

MR PRESIDENT: Honourable Members good morning. This morning we have visiting from the Norfolk Island Central School under the care of Mr Anderson from Year 6 of the Norfolk Island School and may I say on your behalf welcome to them all this morning as they observe the parliamentary processes in Norfolk Island and I gather that this is a prelude to a visit elsewhere. Thank you. Welcome to you all Year 6. We now have the Prayer of the Legislative Assembly

Prayer

Almighty God we humbly beseech Thee to vouchsafe Thy blessings upon this House, to direct and prosper our deliberations to the advancement of Thy glory and the true welfare of the people of Norfolk Island

Condolences

MR E CHRISTIAN: Thank you Mr President. It is with regret that this House records the death of Sydney Ronald Dale who passed away on Wednesday the 19th February. Ron had made four previous trips to Norfolk and as a staunch member of the Helensville Golf Club had come over with his wife Val to compete in the "Australian Digest of Golf" Tournament. He was also entered to play in the golf section of the Veterans and Community Games to commence in the same week. Ron had been fishing at Anson Bay with his mate Lou Evans and on his way home collapsed and died. To Val, their son David, their daughter Maree and her husband Darrall this House extends its deepest sympathy.

It is with regret that this House records the death of Henry Ingvald Hansen who died peacefully in his sleep at home in Stockyard Road on Thursday the 12th March. Henry was born in Norway on the 9th August 1912 and came to Norfolk Island some thirty years ago. He had travelled the world as a worker in the whaling industry - Africa, the Falkland Islands, Australia and Norfolk Island. When whaling ceased here in 1960 Henry turned to his other trade of painting and had been plying himself to that trade ever since. A car accident some two years ago put an end to his painting career and Henry never really recovered from the injuries sustained in it. Henry was a happy person with a great sense of humour. He loved fishing and music but did not have much opportunity on Norfolk of indulging in his native sport of skiing. Henry will be sadly missed by his Norfolk Island family, the old time whalers and their families. To Fleurette and Andrea and to his many friends this House extends its deepest sympathy.

It is with regret that this House records the death of Frank Guilford Augustus Adams, affectionately known as Hum, who passed away on Monday afternoon 16th March. Born on 21 September 1924 Guilford attended the Norfolk Island School. On completion of his schooling he worked with Ernie Christian at Ernie's sawmill then at the outbreak of World War II he joined the Norfolk Island Infantry Detachment. At that time he was only sixteen years of age but he grew several years overnight to ensure enrollment. After the war Guilford worked for some time in Newcastle but in 1950 he returned to the Island on hearing of his Mother's illness. Here, he met and later married Joyce Irene Culpan and they have four sons Dennis, Boyd, Byron and John. Guil worked as a caretaker at the Kingfisher Airtel at Anson Bay. After destruction by fire of this accommodation house he worked as a contract builder around the Island. He next worked for Irvines Building Supplies for a number of years until he went to work for the Administration Works Depot. Guil was a quiet gentle man, a true Islander. In his earlier days he was a keen footballer and for many years Guil was a Member of the Hospital Board and was also a Special Constable in the Norfolk Island Police Force. To his wife Joyce, his sons and their families, his two sisters Amy and May and to his many relatives and friends this House extends its deepest sympathy.

Thank you Mr President.

MR PRESIDENT: Honourable Members as a mark of respect to the memory of those deceased I would ask you all as Members to stand for a period in silence. Thank you Honourable Members. If Members would feel comfortable without their coats today please feel free to take them off

Presentation of Petitions

MR PRESIDENT: Petitions. Are there any Petitions?

Giving of Notices

MR PRESIDENT: Notices. Are there any Notices?

Questions Without Notice

MR PRESIDENT: Questions Without Notice. Are there any Questions Without Notice?

MR ROBINSON: Thank you Mr President. My first question is directed to Mr George Smith. Mr Smith have you sought legal advise about those awful advertisements on 2NI yet?

MR SMITH: Thank you Mr President. Legal advise hasn't been taken at this stage to ... the question Mr Brown asked in the last meeting. Whether they're considered awful or not is a matter of personal opinion. We did have somebody over here from SBS television recently who are in the same game of using sponsorship announcements rather than commercials and they stated, or this person stated that what we are doing is quite correct but I still will be looking for a legal check on that thank you Mr President

MR ROBINSON: Thank you. And another one for Mr Smith. Has the Broadcasting Officer's job been reclassified yet? If so, what has been done about the position, if not, why hasn't it?

MR SMITH: Thank you Mr President. The position has been advertised and can I ask Mr President, if he might like to follow up on that question?

MR PRESIDENT: If it would be helpful I can do that

MR SMITH: It would be helpful

MR PRESIDENT: The Public Service Board has reclassified the position both as to salary and as to title. It is now proposed that it be the Broadcast Manager and there is an adjustment in salary in comparison to its earlier situation of Broadcast Officer. That position has been advertised in the Island and if I remember correctly applications closed yesterday and so it is reasonably well advanced in the process of recruitment. Mr Sanders I think you sought the call earlier and then Mr

Brown

MR SANDERS: Thank you Mr President. I have a few here. The first question is also to the Minister for Tourism Mr Smith. I refer to a one page advertisement in the Norfolk Islander dated the 11th January 1992 soliciting public contributions to something called the Challenge Trust Fund. Was this advertisement placed by the Norfolk Island Government Tourist Bureau and was it paid for from the money voted by the Assembly for tourist promotion purposes?

MR PRESIDENT: Was that to Mr Smith Mr Sanders?

MR SMITH: I'm not too sure Mr President. I'll take that on Notice for the next meeting from Mr Sanders

MR SANDERS: Mr President if I may there's one to Ernie Christian as the Member responsible for the Trustee Ordinance 1931. Can you inform the House whether something called the Challenge Trust Fund complies with the requirements of the Trust Ordinance 1931 and can you inform the House who the Trustee or Trustees of this Fund are and whether they comply with the requirements of the Ordinance

MR E CHRISTIAN: Mr President I'll have to take that on Notice

MR SANDERS: Aah there's ... seeing as these are likely to be taken on Notice Mr President I have one for Mr Neville Christian in relation to lotteries. Perhaps I should ask it and then I'll put that one on Notice because they all go hand in hand

Leave of Absence

MR PRESIDENT: Yes. Could I just mention - you mentioned Mr Christian. I must apologise to Members. Mr Christian has sought Leave for this Sitting and I should have mentioned that at the beginning, my apologies for not doing so. Thank you. Leave is granted. Mr Sanders you wanted to ask another?

MR SANDERS: Yes. There's another two and it's to Mr Christian and then there is another one after that with responsibility for education. The one to Mr Christian is will you enquire and report to the House at its next Meeting whether the promoter or promoters of the public fundraising scheme called the Challenge Trust Fund applied for formal approval under the Lotteries and Fundraising Act 1987 and whether such approval was granted before they started to raise funds. Will you also inform the House whether at the same time what penalties are provided by that Act for carrying on a public fundraising scheme without formal approval and for authorising and advertisement for such a fund and for printing and advertisement for such a fund and for selling a ticket in aid of such a fund and for accepting money for a ticket in such a fund and for printing such tickets. I would imagine that he would also want to take that on Notice Mr President so will I just progress with the next question?

MR PRESIDENT: Yes please. May I just remind Mr Sanders that if you wish to place it on Notice that there is a procedure for lodging it with the Clerk

MR SANDERS: Mr President I was aware of that I was not aware that Mr Christian would not be here and it was intended to be a question without notice

MR PRESIDENT: I do understand that. Thank you. Please go on

MR SANDERS: The next question is to the Minister Responsible for Education. I'm not too sure who that is. This is to Mr Ernie Christian. Is it true that a public fundraising scheme carried out under the name of the Challenge Trust Fund was intended to provide the school with a satellite dish? Will you enquire and report to the next meeting of the House whether a proposal was made to school that an existing satellite dish might be given to the school at little or no cost and professionally installed at no cost and if such a proposal was made will you inform the House who decided that the offer should not be followed up and what the reasons were for declining the offer?

MR E CHRISTIAN: Mr President on the second half of that, I'll bring out a fuller explanation at the next meeting for you but there was a second hand satellite dish offered, in fact I think there were a couple. The experts both from overseas and from the OTC people here had checked all this out. The trouble with the dishes which are at present on the Island, they're not set up to give clear and unbroken relay of the particular school service that's required. The cost of the additional parts for those to enable this to be done that would need to be fitted to the second hand dish then brings the price of the second hand dish to almost identical price of a brand new dish. This advise was heeded to, listened to by three Members of the people which have been tied up with this thing right the way through and reacted accordingly to that advise but I can bring forward costs and everything of the whole thing at the next meeting

MR SANDERS: Another question if I may Mr President? Three persons you referred to, is that by any chance the -Clerk, the President and yourself?

MR E CHRISTIAN: No. It was the Headmaster, myself and the President of the School. P and C sorry

MR SANDERS: I have a further question of Mr George Smith and it's in relation to advertisements in the local paper also to do with the satellite dish. One was Saturday the 11th January and I forgot to put the date on the other one but however there was two. As a matter of fact I think there was three but there's at least two. Could Mr Smith please advise the House why authorisation out of the Tourist Bureau budget was permitted for these two page ads

MR SMITH: Mr President I think earlier in the first question you asked me Mr Sanders I said I would check out whether the Bureau had

anything to do with that

MR SANDERS: Different question

MR SMITH: Yes but same thing isn't it. The Challenge Dish?

MR SANDERS: Aah. Well yes. It's to do with the dish it was raised at the Tourist Bureau, at the Seminar and these were ads that followed

MR SMITH: Once again I will take that on Notice and could I ask Mr Sanders for questions like this that I may not be able to answer straight of in the House to please put them on Notice so we can become fully informed

MR SANDERS: Well I would have thought that as the account has been paid that you should have already been informed

MR SMITH: Not necessarily

MR BROWN: Mr President I wonder if I could ask a question of Mr Smith in relation to the advertisements on Radio VL2NI. Is it a fact that at our last Meeting in response to similar questions you said, "If Mr Brown thinks that we are well I'll certainly get a legal opinion. I've got no problem with that". Could you explain to the House why it is in the light of that statement that you have done nothing about obtaining a legal opinion?

MR SMITH: Thank you Mr President. It's not the highest priority on my mind. I do have alot of other things to do Mr Brown but I wish you had put this on Notice so that I could have checked it out for you but I do once again what I've said to Mr Robinson, that we've had somebody here from SBS who suggested that the advertisements were actually sponsorship announcements

MR BROWN: Mr President I direct a further question to Mr Smith in relation to his responsibility for Police. It's a question that Mr Sanders has asked on a number of prior occasions and I have asked on at least one prior occasion. Is the Minister yet able to advise the name of the person in the Administration that is able to make a decision that criminal action should not be taken against a person who is found stealing

MR SMITH: I don't have the name of a person that makes those decisions. I would, just on thinking about what you are asking there Mr Brown, I guess there's alot of things that do happen not only within the Administration but also within the community where something might happen that you might think would require the Police being involved in it but a decision could be taken whether it's in a private home or in the Administration that the matter could be dealt with without involving the Police but in answer to your question I don't know of any person who is making that decision

MR SANDERS: Mr President if I may make a supplementary question. Mr

Smith you do recall when this question was asked of you the first time and it was in relation to a battery that was stolen from the lighterage launch which is used for air sea rescue in the event that there is a need are you of the opinion that air sea rescue is unimportant enough not to take action or perhaps are you un-acquainted with the responsibilities of your job as executive?

MR SMITH: Thank you Mr President. Of course the answer to the crux of what you are asking there if I think air and sea rescue is unimportant, of course it's important. That's really your question isn't it?

MR SANDERS: That and the fact that it's taken over a year for you to answer it

MR SMITH: No. I gave the right response the first time the question was answered. I was asked if the Police were doing anything about this incident you keep referring to and to this date the Police have not been asked to do anything about it and that is far as my responsibility goes as the Member responsible for Police

MR BROWN: May I ask a further question of Mr Smith in relation of the question of the Police? Mr Smith, if you saw a person shoot another person and if the victim of that shooting passed away as a result and if you were the only person that saw it and so the deceased victim was unable to go to the Police himself to lodge a formal complaint, are you telling this House that you believe that you would be fulfilling your duties as the executive with responsibility for Police if you simply kept your mouth shut and did nothing about that murder

MR SMITH: Thank you Mr President. I'm not sure what I would do in a case like that Mr Brown. I don't think this is really anything to do with the questions being asked. I guess there's alot of cases about what you're talking about and you being a lawyer yourself Mr Brown would probable struck cases like this where probably somebody has seen something happen and won't say that they've seen it. I don't know

MR BROWN: I direct this question to Mr Smith in his capacity as Minister for Tourism. Are any of the Members of the Tourist Board paid from the public purse to carry out their duties?

MR SMITH: For Board duties, Mr Brown, No

MR SANDERS: Mr President I have a supplementary question

MR SMITH: Yes, except I just might need to add to that because really I suppose the answer to that could be yes, because if Members of the Board travel away for meetings or promotions I guess they would be using public funds, I don't know if that's what you mean because in that case the answer would be yes but I imagine you're relating to remuneration for people being on the Board

MR BROWN: If I can assist the Minister I am not talking of

reimbursement of validly incurred disbursements, I'm talking of being paid for the time that a Board Member spends in attending to any of the wide range of duties that a Board Member might undertake. Not only the attendance at Board meetings but any other work related to that persons responsibilities as a Member of the Tourist Board

MR SMITH: Well yes, I guess in that case that would happen that in the line of the duty of the people on the Board if you're talking about wide ranging functions of Tourism yes, I guess that would happen

MR SANDERS: Mr President I have a supplementary question to the one that Mr Brown has just asked. It's also to Mr Smith and the question is when did you authorise the payment of between \$500-\$600 per week for the Clerk of this Assembly to do Tourist Board work in Assembly time and do you propose to reimburse the Assembly vote from the Tourism vote of these funds

MR SMITH: Thank you Mr President. I think I just might take that on Notice Mr Sanders thank you

MR BLUCHER: Mine are just little warm up questions or supplementary questions to some that have already been asked. Could the Minister for Broadcasting, I would assume, ensure that the dish that is going to be installed for the use of Years 11 and 12 and other purposes, that that equipment you mentioned earlier in the meeting will be installed in that dish?

MR E CHRISTIAN:Mr President I understand that thee new dish comes complete with equipment that rules out the possibility of poor reception and things that the other equipment would have been required to do if we had used the old dish but yes, I will make certain of everything

MR BLUCHER: Thank you and just a follow up question to the SBS that was mentioned previously, would Mr Smith make some effort to ensure that the programme for SBS programme is printed in the local programme, as is the one for the ABC?

MR SMITH: Yes I'll look at that Mr Blucher

MR BLUCHER: Thank you Mr President. To the Minister for Community Services. Is the Minister aware that on the 1st March 1991 the then Minister for Immigration and Commerce which had responsibility for health issued a paper, a directive to the Acting Chief Administrative Officer instituting a Review of Hospital and Medical Services to the Community and if he is, what follow up have been made on that directive?

MR E CHRISTIAN:Mr President I am aware of that. There has been quite a bit of follow up. I'll lay a paper before the next Meeting of the House Bill to bring you right up to date

MR BLUCHER: Mr President I don't know if it's appropriate or not but if I can be given leave to table this document at the present time for the information of Members and those who wish to see it

MR PRESIDENT: Thank you. That is tabled

MR ROBINSON: Thank you Mr President. My question is addressed to the Minister for Health Mr Ernie Christian. The Healthcare Scheme was assented to on the 29th December 1989 and to date there have been absolutely no referral guidelines tabled in this House. What do you intend to do about it?

MR E CHRISTIAN: Mr President there are, my understanding, referral guidelines in place. Guidelines change from time to time and we are at present in the throes of organising and updating the referral guidelines which I have to lay before the House fairly shortly

MR ROBINSON: A supplementary if I may Mr President. Mr Christian are you aware that the Healthcare Act, division to referrals, Section 20 paragraph 3 as soon as practicable after issuing guidelines the executive member must lay before the Legislative Assembly a copy of the guidelines

MR E CHRISTIAN: Mr President I am aware of that and as soon as practical I will lay them before this House

MR SANDERS: A supplementary question also Mr President if I may. It also is obviously to Mr Christian. Is it a fact that during the last two months I have requested from you a copy of these referral hospital guidelines that were tabled in the House and dated the 28th June 1990 and is it a fact that to date you have not provided me with a copy as requested and is the reason that you have not done so as requested is that you were aware that the guidelines that were tabled are in fact not lawful and in fact not worth the paper that they are written on

MR E CHRISTIAN: Mr President I am aware of being asked these questions. I am now recently aware that there were no guidelines tabled in this House and I am endeavouring to get the guidelines which have been worked to, for Mr Sanders

MISS BUFFETT: Thank you Mr President. Could I ask the Minister if the Minister is aware that section 20 clause 2, states that the executive member may issue general guidelines. The word is **may** issue general guidelines and if he is aware that they don't have to be tabled until they are issued and in fact the Clause does not say that the executive member **must** table guidelines, it says the executive member **may**

MR ROBINSON: You will find that if he does ...

MR PRESIDENT: Order please. This is not a debating session but it is Question time. Miss Buffett has raised a question which is to Mr Ernie Christian and I call upon the Minister to respond

MR E CHRISTIAN: Mr President I am aware of that and it states in that section that the executive member **may** after consulting the Medical Superintendent issue general guidelines for the Administration's medical staff about policy to be adopted by the staff in making referrals. Miss

Buffett is quite correct

MR ROBINSON: However, if you look at section 3 you will see

MR PRESIDENT: Is this a question?

MR ROBINSON: ... you will see, if you have your glasses on, you will note that as soon as practical after the issuing of guidelines. Do you agree that as soon as practical after the issuing of guidelines, refers to those general guidelines

MR E CHRISTIAN: Mr President. Yes, I agree with that. I still maintain the statement I made earlier and that as soon as practical I will table those guidelines. There are guidelines now which are being used

MR PRESIDENT: Mr Blucher has the next call. May I just draw Members attention to the Notice Paper and to the Programme, it is Notice Number 3, in other words we do have a matter which is on the Notice Paper and I would ask Members that in fact they do not pre-empt questions or discussions that might relate to that debate

MR BLUCHER: Thank you Mr President. I am not too sure whether I heard Mr Christian correctly when he mentioned that there's been no referral guidelines tabled in this House. Is that what I heard?

MR E CHRISTIAN: Mr President that is correct

MR BLUCHER: That isn't correct. I believe Mr President that around the time that Mr Sanders is talking about...

MR PRESIDENT: Is this a question?

MR BLUCHER: Yes, this is a question. Are you aware, is the Minister aware, that around that time in this House I tabled the Interim Guidelines for referrals

MR E CHRISTIAN: Mr President I am aware that during that time, and if I may read from a copy of Hansard, the answer at the time of the asking of the question on June 27th 1990, no guidelines had been issued however, on the 28th June 1990 Interim Guidelines, general guidelines were issued by me and I had the document here to table with my letter to the Medical Officer in that regard but I neglected to bring it up for him. I will get that to the Clerk Mr President if it can be agreed that I tabled that with the Clerk at the time". There was nothing tabled in the House on that date Mr President

MR BLUCHER: Mr President the issue of that was that I undertook to issue the Paper with the Clerk

MR PRESIDENT: Order. Order. I would ask Members to observe that we are participating in Question time and I wonder if Member could confine their participation to raising questions

MR BLUCHER: If I could turn it into a Question as best I can. Are you aware that as a result of that statement I issued to the Clerk as mentioned a copy of the Interim Guidelines?

MR E CHRISTIAN: I am aware of that Mr President. Well aware of it and these are the Guidelines that I believe, I firmly believe, that the Hospital is now working under

MR BROWN: Mr President I direct a further question to Mr Smith as Minister for Tourism. Did I understand the Minister correctly at the February meeting of the House when asked the following question "are there any Members of the Tourist Board paid from the public purse to carry out their duties" and the Minister replied "I don't think so let me take that on Notice Mr Brown and I'll give you a better reply in the next meeting" so the first part of the question is did I understand that reply of the Minister correctly?

MR SMITH: Yes

MR BROWN: Do I understand what the Minister, I'm sorry. Did the Minister in fact say today that he now believes that one or more persons probably are paid from the public purse for carrying out their Tourist Bureau duties?

MR SMITH: I don't know exactly what I said. I don't think that's what I said though

MR BROWN: I wonder if the Minister could be more precise in his answer then at this stage Mr President. Does any Member or do any Members of the Tourist Board receive payment from the public purse in respect of the time they spend in carrying out any part or all of their duties as Members of the Tourist Board?

MR SMITH: Thank you Mr President I'll take that on Notice

MR SANDERS: Mr President thank you. I have one for Mr Smith. Is it a fact that the Tourist Board or yourself has authorised the payment of Government funds to reimburse ten elderly persons who had paid moneys to Brenda Lee for travel to Norfolk Island

MR SMITH: Not that I'm aware of but I'll take that on Notice and find out for you Mr Sanders

MR BROWN: Mr President I direct this question to Mr Ernie Christian. Can the Minister advise how many students have enrolled in Year 11 at the school this year and of that number how many are local children who were enrolled in Year 10 last year and how many are adults and finally what is the current total estimated cost for providing years 11 and 12 this financial year and what is the total estimated cost for the 1992/93 financial year?

MR E CHRISTIAN: Yes Mr President I had a reply to this as the question was asked previously. Mr Brown asked how many students had enrolled in Year

11 this year; how many are locals enrolled last year; how many are teacher's children; how many are adults; what is the current total cost of providing Years 11 and 12 this year and for the 1992/93 financial year? The answers are, seven have enrolled; three were Year 10 1990; two were previous Year 10 graduates and two were new enrolments. At this stage no adults are formally enrolled however, two are attending senior biology classes. Five children are residents, two are TEP's. Costs now because of the use of a local teacher will be lower than budgeted and they expect it to be \$43,000. Parent contribution will be around the \$28,000 leaving an actual cost of \$15,000 for Year 11. Projected costs for 1992/93 for the combined Year 11 and 12 should not need a third teacher and projected costs will be parent contribution \$48,000 leaving an actual cost of \$32,000. It was known that the student numbers for 1992 and 1993 would be small thus allowing establishment of sound routines before enrolment by the following larger classes which would correspondingly reduce the costs

MR BROWN: I thank you Minister for that quite comprehensive answer. Could the Minister further advise at what stage it became known that the numbers of students would be small and in the event that it is a fact that that had been known for quite some time could the Minister advise why this House was assured that the numbers would be not less than 11 or 12 at the time it was making a decision as to whether or not to proceed with Years 11 and 12

MR E CHRISTIAN:Mr Brown again I'll take that on Notice to find out just how lately it was. To my way of thinking I would have thought that the... no. I'll take that on Notice Mr Brown if I may and come back to you with a definite answer for the next meeting

MR SANDERS: I have a supplementary question along the same lines if I may Mr President and that is, \$43,000 that is for this year you are referring from March until June, so in actual fact it's \$43,000 for three months, is that correct

MR E CHRISTIAN:Mr Sanders, no, as I understand it that's the cost for a full year. A full school year

MR SANDERS: It didn't start Mr President, Year 11 didn't start until this year, am I correct? That's correct and the end of the financial year is June 30th this year

MR E CHRISTIAN:That's correct

MR SANDERS: So would it be not correct that the money from the starting of this term until the June which is perhaps three or four months is that \$43,000

MR E CHRISTIAN:No. If Mr President I've led anybody to believe that's what it is then I apologise. My understanding is that that will be the cost for a twelve month school period

MR SANDERS: Mr President if I may. With your costing Mr Christian

is your twelve months per year or is it via the budget which is June to June

MR E CHRISTIAN:No this costing as I understand it Mr President would be per year, per January to December

MR SANDERS: That's unusual costing for.. however

MR PRESIDENT:Honourable Members Question Time has expired

MR SANDERS: Mr President could I move that so much of Standing Orders is required be set aside so that Question Time can be extended for another fifteen minutes

MR PRESIDENT:Fifteen minutes is that agreed. Agreed thank you. I don't interpret that as setting aside Standing Orders but just an extension of Question Time

MR SANDERS: Thank you. This is a question I have Mr President for Mr Ernie Christian. Are you yet able to table to this House the plan that you say was approved by the Assembly in relation to the netball courts and Rawson Hall before the commencement of any works

MR E CHRISTIAN:Mr President at this stage no and I must apologise for my delay in not doing so

MR SANDERS: Mr President a supplementary question. Is it a fact Mr Christian that you said there was - and you made the statement in this House - that there was an approved plan before work was commenced. Is it possible to have that plan tabled in this House?

MR E CHRISTIAN:Mr Brown as I've said before that plan went missing somewhere with the change of Health and Building Inspectors and the Health and Building Inspector at present is trying to resurrect that original drawing

MR SANDERS: Mr President, Mr Christian you would find that very convenient I would say

MR E CHRISTIAN:I would doubt that Mr President but I would doubt that very much

MR PRESIDENT:I wonder if we might just pause for a minute. Mr Anderson did you indicate that you would like your people to withdraw around this time. It has been a pleasure Year 6 to have you in the Chamber this morning. Thank you indeed. That's a fine speech

MR BROWN: I ask this question of Mr Ernie Christian. Did I understand the Minister correctly many meetings ago when he said there was an approved plan for the proposed works in the Rawson Hall area and if I did correctly understand the Minister, could he advise who it was that had approved that plan

MR E CHRISTIAN:Mr President yes. I answered this question quite a while, a month ago John and I can't remember the exact date but it was from memory seven of the members of this Assembly at a Committee meeting and I'm not sure of the date it was held on at that stage there were only eight members of the Assembly there weren't nine

MR BROWN: Do I understand the Minister as saying then that the plan to which he has referred is not a plan which had been approved by the Building Board and nor is it a plan which had been approved by the Legislative Assembly which can only meet in this Chamber

MR E CHRISTIAN:Mr President formal permission I don't think was ever given by the Building Board although I believe the Members had discussed the thing and no the plan wasn't tabled in this House. It was discussed in Committee meetings and actions was taken there after decisions by the majority of the Assembly members

MR SANDERS: Mr President if I may. Does Mr Christian believe that this Assembly does not have to uphold the laws of Norfolk Island and in particular this law which has just been made by this Assembly and I'm referring to the Environmental Act

MR E CHRISTIAN:Mr President I believe, and strongly believe, and would push that this Government would uphold all of the laws it makes. I feel very strong about that. I don't see that there has been anything wrongly done in as much as any of the buildings or anything that has been done on the area in question has received building approval and has been acted on in accordance with those Regulations

MR SANDERS: Mr Christian are you aware that the Building Board does not give the executive member approval, it gives recommendations and are you aware that the Environmental Act that you passed binds the Crown and that you are in breach of that law

MR E CHRISTIAN:Mr President this has also been stated before and on checking out legally I have been informed that no breach has been formed or occurred

MR SANDERS: Perhaps, could I make a suggestion ...

MR PRESIDENT:No. You may not make a suggestion Mr Sanders. This is Question Time and I would ask that you comply with the normal requirements of that time

MR SANDERS: I have a further question for Mr Ernie Christian if I may Mr President and the question is, who recommended to the Administrator that approval should be granted for the Crown Lease land at the bottom of Mission Road Portion 145c be transferred to the Registrar of Lands on Norfolk Island even though such transfer is contrary to section 11 of the Crown Lands Ordinance 1913-1964?

MR E CHRISTIAN:Mr President I would have to take that one on Notice and check it out

MR SANDERS: I have a further question for Mr Christian

MR PRESIDENT: Is this a supplementary?

MR SANDERS: No. The question is can you confirm that persons on the sewerage line from the school will be able to be connected immediately on completion of that line, I refer to residents

MR E CHRISTIAN: Mr President yes, as I understand it. The sections basically between manholes will be flushed and brought into action as soon as possible during the process of laying the whole line and residents will be able to get on immediately if they wish to

MR BLUCHER: Thank you. A supplementary question to that water and sewerage. Is the line, the sewerage line to the school, which goes through the rear of the Colonial Hotel, past your front gate for instance, will it also go up Queen Elizabeth Avenue to take in the accommodation houses that are there and also the Cheryl Tennis Courts which are used by a lot of people and other houses on the way up the main street

MR E CHRISTIAN: Mr President the answer to that is a basic no, if I might explain there will be branch lines running off the line which is now being run to the school as soon as money is available. These will extend up and pick up the houses on the basically small areas that run between Edward Young Road and Queen Elizabeth Avenue. It is intended later on that a branch line that now runs up and past the Hillcrest Hotel will be continued up the hill thus picking up the Colony the Cheryl Tennis Courts and all those. It's a much cheaper way of doing it. It means that it can all be done completely by gravity and the running costs will be a lot less

MR BLUCHER: Doesn't the Minister agree that if you run two lines in almost the same direction that you are going to have additional costs

MR E CHRISTIAN: I, Mr President, that is debateable. With what is happening there will in actual fact not be two lines running in the same direction. But had we have done the pick up of the Colony and those places all in on this one scheme then we would have been up for pump stations and the cost would have been considerably more and the operating costs would have been considerably more

MR ROBINSON: Thank you Mr President. Just a supplementary Mr Christian. Is there any time frame. We have the large crowds coming in I believe at the end of this year for the games, is there any time frame for completion of this stage of the water assurance scheme

MR E CHRISTIAN: The completion of this stage Mr President is expected to be in some six weeks

MR PRESIDENT: Thank you. Further Questions Without Notice. No Question Without Notice then we will ... yes Miss Buffett

MISS BUFFETT:Mr President may I ask this question of the Minister having responsibility for the Public Service matters. Pursuant to the circular distributed to contributors of the provident account just prior to the last referendum could I ask what direct steps have been taken by this Government to advise the Federal Government that the Norfolk Island Administration superannuation fund is non taxable and what response has been received from the Federal Government?

MR E CHRISTIAN:Mr President I'll have to take that on Notice and bring it back later. Discussions have been underway over the whole thing but I'm not quite up with just exactly when and what stage it is now but I would be happy to bring that back at a later meeting

Questions On Notice

MR PRESIDENT:We will move on Honourable Members. The next is Questions that may be on Notice and I'll just enquire whether any of them are in a position to be responded to

MR E CHRISTIAN:Mr President if I may pick up the Questions which are on Notice under the name of Mr Neville Christian and I also have the answers to some outstanding questions which were asked at previous meetings if I may be allowed to present all those

MR PRESIDENT:Yes I did... I would not want to inhibit you doing that on this occasion but may I again emphasize that for Question to be answered on Notice they need to be lodged with the Clerk and published in the Notice Paper and then people are in a position to see exactly what questions are raised and see the context in which they are answered. At this moment there are three on the Notice Paper, 48, 49 and 50 and in a technical sense they are the ones that are available to be responded to

MR E CHRISTIAN:Mr President the following comments...

MR SANDERS: Perhaps Mr President, could I assist Mr Christian by suggesting that he use Statements as an opportunity to resolve the matters that you have taken on Notice

MR E CHRISTIAN:I can do Mr President if that is satisfactory, thank you

MR PRESIDENT:I'm not trying to not allow that information to come forward obviously as you will understand but I am seeking the co-operation of Members to do it in accordance with the agreed rules that we have amongst ourselves which is published in Standing Orders

MR BROWN: Mr President I have some difficulty with what you've just said. There has become a practise in this House of Ministers who are unable to answer a question, saying, I will take that question on Notice and with all due respect I would suggest that the Member who has asked the question is entitled to then rely on the Minister to come back to the House with the answer otherwise such a response by a Minister, that is, a response that he will take the question on notice, is really a

fairly spineless method of escaping answering a question

MR PRESIDENT: Well I'm not trying to enter into the political aspects of that. If in fact you would want to handle it differently I would invite suggestions towards the adjustment of Standing Orders and I am quite happy to receive that but I do have a brief to endeavour to administer the Standing Orders that are in front of us at present and that is how the matter stands at this moment however, if there are other ways to achieve it I would not want to inhibit that

MR SANDERS: Mr President if I may. I also have a problem with the manner that we've been doing it. I also am a little bit sympathetic towards the Executive Member who has bothered to do his homework to answer that question and then not be able to. I think perhaps that the matter should be looked at and reassessed

MR PRESIDENT: Let me make it quite clear. I am not endeavouring to prevent the matter coming forward. There are other ways in which it can be done. The first way of course is to actually place it on Notice and respond in that way. There is Statement time, as you have accurately indicated so it can equally be brought forward. If Members do want to make a suggestion as to adjustment of Standing Orders I would be happy to receive that also but I have... it's not a new matter. I have again repeatedly asked Members if they would be kind enough to observe the Standing Orders in the manner that I have described

MR E CHRISTIAN: Mr President I'm at fault for not heeding the previous direction given and I will bring these up in Statements

MR ROBINSON: However, I see Mr Christian that you have an answer for Question No 48 in front of you now perhaps you can read this one now

MR PRESIDENT: 48 is on the paper. There is no query about that

MR E CHRISTIAN: Mr President I would be pleased to respond to this question and No. 49 which have been raised by Mr Blucher and directed to the Minister for Finance. The matters cover employment in which I have ministerial responsibility. The following comments are made in respect of the matters raised. (a) Mr Terry Wallace, a highly qualified and experienced...

MR BLUCHER: Excuse me Mr President. A lot of people may not know what the questions are and just hearing the answers may not be sufficient so if I may suggest that the questions be asked and then the answers given accordingly and also, I also request that seeing that the Minister for Finance to which the questions were directed to is not able to answer those questions today, that it does not inhibit supplementary questions that may come out in which the Minister for Community Services may not be able to answer today off the cuff and that those supplementary questions will not be just taken on Notice, and that the opportunity may be given to ask supplementary questions at a subsequent meeting as well. I know it's long winded but I hope everybody understood me because I can't repeat it again

MR PRESIDENT: Do you want to allow that question to be responded to when all the people are present? I mean I'm just asking as to whether that may not be the way of tackling it. However you would want to tackle it, just let me know

MR SANDERS: Mr President Mr Christian appears to have prepared answers. As I said before somebody has gone to a lot of trouble perhaps it would be the same answers that Mr Neville Christian would give if he was here. Perhaps we could have those answers and worry about whether there were going to be supplementary questions after that

MR E CHRISTIAN: I don't mind Mr President. I'm quite happy if these people wish for me to reply to these

MR SANDERS: Mr Ernie Christian may well be able to answer those supplementary questions

MR BLUCHER: It could well be Mr President. We'll see what happens with supplementary questions

MR PRESIDENT: Yes. Yes. Let's get on

MR E CHRISTIAN: Mr President, Mr Blucher asked who is engaged to take over as Chief of RFFS on Norfolk Island. The answer is Mr Terry Wallace, a highly qualified and experienced Aviation Fire Officer has been engaged as Senior Aviation Fire Officer following advertising of the position however, Mr Wallace is on leave without pay for three months from the Civil Aviation Authority and the Administration is currently considering options for Mr Wallace's replacement

(b) Is there a training programme in place and who is/was engaged to be trained? One of Mr Wallace's first task was to prepare a programme so that officers can be trained as dedicated fire staff. At this stage no staff have commenced the training programme although it is expected that this process will commence shortly. Positions have been offered to Mr Richard Chapman and Mr Shaun Goudie from within the Public Service

(c) Were these positions advertised according to policy and how many positions are already filled, or are to be filled?

Expressions of interest were invited from both within the Administration and from within the wider community for these positions. The intention was to train two persons to CAA Rescue and Fire Fighting Service standard and then send these recruits to the CAA Training College in Melbourne for accreditation. A course of the duration of six weeks. The long term aim of the Administration is to have Norfolk Island staff train to officer level so that they can ultimately take over the operational responsibility of the Island's fire fighting service. The method of advertising was considered fair and equitable enabling all those interested to respond both from within the public service and outside. In normal circumstances positions are advertised internally first but as this work was a new operation within the Administration the view was taken that applicants from other residents of Norfolk Island outside the service should not be disadvantaged in obtaining one or both of these new positions

(d) Who were the Members of the selection panel? The selection panel comprised of the Administrative Services Manager, Senior Aviation Fire Officer and Mr David Rodgers

(e) Are any members of the selection panel related to the successful applicants? To the best of my knowledge Mr President no member of the interviewing panel was related to the successful applicants. I would add that Mr President, in fact, other Administration Officers stood aside from the interviewing process in view of having relatives apply for positions which is the normal practise

(f) Were all applicants interviewed - of not, why not? If not, were all "Islander" applicants interviewed? There were twenty four applications received for these positions. As is the usual case the interviewing panel firstly assessed the merits of each of the applicants to ascertain whether they met the criteria for selection. The panel determined that 13 of the applicants should be interviewed. This gave quite a large number of applicants the opportunity to be considered for appointment. The process enabled all residents of Norfolk Island who were interested in the work to be given a fair opportunity

(g) How many applicants were there for the position of trainee and for the position of Chief Officer of the RFFS? ... stated that there were 24 applicants for the position for the positions of fire fighting staff. There were five applicants for the position of Chief Fire Officer

(h) Were people engaged into any of the aforementioned positions prior to the calling for applications to the positions? None of the people were engaged into any of the aforementioned positions prior to the calling for applications to the positions although an officer of the Civil Aviation Authority continued to operate the service utilising auxiliary staff appointed by the Administration and if I may go straight through to ...

MR SANDERS: Mr President before we proceed to ...

MR PRESIDENT:A supplementary question?

MR SANDERS: Yes if I may. I don't know whether Mr Ernie Christian can assist but the question is, it's with regard to the interviewing panel. Is Mr Christian aware that there was a direction by the Chief Administrative Officer that the sons of two of the employees on the airstrip were not to be considered because it would be political

MR E CHRISTIAN:No I'm not aware that any such direction was given in fact I would be pretty certain in my discussions with the CAO that this would not happen. I believe that the two persons discussed were in actual fact on the .. were members of the application applying members

MR SANDERS: Perhaps Mr President Mr Ernie Christian would he be prepared to look into that matter and perhaps give us an answer at the next meeting or ask Mr Christian Neville Christian to do so

MR E CHRISTIAN:I'm quite prepared to look into that matter Mr President and bring forward a reply

MR SANDERS: Mr President I find it very offensive that a person

isn't to be considered ...

MR PRESIDENT: Question? Supplementary questions?

MR BLUCHER: Just to clarify on question (f) where the question was "were all Islander applicants interviewed?" that question was not answered. Were all Islanders interviewed?

MR E CHRISTIAN: Some of the Islanders Mr President may not have been interviewed basically because of the assessment which was done previously. Now some of the Island... from my knowledge some of the Island applicants didn't fit the criteria, some for health reasons, and there were other reasons and they may not have been interviewed because they didn't get through that first selection

MR BLUCHER: Mr President can the Minister indicate to the House what were the criteria that he refers to?

MR E CHRISTIAN: Mr President the RFFS lays down a strict code of which they required the members to fill. I could bring these forward at a later meeting of the House if it is wished. I can't recite them off here but it's rather a lengthy and a long list and we tried to adhere to that as closely as possible

MR BLUCHER: Mr President to the Minister again. If this criteria exists and it's a very strict one according to the RFFS service people on the mainland why is it that we are advertising for people to be trained when those people that are applying for the response for jobs are not trained but the purpose is for them to be trained and why should that strong criteria exist when the undertaking is to start training local young people

MR E CHRISTIAN: Mr President the RFFS job is a fairly critical one and people need to be highly skilled in that line and I feel this is why the RFFS people lay down such a tough guideline for the recruitment of staff. All of those staff within the RFFS at some stage or other would have been in training or have received training for those positions. They couldn't have walked straight into those positions without that training and this is what we are endeavouring to do

MR BLUCHER: Is the Minister satisfied that those people that he now says has been engaged have had the correct training and qualifications to be engaged in this position

MR E CHRISTIAN: No Mr President. As I said in the Report, as I answered one of those questions earlier at this stage they have not but they are going to receive that training

MR PRESIDENT: Are there any further supplementary questions Mr Sanders?

MR E CHRISTIAN: Mr President if I may help Bill's summing up on that one of the criteria laid down within the RFFS is for certain criteria as far as health is concerned. A man needs to be reasonably fit to be able to

do various bits and pieces as the need arises in emergencies. Some of the applicants for this job in my opinion and I'll have to go back to the panel to clarify that, but in my opinion would not have met those standards

MR BLUCHER: Thank you Mr President. Those standards will be available to the House will they not?

MR E CHRISTIAN: Yes Mr President

MR BLUCHER: Thank you. There is a question which really need to be clarified and the question is if the people who are engaged should have had under the criteria training, prior training and qualifications in this area why is it that we are saying that we will accept applicants for training and part of that criteria is that they must be experienced, trained and perhaps qualified when these people that are engaged and as far as I'm aware and I think you should be aware, may not have had the appropriate qualifications according to the criteria that's been referred to and not read out

MR E CHRISTIAN: Mr President I don't think that's quite what I've said. If it is I'm sorry, I'll try and clarify that

MR BLUCHER: It seemed a contradictory statement Mr President

MR E CHRISTIAN: RFFS lays down a standard which, and a very strict standard which their members must adhere to but it still allows for the taking on of unskilled people who then would be trained to these standards before they are qualified and recognised as RFFS personnel

MR BLUCHER: If the Minister can inform the House these people that were engaged were they in fact engaged as a result of questions asked at the previous meeting of which the confirmation of these questions now emanate on this paper?

MR E CHRISTIAN: Mr President no. The engagement of these people to my understanding is purely and simply on the ones that were thought to fit the criteria which was demanded, the best

MR BLUCHER: Thank you Mr President. I trust that supplementary questions to the Minister responsible at the following meeting of this House may also be asked on this same question - on some of these questions

MR PRESIDENT: I'll look at that Mr Blucher

MR SANDERS: Thank you Mr President. Supplementary question. Mr Christian are you able to confirm to this House that the selection for this position was in accordance with the guidelines of the Public Service, I think it's No. 35 which refers to the merit system. Can you assure this House that the selection did comply with that merit system

MR E CHRISTIAN: Mr President as far as I am aware I would assure this

House that these were complied with

MR PRESIDENT: Further supplementary questions on this question that is on Notice. Then we'll move on

MR E CHRISTIAN: Mr President, Question 49. Mr Blucher asked how much overtime has been paid to staff engaged under the Airport Undertaking in the months December 1992 and January and February 1992? The answer is the overtime paid to staff engaged under the Airport Undertaking during December 1992 and January and February 1992 is as follows: December \$288.70; January \$5261.05; February \$5267.21. Would anybody like me to repeat those or not?

MR SANDERS: The January one if you don't mind

MR E CHRISTIAN: January \$5261.05; February \$5267.21. The significant increase in overtime from the beginning of this year reflects the Administration taking over the fire service which has to be operated on weekends. Normal public service penalty rates apply

(b) If overtime was paid in these months -

(1) to which staff positions was it paid?

(2) for what days of the week was it paid?

(3) what was the rate of pay?

The answer is the staff positions that were paid overtime were the Airport Manager; Senior Airport Grounds and Maintenance Officer; The Airport Grounds and maintenance Officer; Senior Airport Mechanic; Senior Aviation Fire Officer and two Plant Labourers. A variety of days make up the overtime payments but the majority of the RFFS resulted from work on Saturdays and Sundays. Overtime was based on normal hourly rates except RFFS work which was based on a uniform rate of \$14.00 per hour

(c) If overtime was paid for weekend work, did those payments include payments for staff training at penalty rates and if so -

(1) who authorised these payments?

(2) why was it necessary to train staff on weekends?

Mr President weekend overtime payments did include payments for staff who were trained as auxillary fire fighters. Hours worked were verified by the Airport Manager and payments authorised by the Finance Manager. The Chief Administrative Officer approved the hourly rate for overtime. It was necessary to train staff on weekends as very little lead time was given to airport staff to take over the fire service. Members will recall that no firm decision was made until the 11th December 1991 with the CAA pulling out on the 15th January 1992. The Airport Manager was requested to provide a stopgap auxillary fire service. Weekend training were the only suitable days for the CAA and the RFFS in conjunction with the CAA-RFFS roster, aircraft movements and maintenance for the CAA-RFFS and the aerodrome. Since the 14th January 1991 no weekend training has taken place. Unless the training is with the duty crew and only while the aircraft is parked on the tarmac

(d) Are there any temporary staff being trained at weekends? If so, in what positions and at what rate of pay - normal rate or penalty rate?

Temporary staff were trained as auxillary fire fighters at weekends up to 12th January 1992 and in accordance with the advise contained in my answer to question (c) and that's everything I have here Mr President.

Oh, there is a little bit of preamble which may help Mr President if I may. First of all I have to put forward in response to Mr Blucher's questions I might add that Mr President the Administration is conscious of the need to minimise any overtime payments to staff and this is being assessed on an ongoing basis. In employing new staff to operate the fire service the decision has been made following completion of training to replace the auxillary fire fighters for five days out of every seven allowing for two days off per week. Full time staff rosters would then cover weekends thus significantly reducing overtime payments to the existing auxillary fire staff. Thank you Mr President

MR BLUCHER: Thank you Mr President. A supplementary question Mr President. Would the Minister agree that when, if there are aircraft flying into the Island during the week and also on weekends, that during the week is the appropriate time for the training of staff be it temporary or newly engaged staff rather than the expense of additional penalty rates on weekends which appear to be unnecessary, do you agree?

MR E CHRISTIAN:Mr President I agree totally with what Mr Blucher is saying. I completely endorse what he is saying. If you read back in the Statement I just made it wasn't possible to do such things in certain cases. Now with the recruitment of the staff placed in the proper positions and with the rotation of hours we will be able to pretty near succeed in training them in time which is not at overtime rates

MR BLUCHER: Could the Minister advise why was the two temporary staff which were engaged and underwent training replaced? Is it because they were close relations to... Senior Officers within that airport as a result of meetings of this House?

MR E CHRISTIAN:Mr President no. These boys as I understand it were considered under the same criteria and for the same reasons as every other applicant

MR BLUCHER: Thank you. Another supplementary question. The two trainee officers which were replaced were they the trainee officers that were trained on weekends unnecessarily?

MR E CHRISTIAN:Mr President these were two of some of the staff that were trained on weekends. If Mr Blucher will hark back to the Statement I made he may agree that it wasn't unnecessary it was done that way to fit in with time and allows planes, RFFS staff to do the training and alot of other things

MR BLUCHER: Does the Minister agree that it is not necessary to engage ground staff, mechanical staff and those other, some of the other members of the airport crew on weekends at penalty rates?

MR E CHRISTIAN:Mr President, no compulsion can be made for any of that staff to work weekends. Because of the choice of some staff as to what they did with their weekends it was necessary to carry out training of these other members. We were trying to fit in Mr President in a very very short time of the takeover of the airpoert as best we could with the

Members that were available

MR BROWN: Mr Christian would it be fair to say that the Airport Manager and his staff have had to work under very difficult conditions in the period from the 19th December 1991 because they were given extremely short notice of the fact that they had to take over the fire service? Would it be also fair to say that the Legislative Assembly had been reasonably well aware as far back as August of last year that the transfer was going to happen at some stage. Would it also be fair to say that if the training had of been commenced back in August it could have been done far more easily and without the need to resort to training interim staff and without the need to resort to weekend training, but would it also be fair to say that because of the time that did pass before a decision was made the Airport Manager had no choice, he had to train temporary staff because he had to provide a service, and then, and only once he had trained those temporary staff and the service was being provided the necessary steps were taken to employ the fulltime staff? Would that be a fair representation?

MR E CHRISTIAN:Mr President what Mr Brown is saying is exactly right and it's a fair representation of what happened except I am not quite certain Mr President, there was some delay in the notification of the date we were actually taking over and when RFFS were pulling out so there was some delay there when we couldn't start the actual training things, but what Mr Brown is saying is absolutely right

MR BROWN: Mr President I wonder if I could just ask a little more. Would it also be fair to say that under those circumstances it would not be fair to be laying any blame in relation to what has happened on the Airport Manager or on his staff and would it also be fair to say that the eventual appointment of the two permanent employees has shown that although it may be the case that relations of some of the airport staff were employed in the temporary positions there is no room for any suggestion that jobs for the boys has been the situation here once the permanent appointment was made

MR E CHRISTIAN:Mr President what Mr Brown says is exactly right and that's what happened

MR PRESIDENT:May we move on? Question 50

MR E CHRISTIAN:Mr President I do have an answer for that

MR BLUCHER: Mr President whilst we're waiting for Mr Christian could I just say that Mr Christian fielded those questions extremely well under the difficult circumstances of not having the appropriate Minister here to answer them

MR E CHRISTIAN:Mr President, thank you Mr Blucher, Mr Blucher has asked the following question, question No. 50, is the Minister aware whether or not there are solicitor/lawyers either visiting or operating as members of the community on Norfolk Island without a practising certificate and is he aware that without a practising certificate there is no

indemnity against negligence to the client?

The answer to this question is as follows -

1. I am not aware whether or not there are solicitors/lawyers either visiting or operating as members of the community on Norfolk Island without practising certificates
2. I am not aware that without a practising certificate there is no indemnity against negligence to the client. I understand, however, that it is not necessary to hold a practising certificate to obtain professional indemnity insurance
3. I am aware that in Norfolk Island there is no requirement to hold a practising certificate in order to practise law

MR BLUCHER: Thank you Mr President. The question really is, is there a risk to clients within Norfolk Island of lawyers or solicitors either visiting or operating on the Island, a risk of any negligent claim not being able to be met by not having an indemnity arrangement for that purpose?

MR E CHRISTIAN: Mr President there is although I would think most lawyers would carry an indemnity insurance of some sort or solicitors to protect themselves and to protect their client. This is one of the things I think which is in the transfer of powers and I feel that regulations should be brought into force immediately we are given the chance to set these, enact these regulations and set them up

MR BROWN: Thank you Mr President. Mr Christian is it the case that section 55 of the Judiciary Act of the Commonwealth of Australia confers on a person who is admitted as a barrister or solicitor in any of the States or Territories of Australia a right to so practice in Norfolk Island? Is it further the case that if a solicitor holds a practising certificate in one of the mainland states or territories he may well be required to hold professional negligence insurance which in at least many of the states is actually provided by the Law Society for an additional fee, but is it the case that that insurance would not necessarily cover the person for work that he does in Norfolk Island unless it has an express extension?

MR E CHRISTIAN: Mr President what Mr Brown is saying absolutely correct

MR BROWN: And one final question Mr President. Is it the case to the Minister's knowledge that if a solicitor wishes to take professional negligence cover other than through one of the mainland law societies such cover is available and can be taken?

MR E CHRISTIAN: To the best of my knowledge Mr President I'm quite certain that is the case

MR BLUCHER: Thank you Mr President. Will the Minister now as a result of these questions undertaken to investigate and ensure if possible that practising lawyers and solicitors on Norfolk Island do have a cover such as this for the protection of both the solicitors and lawyer and the general public

MR E CHRISTIAN:Mr President we don't have the laws nor the rules to be able to cover this

MR BLUCHER: Will the Minister look at ensuring in some way the possibility of an indemnity arrangement being made available or that solicitors visiting and lawyers visiting do have this cover? As you say you are unaware that they do or they not but I'm asking, the question is will you somehow undertake to ensure that the protection of the people are looked after here by the practising lawyers and solicitors having a particular cover

MR E CHRISTIAN:Mr President I will undertake to do as far as we possibly and legally can yes

MR BROWN: Mr President I wonder if I can ask a couple of further questions? Is it a fact that the regulation of legal practitioners is not a power which is within Schedule 2 at the moment?

MR E CHRISTIAN:That is quite correct Mr President

MR BROWN: And so is it correct that it's not really a matter that you can do a whole lot about

MR E CHRISTIAN:That is quite correct Mr President

MR BROWN: Could I ask just one further question Mr President? Are you aware of any lawyer who practises in Norfolk Island who does not have professional indemnity insurance?

MR E CHRISTIAN:Mr President no I'm not. I haven't gone to ask them or anything else, it's never... I think I would be a little bit cheeky to go along that line when we have no way we can control these people in any case but I personally, no, am not aware of any of them

MR BLUCHER: A further question Mr President

MR PRESIDENT:Final supplementary question Mr Blucher

MR BLUCHER: Thank you. Does the Minister realise that the purpose of the question which was placed a couple of months ago is to come forward with that very answer that we're seeking. Are there people operating and practising on Norfolk Island without a certificate? I would suggest that the Minister might ask those questions himself of the legal fraternity to find out whether they are covered or not?

MR E CHRISTIAN:Mr President, I can do this if this is required. I state again that there is no action I can take if they don't have it

MR BROWN: Mr President could I move that so much of Standing Orders as is necessary be suspended so that I could say something briefly about this subject?

MR PRESIDENT:Is that agreed amongst Members? Agreed. Yes agreed Mr

Brown

MR BROWN: Mr President the ability of a person to practise as a solicitor in Norfolk Island is derived from the Federal Judiciary Act and a person need only be admitted to practise in any of the mainland states or territories. I happen to be admitted to practise in New South Wales and I happen to be a member of the New South Wales Law Society. I happen to not practise in Norfolk Island at the moment but by virtue of my membership of the New South Wales Law Society I am in fact covered by their professional negligence insurance provided I go to the trouble to ask them to extend it to cover me in Norfolk Island. A visiting solicitor who practises on the mainland and who chooses to come to Norfolk Island to do perhaps on or two things and then go back again may well forget to go to the Law Society and ask to have his cover extended.

I'm not aware of any who've ever been here and have forgotten to do that but anyone as I said, who is admitted in any of the mainland states or territories can come and do legal things in Norfolk Island. It's not necessary to be a member of any of the Law Societies. There are two very different components. One is to be admitted which is done by the Supreme Court in that particular state or territory and the other is the question of whether or not you choose to be a member of the Law Society. If you wished to practise in New South Wales you certainly do need to be admitted in New South Wales and to be a member of the Law Society in New South Wales but to practise in Norfolk Island there is no requirement that you be a member of any of the mainland Law Societies. You need only be admitted. There are also procedures to have a right to practise in the High Court and the Federal Courts. The question of professional negligence insurance doesn't just stop with whether or not a person is a member of one of the mainland Law Societies because he certainly can go and take out a private cover. Don Wright for example has a very significant professional negligence cover. I'm sure he doesn't have it because he thinks he's going to need it but he does have it and he pays a significant premium each year to ensure that he has it. I don't know Michael Zande's position but I'm sure that Michael would still be a member of the Queensland Law Society and that the cover that he had in Queensland would certainly have been extended to cover him in Norfolk Island but I get a little bit worried when we start to have a witch hunt in this case about lawyers, without having first gone and asked them the questions ourselves. I'm sure if any of us walked in to Michael Zande's office at a time convenient to Michael he'd be happy to tell us what his admission status is, which Law Society if any he happens to be a member of and what form of professional negligence cover he holds. I'm sure Don would be happy to tell anyone that came and asked him and I think that it really is very important that we're seen to be a Legislative Assembly that enquires as to the facts before we say things that do risk causing hurt and damage to peoples reputations and causing them to be affected but I hope that's been of some help Mr President

MR E CHRISTIAN: Thank you Mr President. Thank you Mr Brown and I will undertake to go and ask these people if they are covered

MR PRESIDENT: Fine, may we move on Honourable Members.

Presentation of Papers

MR PRESIDENT: Presentation of Papers, are there any Papers to present

MR SMITH: Mr President, thank you I would like to table the Tourist Arrival Papers for February and move that they be noted. Mr President, going through the arrivals for the month of February 1992 from Sydney we had 836 passengers, last year was 822, Brisbane we had 512, last year was 391, Melbourne we had 155, from Lord Howe we had 101 compared to 140 last year and the Australian total of arrivals was 1604 and last year it was 1353. From Auckland in February we had 558 compared to 494 last year, Christchurch 48 compared to 349 the year before and the New Zealand total of 606 down from last year of 843 and the charters which are the Noumea charters brought us 88 people which was the same amount in the year before. The total tourist arrivals was 2298 compared to 2286 in the year of 1990 thank you Mr President

MR PRESIDENT: The question is that that Paper be noted. Any further participation, then I put the question

QUESTION PUT
QUESTION AGREED

MR E CHRISTIAN: Mr President pursuant to paragraph 41(2)(a) of the Interpretation Ordinance 1979 I lay on the Table of the House the Telephone (rental charges and fees) Amendment Regulations 1992 and the Immigration Amendment Regulations 1992

MR SMITH: I move that the Papers be noted Mr President

MR PRESIDENT: The question is that those Papers be noted

MR SMITH: And may I ask what those are Mr President?

MR E CHRISTIAN: The Telephone ones I've just got to pick these up a little bit Mr President, they are for operator assisted calls yes, for schedule

MR SMITH: Yes and the Immigration one

MR E CHRISTIAN: The Immigration one was to allow for the altering of cards and things for people coming off the cruise ships

MR SMITH: Thank you Mr President

MR PRESIDENT: Any further participation? The question is that those Papers be noted

QUESTION PUT
QUESTION AGREED

Any further Papers to be presented?

Statements

MR PRESIDENT:Are there any Statements to be made?

MR E CHRISTIAN:Mr President paragraphs 34(2)(b) of the Immigration Act 1980 requires that the executive member report to the Legislative Assembly, not later than 31 March the number of declarations of residency granted under section 33 during the year ended on the previous 31 December. I now accordingly report that there were 28 declarations of residency granted during the year ended 31 December 1991

MISS BUFFETT:Thank you Mr President I move that the Statement be noted and ask if any compensating departure declarations have been made since the last meeting

MR E CHRISTIAN:Mr President I'd have to check on that. To my knowledge no, there hasn't been any done since the last meeting

MISS BUFFETT:Thank you Mr President

MR PRESIDENT:Thank you, any further participation. The question is that that Statement be noted

QUESTION PUT
QUESTION AGREED

Any further Statements

MR E CHRISTIAN:Mr President the Immigration Review Committee has been unable to finalise its recommendations in time to present them to this meeting of the House. It respectfully requests permission to present their findings definitely at the April Sitting of the House

MR PRESIDENT:Thank you. Any further Statements

MISS BUFFETT:I move that the Statement be noted Mr President

MR PRESIDENT:The question is that the Statement be noted

MISS BUFFETT:Mr President, I'm disappointed that the Report could not come forward to this Meeting but I daresay the Review Committee has its reasons for that happening because there are people in the community who have expressed concern at there being disadvantaged by the Compensating Departure but I will not pre-empt Notice No 3 debate thank you Mr President

MR PRESIDENT:Thank you any further participation?

QUESTION PUT
QUESTION AGREED

Are there any further Statements this morning?

MR E CHRISTIAN:Mr President in reply to Mr Robinson's questions regarding

the damage to power and telephone cables during the installation of the water assurance scheme. As far as can be ascertained all damage was reported to the Supervisor. Damage was the responsibility, or the repair of damage was the responsibility of the contractor who did employ local electricians to repair power cables. It has been found that some of the repairs have proved to be inadequate. In other instances what was thought to be only minor damage to cables and not needing repairs has now been proved wrong. A cost of around \$300-\$400 was estimated and supplied to me thank you Mr President

MR SMITH: Thank you Mr President. Firstly a statement on SBS Mr President. The SBS television signal has now been on air for some time on Channel 9 and tests and adjustments are almost complete. A recording of the broadcast has been sent to SBS who are pleasantly surprised as the quality of the picture that we receive on Norfolk Island. From all accounts SBS is appreciated by many people in the community although not all can receive the signal as yet. If there is anybody that cannot receive SBS their aerial may need adjusting and they may need to contact the people who sold the television set to them to make adjustment there. A lot of time has been devoted to setting up SBS by some dedicated people and I'm sure many in the community appreciated the efforts of those involved and a lot of this work has been done voluntarily and without naming those involved I thank them for what they've done for us in SBS. Thank you Mr President

MR E CHRISTIAN:Mr President in reply to questions and things that have been asked about approved insurers of the employment scheme I would like to table correspondence Mr President from Commercial Union Insurance showing that they did not wish to join or wish to become approved insurers. In a facsimile dated the 6th of the 12th 91 from Commercial Union Insurance from Commercial Union Insurance from the Pacific Island Manager a statement is made "with respect to the responses to my fax of November we are now unlikely to proceed with our application" and I table that letter and all these documents Mr President

MR PRESIDENT:Thank you. Any further Statements this morning Honourable Members?

MR SMITH: Mr President thank you. We've just had a visit by some people from the ABC, the Australian Broadcasting Commission, ready for the launch from Norfolk of the next series of Holiday, that's the Holiday programme that screened last year, there's another episode to be screened this year. Derek Pola, the Executive Producer of the Holiday series and also the Investigators, brought with him a team to look at sites for the launch as well as the technical details. They've a camera crew that is scheduled to arrive on Norfolk next week and at this stage the launch is planned to co-incide with the Tourist Ministers Council Meeting which all going well will take place some time in May, thank you Mr President

MR E CHRISTIAN:Mr President the Public Sector Reform Task Force was established by the Government on the 30th July 1991. It was given until the end of last October to submit its Report. Mr President the task force has met on a number of occasions and has found that the task asked

of it is much greater than was initially anticipated. Members will recall that the terms of reference on the task force were as follows. To examine whether the existing mechanisms to provide Administrative support to the Government are adequate and effective in terms of accountability and performance and if not, to recommend what legislative administrative and management changes are necessary and desirable in order to provide an efficient and effective public service to meet the goals of the Government and the services required by the community of Norfolk Island. Members will see that from the terms of reference that the terms of reference are just about as wide as they could possibly be. The terms are certainly not confined to consideration of the structure of the Public Service. They range much wider than that. They include such issues as financial and non financial accountability mechanisms, the preparation of what we now call budgets, the method by which the government and Assembly establish what they want to achieve and the manner in which those objectives are or are not achieved. Accordingly the task force has been enquiring into issues of the most wide ranging kind. For this reason it has been unable to complete its task in the time available. Nevertheless I am anxious to demonstrate that progress has been made. Accordingly I now lay before the House an exposure draft of work in progress on the report for the task force. This forty odd page document includes extracts from the draft report of the task force which served to indicate the general thrust of the thinking of the majority of Members of the task force. It is not to be regarded as a settled or concluded document as will be obvious when it has been read and digested by Members. However, as I have said, it does indicate that a central reappraisal of the overall governmental processes of the Island is necessary. Let me try and indicate briefly the strands of thought that are evident from this document. The central message of the document is that a change in the Island's public sector culture structures and performance is necessary. The group identified three reasons for this. The first reason is that the perception that the Island's accelerating constitutional development towards self government is outstripping the professionalism and resources of some but not all parts of the public sector. The second factor is the perception that the public sector lacks specific and identifiable aims and the third factor is that the existing public accountability mechanisms are not adequate to ensure that the community knows what the public sector is doing. These factors are all of course inter-related. Members will observe that I'm talking about the public sector. By this I do not mean just the public service. I include Assembly Members, the Executive Members who constitute the Norfolk Island Government, the Public Service and the Statutory Authorities such as the Hospital Board and the Tourist Bureau so that when I make remarks about the Public Sector I am not to be understood as criticising public servants. I am also criticising myself as an Assembly Member and as a Member of the Government. The contents pages of the exposure draft serve to indicate the scope of the matters that the group has been considering. In order to solve the difficulties that I have just referred to the first chapter of the draft report indicates the general nature of the solutions that will be proposed to these problems, the central idea is that the clear setting of public sector objectives is the most important task to be undertaken by the political representatives of the community, that is, the members of this

House. Only if clear public sector objectives can be established is it possible to measure progress towards the attainment of those objectives. This therefore brings in the twin notions of efficiency and accountability. Only if the achievement of objectives can be measured can one properly say that an organisation is either efficient or not efficient and the degree to which it is efficient or not efficient. The lack of clear public sector objectives means that efficiency is often regarded as a kind of Christmas cracker motto, not something which is capable of objective ascertainment. Likewise only if the objectives are set out with precision and progress towards them can be stated clearly can one say that the public sector is accountable to the community. The first chapter of the report notes that the three existing public accountability mechanisms are seriously flawed. Those accountability mechanisms are currently the Administrations annual financial statements, the annual report and the parliamentary process. The draft report observes that the financial statements though very detailed are not readily comprehensible and are presented in a way which allows for comparison of financial performance between different years within a period of years, do not report on assets in a comprehensive way and crucially are not presented so as to enable the comparison with the initial budget for the year being reported on. That is not to say Mr President that the financial statements are in any way badly prepared or technically inadequate and I emphasise that. They present a massive logistical challenge for the staff who are engaged in preparing them. Those staff are to be congratulated for grappling with this task over the years in a way that is consistent with the Public Moneys Ordinance. What I'm saying is not to be construed as critical of those staff. Quite the contrary. What I am saying however, is that the annual financial statements do not really tell us anything. Similarly the annual report has obvious limitations as an accountability document. It is informative to a degree and it states what the Public Service has been doing in the year under review. But it does not explain why they have been doing it. That is, it does not explain how the performance of the Public Service compares with what the Government of the day expected of it. As for the the Legislative Assembly I said that this was also not an adequate accountability mechanism at present for the monitoring of public sector activities. This is because except at budget time the Legislative Assembly does not address itself to the whole of the issues which are on its plate during the financial year and even in the budget process the emphasis is not on what is to be achieved and why but on the financial side of things. Of course, the financial side of things is very important but the issues of what and why are more important still. There is no point in debating how much money should be spent on project X if no attention is paid to whether project X is warranted or desirable in the first place so in short, the drift of the first chapter of the exposure draft is that there ought to be major attention to that purpose. Goals and Objectives of the Public Sector. It is proposed that this be done through a formal mechanism encompassing what is sometimes called a "mission statement". I prefer to use a slightly different terminology, of purpose, goals, and objectives. Some examples and I stress that they are just examples, of that sort of approach are included in the draft charter of purpose, goals and objectives set out as an Appendix to the Exposure Draft and a mechanisms to achieve that approach is set out in

the draft Bill which is also an Appendix. I hope that this serves to explain what the Taskforce has been doing for these several months past, and I lay the document on the table so that Members and others in the community can read what has been done so far and address themselves to the issues raised. I will still be seeking to have the work of the Group finalised during the life of the present Assembly. Obviously, this issue is such a major issue that it would staddle Assemblies in any event. For that reason, I hope that we can leave this project in a state where it can be easily picked up by incoming members should they wish to do so. I think that is all I have to say on this issue Mr President thank you

MR BROWN: Mr President I've just had the opportunity to glance briefly through what's been tabled and the work that has been done so far does seem to be quite comprehensive. One of the largest challenges facing this Legislative Assembly and future Legislative Assemblies will be trying to guide the development of the Public Service so that the Public Service is able to keep pace with the development of self government itself and if we do not ensure that we do everything that is necessary for the public service to keep pace and to provide training for those in the public service so that they can keep pace, to praise them when they've done a good job and to be constructively critical when things mightn't be as good as want then we're not doing our job. This taskforce, as Ernie said, was set up quite some time ago and I see by looking at the index that there are a number of chapters yet to be written. I can see also by looking at the Annexures at the end of the document that's been tabled that quite a bit of work has been done in deciding just what the contents of those chapters are to be and in at least identifying the issues. I certainly do hope that there will be the opportunity for this report to be completed during the life of this Assembly. With an election due in early May it is likely that our next meeting, our April meeting will be the last meeting of this House but one of the matters which I understand is to be covered in the review and on looking at the matters yet to be handled I can see that it sits there, is the question of senior public servants at the same time holding a position as a Member of the Legislative Assembly and with an election so close it really is essential that this document be completed so that even if it has not been adopted by the Legislative Assembly there is a paper on the table that people can read and in relation to which they can state their point of view. It would be quite unfair for a public servant to decide that he cannot stand for election because he can't afford financially to leave his position within the public service and because he believes that this report is likely to be adopted and to then find that in time this report is not adopted and he could have stood for election and he could have kept his job in the public service. That would be quite unfair. It would similarly be seen by many as being quite unfair if that public servant did decide to take his chances and he stood for election and no-one had commented on their views, he was elected and subsequently he found that he had to make a decision that he didn't want to make, a decision between remaining a member of the Legislative Assembly or remaining a member of the public service. It's my view that one of the most important remaining things that this Assembly has to do is to ensure that that chapter is written to ensure that it is tabled in the House and to ensure that every member can express his view before the

next election thank you

MR ROBINSON: Thank you Mr President. Mr Christian just one question, is this document going to be available as it is tabled in the House, I know in theory it's available to everyone who wants it, is there some method where the public can obtain a copy easily

MR E CHRISTIAN:... and Mr Christian could you arrange copies for Members?

MR E CHRISTIAN:Mr President I will be arranging copies for Members but I also will arrange for copies to be available to members of the public who wish, at a fee and I will notify them where this can happen. It is my intention to have as much as we possibly can if not all of this report finished by the next Sitting of the House

MISS BUFFETT:Thank you Mr President. One question if it's in order to ask the Minister ... his statement, who comprised the taskforce it doesn't need to be names and positions, but how many comprised the taskforce ... thank you. It's alright we've got it here now thank you, I'm sorry to be talking across the table Mr President, I apologise. Also Mr President another thing came to my notice, keeps cropping up and this is that the community will eventually have to bite the bullet as to how do they regard people who devote so much of their lives into Assembly matters and when will it be recognised that the time required in the Assembly is far more than just...

MR SANDERS: Point of Order Mr President. Is this a debate on the issue?

MR PRESIDENT:Yes, I have a question that the statement be noted and various views have been put about Mr Sanders and a few of the members would wish to address some of those components now

MISS BUFFETT:Thank you. I've put it up in the context that it's had to be considered by any members wishing to stand and I believe that the remuneration should not be of such importance as to be a threat to a persons livelihood if in fact they were to offer themselves as candidates for the Legislative Assembly and should not be reserved for those with private income so that all people can afford to represent their community. Thank you Mr President

MR BROWN: Mr President, much of what Miss Buffett says is quite right. In fullfilling ones role as a member of the Legislative Assembly one can spend many many hours of each week and it may well be felt by many that the number of hours that have to be spent are such that it simply is not possible to hold down another full time job and to do justice by both jobs. I think that's quite true. I think that someone who devotes large amounts of time to the Legislative Assembly would find it extremely difficult to do another job properly whatever that job might be. I think that it's also true that it is somewhat difficult for a person to give up his other employment and to stand for election to the Legislative Assembly and to live well on the \$325 per fortnight that a backbencher is paid and the roughly double that that the Minister would

be paid. It's probably also true that it would be nice if we could all drive a rolls royce. There is a very big difference between what is ideal in the world and what is achievable. I think it would be nice if we could all be paid alot of members of the Legislative Assembly but I'm absolutely certain that Norfolk Island can't afford it and furthermore I'm absolutely certain that the public would be absolutely outraged if it thought that we were going to be doing something to try to increase our salaries to the level that we think we'de like to be receiving. It's a very difficult question. It's good that Alice raised it but I don't think that we can all drive rolls royces, I certainly can't afford one and ...

MR PRESIDENT: Any further debate on this matter Miss Buffett

MISS BUFFETT: Mr President I would just like to come back and correct the statement, but I think the word wasn't alot of money, to earn alot of money, I said it would have to be recognised and its time ... it's alright have the political will to say yes we want self government and we want this and we want that but not at the price that the people who live in this place cannot afford to represent the people in this Chamber and that only people private income and who can well afford it can come in and make representations in this Chamber

MR BROWN: Mr President I quite agree with part of what Alice has just said. If we are going to continue down the path to full internal self government we have to be prepared to meet the cost of it and I think that the time has come where we also have to be prepared to look at a number of the services that we provide. Services which people have grown accustomed to receiving for nothing or for very little and we've got to decide whether, now that those people might have to pay full market price to get those services if we're to continue to provide them, whether they really still want them. I think there are probably alot of things that we do that if people realise that all of a sudden they're going to have to pay for them, they might say, well maybe we don't want that quite so much after all, maybe we would prefer not to pay. It is a basic right in the western world that if a person wishes to stand for an election provided they fit the requirements to stand for election, they should be able to but the problem that Alice is talking of is every bit as much a problem in other places. For example, in all of the Australian mainland states and I beleive other Territories, a public servant must make a choice. In some states he must resign before he nominates for election, and in most of those states in the event that he is unsuccessful he can go along and say well I dipped out may I please have my job back and normally every endeavour would be made to fit him back into the public service. In other places he doesn't have to resign at the time he decides to nominate but he is deemed to have resigned at the instant that he is elected but in none of them can you be both. The only exception to that is where perhaps a person is employed by local government in a place and seeks to stand for election to the state or federal parliament, that is, employed by one level of government but seeking to stand for an election to another. In some cases you can do that but that is not the situation here of course, but in Australia, if you're not a public servant you've got to make a decision as to whether you are going to

continue in the job that you have in which event you don't stand for parliament or whether you are going to leave the job that you have and stand for parliament. Now it's not a legal requirement, it's a practical requirement and I can assure you that people in Australia when the fickle voters have their way and elect somebody else at some stage further down the track have all got the same problem. I know many ex parliamentarians who had the devil's own job fitting back into society once they've lost their seats. Everybody loves them while they're a member but it's amazing how few friends they have once they are no longer of any use so let's not think that we're unique in this problem. We're not. Other places have to face it and it would be nice to be an ideal world. As I said, it would be nice if we could all drive a rolls royce but we can't

MR BLUCHER: Thank you Mr President. I'll be as brief as I possibly can. I tend to agree with both what Mr Brown and Miss Buffett has been saying about this report but this report leads on to other matters and Mr Brown has just mentioned some of them and that is the public service and it's eligibility to stand for elections to the Legislative Assembly. I see no difficulty in members of the public service standing for elections and if they are elected to the Legislative Assembly well then they are no longer able to continue with their role in the public service because I see it doesn't matter whether you're an executive member or whether you're just a member of the House it is a very meaningful role, it's a time consuming role for everyone and quite frankly I don't believe that a member or an executive member can justify both roles. Can they consciously take on both roles and accept both roles and carry it out to the ultimate. I'm referring now to members of the House and executive membership. The difficulty I see is if a member of the public service is elected then he's got to make a choice whether he accepts an executive role or not. If he accepts an executive role well then as mentioned he must relinquish his role as a member of the public service or whatever level it might be but if he is an ordinary member of the House and remains so he can then carry on with his role as a member of the public service. What I'm coming to here is that I believe very strongly that every member of the community whether they be in the public service or elsewhere, if they are prepared to put their name forward for nomination to this House every member should be prepared to accept an executive role of government and that's the reason why we're here, we're here for that purpose and that purpose only, to represent those people out there who have voted for you. They vote for you because they want you to be a member of the Government and be a member of the active government and for members to place themselves forward and be elected or even re-elected from this present House who are not prepared to accept an executive role, should not stand. I think it's as simple as that

MISS BUFFETT: Thank you Mr President. I really don't see any difference between a person who is a senior public servant except of where the pay comes from, one comes from the public purse, or as and also a member of the Legislative Assembly. Both are very demanding positions so I still go back and think what really is appropriate to be considered is the remuneration that has to be so that the people in the Assembly can give their time that is necessary to the community because so often one still has to live, and one still can't go to the shops and say I haven't had

time to look for any money to pay for this because I've been not able to spend the time to work so in other electorates members are paid remunerative, they are paid on a better basis. It's really the fault of this Assembly anyway, if we hadn't submitted, had we submitted to the Remunerations Tribunal earlier it would have been solved so that's the last thing I'm going to say thank you

MR BROWN: Mr President I wonder if I could close with a thought. If a monkey was in a cage but wasn't paid any money and was given a scalpel I think we'd all take the view that it was a monkey. If the monkey was in the cage and was given the scalpel and was paid a lot of money would be all think it was a brain surgeon because that's really what we're talking about. I move that the question be put Mr President

MR PRESIDENT: Do you want to discuss it any further because I'll put the question if we are at that stage Honourable Members and the question is that the Statement be noted

QUESTION PUT
QUESTION AGREED

MR PRESIDENT: Are we going to finish Statements before lunch? Mr Smith have you got a great deal more? Okay

MR E CHRISTIAN: Mr President, I would like to make a short statement regarding a review that has commenced with the Administration to undertake a job evaluation review to establish salary relativities in the Public Service. The matter of relativities between salary levels within the Administration has been the subject of discussion for some considerable time. In the recent past, there has been no significant review and/or constructive effort to establish relativities between salary levels for public service positions. The last significant study in this area was the Scott Report of about ten years ago and the benefits of that review would now appear to have been lost in time. The Chief Administrative Officer has now set in train a process that will lead to a review of salary relativities not only as a means of assessing salary levels as they compare with others, but put in place an ongoing process of review. As part of this exercise, the following steps will be taken:

1. evaluate job descriptions in order to form conclusions as to the appropriate band, grade and subgrade of the job
2. Conduct interviews with senior staff and other key personnel, and brief the Public Service Association representatives and Public Service Board
3. Set up an ongoing job evaluation process
4. Compare the Administration's pay scale to other organisations, both within Norfolk Island and externally

The preparatory work of developing the job descriptions is to be undertaken by Administration staff. Other aspects of the work will need to involve independent assessment and a suitable person will be engaged through the Administration's Auditors, Ernst and Young. Thank you Mr President

MR SMITH: Yes thank you Mr President. Last Friday the 13th March

saw the first visit of the CTC cruise ship the Motor Vessel Bellerussya. The ship arrived at Norfolk Island with 469 passengers on board, all very keen to visit the Island. Also on board was the executive officer Lisle Snell and the Customs Officer Alan Christian. The ship arrived at Kingston right on time but it was met by a swell that forced the choice of jetty to be Cascade. During the voyage to Norfolk Island Lisle briefed passengers about their expected visit here. By the time the ship arrived here all passengers were keen to get off because of the Island. There were a few problems first off, the first being the amount of swell due to the wind where the ship was anchored at Cascade Bay and the pontoon attached to the ship was unusable because of the inadequacy of the fenders attached to it and the swell that developed at the jetty prevented operations to continue and it was called off at 11.30 am. One passenger was offloaded from the ship for medical reasons and thirty-two locals joined the cruise on to Noumea. I would thank our men in the launches for their efforts to make the unloading a success and all others involved that morning. Besides those involved on the day there were many other who contributed to try and make these cruises a success and I would like to thank them as well. Everything was well planned and co-ordinated so there was a lot of disappointment when the operation was called off but of course we all accept and realise that the weather conditions and passenger safety are the important factors. As this was the first attempt we were pleased with the readiness of everybody involved and are now more prepared for the next cruise which is due next Sunday. Some changes will need to be made for the next arrival of the ship. The jetty area will be cordoned off to allow only those involved in the operation at the working area or on the boats and due to the congestion on board the ship with passengers queuing to disembark no visits will be permitted at the ship. If passengers are able to disembark on Sunday they will all be taken to the central drop off area outside the bowling club where they can pick up their tours or move through the shopping centre or get transported to the Kingston area for the markets and museums subject of course to which jetty the ship is at. We will make regular radio broadcasts through VL2NI to advise when passengers are coming off the ship and I would hope that most shop keepers would have their doors open that day seeing things are a little quiet on the Island at the moment for when the passengers come ashore. Thank you Mr President

MR SMITH: Thank you Mr President. This statement I've prepared this morning during the meeting because of questions that have come up this morning and I'll make that statement. This about a tourism co-ordination and support area. I've been putting together a system that will assist in our work towards creating a better tourism industry and that process is almost complete. This involves changing duties of some members in the public service to achieve this goal. The Clerk to the Assembly had been doing work for the previous Minister Mr Bennett and in my time worked for me in tourism matters in absence of a tourism department or branch or whatever. The role of the Clerk as I understand it requires 40 hours per month of Clerks duties and the Clerk has been doing extra work for the executive members and in particular in the tourism area. Of course that system does have faults and we've decided to ratify this position of the Clerk so that Mrs Graham can assist the Minister and liaise with the Public Service for requirements in tourism

for example when we have the ABC Holiday launch coming up, the Tourist Ministers Council, those sort of examples of where we need liaison. Also the Tourist Accommodation Officer is now not only attending to accommodation matters but will be doing research and other matters required by the Minister. Questions were being asked this morning about Tourist Board Members who were being paid for board duties and as members who asked those questions will now realise that Mrs Graham is a member of the Tourist Board and the Board may request me to do some particular thing, and through doing that I might get Mrs Graham to do some of the work for me so that in effect I would suppose that she would be doing Tourist Board work and being paid for it but not as a member of the Tourist Board. One of the reasons, or the main reason we are doing this is because with other executive positions in the Assembly or the Government there's a public service to do the back up and it's been recognised for quite some time that with tourism you don't have that back up. The executive member has the Tourist Board and the Tourist Bureau which is the marketing arm of Tourism. Mr Brown at the last meeting pointed out a few faults with the way the system has been so we are trying to rectify it in that way so if that satisfies the questions that were coming up this morning. There was another one that I couldn't answer was one Mr Sanders asked about the amount of remuneration and I don't know the figures he was quoting and whether that applied to this position we are talking about. If that helps to clarify the position I think, which Mr Brown has been sort of trying to point out in the last couple of meetings

MR SANDERS: I move that the Statement be noted

MR PRESIDENT: The question is that the Statement be noted

MR SANDERS: Mr President as far back as I can recall the Assembly has always had a secretary who has, as far as I am aware, been most efficient in carrying out her duties which was for all Assembly persons. The person that has executive authority for tourism has the total staff of his Board, or sorry of the Tourist Bureau to do the work that is associated with, and if there was ordinary work, secretarial work, then there is the Assembly secretary. I actually find it quite outrageous that there is a proposal to upgrade a system that has been more than adequate in the past. I find it also outrageous that the Clerk of this Assembly holds a position on the Tourist Board and is being paid to do Tourist Board work in Assembly time

MR BROWN: Mr President I think I should raise a Point of Order. I think that we may be discussing a situation which comes within the ambit of Standing Order 72A and perhaps we should act accordingly

MR SANDERS: Mr President rather than there be any further hassle I've said what I wanted to say without elaboration so perhaps if another member wished to carry it further

MR PRESIDENT: Is there any further participation in the debate that the Statement be noted

MR BROWN: Mr President, I don't think what I am going to say is going to offend anyone in the terms of that Standing Order so I hope that you'll forgive me for saying it. The questions that I have asked and the things I have said have not been directed at the particular person. They've been directed at the principle and I think that it is a mistake to put any person into the position of conflict that you have put this person George. I don't think that it is possible to fulfil the various roles to which you've made that appointment. I really do hope that you will give some more thought to whether your system can work. The person is an excellent person, I'm not talking of the person I'm talking of the system

MR SMITH: As I said we are still working on the system to make it so it doesn't create problems like you are suggesting but I should say that it's very important that tourism gets recognised as is what keeps Norfolk Island alive and whatever we can do to achieve that we should do it thank you Mr President

MR PRESIDENT:Mr Robinson did you seek the call earlier

MR ROBINSON: No Mr President

MR SANDERS: Mr President I just wish to apologise to Mrs Graham. It wasn't intended as a personal reflection. I was referring to the system. Not being very diplomatic I'm afraid on some matters I may have worded it in a manner that could have been nicer

MR PRESIDENT:I have interpreted it as you have described it Mr Sanders otherwise I would have

MR SANDERS: Thank you Mr President. I do understand that you appreciate my diplomacy

MR PRESIDENT:Yes thank you

MR BROWN: Mr President the change George is talking of is in my view a knee jerk change and during George's term as Tourism Minister we've seen alot of knee jerk changes. Change for the sake of change is not necessarily beneficial. When this Assembly came into this House to be sworn in it very quickly laid on the table the Tourism Policies that had been adopted by previous Assembly's and this Assembly too adopted. In many areas because of a little pressure here and a little pressure there this Assembly has started, or at least George has started to look at changing those policies. They are policies which time has shown to be wise policies and it is very dangerous to change one little bit here and one little bit there. The fact is that successive Legislative Assembly's have recognised the importance of the tourism industry. If you were to look at the increase in what has been spent on tourism from the days of the first Assembly until now, it is extremely significant but that doesn't mean that we should simply continue to say that tourism's important so let's spend more money on it. Nor does it mean tourism's important so let's engage additional staff. The fact is that there is a Manager at the Bureau and there is a staffing at the Bureau and they are

the Tourism Minister's equivalent of a branch within the Administration. Nowhere in the legislation that set up the Norfolk Island Government Tourist Bureau was it anticipated that a subsequent Minister would decide that he was going to set up his own private department as well. Nothing can do more to demoralise staff than to ignore them, to leave them in a position where there is conjecture within the public, and I give as an example of that what's gone on in relation to the airport in recent times, there's no doubt that the airport staff have been very hurt by a lot of what is being said and now that we have had the opportunity to find out the actual facts, it's quite understandable that they were hurt because they were wrong. They had been criticised for things that they should not have been criticised for and here we've got to ensure that this same thing doesn't start up again. We don't want a Tourism Minister to have his own little secretive super department sitting at Kingston, causing offence in the Tourist Bureau office in Burnt Pine and in the end doing all kinds of damage to the tourist industry as a result of a plan that was really intended to be worthwhile. I'm sure your plan was intended to be worthwhile George but please don't do it

MR SMITH: Thank you Mr President. I feel I must cover some of those points that Mr Brown has pointed out particularly the Tourism Policies that have been adopted by this Assembly and the previous ones that even though they've been adopted a lot of the policies haven't been adhered to since they were done. For example, number 3. of the policies is Norfolk Island's desired level of tourism set for the time being as not exceeding an average of 820 visitors on the Island each day during peak tourism months. That's happened for quite some years

MR BROWN: on occasions ...

MR SMITH: Still that's exactly what I'm saying. The other thing with the Bureau and the Board. There's a misconception of what happens there. It's the marketing and sales area of tourism, and John you've been in the Bureau and you know that they work very hard. You know that there's not enough time to do everything just to try and keep the Island sustaining the level of visitors that we do have. When we came to the Tourism Conference last year, we needed some information and John, you're always the one that says, you know, where's your research, so we started doing some work to work from the Administration to find out how the revenue works side by side with tourism and expenditure and things like that but it wasn't really recognised within the Administration that tourism is directly related to the funding of the annual budget that we have, but of course it is and then to find that information it wasn't that easy. It's all there, but you've got to be able to put it together and so the research on where visitors are coming from, if we spend our money as you know John, if you promote in some place you really like to know what the results of them are, that's what this area that we're talking about. It's not something that the Bureau and the Board can do. They can't do everything. The Board is voluntary as you know and the Bureau staff is already working flat out with their marketing stuff and when you say that I'm setting up this little nest for myself, you do appreciate John that I've probably got four weeks left and it'll be up to the next Tourist Minister to do what he wishes, but I found when I came

in to tourism that there was no connection there within the Assembly area, the public service is good with all the finance and the community service things and whatever but tourism just stops as the Minister stops.

The Board changes, the Executive Officer position can change all at the same time and you start again and as you say John, you just have to reinvent the wheel, but by doing what we're setting up here or looking at setting up here it creates the continuity that you need in tourism. Without it, the next Minister who may be John Brown or whoever has to start again. Pick up the pieces from where the whole tourism thing was at so that's the idea of it and I'll let you know next month how it's going and sort out any little teething problems. Thank you Mr President

MR SANDERS: Thank you Mr President. I'm surprised that Mr Smith is saying that there is a new Executive comes in to the tourism field and he starts from scratch. I would have assumed that such a body would be keeping excellent records. I would assume that some of the staff, they don't change with an election, these people, particularly the good staff, which most of them are, are close enough to pretty permanent. I'm also very surprised that in his opening statements that he told him that it took quite a while to arrive at the fact that nobody realised that tourism is the backbone of Norfolk Island. I didn't think there was anybody on Norfolk Island who was silly enough to think any other way

MR SMITH: Hmm. There is

MR BROWN: Mr President, George has said that that when a Minister, I think he said, that when a new Tourism Minister comes in he's got to start again from scratch. I'm not sure quite what he means by that because if the previous Minister had kept a reasonable set of files all the files would be there. If the previous Minister had kept a reasonable sort of a working diary the diary would be there. If George is saying that when he became Minister there were no files that he could consult and no diary available to him of forward commitments then that certainly is disappointing and that is something that each of the executives of this Assembly should listen to carefully because each of them should ensure that when the end of their term comes in not very many weeks time they do leave for their successor an adequate set of files and they do leave for their successor adequate details of appointments that have been made for the future and commitments that have been made for the future. It hasn't always been perfect at the end of past Assembly's I realise but I hope that in this Assembly each of the executives will try their hardest to ensure that they achieve the closest possible thing to perfection in that regard

MR SANDERS: With reference to comments made by Mr Brown in regard to leaving files, my understand was that Mr Bennet the previous Minister for Tourism left all his files. I stand corrected. On other matters of incoming executives wanting files if Mr Smith can recall I offered my whole filing cabinet to the incoming Assembly members and I told them to help themselves. Not one single person has asked me for them and some of those Mr President go back to 1982 so what I'm trying to say is while it sounds good I think it's a whole bit of garbage

MR PRESIDENT: Any further participation Honourable Members. No, then I will put the question which is that that Statement be noted

QUESTION PUT
QUESTION AGREED

Have we concluded Statements this morning? Yes thank you. Well then we'll move on Honourable Members.

Message No 42 from the Office of the Administrator

I have the following messages to report from the Office of the Administrator. On the 13th February 1992 pursuant to subsection 21(2) of the Norfolk Island Act 1979 (a) I declared by assent to the Appropriation No. 3 Act 1991-92 Act No 1 of 1992; the Lighterage Amendment Act 1992 which is Act No 2 of 1992 and the Road Traffic Amendment Act 1992 which was Act No 3 of 1992 and (b) I reserved the following proposed law for the pleasure of the Governor-General, the Public Sector Remuneration Tribunal Act 1992 dated this 13th day of February 1992 Bruce Mac Donald Administrator

Message No 43 from the Office of the Administrator

Message No 43 which is on the 27th February 1992 pursuant to subsection 22(1) of the Norfolk Island Act 1979 his Excellency the Governor-General declared his assent to the Legislative Assembly Amendment Act 1992 dated this 4th day of March 1992 Bruce Mac Donald Administrator

They are the two Messages that I have at this stage Honourable Members.

Are there any Reports from Select and Standing Committees.

Suspension for Lunch

We now move to Notices and Notice No 1 Honourable Members and I think we'll pause there Honourable Members for lunch. It's going on for 1.00 o'clock, because I don't think we will finish all of this before. We will need a break for lunch so I will propose that we suspend now and resume at 2.00 o'clock

Resumption of Sitting

MR PRESIDENT: We reconvene after lunch. We are at the stage of calling on Notices

NOTICES

NO 1 - TOURIST ACCOMMODATION ACT 1984 - TRANSFER OF REGISTRATION OF TOURIST ACCOMMODATION HOUSE TO NEW LOCATION

MR SMITH: Thank you Mr President. I move - THAT, for the purposes of section 15A of the Tourist Accommodation Act 1984, this House resolves that the registration of the tourist

accommodation house -
Adams Apartments

may be transferred from the location referred to in the current instrument of registration of the house to -

Portion 12s1

subject to compliance with the condition that the transfer of registration is to be made within 12 months after the date of the executive member's approval of the transfer under this resolution.

Thank you Mr President this is another one of the moves in condensing I guess you could call it, the accommodation where one property buys another ones units and beds and I recommend that this be agreed to

MR PRESIDENT: Debate Honourable Members

MR SANDERS: Mr President I support the proposal of the licences being transferred but I have difficulty, I understand that the premises are to be used still as rental purposes for local rental purposes. My understanding and recollection is that in the past, I'm not too sure whether it was an amendment to the law or whether it was policy that any time such licences change that the building had to revert to a singular dwelling. Until that policy is either amendment or something or other happens to it I don't think that I could support the motion as it stands

MR BROWN: Mr President could I indicate that at an appropriate time I intend to seek leave to move an amendment and if I could just indicate the nature of the amendment members will then understand what I'm talking about. It would be to add in an appropriate part of the motion probably after the word "resolution" at the end of the motion the words "and subject to the further condition that the number of flats remaining in the property known as 'Adams Apartments' be then reduced by one". I agree with what Mr Sanders has said. The purpose of this legislation certainly was to enable properties which may not have been of an economic size to sell their licences and in order to ensure that the Island did not then end up with a heap of previously tourist flats then being let for local letting and in fact end up with the risk of a significant number of small crowded slums, it was decided that when a property makes use of this provision it should either demolish the building or be converted to a single dwelling house and those conditions have been placed on everyone in the past that have made use of this provision. I think it is very important that we be consistent. It would be most unfair for one person to be treated one way and everybody else to be treated a different way. Now I know that George is quite genuine in the exemption that he is seeking to make here but it's not appropriate. The proper course in my view Mr President is to recognise that this is an unusual property which contains two flats used for local rental and one flat used for tourist rental and we could simply require that a number of flats be reduced from three to two and no-one is prejudiced. It has the same impact that would normally have been had where there is a requirement that a property be converted back to a single dwelling house. On the basis of that amendment, if the amendment is passed I will support the motion but I certainly could not support the motion without that amendment

MR SANDERS: Mr President could Mr Brown repeat the words for his proposed amendment

MR BROWN: Yes it would go after the word "resolution" at the foot of the motion and it would say "and subject to the further condition that the number of flats remaining in the property known as 'Adams Apartments' be then reduced by one". That could be complied with by simply turning to adjoining flats into one flat. Mr President if we do otherwise we are going to create a market in people buying accommodation houses shifting the licences and still keeping the old property for local rental. It's not appropriate town planning

MR PRESIDENT: You will let me know at an appropriate stage if you want to formally move that? Yes thank you

MR SANDERS: I agree totally with Mr Brown's comments. Could I ask Mr President does this proposal of removing on of the flats in actual flat, I don't know the property, does it mean the demolition of one building or can it actually be joined together and still be one unit

MR BROWN: Mr President I don't claim to be familiar with the building but it's my understanding that two units could be combined to make one which would be consistent with the way the policy has applied in the past

MISS BUFFETT: Thank you Mr President. Are you hearing? Thanks. Evidently no-one could this morning! Mr President I have no problem with the motion put forward by Minister Smith. I've been of the view that unless necessary the building should remain. It's at great expense that a building goes up anyway, even the re-adjustment of this particular flat would cost much more money. It creates a considerable financial disadvantage to me which is unnecessary. Wastes a flat. I don't believe that slum conditions would be created. There are already existing local rent flats. I don't agree that when a building is of sufficient liveable standard that a building need be demolished which I think in some other area of the tourist accommodation bill may have been required when a licence was relinquished. Either converted into a single dwelling place or demolished I think were the words. I don't wish to be unreasonable - I'm not saying that Mr Brown is unreasonable - but I feel that I would be unreasonable in taking a decision that would require someone not to be able to locally let a building that was sufficiently good standard to let to tourists. The facilities are already there for necessary living standards so I indicate that I will be supporting the motion put forward by Mr Smith. Thank you Mr President

MR BLUCHER: Thank you Mr President. I agree in principle with the intention of the motion, with what it intends to do. I can see Mr Brown's point in when you transfer these licences from small units to other places those small units still remain and if they're going to remain they're going to be used and are they in the sort of condition that would be able to be used for permanent letting of an everyday liveable standard, I mean we don't know, I don't know whether it has particular yardage for the particular unit, I don't know whether it has

things like clotheslines and clothesdryers and laundrys and irons and all those things that should be included in a home or a residence to be let privately. They should be included certainly in an accommodation area. The fear that I have is that once these licences become saleable they become saleable in a way which may be speculative and people could well start to speculate in these areas to sell these licences and allow them to be added to other complex which would increase the benefits of the other complex without any great overheads whereas the overheads to maintain a small place is quite heavy, but my fear is that the saleability of these licences on transfer can create a speculative nature in the future and they will be sold always to the highest bidder and those highest bidders sometimes could well be accommodation places that have alot of units that can absorb them into their system and therefor they can afford to have those extra licences. That's my fear. I tend to agree that if the units in this particular case is small and it may create "slum type" situation as referred to by Mr Brown well then there should be some condition to prevent that from happening and I would tend to support the addition of those words to this motion but I make a point that I fear that sometime in the future if this is allowed to happen it will continue to be allowed to happen because we've created a precedent and it would be quite a saleable commodity to alot of people and not residents and if these apartments are being sold to non residents well then I should be opposing the motion

MR BROWN: Mr President can I take members a step further along the line of what we're discussing. I heard with interest what Bill said and the simple fact is that it has been decided to change the legislation so that a person can sell the licence. When that change was made people, the Assembly at the time was concerned to ensure that it did not solve one problem and create two new ones. Let me give you a bit of an idea of the new problem that could be created if todays motion is passed. South Pacific Hotel has 60 licenced rooms. Now if you are all going to be consistent in what you George, and you Alice, are saying if the South Pacific decided that it wanted to rebuild its 60 rooms somewhere else you would be saying that you would have no objection to the South Pacific then renting those 60 rooms out for local accommodation. Now be consistent. That's what you are saying. Let's go a step further than that. Once you had done that you are saying that you'll put up with whatever the legal consequences of your action is because I presume you are all prepared to cope with the legal consequences of your actions. And the South Pacific Hotel could at that stage take a view that it's going to go into the time share industry and in time share someone comes not as a tourist but as an owner of an interest in the property and they will come to Norfolk Island to stay in the unit in which they own a share and you will have created 60 new tourist units in Norfolk Island and 60 time share units because you've got to be consistent. Now, I ask all of you if it was Ric Irvine that was making this application or Rex Barrett how would you vote

MISS BUFFETT:Mr President I gather that the words are for local let not for letting of people coming into the Island to let. It says here., I might be., just a minute. What assurance, can I ask the Minister, what assurance we have that it is for local let because what Mr Brown has said

is really very relevant and if whilst I am sure that there is no intention in this application for it to be such a situation Mr Brown's cautions are really very relevant so I seek that the Minister makes sure that local let be the operative words and I would be happy with it

MR SMITH: Thank you Mr President. To save any more trouble there I've got no problem with Mr Brown's amendment. I'm satisfied with that and should I move that the question be put?

MR BROWN: Could I seek leave to move the amendment at this stage Mr President? Mr President I move that the motion be amended by adding after the word "resolution" therein last appearing the following words namely "and subject to the further condition that the number of flats remaining in the property known as 'Adams Apartments' be then reduced by one"

MR PRESIDENT: Any further debate in respect of the amendment

MR SMITH: Thank you Mr President. There was some doubt about what we were doing. Subsection 15(a)(2) empowers the executive member subject to the resolution of the Assembly to impose any conditions. That's just for clarification of what we were talking about so whatever conditions we want to put on we can, there's nothing that says we can't do it but I support the amendment as it stands

MR PRESIDENT: Further participation? Then I put the question which is that the amendment be agreed to

QUESTION PUT
QUESTION AGREED

Therefore the amendment is agreed to. We now have a motion before us Honourable Members. A motion as amended is there any discussion in respect of that motion as amended then I'll put the question. The question is that the motion as amended be agreed to

QUESTION PUT
QUESTION AGREED

The motion as amended is agreed to

NO 3 - NORFOLK ISLAND HOSPITAL - OPERATION OF REFERRAL SYSTEM

MR SANDERS: Thank you Mr President. I move -
THAT this House -
1. has no confidence in the referral system in operation at the Norfolk Island Hospital;
2. is of the opinion that the referral system is not being administered in accordance with the Healthcare Act 1989; and
3. calls on the executive member responsible for health to take immediate steps -
(a) to ensure that proper referral guidelines are adopted forthwith;
(b) to ensure that medical and other staff at the Hospital are fully

aware of their legal obligations under the Act; and
(c) to ensure that in future, the executive member secures the services of medical staff who understand the proper operation of health insurance schemes.

Mr President before I proceed I would like to make it very clear that this is not a personal snipe at anybody it's a shot at the system that I think is offensive and is in sad need of repair. If I may proceed. Mr President it is unfortunate that the matter has progressed to this stage.

This motion arises from a recent referral by a doctor at our local hospital for a patient with disabled problems, that's myself, for treatment in a hospital in Sydney. The piece that I found offensive Mr President is in part of a paragraph in the referral letter which reads "although he is in a top private health scheme it would be preferable for Healthcare"

MR PRESIDENT:Mr Sanders I wonder if I could just draw your attention to a couple of things please. Firstly if I just may refer to the motion which really is not necessarily addressing conditions or conduct in a specific sense, but if in fact you are to turn to specifics of conduct I am obliged to draw attention to 72a of the Standing Orders. That doesn't mean that it cannot be discussed but there are proper arrangements in which we need to go through if you are to ...

MR SANDERS: I don't think it is going to infringe on anything that I would say. What's 72a? Is that on naming persons?

MR PRESIDENT:Yes. It's talking about conduct or naming identifiable persons

MR SANDERS: I don't think that what I propose to say is in breach of any of what you are saying

MR PRESIDENT:And I'm not saying that it cannot be done. All I'm saying is that there is a procedure that the House needs to observe

MR SANDERS: I understand that Mr President but I don't think there is that need and if I start to even get close I would appreciate your drawing my attention to it

MR PRESIDENT:Mr Sanders would you be kind enough to be careful about that

MR SANDERS: As I have just read previous, the piece that I took exception to was the wording in the final paragraph or part of that paragraph which states, although he is in a top private health scheme it would be preferable for healthcare if he could be managed in a public hospital. That is the piece that I was very much offended to. After receiving that Mr President the letter that I propose to refer to is one that I wrote to Mr Ernie Christian as the responsible Minister and if I may I will read. And I have "Dear Ernie, I am writing as a private citizen not as an MLA. Through first hand experience I have become aware of the Norfolk Island Healthcare procedure which is absolutely unacceptable and which should be changed immediately. Very briefly the facts are, for years I have been enrolled in the most expensive medical

insurance available. I have continued this in addition to the cover provided by Norfolk Island Healthcare. I have gone to this expense because I want to be certain of having my choice of the best possible hospitals, doctors and treatments when I believe I need them. Last month I had need of such care in New South Wales however a Norfolk Island medical officer wrote to the New South Wales authorities and inform the m that it would be preferable for Health Care if I was placed in the public hospital, in other words, the interests of the Norfolk Island Healthcare scheme were allowed to intrude on my entitlements from the private commercial contract between me and the medical insurance fund. I find that outrageous and one way or another I'm going to get that policy terminated promptly and permanently for my own personal protection if for nothing else. One path open to me is through my membership in the Assembly by moving a censure motion against the Medical Officer, the Hospital Board or you as the responsible executive member. Another path open to me is through the Courts. I have no hesitation about using either or both of these paths as well as others if necessary, however, the quickest most efficient and least embarrassing path would be for you to issue a directive to the Hospital Board and medical officers that this policy is to cease at once. I would be willing to have this path used subject to the following proviso. One, I require a full, legally vetted assurance in writing that in future no one connected with the Norfolk Island Healthcare will intrude in any way to alter or affect the entitlements due to anyone in Norfolk Island from any other health or medical insurance scheme, and two, I would appreciate having a brief written note of apology for the attempted intrusion on my entitlements last month and three, I would like to have those two items prior to the 12th March which is the closing date for notices of motion for the 18th March Assembly meeting. I hope you will treat this letter with urgency." Mr President the letter was, for all intents and purposes, ignored even though I have received an undated one since but it would have been too late as far as this motion is concerned so I proceeded as I said I would by putting a motion in the House

MR PRESIDENT:On the basis of what you have written in that letter?

MR SANDERS: Yes

MR PRESIDENT:Then I must draw attention to Section 72a because I have followed carefully the words Mr Sanders. You talk about raising a motion of censure in respect of an officer...

MR SANDERS: It's the motion that I have on the books which I've already read

MR PRESIDENT:Yes. And you talk about the action of the officer being an intrusion. In fact, we are talking about specific conduct in respect of identifiable persons...

MR SANDERS: Talking about an intrusion that was very specific

MR PRESIDENT:Yes. Well that really adds to just what I am endeavouring to explain Mr Sanders and let me just read what this Standing Order says.

"No Member may refer to the conditions of service or conduct of a named or identifiable officer" and this is the real point "unless the House has on motion duly moved without notice voted to exclude strangers and suspend broadcast of its proceedings and I must draw your attention Honourable Members to that particular motion

MR SANDERS: If it is the wish of the House I so move

MR PRESIDENT: I have that motion and I put the motion

QUESTION PUT

MISS BUFFETT: Is that that 72a is applicable Mr President?

MR PRESIDENT: Yes

MISS BUFFETT: Yes. I'll support 72a be invoked yes

QUESTION PUT

MR BLUCHER: Mr President if I may, I'm not too sure whether this motion to utilise 72a is very relevant to the motion that we have before the House

MR PRESIDENT: Then I have misspent the last two minutes Mr Blucher

MR BLUCHER: So we are not debating the motion at present

MR BROWN: Mr President is this a motion that can be debated? I don't recall whether the question of the applicability of 72a is debateable

MR PRESIDENT: Yes I would assume it can be debated Mr Brown. It says without notice but that doesn't mean without debate and if you wish to have the call I would be happy to let you have it

MR BROWN: Yes thank you Mr President. Mr President could...

MR PRESIDENT: Could I just elaborate, maybe explain what is in front of us. There is Standing Order 72a of this Legislative Assembly in which it has the provisions that I have just read to you which in short terms, says that if we are to talk about the conduct of a named or identifiable officer, an officer is really an officer or an employee and the category of persons we are talking about falls into the category so described, then there is a procedure of the House that unless, that is, not to be done, in other words those references are not to be made unless the House on motion duly moved without notice voted to exclude strangers and suspend broadcast of its proceedings and it's that Standing Order that I am drawing to your attention

MR BROWN: Mr President the debate relates to the system rather than the person and it's my view, with respect, that what we are talking of is the question of whether or not any person at the hospital has

available to him an understandable and workable referral system and the question of the individual person doesn't appear to necessarily be very relevant to that. It is a matter of considerable public importance and I think that we need to try to balance the intent of section 72a and certainly not to infringe that, along with the right of the public to know what is happening within the Legislative Assembly if it is felt by Members that section 72a would be breached then I would be the first to join in voting that the broadcast be suspended and strangers be excluded but I would have hoped that the matter could be dealt with without the need to do that

MR SANDERS: Mr President if I may. This is a very important issue to most members of the public. I'm not suggesting for one moment that the medical officers acted improperly. I am suggesting though that there isn't guidelines and policies for these medical staff to follow regardless of the fact that they say they are and I don't believe that's an inefficient thing from the Hospital. I think that's an inefficient thing from this Assembly but I still need to be able to debate the matter in the normal manner and because as I said that I do believe it's a public issue and terribly important to the public, that unless the other members really find it offensive I would rather it not be off the air but if the Members feel that it should be then so be it. I would be also the first one to move it

MR PRESIDENT:It obviously is entirely a matter for all members to decide but I need to draw your attention to the letter that you read to us Mr Sanders which is the basis for my drawing it to attention and in that you indicated that unless certain action happens, and I'm not trying to refer to that in a sense, but you do say that you would raise a motion in the House as a censure in respect of action by identifiable persons

MR SANDERS: I didn't suggest that they be identifiable persons. I did say that I was going to take a censure motion to the House and I have in effect done so

MR PRESIDENT:Now. I don't believe... the purpose of this letter which was discussed privately with Mr Christian was in an effort to get some problems resolved and to get them resolved with some speed. It's unfortunate that nobody has thought that it was serious enough matter to do so. The point I'm trying to make is I consider it important enough to do so and if it needed to bring it to the House to get some action then it was a good way of getting some action.

MR PRESIDENT:Well I think I have said as much as I am able because I really want to draw it to Members attention and it is then for members to decide the matter and whichever way members decide the matter that's the way we'll go of course

MR E CHRISTIAN:Mr President I would just like to point out regarding what Mr Sanders has just said that he received a letter from me telling ...

MR BROWN: Point of Order Mr President. I believe that we do

have motion before us that action be taken under Section 72a and debate at this stage, ought, with respect, to be confined to that question

MR BLUCHER: Thank you. I would like to refer to the motion Mr President. Standing Order 72a. I believe that you as President and chairing this particular meeting would at the appropriate time make a decision as to whether or not 72a is being breached. I don't believe that we should preclude the public from this public important matter simple because it may well be that somebody might be mentioned. I think that Mr President can use that particular judgement to its best availability in preventing 72a being breached but still allowing for the public airing of this matter which has been said once or twice. It's of public importance so the public should be hearing it and that's my view

MR PRESIDENT: We've just paused whilst that plane went over

MR BLUCHER: I'm not too sure whether my words were heard. Were they? Yes thank you

MISS BUFFETT: Mr President I believe that in view of Clause C of the motion that 72a is being breached

MR PRESIDENT: Any further debate?

MR BROWN: Mr President the one thing we do need to be careful of is that there is an ability to debate the matter if we take action under 72a. If we choose to take no action under Section 72a it is then of course open to you as President to rule that Section 72a is being breached and at that stage presumably there could be further debate on the question without the meeting passing a resolution disagreeing with your ruling so despite everything that I have said if Members generally feel that there is likely to be a difficulty it may be far more expeditious to pass the resolution

MR PRESIDENT: Any further debate?

MR SANDERS: I could perhaps probably suggest Mr President that I wasn't proposing to name a single soul other than Members in this Assembly that should have done their bit. There is nobody outside this Assembly that was getting a mention. The words that I use in general of staff, is an employee of the Hospital but it isn't naming any person. I personally don't think that it's an intrusion of anybody

MR PRESIDENT: You will understand that you don't have to name a person to identify them. That's the point that I was endeavouring to just mention and I really am not trying to be overly difficult although it may appear so but I am obliged to bring to your notice what the rules of this House ask of us and they are rules that we have ...

MR SANDERS: Mr President whatever this House decides is okay with me

MR PRESIDENT: Yes. Well what I have drawn to your notice Members is the matter of 72a and you can decide whether it is to apply or not apply and

if we have exhausted discussion then we'll vote on it

MR BLUCHER: Thank you Mr President. I am still of the very strong opinion that the decision lies in your court as to whether you apply it at the appropriate time during the discussions of this House and I am sure that you will at the appropriate time

MR PRESIDENT: I've been endeavouring to draw that to your attention for the last ten and a half minutes Mr Blucher

MR BLUCHER: Well I'm sure you have Mr President. But other people have been trying to introduce this without allowing the Chair to operate on it

MR ROBINSON: Could I move that we vote on it

MR PRESIDENT: You wish to vote on it Honourable Members? Yes. Okay then. I put the question which is in terms of 72a. It says that unless the House has on motion duly moved without notice voted to exclude strangers and suspend broadcast of its proceedings. I put that question whether that provision should apply

QUESTION PUT

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

MR PRESIDENT: The result of voting Honourable Members the ayes six the noes two so the ayes have it in this particular instance which means that the Standing Order does apply. We continue of course to discuss the matter but it will be asking strangers to leave us whilst that is being done and for the broadcast to be suspended

MR SANDERS: You don't believe Mr President that it would be appropriate for me to ask for a recount?

MR PRESIDENT: If you would care to I would be happy to ask the Clerk to recall the House

MR PRESIDENT: If it would be helpful to Members the room ... we're just checking that those procedures have been done Honourable Members

We are ready to proceed Honourable Members. I've got to say that if there is confusion in that I do apologise but I do make it quite clear that I need to point out to you what the provisions are and then you can decide upon them as you have decided upon them. Please let us now

proceed

MR SANDERS: The continued intrusion into the personal affairs of any patient by the medical staff at the Hospital is in my opinion outrageous, unacceptable and unlawful. Rather than use this opportunity to resolve major flaws in the handling of healthcare problems on Norfolk Island the powers that be appear to be closing ranks to give support to this outrageous act. It is a similar action as to the handling of the recent constitutional problem. Rather than admit that there is a possible error and then fix the error they would again prefer to waste another \$300,000 of public money on legal fees. There is no section in the Healthcare Act 1989 that suggests that the level of treatment that a patient is entitled to receive is subject to the approval of the Senior Medical Officer. There is however in my opinion a proper provision in the Act, Section 22 refers to the establishment of a Claims Committee which is made up of the same persons to which the aggrieved person may be appealing against. You will probably hear strong support of the hospital staff actions from the executive member Ernie Christian, and Alice Buffett, who are the persons referred to in the Section 22 I have just referred to. Even though these persons are the same persons who have not done their Assembly duty to provide to the hospital medical staff, acceptable proper guidelines for referrals. It is interesting to note that all the persons who have created this problem do not have private medical insurance and for \$130 per year local insurance, expect to dictate to those persons who are prudent enough to protect themselves, for in some cases an additional \$2,500 per year. There appears to be little consideration to the fact that the difference between persons who have private medical insurance and those that don't actually cost the local scheme less than if the treatment was had here. There is also little consideration to the fact that it would be unreasonable to expect our local hospital to buy and maintain the sophisticated gadgetry that is available in modern mainland hospitals. There is also little consideration for the fact that a patient would prefer to have confirmation that his or her fears were unfounded and in some cases would prefer not to wait for some future date perhaps months away for this confirmation. There is also little consideration for the fact that in some cases if in doubt, that it is cheaper and there would be less anguish and grief to send the person away for tests rather than save money and the patient be another statistic. I support the motion

MR ROBINSON: Thank you. What I think this boils down to is the fact that if Mr Blucher or Mr Christian had laid before this House proper referral guidelines the mistake which offended Mr Sanders and his specialist would not have even occurred

MR BROWN: Mr President, the Healthcare Act was a very brave move that didn't have universal support. There were a number of us who feared that it would in the end cause problems similar to those caused by the various compensation schemes and health schemes not only in Australia but in other countries. A number of concerns were raised before the scheme was introduced and attempts were made to answer many of those concerns. A very detailed list was prepared for example of the steps that needed to be taken in order to safely introduce the Healthcare

Scheme and equally importantly a list was put together of the ongoing steps which needed to be taken to properly manage the scheme and to ensure that at all times the potential liability under the scheme was known. It is my understanding that the insurance company who provided the top up cover as it were had certain requirements. It is my understanding that it required to be frequently provided with a form of management reporting in respect of the scheme so that it was able to monitor the risk that it had undertaken. I understand that some work was done in order to institute the preparation of such management reporting.

I also understand that the Management Reports have never in fact been finalised and that as a result the scheme has been running largely blind for a long time. I understand that when the top up cover was most recently renewed the Administration was asked to provide details of the Management Reports and to provide copies of them. I understand that a number of those requests were made over a period of something like three or four months and that no copies of the the Reports were prepared or provided. I understand that what then happened was that the Administration decided to cancel the top up insurance. That could have been interpreted by some as a desperation measure because they were unable to provide the Reports that were required. Now if these things are true they are devastating. It is my understanding that no-one could tell us today the position of the Scheme. That no-one could produce for us today a balance sheet, that no-one could produce for us today a set of accounts telling us where the scheme was say at the end of December. One of the biggest risks that we face with this scheme is that one day we will find that it has been in a dreadful mess for twelve months and not only is it going wrong but that twelve months accumulation of things going wrong could simply ruin the budget in Norfolk Island for years. The scheme itself when it was put together was an emergency scheme. That's what it was really for and Dr Panter recognised that when he wrote out the draft referral guidelines that were referred to in the meeting earlier today. Bill wrote a letter back to Martin Panter thanking him for the work that he had done in preparing them. It's unfortunate that there was a little slip up then in actually tabling the guidelines in the House but they were an attempt to at least get started. They didn't say very much in reality. They simply said, this is an emergency scheme, if you want a scheme that covers you for a splinter in your finger then you are going to have to pay alot more money then \$120 or \$130 a year each. It is my understanding that one of the tasks which had been allotted to the Actuary that assists with the scheme was to actually get prepared a detailed set of referral guidelines because I think it was fairly quickly recognised that one of the largest potential cost areas was that of referring people to the mainland, paying their fares, paying for mainland specialists and paying for mainland hospital stays. Although I understand that the endeavour by the Actuary to prepare a set of workable guidelines was actually made many months ago it seems to have bogged down and they've not actually been finalised, certainly they've not been tabled, certainly they've not been adopted. I would not call Dr Panter's Report, guidelines. It's very subjective to expect a Medical Practitioner to simply say of well this is an emergency fund only therefore I won't send you away. It is also very sad that in Norfolk Island, since this scheme has been in, more and more people have come to think that the Government is there to support them. I think it was John

F Kennedy who said don't ask what your country can do for you, ask what you can do for your country, and here, more and more we're just expecting the Government to pick up the tab. We hear constant complaints of people not being sent away and yet when you look at those who are doing the complaining frequently they are people with no shortage of resources in order to go away themselves. We hear of others who certainly can't afford to go away who feel they should be sent away; you hear of others being sent away who with the benefit of hindsight, might not have needed to go away but without the set of adequate guidelines, it really is a difficult task for the Medical Practitioners to make those decisions. As a Legislative Assembly we stand condemned for not having those guidelines. We stand condemned for not having done so many of the other things that were recognised as being necessary before the Healthcare Fund was introduced. I would actually like to see a lot of changes at the same time that these guidelines are introduced. I would like to see the airfares disappear. I would like to see us coming back to a recognition that the purpose of the fund was as an emergency or alternatively if we have changed our view about that we've got to start charging what it's really going to cost to run. I would like to see us preparing the Management Reports that we are supposed to prepare so that we can intelligently decide whether or not we are going to bother with the top-up insurance. If you choose not to have top-up insurance because you have had a sufficient claims history to be able to make a judgement that although you may be caught here and here, on average you're going to be okay, that's one thing. But if you decide not to have the top-up cover because you haven't been able to prepare your Management Report, that's a dreadful decision. I am certainly not being critical of anyone at the Hospital when I say the things that I've said. I am extremely critical of the way the Hospital has been run from an Administration point of view however. I don't know what is prepared for the Hospital each month in the way of a profit and loss account and a balance sheet. I don't know what is prepared for the Hospital each month in the form of a listing of debtors and creditors and in the form of a forward cash requirements projection but these are all things that if the Administration is providing the financial services for the Hospital it should be providing it and they are things which should be available to the Minister which should be available to the Hospital Board and which would overcome so much of the heartache that appears to exist at the Hospital at the moment. I don't propose to actually support the motion. I think that moving the motion of its own will hopefully achieve what Bill is out to achieve but I do propose to seek leave to move an amendment which would remove all of the motion bar paragraph a of paragraph 3 and I think that that is really what Bill is attempting to achieve and I think that that is the most important thing that we can achieve today

MR E CHRISTIAN: Mr President I agree with most of the things that Mr Brown has said. It's been quite a task to get added guidelines into place. What he says about the Actuary is correct. The Actuary was then held up with the non attendance of the person he was trying to or he had co-opted to try to arrange guidelines and things, to be held up with. The Accounts and Accounting I believe are ready and will be presented to the Members at Tuesday's meeting. They have been slow and a long way behind when they were originally promised. There were great problems

within the Administration set up, partially with the machinery that we have to be able to produce the monthly reports. This has been the subject of discussion at meetings of this last week and of the week before. I'll go along with what John says. I definitely wouldn't support the motion as it is but I would support what he is suggesting of the 3a

MISS BUFFETT: Thank you Mr President. I would just like to make a couple of things clear. One, mainly for Mr Sanders benefit that Alice Buffett doesn't have the authority to issue guidelines. She was not a Minister and is not a Minister and...

MR SANDERS: Mr President I had absolutely no doubt about that

MISS BUFFETT: Mr President if I may continue I was referred to and named in Mr Sanders' letter so to put him right on that and I'll turn a blind eye and deaf ear to his comments. So the fact of the matter is guidelines do not fall into my ambit so if Mr Sanders would take note of that. Report by the Actuary has in actual fact taken aboard a couple of things that Mr Brown has said, report by the Actuary has been to my knowledge that the scheme has been running within budget. Also that I would be very grieved if the top up insurance in actual fact had been cancelled. I did ask the question and I was told that the top up insurance had not been cancelled so I hope that's right even though we haven't had to call upon it. I would ... the only way I would support the motion would be if the amendment were to read as Mr Brown has indicated his amendment would be, that's 3 and a. because in actual fact I believe the matter is a personal one and that this was not the forum to bring it to

MR BROWN: Point of Order Mr President. With respect that's a personal imputation which should be withdrawn

MISS BUFFETT: I don't mean anything bad by it I just mean that it's a matter that would be between one's doctor and

MR SANDERS: There is a Point of Order that Mr Brown has raised

MR PRESIDENT: Yes. It is a Point of Order. Really there have been many personal mentions and I have not really interpreted that they have been meant in an ill sense. Please let's continue, but Mr Sanders you sought the call and then Mr Ernie Christian

MR SANDERS: Mr President the purpose of this motion was to get some action on my letter. I am still more than happy to even withdraw the motion if one and two of my letter are complied with. That is, I require a full legally vetted assurance in writing that in future no-one connected with the Norfolk Island Healthcare will intrude in any way to alter or affect the entitlements due to any one in Norfolk Island from any other health or medical insurance scheme. I'm not even too fussed about the apology. But if that is carried out and there's an

assurance given to this House that these referral guidelines are going to be adopted forthwith then I am more than happy to even withdraw the motion

MR E CHRISTIAN: Mr President the referral guidelines that we are talking about can't be adopted forthwith because they are still being made up. They would be adopted as soon as we possibly can and this has been the position for some time to arrange them. The top up insurance that Miss Buffett was talking about, this was discussed before a meeting of Members and it was decided to carry it on so the top up insurance is carried on. What Miss Buffett says about the costings and the statements made by the Actuary is quite right. It seems that we are running ahead of budget with the whole thing and as I said before the statistics and that will be supplied to Tuesday's meeting. With the letters that Bill referred to earlier I did reply to his original letter telling him of what action I had taken and that was to refer his letter on for comment in the proper place and he has received a letter from the doctor since

MR SANDERS: And it's about as silly as the last one but however, could I ask Mr Christian whether he's prepared to do as I require, a fully legally vetted assurance that this won't happen and then give a reasonable amount of time of when we can expect some guidelines. If you're prepared to do that I'm prepared to seek leave to withdraw the motion

MR E CHRISTIAN: I'm not going to give you the first one off the top of my head Bill without some legal advice. With the second one I will put it in as soon as we can possibly do it. As quickly as we possibly can

MR SANDERS: Then the motion remains and it can go into hansard

MR BLUCHER: Thank you Mr President. There are interim guidelines available to the medical people at the Hospital and those medical people are using those interim guidelines. There is also part of the Healthcare Act, No 24 of 1989 which the medical people at the Hospital can utilise and there is also provision for if the person aggrieved in not having a referral made on his behalf under the Healthcare Act, that's under the Healthcare Act, well then he is quite at liberty to refer the matter to the Committee. The Claims Committee which exists. The Executive Member and the doctor and the somebody else but nevertheless that's based on information coming back from that persons individual doctor that he consults with outside of the Healthcare referral system and I believe that the doctors at the Hospital are quite willing to issue a referral to any doctor that any person wants to be referred to but not necessarily under the Healthcare Act and that means that if you wanted to be referred to your particular doctor and you believe it should be done now, then you can quite easily be referred to that doctor but not under the Healthcare Act and then you make the claim on your return. That's one avenue. And they're the things that are there. The doctor in my view is the only person qualified to be able to make a judgement as to whether the condition at the time is urgent or is

an emergency or not. Now if he's found to be wrong well then the Claims Committee looks after that and if the persons believes that he should be getting immediate treatment well then it's entirely up to him to get that treatment then put his case to the Claims Committee on the basis of whatever his doctor might say. So that's one avenue. And getting back to the crunch of the matter Mr President is the motion. I support the intention of the motion but what I can't support is the one and two of the motion. I would like to see the motion go ahead but I would like to foreshadow an amendment as I did to the Clerk earlier in the day by Leave of the Chair to bring forward an amendment which would exclude one and two of Mr Sanders motion and leave the rest intact

MR SANDERS: Thank you Mr President. I'd like to suggest Mr President if I may that Mr Blucher read the Healthcare Act because there is no such thing in the Act that suggests that that Doctor has two alternatives. He either carries out the law or he damn well doesn't

MR BROWN: Mr President I seek leave to move an amendment namely that all words after the words "that this House" be deleted and that the following words be inserted in their place "calls on the executive member responsible for Health to take immediate steps to ensure that proper referral guidelines under the Healthcare Act 1989 are prepared and adopted forthwith

MR PRESIDENT: Just let me have a moment to look up those changes

MR BROWN: I did add a couple of words

MR SANDERS: Mr President may I? What were the words that you asked Mr Brown

MR BROWN: After "guidelines" in a. I've added "under the Healthcare Act" then there's the word "are" and before "adopted" I've added "prepared and" so it reads "THAT this House calls on the Executive Member responsible for Health to take immediate steps to ensure that proper referral guidelines under the Healthcare Act are prepared and adopted forthwith

MR PRESIDENT: Is that clear to Members as an amendment?

MR BROWN: Mr President would it be appropriate at this stage to allow strangers to return to the House and the broadcast to resume

MR PRESIDENT: I'm quite happy about that if we are at that stage. If we think we've exhausted most of the debate where we might cover those areas that I've endeavoured to draw to attention by all means let's do that. Are we at that stage. Good then let's do that. What I am now preparing to put forward to Members is the amendment to the motion which is as Mr Brown described to us and then we would vote upon that particular motion

MR BROWN: If you like I'll move it again Mr President so

that it is clear

MR PRESIDENT: The stage we are at Honourable Members is that we have an amendment to the motion which Mr Brown will repeat for us in a moment so that we see it in context and then I've got to ask you to vote upon that particular motion

MR BROWN: Mr President I have moved an amendment to the motion and the amendment is that all the words after "That this House" be deleted and the following words be inserted in their place "calls on the Executive Member responsible for Health to take immediate steps to ensure that proper referral guidelines under the Healthcare Act 1989 are prepared and adopted forthwith"

MR PRESIDENT: Thank you. Is that clear in respect of an amendment? Then I will put that question. The Question is that the amendment be agreed to

QUESTION PUT
QUESTION AGREED

That amendment becomes the motion and if there is no final debate...

MR SANDERS: Just one brief word. I would just like to say how disappointed I am that the executive member with responsibility for these matters is not prepared to give an assurance that that matter shall not continue but I do support the amendment and if it has the desired effect that I am totally supportive

MR PRESIDENT: I put the motion as amended

QUESTION PUT
QUESTION AGREED

Therefore the motion as amended is agreed. Thank you Honourable Members
NO 4 - NORFOLK ISLAND GOVERNMENT TOURIST BUREAU AMENDMENT BILL 1992

We move on now to Notice No 4.

MR SMITH: Thank you Mr President. I present the Norfolk Island Government Tourist Bureau Amendment Bill 1992 and move that the Bill be agreed to in principle and Mr President I table the summary to the Bill. This Bill seeks to amend the Norfolk Island Government Tourist Bureau Act 1980 in the following respects:

Board of the Bureau

The Principal Act establishes the Norfolk Island Government Tourist Bureau hereinafter referred to as "the Bureau" as a body corporate. The same expression "Bureau" is used to denote both the body corporate itself, and also the membership of the body corporate. This has led to imprecision, and in informal practice has developed of referring to the body corporate as "the Bureau", whereas the members are collectively referred to as "the Board". This Bill deals with the identity of the Members of the Bureau. The existing legislation establishes a corporate

body, called the Norfolk Island Government Tourist Bureau. The members also collectively referred to as the Bureau. This has led to confusion at times, because, when it is necessary to distinguish between those who direct the affairs of the Bureau, on the one hand, and the body corporate itself on the other hand, there is no statutorily recognised way of doing so. For that reason, in practice, the members are often collectively referred to as the Board. However, this term has no statutory recognition and has not done since 1980 when the old Norfolk Island Tourist Board was abolished.

For that reason, the legislation is proposed to be amended to give statutory recognition to the Board. Accordingly, provision is sought to be made under which it is recognised that the conduct of the affairs of the body corporate (that is, the Bureau) is to be undertaken by the Board of the Bureau. As no substantive change to the duties, or the method of appointment of members is proposed.

This will enable ready distinctions to be made between the body corporate itself, and the persons who direct its affairs. It is rather like the distinction between the name of a company, and the fact that a company has a board of directors.

This may seem at first glance a change without a difference. However, it can be important, because, on occasion, instruments have been drafted within the offices of the Bureau referring to a Board which does not as a matter of law exist.

The second change is to seek to statutorily-recognise the position of Deputy Chairman of the board. At present, the Act provides only that there is to be a Chairman. The recognition of the position of Deputy Chairman will, for example, enable appropriate matters to be delegated to the person who holds that position.

The next change is to seek to make provision for a Secretary to the board. At present, the Act makes no provision for a Secretary. In this respect it is different from such bodies as, for example, the Building Board, where the post of Secretary is referred to in the legislation.

The intention is to allow the board to appoint a person to be the Secretary to the board. The duties of the Secretary, and the terms and conditions of appointment, would be matters to be established by the Board.

The Board would be empowered to appoint anyone to be the Secretary. However, if the appointment of a public servant were desired, the board would first need to seek the permission of the Chief Administrative Officer.

Finally, Mr President, the Principal Act includes an obsolete transitional provision. This related to the transfer of the assets and liabilities of the old Norfolk Island Tourist Board to the Bureau established in 1980. That transfer was completed shortly after the initial institution of the present Bureau in 1980, and the provision is no longer needed. Accordingly the opportunity has been taken to seek to repeal this provision.

I commend the Bill

MR ROBINSON: Thank you Mr President. I'm a member of several Boards appointed by this Government, the Building board, the Social Services Board and in each case we use public servants as our secretary as it is and I'm pretty sure that the Hospital Board also uses a public

servant who was appointed to the Board for that particular reason. Is there any reason why the Tourist Board can't do the same sort of thing

MR SMITH: Yes that can be done under what we are doing now. It allows for a member of the Public Service to be on the board

MR ROBINSON: Is it going to be salaried

MR SMITH: Well it's not intended but...

MISS BUFFETT: What's Tom Sim? Is he not the secretary?

MR SMITH: Well he could be

MR SANDERS: Thank you Mr President. I would be rather careful with such a proposal like this as a suggestion that the Tourist Bureau be a body corporate that appears to me that they want authority that would possibly exceed the authority of this Assembly. I'm having difficulty that they are handling their finances in a manner that I would consider acceptable even under the system that we have. To give them the authority to do exactly as they please at any time I don't think would be a very smart move. Also I'm a little bit concerned about the creation of this extra position of secretary because it appears to me that it's the same old thing, a job for the boys. Would by chance this secretary be the wife of the Manager? Perhaps Mr Smith could answer that question

MR BROWN: Point of Order Mr President. I think that Mr Sanders has gone beyond the realms of proper debate in what he's just said and I would ask him to actually withdraw the hyperthetical question that he put to the Minister

MR SANDERS: I can't think of any hyperthetical question Mr President. Could Mr Brown explain to me which one he is actually referring to

MR PRESIDENT: We won't prolong the matter Mr Sanders. I think you understand the tenure of the raising of the Point of Order and I wonder if you would be kind enough to.. reinforce your integrity in the matter by just withdrawing that

MR SANDERS: Yes Mr President

MR PRESIDENT: Thank you indeed. Where do we stand now? Have you completed yours Mr Sanders?

MR SANDERS: I seem to have done enough damage in that five minutes

MR BROWN: Mr President today we are debating the question that the bill be agreed to in principle and I certainly am happy to vote in the affirmative. But there are some questions in relation to the Bill itself that I am unhappy about and they may be resolved between now and

our next meeting, but if they are not I certainly will be moving an amendment at our next meeting and the nature of that amendment will really be to get rid of this proposal to be able to appoint a secretary.

I would be very reluctant to support a proposal which led to the Board and the Visitors Information Centre coming into any form of public criticism or disrepute. It will take very few minutes for many within the community to be suggesting that the proposal to create a position of secretary to the Board is a proposal to create a job for someone whomsoever it may be and if it is not really an essential position why create it. If it is an essential position let us ensure that in creating it we also create guidelines that are acceptable to all for the appointment of a person to fill that position

MISS BUFFETT: Thank you Mr President. Mr President I thank Minister Brown for his introductory words. I look forward to continuing to examine the bill which I started on earlier in the week and I look forward to debating the matter when I have completed my examination of it thank you

MR SMITH: Thank you Mr President. A couple of points of clarification. One is Mr Sanders misread what we are talking about here. The Bureau has already been a body corporate since 1980. I would like to point out that this bill is really just a tidying thing. The main thrust of it is that we've got a Tourist Board which we call a Tourist Board but it actually is a Tourist Bureau. But because it's referred to as the Tourist Board we thought we'd just tidy that up. Because it used to be, before 1980 til the Tourist Bureau Act came into being and that did away with the board and they became Members of the Bureau. It's not an important thing at all. All we're doing is recognising that the people that we always talk about, we always talk about the Tourist Board in fact. Members around the table talk about the Tourist Board but it doesn't exist. That's why we're changing that. The other thing with the Secretary to the board is that principally just a reporting procedure back to the Public Service because that doesn't exist as it stands unless the Board chooses to send something down to the Public Service. Filing for example or if it comes through me but I am quite happy to amend it if Mr Brown has a problem with that but the other important thing was the Deputy chairman which the Board, or the Bureau's Board does not have a Deputy Chairman in the legislation so we are allowing for it. There's no hidden agenda. There's no problems with it and I'm quite happy to leave it over to the next meeting Mr President.

MR BLUCHER: Thank you Mr President. I support the Bill in principle. Subject to it being discussed alot further between now and the next meeting when it's dealt with. I have a concern with the idea of the body corporate. I would now like to know what is a difference between a statutory body and a body corporate. I've been of the understanding that the statutory bodies of the Government of Norfolk Island were exactly that, statutory bodies, implemented under that particular act. I'm not too sure about the body corporate part of it because my layman's attitude to a body corporate is that if you have a body corporate you are a registered corporate body registered under the Companies Act and so therefore you must have directors of that company.

Now I stand corrected on this but that is my view of what the corporate body is all about. Well who are the directors of the corporate body

MR SMITH: There are no directors

MR BLUCHER: Well they're the things that I need to be convinced of between now and the next meeting because I do have some concern that if a body corporate is as a company under the Companies Act well then there are certain obligations to that body corporate that must be adhered to quite separate to a statutory body of the Norfolk Island Government

MR SMITH: Thank you Mr President just for clarification the Norfolk Island Government Tourist Bureau of 1980, establishment of the Norfolk Island Government Tourist Bureau, a body known as the Norfolk Island government Tourist Bureau is hereby established that it is a body corporate with perpetual succession. It's been like that since 1980 Bill. I am quite happy to discuss it for the next few weeks before the final meeting of this Assembly

MR BLUCHER: Does that require that it has members of the Board, similar to Directors of a Board? A corporate body?

MR SANDERS: Thank you Mr President. Mr Smith has made reference to the purpose of this is to change the name from the board to bureau. Wouldn't it be just easier to ask the people to call it the Bureau rather than have the Assembly change the legislation

MR SMITH: If the Assembly wants to do that we can do that

MR SANDERS: And your reference to.. the reference made by Mr Smith with regard to needing a Secretary to keep the public service informed as to what has been happening, surely the logical thing to do would be to have a public service secretary

MR SMITH: That's what we're talking about

MR PRESIDENT: The question before us Honourable Members is that the bill be agreed to in principle and we are debating that question and because there has been no urgency indicated about this I am assuming that in due course the Member will move an adjournment to that debate so let's see if we are getting towards that stage

MR SMITH: I was going to move that adjournment Mr President

MR PRESIDENT: Fine thank you. I have a motion that the debate be adjourned and resumption of debate made an order of the day for the next Sitting

QUESTION PUT
QUESTION AGREED

That does mean that we have concluded Notices Honourable Members and we commence on Orders of the Day

ORDERS OF THE DAY

MR BROWN: Mr President I wish to move an adjournment motion in relation to Orders of the Day nos. 3 and 4

NO 3 - OPTION A - HOMESTAY QUOTA ONLY

MR PRESIDENT: I will call them Mr Brown and then you will have an opportunity to address each. The first, which is Order of the Day No 3, Option A - Homestay Quota Only, we're resuming debate on this question and the question is that the motion be agreed to and Mr Smith you have the call and then I have Mr Brown's indication that he would want to move an adjournment

MR SMITH: Thank you Mr President. We are talking about the Homestay Accommodation. Mr President I have not dealt with this issue in the House for quite some time for two reasons. Firstly, one was to take into account Members wishes to find out if anybody really wanted to enter into the accommodation industry in this way or if those already in it wanted to expand and what number of serious applications would bring and secondly it was to get community comment which was done in the tourism conference meeting. We should all know now, or we should all now know, the issue is not just creating more beds, but the bigger issues of Norfolk Island's progressive moves in tourism and being able to sustain a way of life that could possibly be lost except to a few lucky people and most importantly to give a future for those of the next generation at least. Some important factors have emerged over the last few months in relation to tourist accommodation moves. For the conference we did some research into the amounts of revenue derived by the Administration and compared it to the number of visitors throughout the years and found it was directly related. As visitor numbers increased so did the money available for projects that the Island has wanted to have done. Generally those funds levelled off over the last six years when our visitor numbers reached their peaks, something that I had suspected was what was happening. On the other hand, costs have kept on going up, for example, education and health, welfare for example, but another factor which has been forgotten is the real cost of self government. Not just the salaries of the Members around this table but the resources and manpower required to support self government. It's expensive. Another factor is the maintenance of public property, for example, the school, the hospital, Philip Island, Kingston, the aerodrome, the roads the broadcasting the computer systems, vehicles, Rawson Hall, the electricity supply; we can't forever pass these on to the next Assembly and turn a blind eye to the fact that we have to start facing facts and do something. I think I've tried to do that in our short term in this Assembly and I'm still trying. There are other factors - that is, those that are out of the work force now that own their own home or those who have not got a need for anything don't generally feel that we need to do anything more with accommodation and the number of visitors that we have and I can understand that. What worries me is the working community.

Those that have mortgages, those that are finding it tougher to make ends meet each year and when you look around there's a large portion of Norfolk Island's community. It has been argued that there is no need for more accommodation because some accommodation is never full. On the other hand many properties are always full and I think that if a property wants to make the investment in more beds or units or both that should be their decision provided it fits under the controls as we now use them for and to be frank if an accommodation property can't fill it's own beds that is really their problem. Not Norfolk Island's problem. But this motion is for what I call Homestay. This was designed to allow for long standing residents to be able to take people into their own homes and give visitors the true Norfolk Island experience. I started out by asking for five units and ten beds when I started with this motion...

MR BROWN: Mr President, at this stage I move my adjournment motion

MR PRESIDENT: I had not interpreted that Mr Smith had concluded

MR SMITH: No. Not yet Mr President

MR BROWN: Well I have moved the adjournment motion now Mr President

MR PRESIDENT: Well I at this stage will not entertain that motion in interruption of ...

MR BROWN: Mr President with respect I don't know that you have much option there do you

MR SMITH: While members are looking perhaps I'll just carry on Mr President

MR PRESIDENT: Please do

MR SMITH: I was asking for five units and ten beds to be allowed that could not be sold or transferred and for a suggested period of one year at a time. Some members expressed concern at my not having set specific regulations for Homestay which I had not wanted to do without first asking members for their views. If there are any views, these will be taken into account when we set the regulations for Homestay. It has been pointed out to me today that the numbers for voting on this motion may not be in my favour...

MR BROWN: Point of Order Mr President

MR PRESIDENT: Yes. Point of Order Mr Brown

MR BROWN: The Standing Orders do appear to provide that a member may move an adjournment and once that motion has been moved the question shall be put, Standing Order 70

MR PRESIDENT: Standing Order?

MR BROWN: 70

MR PRESIDENT: 70. Just let me have a look at that Mr Brown

MR BROWN: With respect Mr President there doesn't appear to be any restriction on the time at which such a motion can be moved but there is a very definite requirement that the motion then be put forthwith and without amendment or debate

MR PRESIDENT: Yes. I really cannot see Mr Brown that that would cut across a member's normal capacity to be heard whilst he is addressing the House. There is and I make mention of that because there is a Standing Order which says that there is the facility that a Member be no longer heard and, which in other words, tends to give a facility to bring to cessation a person who is actually in the process of addressing the House

MR BROWN: With respect Mr President that is a totally different question. I'm wanting to adjourn debate on the motion itself not to simply say that Mr Smith has said enough. I want the motion to be adjourned

MR PRESIDENT: Yes I can understand that. But the process by which you are doing it Mr Brown is automatically cutting off a member whilst he continues to address the House and I am saying that members whilst they have the floor should have reasonable facility to so address the House

MR BROWN: With respect Mr President what you say is not in accordance with Standing Orders

MR PRESIDENT: Oh indeed it is and I do intend that Mr Smith should have the facility to conclude his debate

MR SMITH: Mr President I will say that once I have concluded I will move the adjournment myself

MR PRESIDENT: I'm not too sure that that would help Mr Brown. I would hope that...

MR BROWN: You've made a ruling and I'm not moving a motion of dissent with that ruling

MR PRESIDENT: Let me say to you Honourable Members that I would hope that each would understand that they might entertain a reasonable facility for Members to have an opportunity to quite fairly put their view to all members and that is what I am endeavouring to do for Mr Smith on this occasion and indeed any other member that would have a place on the floor of the House. Mr Smith please continue

MR SMITH: Thank you Mr President. At the tourism

conference's second meeting a group which consisted mainly of accommodation proprietors, supported an expansion of tourist accommodation provided that no new properties were allowed. Also the push from the accommodation people was for removal of the tying of units to beds. Property owners feel that to allow them to expand within the beds available to them is the way to go. Accordingly when we have dealt with the Homestay motion I will be asking members to consider this request by the APA to allow existing accommodation to better utilise the beds which was talked about in previous debate. I've only had one application for Homestay that fits in with the general idea of what we need to achieve so would ask members to support this motion but as I have promised I would do I will move that we adjourn the debate until the next meeting if that will satisfy Mr Brown

MR PRESIDENT: Yes, well Mr Brown has sought priority to be able to move that and I would give him the facility to do that if he wants to

MR BROWN: I quite happily leave the matter to be adjourned

MR PRESIDENT: The question before us now which I will put forthwith is that the debate on this matter be adjourned and looked at at the next Sitting

QUESTION PUT
QUESTION AGREED

MR SANDERS: Mr President my understanding of Mr Brown's motion was that Standing Order 3 and 4

MR BROWN: Well the motion I just moved related only to 3. I had indicated that I proposed to move it in relation to both in due course

MR SANDERS: My apologies Mr President

MOTION BY LEAVE - TOURIST ACCOMMODATION ACT 1984 - UNIT FLEXIBILITY ONLY

MR PRESIDENT: Thank you. Mr Smith you have sought leave to move the next Motion that is so listed on the blue programme.

MR SMITH: Yes thank you Mr President

MR PRESIDENT: Is Leave granted? Leave is not granted

MR SMITH: Well Mr President I seek leave to suspend so much of Standing Orders as will allow me to move that motion

MR PRESIDENT: The question before the House is that so much of Standing Orders be put aside that would allow Mr Smith to proceed with raising that motion this afternoon and I put that question

QUESTION PUT

Would the Clerk please call the House

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

MR PRESIDENT: The result of voting Honourable Members the ayes three the noes four the noes have it.

NO 4 - TOURIST ACCOMMODATION AMENDMENT BILL 1991

MR PRESIDENT: We then move to Order of the Day No 4 - Tourist Accommodation Amendment Bill 1991 and its resumption of the debate on the question that that bill be agreed to in principle

MR SMITH: Mr President could I move that that be adjourned until the next meeting as well

MR PRESIDENT: The question is that that motion be adjourned until the next day of Sitting

QUESTION PUT
QUESTION AGREED

FIXING OF THE NEXT SITTING DAY

MR BROWN: Mr President I move that the House at its rising adjourn until Wednesday the 15th April 1992 at 10 am

MR PRESIDENT: Thank you. Any debate?

MR SANDERS: Yes Mr President. I would just like to comment briefly on the selection of the ...

MR PRESIDENT: Could I say.. I'm sorry.. we're not in the adjournment debate yet but I will make it clear when we are at that stage. If we could just handle the Fixing of the next Sitting Day and I will put the motion

QUESTION PUT
QUESTION AGREED

ADJOURNMENT

MR SANDERS: Thank you Mr President. I wish to speak very briefly...

MR PRESIDENT: Could I have the motion that we adjourn in the first instance

MR SANDERS: I've done it again! I move that the House do now adjourn

MR PRESIDENT: The question is that the House do now adjourn. Adjournment debate

MR SANDERS: Thank you Mr President. I wish to speak just very briefly on the selection of the election date and the manner in which it was arrived at. I find it very disappointing that there is no consideration to the incoming Assembly mainly to do with budgetary matters. My belief is that the Island finances are such that the next Assembly whoever it may be is going to have a very very difficult task trying to adopt or have approved a reasonable budget and for this Assembly to expect them in plain words to fix any financial damages from this Assembly and fix it in a matter of one month is really too ludicrous to be true. The election date is, I believe, a matter that should have been discussed in the open House of this Assembly so that there would be no doubt from the public as to why that date was arrived at. I've heard members of this Assembly suggest that they want to leave things so that the new incoming Assembly can just go ahead and do whatever they like to approve the budget. There is no suggestion that the new Assembly might not like the budget that's been recommended by this Assembly. Anyhow, I just wish to say that I find it a very disappointing manner in which that date has been adopted

MR BLUCHER: Thank you Mr President. I'd like to not exactly support what Mr Sanders is saying but to say that we have two tracks to go down and we can't down them both. One is that either we call an earlier election in order for the incoming Government to deal with the budget or that we stay in office as long as we possibly can so that we are reasonably confident that what we leave behind is a reasonable budget for the incoming Government to work on. Now we've got those two choice and for my one I would prefer to be able to as own as it may seem, to remain through the budget session as far as we possibly can get it so that it is as best as we can get it by the time we leave, in our opinion. Now that doesn't mean to say that the incoming Assembly are going to agree with what we have left but by the same token they have every right of power to change whatever we put there so, it's like having two bob each way, you don't know which way to go but for my feeling I would like to stay as long as possible in order for us to get as much done and leave what we believe to be in a reasonable condition the incoming budget

MR SANDERS: Mr President in effect what would happen, as this Assembly is leaving twenty-one days from the date of the election to arrive at a budget that needs to be tabled to lie on the table for at least a couple of weeks to the month of June and then to be finalised so that the affairs of the Administration can still continue. I don't consider twenty-one days long enough to fix anything of such financial magnitude. I'm not too sure that the incoming Assembly is going to thank us very much at all for doing what we think is right. They are probably

going to want to do it as they think is right

MR BLUCHER: To overcome all these problems perhaps we should have our elections earlier than near to budget time. Much earlier

MR BROWN: Mr President a number of questions on notice in relation to the Norfolk Island Airport were responded to today and they brought into the open a number of concerns that various people in the community had held. Concerns at hearing that a considerable amount of overtime had been worked at the airport since the Administration took it over and concerns that the personnel selection process might not have been as perfect as it could be. Today answers have been given to those questions and it has become apparent that there were very sound reasons for the amount of overtime that had to be worked namely, that very short notice of the take over of the Fire Service was given to the Airport Manager and he had no choice but to obtain temporary staff and to train them while going through the process of obtaining appointment of the long term staff. I am concerned at some thing that was said I think by Mr Sanders this morning. It was said that there were suggestions to the effect that the two temporary staff had not been given the same opportunity as other persons to be appointed to the new positions. Now I don't know whether that's true or not. Ernie Christian said to us that he certainly did not believe it was true but it's something that Ernie will no doubt look at little deeper into. I said things in relation to jobs for the boys on previous occasions and I certainly asked that every endeavour be made to ensure that the proper selection process occurred and that friends were not simply appointed instead but if what I have said has caused those two young persons to not be given the same opportunity for appointment then I owe them an apology which I offer to them now but I certainly regret that better information was not available to the public as to what was going on at the airport because the people working there have certainly come in for criticism which they didn't deserve

MR SANDERS: Mr President I would just like to say that I support comments made by Mr Brown wholeheartedly. I was made aware yesterday that some of the criticisms that I also supported was in actual fact false. I saw directions that had been given by the Chief Administrative Officer and I've been very surprised that the Chief Administrative Officer and you Mr President have not corrected me at the ordinary MLA's meetings when even as recent as this Monday I have passed comments with regard to this same matter. However, I also apologise to those persons concerned

MR PRESIDENT: Further participation

MR SMITH: Thank you Mr President. I find it interesting the discussions that have taken place today, and I think they're actually quite funny in some cases. Norfolk Island is starting to feel the effects of the recessions in Australia and New Zealand and the thrust of this meeting has been about the elections which I think is funny that no once has it been mentioned today that Norfolk Island could be in dire straits, and its people, in the next few months. There seems to be a

concern that some members shouldn't be in the running for the next election and that's become a strong issue obviously and I guess it always does at the end of an Assembly's run. It worries me really too that we've still got two months to go really, or close to two months and we're not doing anything about it. We're not looking at can we do anything to prevent alot more people being put out of work, people having to leave the Island to go and live in those places that we talk so much about trying to protect ourselves from. I would like to see that at the next meeting that there is a recognition that the recessions that are effecting not only our neighbours but a worldwide recession and we're going to feel more and more of that no matter what we say, I think it's going to happen unless whoever it is, whether we can do anything in our time that's left, or whoever puts himself up for the next election for the next Assembly I think that should be the basis for anybody's platform if they're going to choose to stand, similar to the questions that we were asked when we were put up in front of alot of people before the elections. We were asked how fragile we thought the economy of Norfolk Island was and that question is just as important now if not more important than what it was then. We've been very very lucky I think in the last three years that through all the strife that has happened that could have effected us quite badly that we've done quite well and I'm really., I guess I'm disappointed that even at this stage we're still worrying about who's going to get elected at the next election. It's not the issue. It should be Norfolk Island. Thank you Mr President

MR SANDERS: Mr President I recall that night at the Rawson Hall and I recall it very well. I recall very much of Mr Smith talking about things that should have been done. Horry Klempt asked everybody that was standing there that if they were elected what would they be prepared to pursue, compulsory third party insurance. Mr Smith was one of those who put up his hand and said yes but Mr Smith hasn't done anything about it. It's one of the things that he could have done in the three years that have just passed

MR BLUCHER: I agree with what Mr Sanders and Mr Brown was saying about the airport. There are times within the community where people are asking questions and one of the main reasons why they are asking questions about their concerns is the fact that there's not enough information on what is going on and it's not only doing what is right but be seen to be doing what is correct and I think in this particular instance there has been a lack of communication, a lack of reporting and not withstanding the shortness of time this Government knew last August that the airport was going to be taken over. At least we knew at the beginning of this year that the RFFS was going to be taken over and there's been talk in the community for years in fact that when the airport is taken over so will the fire service and even the airlines were approached many years ago as to what their attitude to that would be so there's been alot of notice but no official notice perhaps from this Government so maybe this Government is at fault for not allowing the airport officers sufficient time to get things working in a nice easy orderly way which would meet all the concerns and answer all the concerns of the people in the community but these things happen and the questions have got to be asked and questions have to be answered because we've got

to be seen to be doing what we believe to be correct and I think we have done that so far. Mr Smith talks about bloom and doom in Norfolk Island.

I'm of the opinion that the New Zealand economy is one that is now on the verge of recovery. I'm also of the opinion that the Australian one, provided it is handled correctly will also recover very slowly but will recover but the indicators that I am receiving from New Zealand and the investments that are going on in New Zealand at present indicate that that place will start to bloom much quicker than Australia and I think that if we adopt a doom and gloom attitude that's exactly what's going to happen. I think that we can, or the next Assembly, can and should adopt an attitude that they will work towards what is best available to them with the amount of money they've got available but most important cut the cloth to suit the situation and the size and that's important. Once things happen we try and do things to keep everybody in work and import more labour so that we can keep it going and build it up, more labour to build it up and then we do the same thing again, import more labour and we end up chasing our tails because we've got so much itinerant labour on the Island that if we do have a bust well then it's going to be some problems and as far as the Islanders having to leave the Island to go back to those places that is spoken of as having busts well they'll be worse off than they are on Norfolk. I think we should be more concentrating here on what we're about and do the best we can but cut our cloth to suit

MR SMITH: Thank you Mr President. A couple of things have been right... I think it's been mentioned a couple of times this morning about the Government taking over the RFFS, the Rescue and Fire Fighting Service at the airport as early as August. It was mentioned during the meeting this morning. I know that after I came back from the Tourist Ministers Council even at that stage I was not in support of us taking over the Fire Service and it wasn't until a couple of weeks after that when we had some more negotiations with the people in Canberra that it actually happened so it would have been late November/December. Just to clarify

MR PRESIDENT: Is there any further participation? The question is that the House do now adjourn Honourable Members and there being no further debate then I put that question

QUESTION PUT
QUESTION AGREED

The ayes have it and therefore this House stands adjourned until our predetermined date which is Wednesday the 15th April 1992 at 10.00 o'clock in the morning.

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