT: Yes, I'm very happy with that

MISS BUFFETT: Thank you Mr Deputy President. I now believe that as a result of the amendments put forward to Mr Sanders motion and hearing the undertakings of the Minister Mr Ernie Christian I, as far as I go, my view is that that motion as proposed to be amended and Mr David Buffett's inclusion now having been taken up I believe that that should be a satisfactory way forward and the matter can be resolved within a matter of days as I did ask in the first place and I foreshadow that I will support the motion as amended

MR BROWN: I move that the question be put

MR BLUCHER: Thank you. I think for clarification purposes perhaps we should re read in total the amendments so that everyone is aware of exactly what the amendment is related to. And my understanding is that the amendment reads "that this House is concerned about the use of Emily and slaughter bays by power crafts and wind driven craft including surf skis and (b) request the executive member responsible for sport and recreation Mr E Christian to take such action as is necessary including essential consultation to regulate or if necessary prohibit the use of power and wind driven craft in Emily and Slaughter bay other than craft already in use by long standing commercial operators and (ii) regulate the commercial use of Emily and Slaughter bays by non powered craft in the interest of public safety and the environment. Do I take it that that's the understanding of the amendment. Is there any further debate. Well the question has already been requested to be put so I put the question

QUESTION PUT
AGREED

Now the question is that the amendment be agreed to

QUESTION PUT
AGREED

MR BUFFETT: I will now test the waters Mr Blucher and propose that the amendment as amended be adjourned

MR DEPUTY PRESIDENT: There is a further amendment to this that the amendment to the amendment ..

MR BUFFETT: No it's not an amendment. It's an adjournment motion not an amendment

MR DEPUTY PRESIDENT: There is a motion that the motion as amended be adjourned?

QUESTION PUT

Could the Clerk please call the House

MR BUFFETT	AYE
MR BROWN	NO
MR BLUCHER	NO
MISS BUFFETT	AYE
MR N CHRISTIAN	AYE
MR ROBINSON	NO
MR E CHRISTIAN	AYE
MR SANDERS	AYE
MR SMITH	AYE

MR DEPUTY PRESIDENT: The result of the question Members is that the AYES five and the NOES four. The question now stands adjourned

MR BUFFETT: A call for assurance given for progressing the matter will indeed go forward

MR E CHRISTIAN: Mr Deputy President I would just like to state that I will take immediate action and bring it all forward as fast as I possibly can

MR DEPUTY PRESIDENT: The President will now take the Chair Members

NO 2 - ADMINISTRATIVE REVIEW BILL 1991

MR PRESIDENT: The next matter Honourable Members is Notice No 2

MR E CHRISTIAN: I present the Administrative Review Bill 1991 and move that the Bill be agreed to in principle. Mr President this Bill seeks to establish a new system to provide for the review of administrative decisions by an independent Administrative Review Tribunal. The members of the Tribunal are to be both of the Supreme Court Judges, and all of the Magistrates, including the locally resident Magistrates and the ACT Magistrates who are accredited to the Court of Petty Sessions here. Out of that pool of personnel, any three members can constitute the Tribunal. In specially complex matters, a Judge or a legally-qualified Magistrate from Canberra can sit with out members of the Tribunal. In many cases before the Tribunal, of course, matters would be dealt with - as they are in the Court of Petty Sessions - by three of the locally resident Magistrates.

The job of the Tribunal would be to deal with applications made to it by people whose interests are affected by an administrative decision. An administrative decision is one that has been made under a Norfolk Island law by a person who has power under the law to make decisions. Examples of a common kind would be decisions made by an executive member, or by a public servant exercising statutory powers by virtue of an appointment or delegation.

Some decisions would be excluded from reviewed, and they are set out in the Bill. The main exclusions would be decisions of a legislative character, decisions in relation to the investigation of offences, decisions made by Courts, and decisions made under the Employment Act 1988.

The exclusion of the Employment Act 1988 from this Bill is because under the Employment Act, a special reviewed mechanism consisting of a Conciliation Board and the court of Petty Sessions sitting as the Employment Tribunal has been developed. This has a number of features which are appropriate to the resolution of industrial questions, and I think that that machinery should be given an opportunity to work in its present form, rather than being swept up by the Bill.

Mr President, of course, there have been administrative review procedures in many Norfolk Island laws for many years. A list is to be found on pages 204 to 206 of the Legal Regimes Submissions book. One finds from that, that a wide range of decisions are already subject to review by independent means. However, the reviewing bodies are different in many cases - some reviews are carried out by the Court of Petty Sessions, others by the Administrator, others by the Federal Minister and there are other review bodies as well. The aim of this Bill is to harmonise this area of the law, so that there is one common review mechanism which applies to all administrative decisions, save for the exceptions I have already mentioned. As well, the Bill would allow for the administrative review of decisions which, under existing laws, are not currently subject to review at all.

The Bill therefore both harmonises, and widens, the right to have administrative decisions reviewed.

The Bill also provides mechanisms designed to ensure freedom of information. In this regard, a decision-maker must, subject to very minor exceptions, give written reasons for an administrative decision if asked to do so.

A further freedom of information mechanism is the disclosure process. Under the Bill, when an application is made to have an administrative decision reviewed, there is first a compulsory disclosure and conciliation process.

During that process, official records about the decision must be made available to the person who wants the decision to be reviewed. Both the requirement for written reasons to be given and the availability of official records during the compulsory disclosure process, will greatly expand the citizen's right to be informed of matters affecting his or her interest.

The Bill is loosely modelled on the Federal Administrative Appeals Tribunal, but there are a number of novel features designed to ensure that the legislation fits Norfolk Island's circumstances. One of the main features of this kind is the compulsory conciliation process. As I have said, both disclosure and also conciliation is compulsory before the Tribunal moves on to make a decision about an application for review.

The conciliation process would be presided over by a nominated member of the Tribunal, and would require the attendance of the decision-maker or the decision-maker's representative, and of the person who wants the

decision reviewed. If an agreement is reached at the conciliation stage, a binding settlement of the matter can be entered into. This would avoid the need for further proceedings before the Tribunal in the particular case. However, for the matter to go further, an attempt at conciliation must be made, and the Tribunal does not have jurisdiction to deal with an application for review to finality unless conciliation has been tried, and a certificate has been given saying that conciliation has failed. After dealing with an application for review to finality, the Tribunal can affirm the decision-maker's decision, or it can overturn the decision-maker's decision and make another decision instead. The Tribunal is also given power to suspend decision whilst review is underway. Special provisions dealing with telephone hook-up and other means of conducting hearings, are included in the bill to ensure the ready availability of quick means of disposing of matters before the Tribunal.

Mr President, the need for a measure of this kind has been acknowledged for some time. One of the subjects discussed by the Legal Regimes Inquiry was the availability of administrative review mechanisms. The previous Legislative Assembly said in a submission to the Inquiry in March 1989 that it recognised the need to harmonise and extend the right of access to appellate and review bodies, and for that reason had asked the Commonwealth to transfer to it responsibility for "inquiries and administrative reviews".

As a result of the request to the Commonwealth to transfer that head of power, the power was later transferred.

Since that happened, a number of new appeal and review rights have been created in particular enactments. This fact was referred to in a later submission to the Legal Regimes Inquiry in October 1990.

In that submission, the present Assembly submitted to the Inquiry that an appropriate across-the-board administrative review procedure should be established. Details of the scheme set out, which is largely that included in the present Bill, can be found at pages 202 to 207 of the Legal Regimes submissions book.

In short, the Government told the Inquiry that it intended to abolish the individual review jurisdictions listed in the submission, which numbered some 40 different review jurisdictions and to replace them with an administrative review Tribunal intended to cover all decisions made under Norfolk Island laws, with specific and narrow exclusions such as decisions of a legislative character, and decisions to prosecute. It was for that reason that the present Government responded to the Inquiry options paper by saying that subsequent to the transfer to it of responsibility for inquiries and administrative review, a local administrative review machinery should be developed. As I have said, this view is consistent with the view held by the previous Legislative Assembly, as set out in the March 1989 earlier submission to the Inquiry. When the Federal Government made its decision in September of this year about administrative review, it rejected the Legal Regimes Inquiry recommendation that Federal machinery governing the review of administrative decisions should be extended to Norfolk Island.

Instead, the Federal Government noted the Island government's intention to pursue such legislation.

As I say, the Federal Government's decision was announced in September, and we now have before us the Administrative Review Bill 1991. The Bill will of course need to be the subject of comment by both the Judiciary and the Magistracy, and now that it is before members, that consultation can commence. As well, there will be an opportunity to consult locally on the Bill. In view of the opportunity provided by the holiday break, I am hopeful that the consultation process can be completed before the next meeting of the Assembly in February.

Mr President, this Bill is an important measure to ensure that freedom on information is available to this community, and that administrative decisions made by politicians and public servants are subject to independent scrutiny. It is another step forward in the Island's development, and I commend the Bill.

Thank you Mr President

MR BROWN: Mr President, it must be alot easier in totalitarian countries that don't have to worry about things like this but civil rights and natural justice and common fair play unfortunately mean that we have to provide mechanisms such as the mechanism that is the subject of this Bill. In a way it's a shame that we have to create such complicated structures but we only delay progress, we can't stop it. I accept that the legislation is necessary and I have no difficulty in supporting it

MR E CHRISTIAN: Mr President thank you. I omitted to table the summary of the Bill. I now do so

MR ROBINSON: Thank you Mr President. This Bill also incorporates alot of freedom of information type legislation. Unfortunately, the people who gain most out of freedom of information type legislation are the people who print the removable stickers that go onto the files and when somebody wants to have a peek at them they can be just removed, but however, in general I support the Bill

MR BLUCHER: Thank you Mr President. I support the introduction of the Bill. I support it also on the grounds that there has always been a need for some form of local Tribunal to look at matters which effect people in the local scene be it whatever subject matter it might be and I support it for that reason. I also look at this Bill as a Bill which would introduce some form of conciliation and mediation prior to matters going before a Court and if that's the intention of this Bill it's a good thing because alot of matters which go before the Courts these days are matters which could've been stopped prior reaching that point and costing alot of people alot of money and also costing in particular, maybe, this government alot of money. In view of that, I would prefer that prior to this matter coming before the House at its next sitting that an amendment be considered which refers to the area on the front of the Bill which refers to an outline of this Act which it mentions that the Administrative Tribunal is established. The pool of members is all of the Judges and Magistrates, any three members can constitute the Tribunal, in specially complex matters a Judge or legally qualified Magistrate can sit with other members, because this is a conciliation and type of mediation Bill I would like it to be included somewhere in this Bill that also persons qualified in mediation and conciliation matters may also be given the opportunity of sitting on this Tribunal. There are people now in this world who are not necessarily legally qualified people but qualified people in mediation and conciliation work and matters and they're also other people with very good qualifications in commerce, in many other areas, that could quite well put their effort into this Tribunal and I would like to see that considered also as an inclusion in this Bill before it comes to this House otherwise I may have an amendment at the next Sitting

MR N CHRISTIAN: Mr President, I wonder if Mr Blucher will be able to tell this House whether he considers it appropriate for some person to sit on this Tribunal who has been involved in legal proceedings against the Government and Administration of Norfolk Island

MR BLUCHER: Without question I would say no, I wouldn't approve of someone who has been in litigation against the Government. I'm talking about people who are qualified in mediation work not necessarily legal people. The people who are qualified - and it may be that legally qualified mediator may be a Judge, may be a solicitor, may be a lawyer, may be a QC., may be anyone. There lies the qualifications

MR N CHRISTIAN: Hmm. I just feel ... sorry Mr President ... that it wouldn't be appropriate for anybody that has been involved in court action against the Administration of Norfolk Island or the Government of Norfolk Island to have anything to do with the Tribunal. They would obviously have to be biased

MR BLUCHER: Thank you. I would have to disagree with that because people go to courts these days because they believe in their rights. They believe that what they have and what they are there for is because they believe they have certain rights to agree or disagree and everyone has a right to oppose something whether it be the government or whether it be anybody else, everyone has that right to do so, that doesn't mean that that person in later times cannot sit on Boards or Tribunals which may prove beneficial to the community. There's so much talent around this Island that is not being used for bias or other reasons and this is where we are falling down

MR BROWN: Mr President I'm not certain that it is appropriate for us to be considering this legislation in the light of a particular personality who may be considered for appointment under it. Quite clearly that would be very wrong on our part. I think that we've

gone as far as we can go with this Bill today. Quite clearly it's something that will require a great deal of consideration, there will no doubt be some public comment because it is creating a bureaucratic monstrosity but I really don't think that we've got too many ways around that. I would like to move that debate be adjourned Mr President and that resumption of debate made an order of the day for our next day of sitting

MR PRESIDENT: The question is that the motion on this Bill be adjourned

QUESTION PUT
AGREED

ORDERS OF THE DAY

NO 1 - STATUTE LAW REVISION (SELF-GOVERNMENT) NO. 5 BILL 1991

MR PRESIDENT: We are resuming debate on the question that the Bill be agreed to in principle

MR E CHRISTIAN: Mr President if Members will remember the Statute Law Revision (Self-Government) No. 5 Bill is one of those which transfers powers from the Administrator to Members; from the Commonwealth to us in various manners. It's quite a lengthy Bill. If Members would like me to read the paper I read before they're welcome but basically it's another progression of one of those pieces of legislation we need to do with the progression of powers to Norfolk Island

MR PRESIDENT: Thank you. Further debate. Then I will put the question which is that the Bill be agreed to in principle

QUESTION PUT
AGREED

Do you wish to dispense with the detail stage or go into the detail stage? Dispense? Dispense thank you. Then I seek a final motion which would be that the Bill be agreed to

MR E CHRISTIAN: I move that the Bill be agreed to

MR PRESIDENT: The question before us is that the Bill be agreed to. Any final debate? Then I put the question

QUESTION PUT
AGREED

Fixing of the Next Sitting Day

MR SMITH: Mr President I move that the House at its rising adjourn until Wednesday the 5th February 1992 at 10.00 am

MR PRESIDENT: Any participation?

MR E CHRISTIAN: Mr President I would like at this time to say thank you ...

MR PRESIDENT: Aah. Could I just dispose of this motion please Mr Christian?

MR E CHRISTIAN: Sorry Mr President

MR PRESIDENT: ...which is the Fixing of the Next Sitting Day proposed for the 5th February

QUESTION PUT
AGREED

Adjournment

Now I will move into a motion which looks at adjournment and Mr Sanders that is your call I think

MR SANDERS: I move that this House do now adjourn

MR PRESIDENT: The question is that this House do now adjourn and adjournment debate

MR E CHRISTIAN: Thank you Mr President. I would like this time to sway thank you to all Members of the Statutory Boards such as the Hospital Board, Public Service Board, Museum Trust and others as well as the Committees which I've worked with through the year. Thanks for the time and effort that you've put into doing invaluable unpaid service for the community. To our Doctors, Nurses, Dentist, Sunshine Club, Ambulance, Red Cross, HelpLine and Service Clubs and others who put so much into healing and helping people on Norfolk in so many ways to maintain the rich standard of life we all enjoy on this beautiful Island. Sincere thanks. To our Administration workers who give electricity, forests, phones, lighterage, airports, road and drains, the men who mend our ruins, look after our cemetery, the office workers who work and administrate in all areas, thank you for the part that you play. To the teachers and our children thank you for the effort you've put into teaching, learning and achieving such a high standard across the board as was achieved this year, to year 9 who have given so much to our elderly citizens through their special project, you deserve special mention, to all young people, remember that accidents happen so very quickly and so easily - enjoy your Christmas but stay healthy. To everyone, may I wish you all a very Merry Christmas and a Happy New Year, thank you Mr President

MISS BUFFETT: Thank you Mr President. Mr President Christmas Day is only fourteen days away, hard to believe and accordingly I would like to extend my best wishes for a joyous and peaceful Christmas to all Honourable Members and your families and indeed to everyone in Norfolk Island, to those who mourn or are under stress and in illness may the love of Christmastime bring you comfort. To any who suffer hardship at present and who struggle both inwardly and materially to sustain dignity I hope that the tide of your fortunes will turn over this Christmas season. To everyone I extend my very best wishes for a healthy, prosperous, contented New Year. It is in counting our blessings that we realise just how lucky we all are, here in God's beautiful Island of Norfolk

MR BLUCHER: I also echo the words of the previous two speakers on wishing everyone in the community and the Members and their families the very best of Christmas and the New Year and I hope everyone prospers in the forthcoming year. Not everyone has had the best of years and I hope that their trials and tribulations become better for them in the ensuing periods. Something that gave me some thought, and alot of things to think about is this Tourist Conference that we've had in the last couple of days. Some of the things that came out of it was extremely interesting and which should make us think more clearly about where we're going in the future. Where we're going to go, what we're going to do, and how we're going to go about doing it or whether we're going to do anything in fact. There is a concern to me that this Island somehow or other is unwittingly finding itself growing and growing and growing. This was born out yesterday by at least a couple of speakers. One talked about things that happened twenty years ago and restrictions were put on it and before you know it it's been exceeded and exceeded and exceeded and exceeded until we reach today where we're 100 to 200% in excess of what those restrictions were in those times for the peace order and good government and for the benefit of Norfolk Island. The other thing which concerned me, the other matter which concerned me that came out of that conference is that nearly everyone at that meeting were looking at ways and means of bringing more people into this Island. And I ask the question, why? If people are looking at more ways and means of bringing people into this Island is it their pocket without regard to the environment and the future of this place or are they doing for their own particular purpose and then when that's created they up and leave. That's why I was making mention that there should have been invitations to ... open invitations perhaps to people who are Island born who have been living here all their lives and can see where the Island is going. To have their two bobs worth during this conference. That wasn't to be except for one or two speakers which included our President

MR PRESIDENT: Thank you Mr Blucher

MR BLUCHER: I haven't finished yet

MR PRESIDENT: I'm sorry Mr Blucher. My apologies. Please continue

MR BLUCHER: The other matter was that and it all relates to the noise that we can hear above us and that is aeroplanes coming into this place bringing more people. Some people on the Island want more aeroplanes, more people, greater schedules and all these sorts of things and that in its turn takes the Island further and further away from the intended purpose of how we want to live on the Island. One of the factors that came out of the meeting yesterday was the very fact, and I believe it to be a fact, that the requirement to cater for our industry is being taken from outside and that we are taking workers and people from outside, building our population to cater for this uncontrolled pressure that seems to be snowballing on us year after year after year and there was mention yesterday, that it could well be even now very early in the New Year where the requirement to import TEP's or labour or itinerant workers or whatever you would like to call them, is exceeding the number of residents and people who are living on the Island and I think when that happens something is wrong. We're going in the wrong direction or we're not thinking correctly and I believe that we should sit back and look very closely in where we want to go and how we want to go about it. Are we going to continue on attempting to bring people into this Island. Are we going to fall to pressure to increase accommodation houses or are we to call to pressure to increase this and increase that simply because there is a pressure out there. The water and sewerage scheme is one thing that has worked in the favour of the pressures to increase things because when it's there there's no problem of health. that's fine for the matters that we have right now, but that is another form of pressure and I saw yesterday ... I listened very intently to some of the things that was said and I agree with every one of them that was said by the people on Norfolk Island. I'm not referring to the people that came to visit to speak and to give their point of view of how they feel, they're talking about commission rates and bringing more people in and all these sorts of things. I don't think really that is our answer. I think we've got to know where we're going, how far we want to go and do something about it otherwise this pressure will just continue on and on and on and before we know it, in the next ten years, twenty years, we won't be twenty years behind, we'll be up there trying to match the market place with everybody else and once we get to that point we can say goodbye to Norfolk's uniqueness, we can say goodbye to Norfolk as we know it and as we used to know it and I hope that those people that will be in charge, including those very fine young people that I heard speak from the school, realise that we have a place here, and it's not easy to preserve it but now is the time to make sure that it doesn't get out of hand. Thank you

MR PRESIDENT: Thank you Mr Blucher. My apologies for interrupting you earlier

MR BLUCHER: That's alright

MR SMITH: Thank you Mr President. I don't wish to be drawn into any discussion about the conference and what's coming out of it though I must say to Mr Blucher at this stage that I'm surprised that he's bringing these issues out in a negative side, considering what I said earlier that the effects of this conference certainly haven't been... certainly have not taken effect, especially right now. There'll be more discussion about this whole issue in January and Mr Blucher can be assured that anything that does come out of this Conference will be brought to this House so that he and other Members around here, and the majority of them are Norfolk Islanders, will have that absolute right of say at that time and there are so many issues you covered there, that I don't think I should go any further with it but I would just like to say so that people don't get the wrong idea that this conference has turned things around and made it look like we're trying to bring in hundreds of thousands more people or more aircraft or whatever, all those things you spoke about. None of those things have been decided. There's certainly not even recommendations at this stage but I had to make that point and with that Mr Blucher I would wish everyone a Merry Christmas, particularly Members around the table and the Community and a happy and safe New Year

MR BLUCHER: Thank you. If I might just very briefly - I

wasn't saying to Mr Smith at this time that the conference wasn't a success, it was a huge success. But what I was saying and what I was meaning to say was the conference gave me the opportunity of thinking more clearly about where we are going and hopefully we can do something about it as a result of that conference

MR PRESIDENT: Thank you. May I conclude Ladies and Gentlemen or do others wish to say something? No? Thank you. Honourable Members it has been a difficult year. There is a hard year ahead. But there is upon us now a pause to share with each other celebration of the Christmas message and so to each of the members here today, all Members of the Assembly and your families, to our staff members and to the Chief Administrative Officer and his officers, in other words, the principal arm of the Government of this Chamber and to the widest extent of the Norfolk Island community and our friends in other places I would like to say that from my family, that is, from myself, from Margaret and young David and Campbell, to all of you and to all of your families, warm wishes for a happy and contented Christmastime while we do gain sustenance from the Christmas message and although hard and challenging for next year, a healthy, happy and prosperous New Year for 1992. I put the question in its final form Honourable Members that this House do now adjourn

QUESTION PUT
AGREED

and so therefore Honourable Members we stand adjourned until Wednesday the 5th February 1992 at 10.00 a.m.

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