

Honourable Members, welcome to this first working session of the 7th Legislative Assembly. We commence with the Prayer

**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 Amen

**Condolences**

MR PRESIDENT: Honourable Members I firstly ask if there are any Condolences this morning

MRS SAMPSON: Mr President, it is with regret that this House records the death of Elaine Winifred Knapton, a patient at the Norfolk Island Hospital for the last six years, wife of Bill of Collins Head Road who passed away on Thursday 5 May. One of six children Elaine was born in South Africa in 1904 of English parents and moved to Canada where she spent her childhood. The three sisters, Flo, Elaine and Jess arrived on Norfolk early in 1950. Elaine and Bill Knapton were married on Norfolk Island in 1970. They spent many happy hours at the Bowling Club, Elaine becoming a Life Member. She was also one of the first ladies to join the Country Womens Association on Norfolk Island in the 1950's, was a member of the Sunshine Club and a very keen gardener. With a decided Canadian accent which she never lost and a great sense of humour Elaine had made many friends on the island. To Bill, to John Lorking (Elaine's son) and to the families of both, this House extends its sincere sympathy

Mr President, it is also with regret that this House records the death of Ada Lillian Gallie who passed away at the Norfolk Island Hospital in the early hours of yesterday morning Tuesday 17 May. Lil was born and raised in Auckland New Zealand and trained as a school teacher. Some thirty years ago Lil came to Norfolk Island for what she thought would be her final years as she was afflicted with crippling arthritis, however her brother Bob Hemus, a homeopath living on the Island programmed a special diet for her needs which restored her to health. Lil became a vegetarian and an ardent gardener. Her lifestyle was somewhat reclusive, spending most of her time in the garden and delivering them to the older people of the Island. During these years she returned to New Zealand once, for her eightieth birthday however in 1990 Lil suffered an accident and was again flown out. On her return she was hospitalised and remained there. To her niece Heather and Bob Tofts, to their children and Lil's family and friends this House extends its sincere sympathy

MR PRESIDENT: Thank you. Honourable Members, as a mark of respect to the memory of the deceased I would ask that Members stand for a period of silence. Thank you Honourable Members. Please Gentlemen feel free to remove your coats if you would be more comfortable

**Presentation of Petitions**

Presentation of Petitions, are there any Petitions this morning?

MR CHRISTIAN: Thank you Mr President. Mr President I seek leave of the House to present to the Legislative Assembly a Petition which is not in conformity with Standing Orders as it is not in the correct form

MR PRESIDENT: Is leave granted Honourable Members? Leave is granted

MR CHRISTIAN: Thank you Mr President. Mr President I present a Petition from four hundred residents of Norfolk Island requesting the Legislative Assembly do all in its power to extend the term of His Honour Mr Alan Kerr as Administrator of Norfolk Island

MR PRESIDENT: Thank you Mr Christian. Any further Petitions?

### **Notices**

MR PRESIDENT: Notices. Are there any Notices?

### **Questions Without Notice**

MR PRESIDENT: Are there any Questions Without Notice?

MR BATES: Mr President I have a few questions. The first one is for the Minister for Health and Education. The 1992/93 Annual Report mentioned that \$43,000 had been raised for a new hospital and that fund raising activities were to continue. Can the Minister inform the House the figure to date and who has custody of the funds?

MRS LOZZI CUTHBERTSON: Yes Mr Bates. I've consulted with the Director of the Hospital who advises me that that money was deposited into a special bank account and that the previous Hospital Board had the control of that account. The Members of that Board were Mrs McCullough-Robinson, Jean Sim, Kath Adams-Friend, Mervyn Friend, Dr Neville Sullivan, Wayne Richards and Patricia Buffett. The moneys are earning interest and is quite safe

MR BATES: Mr President I have a question for Mr Christian as Minister for Environment. Is the Minister aware that there is a growing concern about the importation, use and disposal of toxic products and could he advise the House what is being done about it

MR CHRISTIAN: Thank you Mr President. Yes I am aware of the growing public concern but I am unable at this meeting to provide any positive information but I'll take the question on notice and deliver a more full response at the next meeting

MR BATES: A similar type of question Mr President, again to Mr Christian. Can the Minister inform the House if anything has been done by the previous Minister to regulate the use of asbestos faced products and if not does he intend to do anything about it

MR CHRISTIAN: Thank you Mr President. I'm not aware of what stage the previous Minister was up to but obviously asbestos is a serious problem and I'll be requesting the Health and Quarantine Department to give me a briefing on that and I'll bring forward some papers to the Assembly

MR BATES: Mr President I have a few more questions, again to Mr Christian. Recent high tides and heavy seas caused the seas in Emily Bay to wash over the new access area to the beach and also into the creek at the Salt House end of the Bay. Is the Minister satisfied that a similar situation will not cause irreparable damage to one of our most loved assets

MR CHRISTIAN: Thank you Mr President. All of the works performed in the Kingston Arthurs Vale Area is approved by the KAVHA Management Board. I'm not fully familiar with the works that have been carried out that Mr Bates is referring to but I will consult with him after the meeting and bring his concerns and the concerns of any other before the forthcoming KAVHA Management Board meeting in June of this year

MR BATES: Mr President I have a question for Mr Bennett as Minister for Finance and the question is, recently you circulated to Members the first report of the Expenditure Review Committee and some of the issues are of interest to sections of the public. Does the Minister intend to make the report available to them

MR BENNETT: Thank you Mr President. The document that Mr Bates is referring to is entitled Report of the Expenditure Review Committee in relation to matters raised during discussions primarily about the 1993/94 budget and these matters were considered in detail by the Committee. The object of providing them in this form was to bring them to the Members of this Assembly for their consideration. The Expenditure Review Committee is simply a body that makes recommendations. It's the Members of the Assembly who make the decision as to whether these recommendations are adopted. The matter has yet to be devoted by Members. I am conscious of the fact that a week or two has gone by but we have been head down and tail up doing a combination of briefings and budget considerations. Just to avoid Mr Bates having any concerns about it I will agenda it for the next MLA's meeting and as a result of some discussion and any amendments that might be wanted to it and we'll bring it to the House and table it. I don't have any difficulty at all about Members of the public being aware of the recommendations. The concept of the Expenditure Review Committee was such that aside from officers of the Administration and Members of the Assembly having input into possible expenditure savings we also will be providing an opportunity for the community to so do and if the report helps them to focus on the kind of issues that we are dealing with then I'm quite happy to have it published

MR BATES: Thank you Mr President. I have a few questions for Mr King, Minister for Immigration and also Minister for Works. The first one is in his portfolio for Works, and how high in the Minister's list of roads to be tarsealed is Stockyard Road beyond Tavener's Farm

MR KING: Mr President it is simply not on the list at all at the moment. Mr Bates will understand that at budget time we look at the allocation of funds for road reconstruction and road resealing and it's at that time that we will be establishing the roadworks priorities for the forthcoming year but it is not on the programme for the remainder of this financial year which is of course only six weeks or so

MR BATES: Thank you Mr President. The next question is to deal with the portfolio of Immigration. Could the Minister inform the House the number and status of immigration appeals presently in the hands of the Australian Minister

MR KING: No I'm not sure that I can do that precisely. I can indicate that the number of outstanding appeals is somewhere in the order of around five or six, one in relation to a visitors permit application, another in relation to a temporary entry permit application, another in relation to the former

compensating departure declaration scheme and I think about three in relation to decisions of refusal in respect of general entry permit applications. I haven't been particularly happy that the appeal authority appears to be taking an unduly long time in dealing with these applications. This is a matter of concern to me and is among the matters which I will be talking to the Parliamentary Secretary, Mr Snowdon, on his arrival in the Island next month

MR BATES: Thank you Mr President the next question really follows on from that. What are the rights of prohibited immigrants while an immigration appeal is pending. Are they allowed to come and go at will

MR KING: Mr President the law provides that a prohibited immigrant does not have free access in and out of the Island. It is however normal that where a person appeals against a decision of refusal of an application that that serves as a stay of proceedings and in those cases that stay of proceedings will allow that person to travel in and out of the Island despite having the status of prohibited immigrant

MR BATES: One final one thank you Mr President and that touches on the same thing, is a prohibited immigrant entitled to enrol and to vote in elections

MR KING: I'm not sure if that's a question to myself - I don't have custody of the roles Mr President. I think that's all I will say. I don't know quite frankly. I think it is more appropriate that that question be directed to the person who has custody of the role

MRS SAMPSON: Thank you Mr President, I'll address this question to Mrs Cuthbertson in her role as Minister for Education. Given that 98% of parents attending a 1991 P & C expressly called to discuss the introduction of Years 11 and 12 and were in favour of the idea, could the Minister advise the number of children who finished Year 10 in 1993 and the number who commenced Year 11 here on the Island in 1994

MRS LOZZI CUTHBERTSON: Thank you Mr President, No I'm afraid I could not advise that number but I'll certainly take that question on notice and provide the answer at the next meeting of the Assembly

MRS SAMPSON: Thank you. Perhaps the next two questions could also be put that way. How does the Minister intend to evaluate the effectiveness of providing Years 11 and 12 here and over how many years and following on from that, has the Minister realised the difficulty of discontinuing this service should it not prove effective, realising that there must be an assessment somewhere along the line

MRS LOZZI CUTHBERTSON: Thank you Mr President, and thank you for those two questions. They certainly are very important aspects of the whole question of Year 11 and 12 and I'll certainly take them on notice

MRS SAMPSON: Two for Mr King as Minister for Immigration. With the demise of the compensating departure scheme does the Minister intend to introduce a mechanism to allow for the movement of people on and off the Island

MR KING: No Mr President. I don't intend to introduce any further mechanism because there is already a statutory mechanism in place in the form of the quota provisions of the Immigration Act and of course this House, or

the former Assembly established a population policy which sets a target growth of 2% per annum and it is against that policy that the quota will be set and I am sure that that will be sufficient to allow a relatively free movement on and off the Island of people who wish to dispose of business etc

MRS SAMPSON: Thank you Mr King that's effectively answered my second question on immigration as well. The other two, one in your capacity as the Minister for Works. As there appears to be concern over the available topsoil what is the history of an ever growing pile at the Puppys Point Reserve that includes amongst other material, topsoil

MR KING: I have absolutely no idea. I have some concerns about topsoil and in fact where some topsoil ultimately ends up. I've made some enquiries in recent times, recent months and again my interest has been reactivated in the past couple of days. It may be an answer to some of my queries about some of my questions on topsoil. I shall certainly look into that

MR SAMPSON: Thank you. And the last question in your capacity as leader of the Government, is the practice of not allowing backbench Members access to the files in Administration Records unless permitted by executive members going to continue

MR KING: I'm not sure that that is a question which could be answered succinctly by me. I think I have a preference for taking part of it on notice but let me say this Mr President, that the rules regarding access to files in the Administration are not established by successive Governments or successive Assembly's, they are established by law and they turn on the oaths of office and the oaths of secrecy that we take and of course the oaths of secrecy and the provisions of the Public Service Ordinance to which the Public Servants are bound themselves is not a simple matter. As far as I am aware the practice of restricting access to Administration records and files to executive members only will be continuing

MR ADAMS: Thank you Mr President. A couple of questions to the Minister for Finance Mr Bennett. In the Minister's portfolio as Minister for Finance is the responsibility for the provision of rural and industrial assistance could the Minister please inform the House what assistance has been given to the rural and industrial sector in recent times

MR BENNETT: None Mr President

MR ADAMS: A supplementary question to the Minister for Finance, is it intended that this procedure continue in that form

MR BENNETT: Mr President this long winded power that appeared in my portfolio was one of the ones that came across in the last batch of powers transferred to the Island from the Commonwealth and it appears on my portfolio list in its form that it appears obviously as a schedule to the Norfolk Island Act. I have yet to be briefed on what it is all about to be quite frank. I have a number of quite pressing matters that I'm dealing with in the portfolios. When I get time I will find out what it is all about but I must say that I really haven't had any direct formal requests or have received a proposal about industrial or rural assistance. Obviously I'm prepared to look at anything that comes but to be truthful I am not fully aware of that particular responsibility. The Public Service is yet to brief me on it. If Mr

Adams has got something in mind then I'm quite happy to look at it. It doesn't for example, the power doesn't come along with a purse attached to it unfortunately so any expenditure related to any responsibility has to be dealt with in a budgetary process and I am also aware that in the budget discussions thus far there has been expressed a desire to have a look at development of certain things and I suppose in a way that might fit into that into that broad power but my feeling is that industrial and agricultural proposals are brought to the government by the private sector in the main for consideration of subsidy or some other thing and as I said, I haven't directly received anything and would be happy to look at anything that came across

MR ADAMS: Supplementary question to the Minister for Finance. Could the Minister for Finance please inform the House what resources will be allocated from the forthcoming budget for industry diversification

MR BENNETT: Mr President we are midway through the budget discussions and there isn't a particular vote for that. It is a matter that has been discussed. I think the task that this Assembly have got initially is to deal with the budget as we have received it and to knock that into shape and in the course of doing that address any new proposals for expenditure that are either not in the papers we've received or are particular wishes of members or executives so it would be difficult to say categorically or any other way that there will be a set amount for really anything that's in the budget. We have, and I'll be talking about it a bit later, some \$800,000 worth of expenditure bids to come out of the drafts we've got at the moment and it will largely depend upon how successful we are at doing that as to whether there is any surplus funds for dealing with issues that are not in the budget papers and of course Members have the option of reprioritising things. For example if there was a lot of support for funds to be allocated to the kind of expenditure that Mr Adams is referring to then some other expenditure proposal already in the draft budgets might have to be forsaken but that's a matter that we'll be getting to over the next three weeks. We've got a deadline of the 15th June to attend to that and really that's about it but the first task is to knock the budget shortfall that is in there down to something that's manageable and in the course of doing that to allocate priorities for expenditure and that includes adding to if necessary or taking out any item that's in there or adding new ones that aren't. That's a long winded answer. I'm not ducking the question. I think the matter has received some discussion and I know that there is quite a lot of support for creating a fund to allow some development of diversified industry or opportunities for the government and I think most members take that quite seriously thank you

MR ADAMS: Thank you Mr President. A question for the Minister for Employment Mrs Cuthbertson. At the present time we have 39 people on the under and unemployed list with the real figure undoubtedly higher because many people are reluctant to come forward to register for one reason or another. In view of this could the Minister please inform the House why the spouses of seconded officers and the spouses of other itinerant workers paid from the public purse are permitted to obtain employment on Norfolk Island when many local people are unable to obtain reasonable employment

MRS LOZZI CUTHBERTSON: Thank you Mr President. Yes I am aware that this situation does arise from time to time and I would be happy to look into exactly how it happens if Mr Adams would put the question on notice

MRS ANDERSON: Thank you Mr President. My question is to Mr King as

Minister for Immigration. You indicated a short while ago Mr King that there is written into the legislation a growth factor of 2% per annum in our population figures. Can you please tell me on which figure that 2% is based

MR KING: Mr President no I didn't say it was written into legislation but is determined as a matter of policy that there should be a growth of 2% in the permanent segment of the population that is the segment of the population comprised of residents and general entry permit holders

MRS ANDERSON: But 2% of what

MR KING: 2% growth of the level of residents and general entry permit holders

MR ANDERSON: On what date

MR KING: Oh on what date. I'm sorry. At the time that the quota is reviewed and there is an intention that that be done on a six monthly basis and the mechanics of the exercise involve looking back on the levels of the population during the preceding six months and applying through the quota a 2% factor for the following six months

MR PRESIDENT: Any other Questions Without Notice? We conclude Questions Without Notice Honourable Members. There are no answers to Questions On Notice obviously this morning

#### **Presentation of Papers**

MR PRESIDENT: Are there any Papers to present this morning

MR BENNETT: Mr President in accordance with section 2(b)(5) of the Customs Ordinance to table exemptions that I've given under that Ordinance and I table three notices which relate to headstones, they are admitted free under the standing exemption for headstone and I so table those

MR KING: As a matter of consistency I table the tourist figures for March and April 1994 Mr President and move that they be noted

MR PRESIDENT: The question is that the tourism figures be noted?

MR KING: Mr President, for the benefit of new members these figures are often previously published in the local press and these two sets of statistics have in fact been previously published and members will be well aware of them and they would of course welcome the increases reflected in those figures, some 14.4% and I think 41% respectively. I understand that the reason why whoever has responsibility for tourism tables these papers in the House is to allow members to place their own interpretations on them and to perhaps have an opportunity to talk about tourism which is an important factor. I'm not prepared Mr President to say that we are in a position to maintain this particular level of regrowth over a longer period. Our promotional dollars are simply too limited but I am prepared to say that the increases that we are presently enjoying are not an aberration, in fact we are on the path to recovery. We need now to ensure that we don't slip back into the complacency of former years and that we now start to plan for the medium and long term future of tourism in the Island. Thank you Mr President

MR PRESIDENT: The question is that the paper be noted? Further debate in respect of it. I will put the question

QUESTION PUT  
AGREED

The ayes have it. Are there any further presentation of papers?

MR BENNETT: Yes Mr President. I table the Financial Indicators for the month of April which incorporates the ten months of this financial year thus far and I move that the Paper be noted

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

MR BENNETT: Mr President this Paper has been circulated out to Members and as they arrived rather early in May I had them published as well but for the benefit of members and listeners I think there is a need for some explanation. I am aware that members had a briefing on the format of the financial indicators from the Finance Manager and perhaps what I might say today might add to their understanding of what it is all about. It simply is a way of tracking month by month the performance in terms of the revenue that we've received in the revenue fund plus an estimate of revenue that is going to be flying from the Government Business Enterprises which is the total budgeted amount divided by twelve so it is one twelfth of that adding to each month and it also tracks the actual expenditure made in the month and it also is accumulated on this form so that you can have a look at last months' performance and the year to date so to speak. Mr President it's pleasing to say that the trend which began in March, that is the recovery trend appears to be continuing quite positively. Revenue is now running at 97% of the revised budget and expenditure overall is contained at 94%. Members will be aware that the later you get into the year the more meaningful those percentages on the right hand side of that indicator sheet mean. Obviously in the first month if you are running at 90% or 99% of expenditure on a vote you are in real trouble because you've got eleven months to go with 1% of your vote but as the months go on the percentages become more meaningful. Just to make some comments about the revenue side of it. There are six listings on the indicator sheet. Customs duty for the month of April was down a little but I should say that the total for the ten months is now within \$88,000 of budget compared to being some \$350,000 behind budget in February. Similarly the Financial Institutions Levy collections for the month of April were ahead of the revised budget for the first time this financial year and the FIL is now just \$51,000 behind the revised budget. Other taxes had a strong month and was some 20% ahead of budget in that month. Earnings from services are right on budget. Interest fortunately we have had more money in the bank at particularly times and the interest revenue items are 13% ahead of budget. Other charges, that miscellaneous collection of charges is 5% ahead budget. On the expenditure side however, I am comfortable with all except the health and welfare. Health and welfare are on the wrong side of the ledger, they have been for some months and I know Mrs Cuthbertson is looking very closely into both the operation of the hospital and its financial position to date. In fact she gave me a paper this morning, and on the impact that welfare has had on the budget. But having said that the expenditure is running at 94% of budget, notwithstanding that health and welfare are substantially over. An overview of the position in relation to the full financial year shows a trend upwards in revenue and with expenditure contained as I mentioned. And I think subject only to health and welfare costs between now and the end of financial year, the budget looks

positive. Earlier Mr King tabled the tourist arrival figures and I think they in themselves have impacted on a good month in March and April, and I've got my fingers crossed that May and June are similarly buoyant in terms of tourist numbers and that the revenue trend upwards continues. In closing let me respond to a few comments from residents who have expressed fears that the Island is broke, or nearing so. Mr President the Island is not broke, nor anywhere near so. The last two financial years have been difficult in budget terms and both recorded deficits for the respective end of the financial year.

However the shortfall in both cases was made up from the reserves that we were holding. For those that have expressed concerns, to the matters might be inclined to have a look at the financial statements for the 30 June 1993, the last financial statements and see that even though we had recorded a deficit in the financial year, we did have some \$2.7 million in the bank at that time, so we were far from broke. Now it is important to know that that \$2.7 million in the bank isn't available just for anyone to suddenly spend, it represents reserves, in the revenue fund for example, in the business enterprises need capital in their accounts, so it is not to be confused with available revenue for spending, it is there many for the benefit of those business enterprises. But if the bottom really fell out we've got a long between where we are not and being broke. And I am confident that that buffer Mr President, or that amount of money that is in the bank at the end of the financial year, irrespective of how the financial year pans out will be of alike amount. In statements Mr President I will briefly record on the progress with the 1994/95 budget for the benefit of those who have been inquiring. A number of people have asked how we plan to deal with the budget. I will refer briefly to that in statements if I may. Thank you.

MRS SAMPSON: Thank you Mr President. I just wonder if Mr Bennett is taking into account the incredible delays in shipping over the last few months as to the decrease in customs revenue.

MR BENNETT: As far as I am able to Mr President, yes I have, and in fact I am informed that the downturn in customs duty for last month by comparison to March was simply that the timing of the ships coming in and entries being in that there were a number of entries that were not completed in the time, there were two ships in that month March. That's something I am closely following, I am hoping that the ships that arrive this week and next week disgorge thousands and thousands of tonnes, so that there will be thousands and thousands of extra dollars. I do watch it fairly closely.

MR BATES: Mr President on that point I think it would probably be fair to say that if tourist numbers have picked up and tourist have been shopping we wouldn't feel the effect of increased duty until shopkeepers restock there shelves after a buoyant period, and I would suggest that increases in customs duty would be following a few months behind increase in tourist numbers, or more activity on the Island.

MR PRESIDENT: The question before us is that the paper be noted? Any further participation? The question is that the paper be noted?

QUESTION PUT  
AGREED

The ayes have it. Thank you. Further papers this morning? No further papers this morning.

**STATEMENTS**

MR CHRISTIAN: Thank you Mr President. I have a short statement to make relating to the increase in the cost of sand from \$15 to \$20 per cubic metre which will become effective from tomorrow. The last increase occurred in November 1992 and was brought about by associated costs of extraction and a need to stockpile at the time. This current increase has also been bought about by the need for such things as, site rehabilitation and the archeological supervision in some areas. Thank you Mr President

MRS LOZZI-CUTHBERTSON: Mr President I would like to make a brief statement to explain that I have been considering the question of years 11 and 12 at Norfolk Island. I am not yet fully briefed to make a comprehensive statement on education, but I believe that it is important to allay the concerns of parents and of the listeners, so I would like to say that the government has every intention of continuing years 11 and 12. The higher school certificate years are an established part of our education system, and certainly must be so locally, and they have my firm support.

MR BENNETT: I have a long one and a short one Mr President. Mr President I made comment earlier about the budget and I just thought I should let people who taken time to inquire about the process, just a few details of where we are up to. Obviously with the election and the resulting five new members coming in, there was a priority given to briefing MLAs so that they could as soon as possible equip themselves with the real tasks at hand. A decision was taken early that we would try to incorporate into the briefings some budgetary discussion. As a result it has elongated the initial process which is first of all, to find out about the particular sections and branches in the Administration, how they work and what they do, and then to focus on their budgetary requirements for the year. By my calculations we are about half way through that initial process, and I must say that is the easy part, it is easy to listen to everyone and to hear the plans and programmes from the various sections, the hard part will come later next week when we have to deal with the actual crunching of the numbers to bring the draft budget proposals for the revenue fund in particular to a manageable state. As I mentioned early there are some \$800,000 behind, or expenditure is ahead of revenue by \$800,00. Now that sounds a lot of money but this time last year I think we were dealing with \$1.6 million or thereabouts so on one hand the number is a little less than it was and I believe quite manageable. \$843,000 can in my mind be cut out of the budget proposals to provide at least a balanced budget, and if I am able to persuade other members to provide for a surplus in this year, to put back into the reserve fund some of the money that we had to take out in the last two financial years. I don't want to go into any details of the process, because as I say it is very much in the preliminary stage, people have been interested enough to ring, and I hope that brief explanation satisfies them.

MR CHRISTIAN: I move that the statement be noted.

MR PRESIDENT: The question is that the statement be noted?

MR CHRISTIAN: Thank you Mr President. Mr Bennett has just explained part of the budgeting process, and he has said that the deficit at the moment is about \$800,000 which in his words aren't to much of a problem, he has also indicated that he would be looking to achieve a healthy surplus at the end of that financial year. I am wondering Mr President whether he could give the House some assurance that he will achieve these without massive tax increases.

MR BENNETT: Mr President, the short answer is, yes I believe they can be achieved without tax increases. In the statement to follow I will give you some indication of some new revenue that's going to be flowing to Norfolk Island and in the budget meetings in June I will give members and listeners fuller details of some of the other revenue that is flowing into the revenue fund from essentially outside of Norfolk Island that has bolstered up the quantum of revenue that we are going to receive and it is from that additional revenue which is around \$1 million more I might say, in revenue for the next financial year, compared to what we had this year. There is no intention in my mind at all to have a look at revenue raising per se, I did say in the last couple of meetings of the last Assembly that there was a task to attend to fees and charges and some of the areas that have been lagging behind for 10 years or more, I don't see that in anyway as revenue raising, its simply, while it will be more dollars in the till, it simply is tidying up an unsatisfactory situation, and it will be hoped to make that as painless as possible. It is a necessary step, we have let them get behind, we do need to bring them into 1990's terms.

MR BATES: Thank you Mr President. I think the \$800,000 deficit, we are at these early stages of the budget, according to the Minister for Finance, in my experience is no worse and probably better than it has been in many years, over the last 25 years that I have been involved in budgets. So I think that if anybody is concerned about that, I support the Minister in his remarks that at this stage it is not seen as a major problem. There is certainly some hard decisions have to be taken but, they will be taken.

MR PRESIDENT: Further participation? The question before us is that the statement be noted?

QUESTION PUT  
AGREED

The ayes have it. Thank you. Further statements this morning?

MR BENNETT: Thank you Mr President. I had hoped to have this typed and circulated to members today so that they might be able to follow it. Mr President as part of the recently signed operating agreement with Telstra, that is Telecom Australia, or what used to be Telecom Australia, a proposal was agreed to introduce Norfolk Telecom to the business opportunities presented by Audiotex which will provide a guarantee of a minimum of \$500,000 on revenue to Norfolk Telecom over the next five years, with no capital investment required. Obviously what is Audiotex? Audiotex is a term used to describe the provision of pre recorded information services via the telephone. Audiotex has its origin in the simply information services such as time, news bulletins and weather which have been provided by telephone companies around the world for many years, for the cost of a local telephone call. Today's sophisticated Audiotex systems contain many different information services, are available and plays the appropriate message to callers

according to the number dialled. Audiotex voice processing equipment has the capacity to handle multiple simultaneous calls. There are basically two types of Audiotex services, the passive system which you simply dial a number and get the weather and put the phone down, or what they call interactive Audiotex and this is an emerging system, where the caller can make selections by voice. Say "yes" if you want information about the cricket, or say "yes" if you want to find out about the grand final score and things like that. Information contained in an Audiotex service can be updated as often as required, this provides an unique opportunity to deliver information to subscribers quickly and cost effectively. Mr President to achieve this aim it is proposed that Pacific Interactive, Norfolk Telecom allocate a block of telephone numbers to Telstra for use by Pacific Interactive, and these numbers are then sold to information providers or whatever, and information is recorded and put on, and available to people from all around the world. Mr President one of the benefits to Norfolk Telecom, as I mentioned the guaranteed minimum revenue of \$500,000 over the next five years is obviously very attractive.

I say it is a minimum because there is hope at least in the next two years that revenue will greatly exceed the \$100,000 per year mark, and what lies ahead in the future in the third, four or fifth year is anybodies guess. It could go through the roof, if it doesn't we are still guaranteed a minimum of \$100,000. The benefits to the Island, are these, as the International Audiotex Industry has matured, a particular feature has been the entry of many small developing country carriers, who attracted by the revenue potential, offer services with no control over content. Telstra's ... proposal offers a guaranteed financial benefit, content controls, which are very important and I will allude to in a moment, a high standard of service provisions acquired from years of experience as well as immediate access to a base load of traffic from the transfer of the existing world info service to the Pacific Interactive Service, with a proven track record. Just by way of background and I will be as short as I can. There are currently more than 25 domestic Audiotex networks operating. They operate throughout North America, European Countries, throughout Asia. In Australia Audiotex operates with the prefix 0055, you will see sometimes on your television screens, dial 0055 and a series of numbers for information, or to enter a competition or all sorts of things. So Australia has 0055, Norfolk Island will have of course the 6723 number plus a five digit number allocated to them. Mr President in conclusion Pacific Interactive the division of world info, has a wealth of experience and expertise in the provision of these services and it has identified the opportunity for Norfolk Island to enjoy revenue from telephone calls from a number of markets. To achieve this Telstra sought the assistance of Norfolk Telecom and we allocated a block of telephone numbers for them. In addition, involvement in this enterprise allows Norfolk Telecom to gain experience with a reputable service provider that has been consistently recognised as the market leader of Audiotex systems. Mr President I referred to the question of content and we are absolutely satisfied that there is nothing untoward in the content of any messages that will be through the Telstra operation. Members may be aware that the opportunity does exist for all sorts of fancy messages to go telephones, but that is not part of Telstra's operation and it is certainly nothing that Norfolk Island would ever get themselves involved with. We are about offering a service that will be provided to callers worldwide, who can ring in Norfolk Island and ask for information through the system and the cash register for Norfolk Island ticks over. The final benefit, is that we believe we have successfully negotiated access to some free numbers for Norfolk Island, may be the Norfolk Island Government Tourist Bureau to have messages on these machines both in Australia and worldwide, so that if you were promoting anywhere you could include in the advertisement, 'for further information call 00 6723 and then the number' and a person could either through the interactive means or the passive means, obtain more information about the climate, how to get there or whatever. It is a modern way of distilling information and I think it is exciting that there might be an opportunity for the Bureau to get on to this worldwide network. Thank you Mr President.

MR PRESIDENT: Any further statements?

MR KING: Mr President thank you. I seek the courtesy of the House under standing order 109, to allow precedence to a motion of thanks and acclamation about which I have given no notice.

MR PRESIDENT: Thank you, is leave granted? Leave is granted, thank you.

MR KING: Mr President I would move that this House applauds the efforts and success of the organising committee of the Inaugural Country Music Festival. Mr President I had a choice of simply making a statement about the success of the recent County Music Festival but I have chosen to pursue a formal motion in recognition of the huge success of the Festival, and in the hope that a formal motion might add support and encouragement for the continuation of the Festival as a yearly event. Events such as these which represent a welcome boost for the economy rarely commence with Government initiative. They invariably commence with a dedicated and energetic individual or group of individuals and end up being part of the annual calendar of events. We can take a number of examples, we look at the annual Gun Club Shoot, the Bounty Bowls which is still going strong and getting stronger after 33 years. The input and support of the government, or the Tourist Bureau in these events is minimal, compared to the input of these individuals and organisations and their efforts should never be taken for granted. The Country Music Festival has been a feast of entertainment for the local community and a major draw card for tourists during this month. It has huge potential as an annual event and this motion simply seeks to acknowledge the efforts of the pioneers of the Norfolk Island Country Music Festival. I would commend the motion Mr President.

MR PRESIDENT: Thank you Mr King. Participation? No participation, the question is that the motion be agreed?

QUESTION PUT

AGREED

The ayes have it, thank you. That motion is agreed. Have we concluded statements Honourable Members?

#### **Messages from the Office of the Administrator**

There are no messages from the Office of the Administrator but I do report to the House that I have received advice from the Administrator that he will be absent from Norfolk Island on official business from Saturday 21 May until 31 May, and in his absence the Official Secretary, Mr Ralph Condon who is Deputy Administrator will exercise and perform the powers and functions of the Administrator. Honourable Members we are now at notices.

#### **NOTICES**

##### **NO 1 APPOINTMENT OF BUSINESS COMMITTEE**

MR BENNETT: Thank you Mr President. I move that this House, pursuant to Standing Order No 20, in addition to the President (ex officio), appoints -

- (a) Monica Jean Anderson; and
- (b) Michael William King,

to be Members of the Business Committee

Mr President that is a standard committee of the House and its role is to arrange the order of business for the House. I think most Members are aware of it, for the benefit of listeners.

MR PRESIDENT: Thank you any participation? I put the question Honourable Members that the motion be agreed to.

QUESTION PUT  
AGREED

The ayes have it. That motion is agreed to. Thank you.

#### **NO 2 APPOINTMENT OF STANDING ORDERS COMMITTEE**

MRS SAMPSON: Thank you. Mr President, I move that this House, pursuant to Standing Order No. 17, in addition to the President and the Deputy President (ex officio), appoints -

- (a) Nadia Lozzi-Cuthbertson;
- (b) Brian George Bates; and
- (c) Michael William King,

to be Members of the Standing Orders Committee

MR PRESIDENT: Thank you Mrs Sampson. Any participation in respect of that proposal Honourable Members? I should point out to you there are a number of committees that we are going through this morning and you will see them already listed there. There being no further participation in respect of that motion, I will put the motion to the House. The question is that the motion be agreed?

QUESTION PUT  
AGREED

The ayes have it. Thank you.

#### **NO 3 APPOINTMENT OF HOUSE COMMITTEE**

MRS ANDERSON: Thank you Mr President. Mr President I move that this House, pursuant to Standing Order No. 19, in addition to the President (ex officio), appoints -

- (a) Helen Victoria Sampson; and
- (b) Robert Eric Adams,

to be Members of the House Committee

Mr President, Standing Order 19 provides that the House Committee shall consist of the President and two other members of the Legislative Assembly. This Standing Order goes on to describe the role of the House Committee as to advise the President on the facilities to be made available for Members and staff within the areas allocated to the House. It is therefore if you like, a house-keeping committee to oversee the management of the Old Military Barracks Compound. And advise the President on matters such as staff and requisites for Honourable Members. I commend this motion to the House.

MR PRESIDENT: Thank you Mrs Anderson. And may I point out to Honourable Members that that was Mrs Anderson's maiden speech in this House this morning. My compliments Mrs Anderson. Are there any further Members to contribute? Then I

will put the question that motion be agreed?

QUESTION PUT  
AGREED

The ayes have it. That motion is agreed. Thank you.

**NO 4 NON-APPOINTMENT OF COMMITTEE OF PRIVILEGES**

MR KING: Mr President I move that so much of standing orders be suspended in order that a Committee of Privileges is not appointed pursuant to Standing Order No. 18.

MR PRESIDENT: Thank you Mr King. Any contributions?

MR KING: A brief contribution Mr President. There has never been a Committee of Privileges formed under Standing Order No. 18, in Norfolk Island we have not found the need to form such a Committee and that again has been recognised by this Membership, Membership of this Assembly.

MR PRESIDENT: Further contributions? I will put the question that the motion be agreed?

QUESTION PUT  
AGREED

The ayes have it. Thank you that motion is agreed.

**NO. 5 BUILDING ORDINANCE 1967 - APPOINTMENT OF MEMBER TO BUILDING BOARD**

MR CHRISTIAN: Thank you Mr President. I move that, for the purposes of section 6(2)(a) of the Building Ordinance 1967, this House elects Robert Eric Adams, a member of this House, to be a member of the Norfolk Island Building Board for a period of 2 years.

MR PRESIDENT: Thank you Mr Christian. Anything that Members would care to say in respect of the motion? I put the question that the motion be agreed to?

QUESTION PUT  
AGREED

The ayes have it thank you. That motion is agreed. This is now the first of a number of statutory appointments to boards and other authorities. The first four, Honourable Members as you will have seen from the paper, related to Committees of this House.

**NO. 6 SOCIAL SERVICES ACT 1980 - APPOINTMENT OF MEMBERS TO THE NORFOLK ISLAND SOCIAL SERVICES BOARD AND APPOINTMENT OF CHAIRMAN**

MRS CUTHBERTSON: Thank you Mr President. I move that for the purposes of section 5(1) of the Social Services Act 1980, this House resolves to choose -

- (a) Helen Victoria Sampson; and
- (b) Monica Jean Anderson,

members of this House, to be members of the Norfolk Island Social Services Board, and

(c) Helen Victoria Sampson

to be the Chairman of the Board

MR PRESIDENT: Thank you Mrs Cuthbertson. I will interpret that also as a maiden speech in the provision of .. substantive motion ... Mrs Cuthbertson and I complement you. Any further participation, you have to compete with a maiden speech on this occasion. I put the question Honourable Members that the motion be agreed?

QUESTION PUT  
AGREED

The ayes have it. Thank you that motion is agreed.

**NO. 7 HEALTHCARE ACT 1989 - APPOINTMENT OF MEMBER TO HEALTHCARE CLAIMS COMMITTEE**

MRS LOZZI-CUTHBERTSON: Thank you Mr President. I move that for the purposes of section 22(2)(c) of the Healthcare Act 1989, this House resolves to choose Helen Victoria Sampson to be a member of the Claims Committee.

MR PRESIDENT: Thank you. Further contributions? I put the question that motion be agreed to?

QUESTION PUT  
AGREED

The ayes have it. Thank you that motion is agreed.

**NO. 8 SEA INSTALLATIONS ACT 1987 (CTH) - NOMINATION OF MEMBER TO BE REPRESENTATIVE**

MR BATES: Mr President I move that for the purposes of paragraph (d) of the definition of "representative" in section 4(1) of the Sea Installations Act 1987 of the Commonwealth, this House nominates Michael William King to represent Norfolk Island for the purposes of the Act.

MR PRESIDENT: Thank you Mr Bates.

MR BATES: Mr President, in moving this motion it may be of assistance to the House if I briefly outline the nature of the Sea Installations Act. The Act was passed in November 1987 by the Commonwealth Parliament. It provides a regime for the erection of sea installations. Sea installations, in common parlance, include oil rigs and diving platforms for tourism or marine archaeological purposes, and also fish aggregating devices. Section 8 of the Act extends in to all the external Territories, including Norfolk Island. Section 10 of the Act requires the federal Minister to consult with the representative of the State or Territory adjacent to the area where a sea installation may be installed before granting, renewing, varying or revoking permission in relation to a sea installation. Mr President, It is expedient that the Norfolk Island representative should be the executive member responsible for shipping matters and that task has been allocated to Mr King. I commend the motion to the House.

MR PRESIDENT: Any further participation? The question is that the motion be agreed?

QUESTION PUT  
AGREED

The ayes have it. That motion is agreed thank you.

**NO. 9 IMMIGRATION ACT 1980 - APPOINTMENT OF MEMBERS OF IMMIGRATION COMMITTEE**

MR KING: Mr President I move that for the purposes of section 6(4) of the Immigration Act 1980, this House recommends to the executive member that -

- (a) William John Menzies;
- (b) Joan Marie Kenny;
- (c) Zilpha Dianne Menghetti; and
- (d) Brian George Bates, a member of the Legislative Assembly,

be appointed as members of the Immigration Committee.

This motion does not come about as a result of a new election of this House. It comes about simply because the terms of the former members have expired. It contains the names of four people, three of whom were members of the previous committee. The statute enables me to appoint a committee of no less than three and no greater than five. I have on this occasion chosen to appoint four, but it allows me the flexibility to add a further member at a later time. And I want to thank those people for making themselves available for this important job. I also want to take the opportunity Mr President to thank those retiring members of the former Committee, Lou Evans, and Sid Cooper. I particularly wanted to record the appreciation of the efforts of Sid Cooper who has survived almost 15 years as a member of the Immigration Committee. Member of the former advisory adhoc committee under the old legislation and a member of the statutory committee since 1984. A total of 15 years during which Mr President he has endured and had to contend with the idiosyncrasies of 9 Ministers of the Norfolk Island Government and the change in philosophies and practises of 8 Immigration Officers. Quite an achievement on Sid's part. Mr President Sid is not only a fine and outstanding bowler but he has made a fine and outstanding contribution to a very important area of public administration, and I thought it particularly appropriate that he be especially mentioned in this fashion.

MR PRESIDENT: Further participation? The question is Honourable Members that this motion be agreed by us?

QUESTION PUT  
AGREED

The ayes have it. Thank you. That concludes the bracket of appoint to Boards and Committees and the like Honourable Members and we commence what you might term consideration of our substantive motions this morning.

**NO 10 APPOINTMENT OF SELECT COMMITTEE ON ELECTORAL AND CONSTITUTIONAL MATTERS**

MR KING: Mr President, I move that

(a) in accordance with the provisions of Standing Order 200, the Legislative Assembly establishes a select Committee into electoral and constitutional matters;

(b) the Select Committee inquire into, and report on, the provisions of the Legislative Assembly Ordinance 1979 and the Norfolk Island Act 1979, relating to -

- (i) elections to the Legislative Assembly;
- (ii) the term of the Legislative Assembly;
- (ii) requirements for candidates for election;

- and
- (iv) requirements for Membership of the Legislative Assembly;
  - (v) the present voting system; and
- (c) the Select Committee -
- (i) may consider any other matter relevant to its inquiry;
  - (ii) shall have the power to send for persons, papers or records;
  - (iii) shall invite submissions from members of the public;
  - (iv) report to the House on its conclusions and recommendations within six months of the passage of this motion, unless the House otherwise orders; and
  - (v) the committee comprise of Monica Jean Anderson, Robert Eric Adams and Helen Victoria Sampson

Mr President, this motion is not simply a response to community comment at election time, it is a responsible response to a wide array of comment over a long period of time. However, it did become apparent or more apparent in the recent pre-election period that the community had become more mature in its appreciation of electoral and constitutional matters. A meeting at Rawson Hall for example, organised by the Chamber of Commerce drew an almost unanimous response from the 27 candidates for election to the House. That at the least a review of our voting system was desirable. I admit Mr President that I find it difficult to accept a voting system which fails to elect one out of nine seats that is 11% if the seat of a person who had attracted the support of 30% of the electorate. Or more precisely a person whom 30% of the electorate had sought to vote to office. The voting issue Mr President is not a new one for Norfolk Island during the course of Self-Government. In 1979 the commencement of Self-Government, we started with a proportional representation system of voting, which allowed a facility to express an order of preference, this system replaced the first past the post system, which was used for many years to elect the various Norfolk Island Councils. It wasn't clear to me personally when four years later it was proposed to change the system that there had been proper education about the PR system. Nevertheless a referendum held at the time suggested that a return to first past the post system was desirable. Ultimately because of the Commonwealth role in such matters we ended up with our present cumulative system, a system about which it can be said, has not stood the test of time in more than one other place in the world. During the lead up to the recent election Mr President, much was also said about the ability of the returning officer to test the suitability or fitness for standing of those who had been nominated for election. Comments have also been made suggesting that a term of three years for the Legislative Assembly is too short. That new members take far too long to adjust or familiarise themselves before becoming productive representatives of the community, and that perhaps a longer term might result in more progress and a better return for the investment of a vote. Some have suggested Mr President, that more continuity and stability in government and in the Assembly might be gained by staggering the elections, for example, filling four or five seats on a rotating three year basis. The requirements for maintaining the seat in this House, ought to be looked at in the light of changing attitudes and requirements in neighbouring jurisdictions. The provisions of the Norfolk Island Act, at section 39 result for example, in the immediate loss of a seat in the House, if the Member becomes bankrupt. Bankruptcy Mr President does not carry the stigma of recent years, and some jurisdictions consider it should no longer carry an automatic disqualification, from an elected legislature. There are a whole host of matters Mr President that bear examination in the light of our experience and in the light of changing attitudes both here and in neighbouring jurisdictions. This motion itself will not result in any change but it will bring about a in-depth study, it will result in a series of recommendations being made to

this House. The House will then decide how to proceed and will likely decide if significant changes are thought to be necessary, to put a referendum to the electorate. I wouldn't think it appropriate Mr President for this House to depart from the normal convention that electoral or constitutional reforms should be decided by referendum. Thus Mr President it is important in my view, that this process of review be commenced early in the life of this Assembly. With a view hopefully of completing the process of change before the term of this Assembly expires. Thank you I would commend the motion.

MR PRESIDENT: Further participation?

MRS SAMPSON: Thank you Mr President. I was pleased that I was asked to go on this committee. I have had a long history going back 20 years, even before I got to this Island, which makes it nearly 40 years now of electoral constitutional and political matters. I have kept up many of my contacts on the mainland, both in State and Federal Parliaments, and I would be please that I'd have, shall I say, the knowledge to be able to write to these people, and perhaps they can point me in the right direction. Thank you,

MR BATES: The issues covered by this motion, are issues which as the Minister stated were prominent in the week leading up to recent elections, and I intend to support the motion. I point out however that if the report to this House recommends amendments to the Norfolk Island Act then since that is an Act to the Australian Parliament, we can only seek that the recommended amendments be considered. Generally speaking the Norfolk Island Act sets out the criteria for eligibility for candidates, and the Legislative Assembly Ordinance picks up the criteria for eligibility for enrolment and the conduct of elections etc. It seems a little strange that being on the role does not necessarily make one eligible to be a candidate and there are probably some good reasons for the difference. There are of course other issues such as the role of the Speaker, should he be an independent person not part of the Assembly, should he be elected, or should he be appointed. There is also the issue of foreign nationals, Norfolk Island is indeed different from other places, but how many places in the world are there were you can have a seat in parliament and not be a citizen of that country. Then there is the issue of the voting system. There are many reasons why the old first past the post system was good, and just as many reasons why it was not, there is a lot of merit in our present system, and also reasons why its not liked. But the preferential system was probably the best, if the least understood, it was crucified by a few who didn't like it, and they capitalised on the emotions of those that did not understand it. Mr President I do not have the answers, only the questions. But I see the motion as a chance to look at all the questions and maybe come up with some of the answers. If this motion is passed I urge all who feel strongly about the issues to make their submissions to the Select Committee. Thank you Mr President.

MR ADAMS: Thank you Mr President. Just a few words on this. Mr President I believe that this Select Committee put together with the objectives as outlined is long over due on Norfolk Island. The recent election has bought to the surface many frustrations which exist in the community regarding most of the matters to be examined. The voting system in particular has been of great concern to many, and is in need of review. I believe that this is one of the few Select Committees, if not the first, into constitutional electoral matters on Norfolk Island since 1979, when the Advisory Council became the Legislative Assembly, and is a most appropriate means to determine if our constitutional and electoral matters of ordinance provisions are keeping pace with our community's wishes. Thank you Mr President.

MR PRESIDENT: Thank you Mr Adams, and I draw attention to Members, that

was Mr Adams' maiden speech in this 7th Norfolk Island Legislative Assembly, and I complement him. Further participation Honourable Members?

MR BENNETT: Thank you Mr President. I intend to support the motion. The comment from the community has been considerable, its the kind of comment that pops up, or has popped up at each election and a few weeks after it dies down. It is appropriate therefore to strike while the iron is hot, and to have a look at a system that might be more widely accepted by the electors. A study such as this contemplates is of course a response to that. I think it is fair to say, and I won't relive the history of voting but the traditional system in the Island prior to 1979, the simply plurality system, first past the post or whatever, was understood by everyone and I think it is fair to say that the change in 1979 to the modified ... system of proportional representation was not widely supported. I did see at the time a need to, just because we were moving from an Advisory Council to a Legislative Assembly there was a need to make a dramatic change in the way that we vote people into that place. Obviously reference has been made to the referendum that occurred a few years down the track, and the Hare-Clark system was tossed out, and another principle system put in. Just what input in the selection of the current voting system that Norfolk Island had I simply don't know, but I would suspect not a lot. Mr President it has been said that the right to vote, or in fact the act of voting also is probably the only political right exercised by a majority of the worlds population. Elections are the predominant formal mechanism of orthodox participation in the modern world. And though elections are common, choice is rare, only a handful of nations suspense with elections all together, but only a quarter hold genuinely competitive contests. So in most countries elections are a form of regimented participation, and not truly competitive. Whether this is the view of the electors in the Island, and I suspect it might be, will be tested if the motion passes and submissions are received by the Select Committee. An electoral system is a set of rules for conducting an election it is far more than the procedure or simply translating votes into seats. There are many many systems available, for voting people into places, most of which have been tried in some form or other. In fact as long ago as 1910 an eminent academic reported on the 1910 Royal Commission in Great Britain, which was appointed to enquire into electoral systems, and it claimed that there were at that time over 300 different systems, either actual or potential. He went on to say that human ingenuity being what it is, there are probably many more than 300 systems today. Any committee appointed to revisit such an examination would need only to discuss however a fraction of those systems. For many are purely variations on basic types, combining and recombining the same elements together in different ways. Others have been designed or are by design geared to the party system. And that is not applicable here, I am talking about the ... voting systems and the like. It cannot be denied that the examination towards achieving a most suitable electoral system including the way or the method of voting, the electoral system and the way of voting is slightly different. But if we are able to get a system or the best system or a system supported by the majority for Norfolk Island, then that will be a major step, and I am sure it will be a stimulating experience for the Members of the Committee. I am not sure whether they are fully aware of the depth of the exercise. I happen to see a document last evening that related to the Royal Commission on Electoral System in New Zealand, a massive tome, but examined a huge number of electoral systems if that is the path you are going to follow you are going to have a lot of fun. Mr President there are other matters, that are probably covered in the broad section (c)(1), that I think need to be looked at. Access to and the use of referenda, for example is a matter where many electors have from time to time expressed views, it would be useful to have that examined by this committee. There is of course a division of opinion about the use of referenda in Norfolk Island, there are some who say that it is not utilised anywhere often enough. And there are others who say, or who believe that by being successfully elected, one has a mandate to make decisions and to seek public views

about an issue at referendum, abrogates that responsibility, or the responsibility inherent in a mandate. I do not agree with that view, I favour a more liberal use of referenda, and I hope that it would be included in the terms of reference that this committee has got. Mr President an interesting, exciting and exhausting task await these people, I commend them to the task and I also support the motion.

MRS ANDERSON: Thank you Mr President. During the lead up to the elections, considerable dissatisfaction was expressed by members of the community in the present voting system that we have. So I think it is timely that we should look at our present system. In this regard I support what Mr Bates said, and I would urge any members of the community who have views or opinions on the subject to make those known to the committee. I am also pleased that the terms of reference of this committee are broad enough that they enable us to look at related issues, such as the role of the Speaker of the House, and to follow on what Geoff has just said, I believe that seeing that none of the other members seems to be challenging us for our roles on this standing committee, it obviously is going to be an onerous and far reaching task, but I do welcome the challenge. I will support the motion.

MR PRESIDENT: Thank you Mrs Anderson. Further participation? The question is that the motion be agreed?

QUESTION PUT  
AGREED

The ayes have it, thank you.

**NO 11 CONSTRUCTION AND OPERATION OF A NEW INTERNATIONAL STANDARD HOTEL - CALL FOR EXPRESSIONS OF INTEREST**

MR KING: Mr President I move that this House requests the responsible executive member to call for expressions of interest for the construction and operation of a new, international standard hotel of at least 100 bed capacity. Mr President, I am a glutton for punishment. This matter caused some stimulating debate at the last sitting of the sixth Legislative Assembly, it was a matter about which I was serious, and I take this opportunity to return to the House since my views have not changed, for an early reconsideration of the matter. On the last occasion that I spoke in the House on the motion, the motion was put on the basis of being realistic about the future of tourism in Norfolk Island, of catering for a market niche that we didn't sufficiently cater for here in Norfolk Island, that is the up market traveller. I argued on that occasion Mr President that I was not alone in my opinions, that I had taken the opportunity in July last year to travel through Australia and New Zealand and talk to the wholesalers, and a number of them expressed some opinions regarding the quality and service and facilities here in Norfolk Island and the need to provide for the niche for the up market traveller. I referred back in March, when I spoke about this last, to that report that I had completed, and I encouraged members on that occasion to reread that report. Now I am not sure Mr President if on this occasion the members particularly the new members have had the opportunity to peruse Hansard for last March. Nor whether they have had the opportunity to obtain a copy of the report that was compiled by me upon my return from my overseas visit in July last year. Those things would be well worthwhile reading, I don't have that particular need to see this motion dealt with to finality today, unless of course there is a clear indication to me that members have taken the time to research the matter and do their homework and located those papers and read them. This motion Mr President simply seeks an expression or expressions of interest from those who may be interested in such an endeavour. The passage of this motion either today or at a future time does not, and should not be seen as conveying approval in anyway,

shape or form. This is simply a means to test the waters, it is a means to in my view, to ascertain whether there are any entrepreneurs or investors in the local community who share my confidence in the future of tourism in Norfolk Island and who may well want to make an investment of this kind. I was criticised on the last occasion on a number of fronts, that I (a) was attempting to attract Japanese money into the Island, I rejected that motion as being simply foolish. I was not so much criticised but it was suggested that the use of the words international standard hotel, where not particularly appropriate, that it may be more appropriate to use the words first class hotel, I don't have any difficulty with that one way or the other, I think the intent of my motion is fairly clear. So Mr President again I say, that I will be happy if this motion were to be dealt with to finality today, but I would not be unhappy if someone wanted to seek a motion of adjournment so that they could refer to documents and papers that they may not have had the opportunity to read.

MRS SAMPSON: Thank you Mr President. Would it be premature to ask Mr King that in calling for expressions of interest, he has areas in mind which would be acceptable for this hotel to be built. I think in calling for expressions of interest, should point out land available or not available, it might be marvellous to build one on a cliff looking in to the sunrise or the sunset, but it probably would be impracticable as regards water and sewerage and proximity to shops. Has an area been formulated that would be the possible site for it, knowing that some people will say, not in my backyard.

MR KING: I will wait to see if any other questions emerge.

MR BATES: Thank you Mr President. I intend to support the motion. The Minister is not seeking the permission to go ahead with the project, he is only seeking permission to seek expressions of interest. I think as I have said in the past we need to rethink all our policies especially in view of the recent economic depression. One of the questions that I am concerned about which is really an environmental issue which would flow on if such a project were to go ahead, but I think that is a matter for another debate, but the environmental issues such as where is the water going to come from for such an establishment? Is it going to be on the sewerage line? Things like that. It is probably early days, and I think that it is fair enough to test the waters and go ahead with seeking the expressions of interest.

MRS ANDERSON: Thank you Mr President. Mr King has suggested that we should call for expressions of interest for the construction and operation of a new international standard hotel. I think that it is important that we clarify what is meant by an international standard. From comments that have been made in the community, it would appear that many people equate this with a top of the range Sheraton, or Intercontinental with 14 stories, acres of marble floors and indoor waterfalls. This is not what we need on Norfolk and would be totally out of place here. However if by international standard we mean a hotel with modern attractive appointments which has staff on hand 24 hours a day, and sufficient staff to attend to the visitors requests promptly and efficiently, offers room service and similar niceties which international travellers take for granted, then yes, there is a place for such a hotel on Norfolk. However before we can proceed along the lines that Mike is advocating we must consider the other implications involved in the establishment of an international hotel. Brian has alluded to the environmental considerations so I wont dwell on those. In an earlier speech, in March I believe Mike referred to a call from the business sector, if the government targeted a more affluent and free spending tourist, I believe this is essential. But if we are to do it, we must provide the facilities that such tourist expect. Visitors in this capacity rarely book package holidays. Many would be in professions or businesses from which it is not always easy to take time off, so they grab a few days holiday

when they can. Norfolk is an ideal place to get away from it all for a few days. Its therefore very important that we continue to work closely with the Airlines so that we can provide convenient flights which they can book at the last minute. In addition it will be absolutely essential for that operator to be able to employ experience and committed staff, rather than be reliant on transient holiday job work force, with an average stay of some 3 months. This would mean taking a hard look at our immigration policies. If it is the desire of the government and the community to encourage investment in a truly international standard hotel, and I am assuming that in addition of the actual costs of constructing and refurbishing the hotel, the government would charge a substantial fee for the requisite bed licences, then we must look at our attitude towards that investment. We must be prepared to offer a climate in which an investor would be prepared to risk several million dollars. We must set long term goals in tourism policies which would be such that they would instill a feeling of confidence in would be investors. The Governments track record to date has been one of confrontation rather than collaboration with the local tourist industry, to the point where many of the operators feel they have to do their own thing. And the largest hotel chain on Norfolk has become an enclave, staffed almost exclusively by non residents rather than being an integral part of our community. Most of these problems that I have outlined here, fall into the portfolios of Mr King, and I feel that if the Minister can give an undertaking that we can overcome these difficulties then I am very happy to support the motion.

MRS LOZZI-CUTHBERTSON: I intend to support the motion, as I believe Norfolk Island should have the facilities to attract tourists from all levels and an international standard hotel would cater to a group who seldom comes to Norfolk Island at present. I certainly share some of Mr Bates concerns with regard to environmental questions, but I certainly will go over them when proposals come forward, it will be time to look at those. I believe that it will be essential to ensure that an establishment such as you envisage will offer employment opportunities to suitably qualified and trained Norfolk Island residents. Not quite so many temporary entry people who can be treated badly by employers and exploited and who can be used as pawns against Norfolk Island residents of equal experience and ability. I believe that it is essential that we reconsider our employment act to ensure that the conditions under which local and transient people are employed are fair and equitably and compare to the conditions applicable in other civilised parts of the world. And as Minister responsible for that part of the situation I certainly hope to soon be reviewing the employment act with the assistance of Mr Robert Adams to ensure that some of the loop holes and perhaps things that have been omitted from the original intentions of the act are tightened up. I certainly support your plan.

MR ADAMS: Thank you Mr President. I believe that the concept of a new hotel, owned and staffed by Norfolk Island people which would be infused with traditional Norfolk Island hospitality can only benefit our community. It will boost employment both in the construction phase, and on a daily basis once operational. It will provide real training for our young people, it will also be a major consumer of produce from Norfolk Island's primary producers. It would also provide a level of accommodation not generally available in the market place at present. I would however be concerned if it were not Norfolk built, Norfolk run, if its profit went anywhere other than to our community. I believe any extension of the situation which presently exists with the present hotel chain which is foreign owned, foreign run and staffed for the most part by itinerant workers which ships its profit off-shore is to be avoided at all costs. With these provisos in mind, and keeping in mind also that at this stage it is only an expression of interest, I support the motion.

MR CHRISTIAN: Thank you Mr President. I support Mr King's proposal,

however he has indicated to the House here today, that he would be looking for local investors and I take that he would mean that people already resident in Norfolk Island to be the majority shareholders. One of the things that concerns me with this is, and maybe Mr King could put my fears at rest here, how does he proposed to ensure that the ownership of the hotel in the event of financial difficulty doesn't get transferred off the Island, like what we have seen in a number of occasions recently.

MR KING: Thank you Mr President. I think Mrs Sampson's queries have been addressed probably adequately by Mr Bate, the choice of land is really a commercial decision of the entrepreneur, and beyond that point it is a matter for the Government to assess that in terms of its building controls, its land use planning, laws and its other infrastructure requirements. Mrs Anderson seeks certain undertakings from me, and I think it has widened the debate a little bit beyond what I had intended. I didn't really intend that this motion end up in a call for review of the immigration policies. Those sort of things go without saying I think there are basic objectives which are included in our legal regime here in the Island, and one is to protect the work force, or the employment opportunities of local people and we should never lose sight of that fact. I too would be disappointed if such a new facility were to be staffed by itinerant people, and I think we can address that in a broad sense, I am not sure that it is a matter for immigration policies. Whether there ought to be fees for licences, this was raised in the debate on the last occasion, quite frankly I'm cool on the idea of charging fees for the bed licences that may or may not be granted under this type of proposal. I look across the range of operations and operators that are here in the Island now and I see very few who have paid anything for their bed licences. I'm not sure that it would be appropriate because we allow a new entrant into the industry, that we particularly charge that person just because we want to top up our coffers with a little bit of money, so I am not particularly comfortable with that particular question. I can't help it if some people have interpreted my motion as meaning a 14 story Shevron Hilton down on the foreshore. I would have to suggest that if we were only going to put 100 beds in fourteen storeys it would be a somewhat slim building. Certainly that has never been my intention, it is something which is compatible with the environment is absolutely essential. Whatever part of the environment, personally I would like to see something up on the hill where the Paradise was, and that would be compatible with the Kingston and Arthurs Vale Area. But that maybe unattainable. I'm not sure that it was particularly appropriate for Mrs Anderson to refer to a attitude of confrontation with the industry, I suspect that that was probably a reference more to my relationship with the Norfolk Resorts Group and its management, rather than my relationship with the entire accommodation industry. I hope it is not the latter, although I suspect that they are not particularly happy about my recent endeavours to tax them, and I can understand that, no one likes to be taxed, but I wouldn't have thought that would amount to confrontation, and in fact I have gone out of my way to take a very consultative approach with the industry. The industry chooses to respond to my measures to consult with them in a often provocative manner, in written form and verbal form and in no confidence motions at their meetings, and that is entirely up to them and I respect their rights to do that. I don't have an attitude of confrontation with the industry, in fact quite the contrary, I have always expressed the view that my endeavours as Tourism Minister should not be directed solely at supporting one section of the community, simply because I have the tag Tourism Minister, doesn't mean I am the greatest supporter of the accommodation industry, and it can't be so. I am supporting the wider interests of the community. So I am not sure that it was appropriate to widen the debate in that fashion, I thank those members who have given me some support for the motion. I can't answer Neville's question about ensuring about financial difficulties, the interests of such an operation might be transferred off-shore as has happened in the Island. But perhaps there are ways and means we can address those sort of

problems and I would be happy to turn my mind to that at the appropriate time.

MR BENNETT: Thank you Mr President. The motion calls for expressions of interest to construct and operate a new international standard hotel. But it doesn't, and nor have I really been convinced that that doesn't mean international luxury style, you can have a luxury style hotel that is not 14 stories, you can have it on ground level. I am opposed to an international luxury standard hotel, in fact it is against policy anyway. But what I would support is an international standard first class hotel, but I think the words "first class" need to be added to the motion, because otherwise I become a little bit uncomfortable with it. I have supported the concept of a first class hotel since the Paradise Hotel lease expired in 1986. And as I said at the time this was discussed we pushed very hard to get a hotel in its place on the same site on Quality Row, but narrowly missed. It has been said that there is presently available some high standard accommodation and I accept that there is but, I don't believe that there is sufficient of it, I think that we have to look ahead if tourism is turned around and we find ourselves back in the situation where demand is greater than supply, that is more people want to come to the Island that can get here, then we also should be shifting the focus on the class of visitor that arrives here and we may be able to satisfy more of the demands of the community who say, at present many of the visitors don't have fat enough wallets, so to speak. And perhaps there are segments of the industry out there once the Island's tourism becomes buoyant that we can deliberately pitch to these are the kind of people who would be looking for the first class style accommodation in my view. But not necessarily exclusively. There is a question arising out of it and I am not sure whether it was asked or even answered, it was asked at the last meeting and that was, in respect to the ownership and where the expressions of interest might be called. For example it is policy that words to the effect, "that the government encourages local rather than overseas ownership" and I think there is some legislation that restricts ownership of accommodation. I would be encouraged by a statement from Mr King that he wasn't going to advertise this globally for example, that he would be in the first instance be looking to see what might be generated locally. Mr President most of what else I had to say has been covered, I do have concerns about the wording of it, and I would not want that to be misconstrued by anyone and at the appropriate time I would attempt to move an amendment by adding the words "first class" after the word "standard" in the motion, so it would then read "the House requests the responsible executive member to call for expressions of interest for the construction and operation of a new international standard first class hotel" now whether that is just gobble-de-goop in terms, what I am trying to portray is that we are not looking for the 14 story hotel or the Sheraton Tahiti type, whistles blowing and elevators etc, we are looking for something that is classy and of a first class standard, that visitors who travel internationally come to expect. And maybe an addition of those words would portray the intention more clearly.

MR BATES: Thank you Mr President. Just a few points that have come forward in the debate. I think Robert mentioned the concept of ensuring that the monies stay on the Island as much as possible and I think we need to look at that aspect of all things. I think it is very important that the money once attracted to the island stays here and doesn't go overseas to shareholders that may have initiated the capital in the first place. But the motion itself is fairly broad, and its been mentioned that is it is going to be advertised worldwide, is it going to be advertised just locally. I wonder if the Minister does have something in mind, and if he could explain to the House just how he does expect to proceed, assuming this motion does go through, just how he plans to go about seeking these expressions of interest. I mean there are things like present building legislation which I am sure would have stop the 13/14 storey high concept that was briefly mentioned here today. I think that it not possible under the present building

legislation, but he could just explain if he has an idea of how he might go about looking for these expressions.

MR KING: Mr President I am beginning to think that some Members think I have some ulterior motives here. I don't. The wording of the motion is quite clear, I haven't given a great deal of thought as to what sort of words I might put together in a advertisement seeking expressions of interest. I have absolutely no intention of going off-shore and inviting people in the business review weekly or any of those other prominent business journals to come and invest in Norfolk Island in this fashion. Absolutely none. I am simply wanting to test the confidence of the local community, and I know there are people out there, at least two groups of people, quite frankly and I don't favour one over the other, I have no hidden agenda here, and I suspect that there are more, I think it was said in the debate on the last occasion by perhaps Mr Robinson, that there are a number of people who had acquired suitable blocks of land and had set them aside for this particular purpose. He spoke in terms of several people, several blocks of land. So there are those people out there who at one time or another have been interested, and I don't intend to go beyond them, so no hidden agenda, no ulterior motive, I'm not going to put any money into it, it's not mine, and I won't be advertising it anywhere other than locally. I don't have any difficulty with Mr Bennett's proposed addition of the wording, I think quite frankly it's a touch pedantic. I mean my intentions have been made very clear, it is simply a motion of the House and given that there have been some talk about the words international standard hotel, I would not have reused those words in any calls for expressions of interests in any event, whether or not the motion is formally changed, but I don't have any difficulty with Geoff, if Geoff wants to change the wording of it. There is included in one of the tourism policies, which needs to be reindorsed by this House, but these are a long standing list of policies which have been in place for about 10 years, a policy which says, the government, the Assembly should do as much as possible to ensure that as far as possible the benefits of tourism flow to the resident person. That policy is supported in a number of pieces of legislation and one is, in the Tourist Accommodation legislation which provides for the exclusion of foreign ownership, so there is legislative provision there which supports the earlier policy that the benefits should flow first and foremost to the Island residents. And I strongly support that policy, and when it comes to bringing those policies to this House for reindorsement then, I wouldn't be seeking to change or alter that policy in anyway. So my objectives are consistent with existing policy, existing legislation, I may have used some inappropriate words, that people aren't happy with. I am not talking about high rise buildings and 14 stories and selling bed licences or changing immigration policies. I am simply doing what a few simple words expressed in a short motion. Thank you.

MR BENNETT: I move that the words "first class" be added after the word "standard" in the last line of the motion. So the motion would then read "that this House requests the responsible executive member to call for expressions of interest for the construction and operation of a new international standard first class hotel of at least a 100 bed capacity.

MR PRESIDENT: Further debate? No further debate? Then we are at the stage of seeking members views firstly in respect of the amendment and then of the final motion. The first question is that the amendment be agreed?

QUESTION PUT  
AGREED

The ayes have it, the amendment is agreed. Therefore the words "first class" are inserted in the motion. The question is that the motion as amended be agreed?

QUESTION PUT

AGREED

the ayes have it thank you. That motion as amended is agreed.

**NO. 12 CUSTOMS ORDINANCE 1913 EXEMPTION FROM CUSTOMS DUTY**

MR BENNETT: Mr President I move that for the purposes of section 2B of the Customs Ordinance 1913, this House recommends to the Administrator that the goods specified in column 1 of the Schedule imported by the importer specified opposite in column 2 of the Schedule be exempt from payment of duty. Mr President I will just add for purposes of clarity, the Schedule in Column 1 the equipment is Ausplay playground equipment and it is for the Banyan Park Playcentre its valued for duty at \$7,362 the duty value is \$736.20 and as I mentioned in accordance with section 2B where an application for duty to be waived exceeding \$200 then the waiving of that has to be asked of the Administrator by way of resolution of the House. It seems a little bit unwieldy but I have indicated to members that the Customs Ordinance is being rewritten and in the course of that rewriting of the Customs Ordinance that monetary figure will be part of the amendments that will come to this House for debate, so that we don't have to worry the Administrator for such formalities, for such a small amount of money. Mr President it is not a provision that is used very often, I am advised by the Clerk that the last occasion was August 1992 and I think that time it was a marquee for the Lions Convention. It just is a lot of work to put the paper work together to head off to the Administrator to get his approval to waive the duty, when this House could clearly do it, and save him a lot of trouble.

MR PRESIDENT: No further participation? Then I put the question that the motion be agreed to?

QUESTION PUT  
AGREED

The ayes have it, that motion is agreed thank you. Mrs Cuthbertson you wanted to seek leave in respect of the Health Advisory Council motion.

MRS LOZZI-CUTHBERTSON: Thank you Mr President. I seek leave to move a motion in terms appearing on the programme in respect of the appointment of members of the Health Advisory Council.

MR PRESIDENT: Is leave granted. Yes leave is granted.

MRS LOZZI-CUTHBERTSON: Thank you Mr President. I move that for the purposes of section 13 of the Norfolk Island Hospital Act 1985, the Legislative Assembly recommends that the executive member appoint:

John Swinnerton Duke;  
Gordina Ivy Hancherow;  
David Wayne Evans;  
Margaret Elizabeth More;  
Kevin Ransford Periera; and  
Janice Lyn Christian,

to be members of the Health Advisory Council for a period of 3 years. Mr President section 13(1) of the Norfolk Island Act as amended provides for the appointment of a Health Advisory Council, the Council is to consist of six members, appointed by the Minister following a resolution of the Legislative Assembly. The Health Advisory Council is established to consider and provide advice to the Director on the functions, management or performance of the Hospital Enterprise, on any matter

relating to the improvement of health, the prevention of disease, the provision of health care or relating to a strategic plan. The Act also provides that the Minister may refer to the Council any matter within the scope of its functions and the Council must deal with any matter so referred. Mr President it is a matter of great disappointment to me that this Council has not been appointed, as the legislation has been in place for more than 12 months. It is my aim to give the Advisory Council some teeth to provide adequate and strong support for the Director. Over the next month I will prepare some directions for the management of the Hospital Enterprise which in accordance with section 20 I will table at the June Assembly Meeting. I will also consider placing some matters before the Council for their consideration. I believe that people named in the motion provide a good blend of experience in medicine, nursing, accountancy and management. And I am confident they will provide valuable support for the management of the Norfolk Island Hospital. I commend the motion to the House.

MR PRESIDENT: Thank you. Any participation?

MR BATES: Thank you Mr President. I intend to support this. I do want to clarified, but I thought that on two occasions Mrs Cuthbertson referred to the Norfolk Island Act, and I think she really intended to refer to the Norfolk Island Hospital Act, if she could just clarify that point because they are two entirely different Acts.

MRS LOZZI-CUTHBERTSON: I apologise if I omitted the word Hospital.

MR BATES: The intention is to amend the Norfolk Island Hospital Act, that's the point I was making.

MRS LOZZI-CUTHBERTSON: We are not amended that, we are appointing a Council under

MR PRESIDENT: Further participation? The question then before us is Honourable Members is that this motion be agreed?

QUESTION PUT  
AGREED

The ayes have it. Thank you that motion is agreed.

#### **NO 13 CRIMINAL LAW AMENDMENT BILL 1994**

MRS LOZZI-CUTHBERTSON: Thank you Mr President. I present the Criminal Law Amendment Bill 1994 and move that the Bill be agreed to in principal.

MR PRESIDENT: The question is that the Bill be agreed to in principal?

MRS LOZZI-CUTHBERTSON: Mr President I present the Criminal Law Amendment Bill 1994 and the purpose of this Bill is to remedy any correct section reference. When the Criminal Law Amendment Act 1993 which up dated Norfolk Island Law in regard to Sexual Offences was enacted. A drafting error lead to two sections 93 being created. The Bill rennumbers the first clause in part 3a of the Crimes Act 1900 of New South Wales, in its application to Norfolk Island by omitting the figures 93 and substituting 93a(a) the Bill has a sunset clause which provides that it expires on the day after the Bill comes into operation. The Bill as Members will realise is to effect a technical correction, and I commend it to the House.

MR PRESIDENT: Any further participation? No further participation?

MRS LOZZI-CUTHBERTSON: I move that debate be adjourned and the resumption of the

debate made an order of the day for the next sitting.

MR PRESIDENT: The question is debate be adjourned, resumption of debate made an order of the day for the next sitting?

QUESTION PUT  
AGREED

The ayes have it thank you.

**NO 14 DESERTED WIVES AND CHILDREN ORDINANCE 1923 REPEAL BILL 1994**

MRS LOZZI-CUTHBERTSON: Thank you Mr President. I present the Deserted Wives and Children Ordinance 1923 Repeal Bill 1994, and move that the Bill be agreed to in principal.

MR PRESIDENT: The question before us is that the Bill be agreed to in principal.

MRS LOZZI-CUTHBERTSON: I present the Deserted Wives and Children Ordinance 1923 Repeal Bill 1994, a short Bill was introduced at the last meeting of the sixth Assembly but, lapsed with the general election. The Bill repeals a 71 year old Ordinance concerning maintenance for wives and children deserted by their husbands or for a mother of an illegitimate child abandoned by the child's father without means of support. The Ordinance has had no practical effect since the passage of the Commonwealth Family Law Act 1975 which prevails over it. In 1986 the Norfolk Island Government advised the then Administrator that the Ordinance would be repealed, as it had become redundant and so 8 years later this repeal Bill presented today will honour that commitment. Members will note that clause 2 of the Bill gives it a life of only 1 day after it comes into operation. This is a conventional drafting measure to ensure that the repeal act does not clutter up the legislative tables. The Bill satisfies a long over due promise and I commend it to the House.

MR PRESIDENT: Participation? No further participation.

MRS LOZZI-CUTHBERTSON: I move that debate be adjourned, and resumption of the debate made an order of the day at the next sitting.

MR PRESIDENT: The question is, debate be adjourned, resumption of debate made an order of the day for the next day of sitting?

QUESTION PUT  
AGREED

The ayes have it, and that is adjourned also.

**NO 15 DOGS REGISTRATION AMENDMENT BILL 1994**

MR CHRISTIAN: Thank you Mr President. I present the Dogs Registration Amendment Bill 1994, and move that the Bill be agreed to in principal.

MR PRESIDENT: The question is that the Bill be agreed to in principal?

MR CHRISTIAN: Mr President, I have pleasure in presenting the Dogs Registration Amendment Bill 1994, this Bill was presented at the last meeting of the sixth Legislative Assembly, but lapsed with the general election. The Bill provides a ... system for the registration of dogs, it contains provision for the

Registrar to issue approved dogs tags and to make it compulsory for dog owners to affix a current tag as proof of registration. The Bill also empowers the Minister to appoint persons as inspectors and gives inspectors powers with permission or with a warrant to enter a place if an inspector reasonably believes there is an unregistered dog at that place. Mr President the Bill provides that an unregistered dog may be seized and destroyed. It also provides that a registered dog molesting stock or attacking a person may also be seized and destroyed. The Bill provides for the Administration to make regulations under the principal Ordinance to prescribe fees for registration of spayed or whole female dogs and neutered or whole male dogs. The regulation may also prescribe areas where dogs are prohibited and to that end the beach side of the esplanade at Kingston, shall continue to be a prohibited place. The Bill provides for the seizure of a dog found in a prescribed place and if such dogs are not claimed within 48 hours of the owner being notified the dog may be destroyed. The cost of detention, feeding and destruction shall be a debt due to the Administration. I believe these measures significantly enhance our control over and registration of dogs and I commend it to the House.

MRS LOZZI-CUTHBERTSON: For fairly obviously reasons I oppose some of the measures of this Bill. I think they are a little excessive and fairly draconian in their implications, and I think they will create a great deal of bad blood amongst people who may be affected by it. I believe that the registration of dogs and making owners more responsible for their behaviour is certainly a necessary procedure, but the provisions for destroying the animals are not likely to be often used and certainly are likely to frighten a great many of people from reporting misdemeanours on the part of dogs and owners. I feel in fact that if the punishment or the potential punishment that would be metered out on the faulting owners were a little lighter a little more constructive, you have much more support for this Bill and much more observance of it. I would favour the Bill being set aside for the time being and amended to encourage people to observe it rather than fear it.

MR CHRISTIAN: Thank you Mr President. I move that debate be adjourned and resumption of debate made an order of the day for the next sitting.

MR PRESIDENT: The question now before us is that debate be adjourned and resumption of debate made an order of the day for the next day of sitting?

#### QUESTION PUT

Mrs Cuthbertson is against. The motion for adjournment is carried and so that matter is so adjourned.

MR CHRISTIAN: Mr President I seek leave of the House to present the Liquor Amendment Bill 1994. Thank you Mr President. I present the Liquor Amendment Bill 1994 and move that the Bill be agreed to in principal.

MR PRESIDENT: The question is that the Bill be agreed to in principal?

MR CHRISTIAN: Mr President Members may know that comprehensive amendments to the Liquor Ordinance has been in the pipeline for more than 12 months to permit the local manufacture of certain types of liquor and I will explain this a bit further Mr President, even though I mentioned that it has been in the pipeline for at least 12 months, it has in fact been the subject of discussion for the past 4 years that I know of and it is still not yet in a workable form. This short Bill amends the Liquor Ordinance 1960 to provide that the Executive member may issue special permits for periods of up to six months. This Bill Mr President is a stop gap measure to allow certain operators who have invested significant amounts of capital

expenditure to operate. Members will note that as the Minister I can attach conditions to any special permit issued. My main concerns are protection of public health and maintenance of Island revenues from Liquor Bond sales. I assure the House that any permit issued will require Australian or New Zealand health standards and codes for liquor brewing or manufacture to be maintained at all times. I will also ensure that the Liquor Bond revenue is not reduced by one cent by these permits, and that the hours of operation of any outlet that sells liquor will be in conformity with previous practices and the advice of the Licensing Board. Mr President I regret the short notice of this measure but I am sure Members will understand the commitments made by the sixth Assembly ought to be honoured in this instance.

MR ADAMS: Thank you Mr President. Just a few words on this, I will state from the outset that I will not be voting on this Bill as I have an interest in the industry. I will however make comment on the Bill and its intent. The liquor manufacturing is a light manufacturing industry which is very much in its infancy in Norfolk. It has in some areas progressed to a stage where commencement of business can begin. It is an industry in which has great potential for Norfolk, both in a business and employment sense. This industry will compliment the present tourist industry and eventually is almost certain to provide Norfolk Island with a value added product for export. It has been demonstrated in recent times that difficulties associated with Norfolk having such a narrow economic base, which coupled with increasing fiscal pressure placed on the public purse in the form of such things as education requirements, better road, improved healthcare makes industry diversification and therefore widening of our revenue base a high priority. I believe this Assembly has an obligation to provide the legal and political infrastructure required to encourage industry diversification. This Bill even though it is an interim for the next six months, even in such a form is a mile stone in the process of diversification and I commend the Minister on proceeding with expediency on this matter. Once again I will reiterate that I will be abstaining from voting on this Bill.

MRS SAMPSON: Thank you Mr President. If I may ask Mr Christian having issued a special permit for the manufacture of liquor and obviously for liquor sales, it just escapes me how he can say, that the revenue of the Liquor Bond would not be reduced by one cent, it obviously is going to be in competition to the Liquor Bond. Is he going to enforce this? In what way would he go about seeing that the Liquor Bond is not reduced by one cent?

MR CHRISTIAN: I will answer Helen there quite briefly. Of the two manufacturers on the Island who are presently ready to go, and I will name both of them, its Norfolk Island Brewing Co., which is the beer one, and the Norfolk Island Liquors Pty Limited. In the case of the Norfolk Island Liquor's one, they are strictly bottlers. They import the syrup in to the Island and basically add water. It is my intention that they will only be able to sell their product to the Norfolk Island Liquor Bond Store and as such they will be treated as any other supplier to the Liquor Bond Store and all the normal duties would apply to the stuff they import and normal Bond mark-ups would apply to anything that they sell to the Bond Store. The Finance Minister is involved closely in this as well, and he has expressed some concerns that on his sums that the duty for shortfall could be somewhere between \$2,000 and \$22,000. That is a hard one to accurately estimate, but the numbers are not significant. To counter that I am hoping that once something is set aside in the Liquor Bond Store and appropriately labelled as a product of Norfolk Island, it may stimulate a bit more appeal and the increase sales from that particular area will cover the potential shortfall if any arises. I don't really see any problem there. On the beer side, certain restrictions will be placed on the beer manufacturer where, his keg beer is to be sold through the Liquor Bond Store, it cannot be sold directly to outside consumers, so there again

he is treated as just another supplier to the Liquor Bond Store, and normal duties and mark-ups and anything else that are determined in the course of my deliberations will be added to that. He is not at present ready to supply the Bond Store with beer. He is ready to run as, if you like a boutique drinkery if you like, where his product will not be bottled or canned but will be sold over the bar in glasses, ready to drink as draft beer. I don't see in the short time, that's going to have a significant impact upon the revenues of the Liquor Bond Store, but however if Members agree with me today by allowing me to introduce this permit it gives me as the Minister responsible for the Liquor Bond and Mr Bennett who is responsible for Finance, what I consider to be a brilliant opportunity to monitor the effect over a short period. We will be putting our heads together, we have got the Community Services Manager and the Finance Manager doing some sums not which I hope to be able to bring to MLAs on Monday, which will be the basis of the conditions that I apply to the issuing of the permit. So I think I can fairly well say, or I can categorically say that the Liquor Bonds revenues, or the revenues to the public purse will not be in detriment.

MR BENNETT: Thank you Mr President. I support the introduction of this Bill today but, what I do have concerns about is the foreshadowed urgency provision pushed through today. I am quite cool on that. As Mr Christian said, the original Bill was tabled in September last, and its delay has been caused by a number of things, first of all the original intention was to try and incorporate the three separate applications for producing liquor on the Island, in the one section. And because they were so diversified in nature and style and scope, the process went around and around without anyone able to come to grips with it in any sensible form. The recommendation was that the Bill have provision to be split the three different activities in the three different categories and deal with them in isolation from one another. And that seemed to allow the process to move forward, the only stumbling block left was the question in one instance only, and that was the question of excise, whether excise should be introduced in the bottling arena.

I regret that there has been so much time taken with this Bill coming to fruition, it is one of the consequences perhaps of two separate Ministers having two separate parts of the play. My role in the last Assembly as Finance Minister with the responsibility for the Liquor Bond was one thing, and was the question of dealing with the question of excise, but the licensing and the responsibility for the Liquor Ordinance was in other portfolio and as a consequence some things inevitably slip between the chairs, and in fact did so. But leaving all that aside there were certain commitments made in the last Assembly, and I acknowledge Mr Christian's desire to attend to those as soon as possible, however introducing the Bill to allow certain types of permits to issued is one thing, but pushing it through under urgency provisions is the other. Whilst it is a fact, there has been a lot of discussion about the question of, what impact will these operations have on the revenue for the Liquor Bond. Right at this time I am not satisfied that we have got the answer clear. In early calculations it was thought that out of the bottling operation there might be a loss of around \$25,000 to the Liquor Bond. In fact it was in the range of \$25 - \$35,000 and the paper presented to us in recent days took a different approach to the calculation arrived at a shortfall of some \$6,000 now there is quite a variance between the two. I admit that my calculations were ball park stuff and not as detailed as the second paper we have received. I believe that the calculations of both of them need to be looked at by the finance branch to try an arrive at a more reasonable assessment of what the loss might be in revenue to the Liquor Bond, and deal with the question at that time. For example the answer may well be we acknowledge that there might be a slight drop off in revenue from sales but it might be offset by additional sales of a different commodity that is being produced here. But at least we deal with it in the knowledge, or better knowledge of the level of loss that might be incurred in revenue. I understand that Mr Christian is under pressure from a least one of the applicants and I acknowledge that's a bit of a problem, however, I think the

proprietors have been aware of the complexities that this whole process has of departing from long established policy, that is the law, and the kind of anxieties that you have to go through in this kind of environment to deal with them. I don't think any of them believed that it would happen overnight, I think all the hard works been done, we are down to the last piece of the puzzle which is important nonetheless, to deal with it now, and not, I think we are right and get the licensees underway and then find that we have to make a dramatic turn to the left.

I don't think any of the three applicants would be at all happy if we let them go, if a Bill passed today and then find in six months time that we had to slam a very excessive amount of excise to stop the rot, I don't think it is fair on the applicants to .. out this six months in the knowledge that there might be some dramatic change to the way they are operating, I think in fairness they need to be told what the law is, how the law is going to effect them, and run their operation based on some certainty. I know that its a month now between today's meeting and the next meeting scheduled for the 15 June and I know Mr Christian would be anxious to let one of the applicants know today or tomorrow that he might operate, but I think that my view is that the emergency provisions shouldn't be used, we should satisfy ourselves finally on the question of excise and in fact, another matter is that I think that there needs to be more information passed to the other members of this House before we should really be dealing with a major question today, and I think that part in the rush of the last week has not been satisfied. I understand that some of the new members certainly haven't got some of the briefing papers ... and copies of the proposed Liquor Amendment Bill, that important ingredients to the debate and if we would slow the passage down deal with the matter today, adjournment until the next meeting on 15 June I think everyone will be in a better position with the knowledge at hand to vote accordingly.

MR BATES: Thank you Mr President. I was only aware of this last night and I've jotted a few things down here that I wanted to say. I think most of them have really been well and truly covered by Mr Bennett, though some of the things I say may be a little bit repetitive, but since I have written down a few things I'll go through them. This is band-aid legislation and as I said I cant support it. A Bill to allow local manufacture of liquor was first drafted in May 1993 it was redrafted or amendment on 3 September, 16 September on the 20 September and again on 21 September. I am not sure when it was first tabled in the table in the House during the 6th Legislative Assembly, but I do know that it was there for several months. When the 6th Assembly moved to dissolved, I said hadn't we better deal with the Liquor Amendment Bill as I understand people have spent capital and started manufacture. I was informed that it was no use having a meeting to pass the Bill its final amendments were not ready. Mr President I support the concept of locally manufactured liquor, since it fits into my policy of trying to keep our dollars on-shore. Robert alluded to these things just a while ago. But I am also mindful that the Liquor Bond injects substantial funds in to our public purse. I am not sure why the old Bill has taken to long to progress but I suspect it has something to do with the means of reaching an agreement on the difficult issues of government revenue and how to make it work. In his memo to Members the Minister said, he will ensure that the revenue to the Liquor Bond is not reduced, but there is nothing in the Bill to ensure that this will happen, or how it will happen. If someone has gone ahead and manufactured liquor before the legislation is in place, that is no reason to push through band-aid legislation, and if this Bill passes, our bargaining position to do what the Minister has promised will be so much weaker. Mr President my position is that we should do it right the first time, and not take this quick fix step, which we may later regret. Mr President I suspect that if anyone is now manufacturing liquor which is intended for sale to the public, they could be doing so illegally, since they have no licence to do so. I would have thought it prudent to wait for that legislation. My preference is for the Minister to get on with the task and proper legislation, and I think that as Mr Bennett said that could probably be done within a month, and that would then be my priority Mr

President.

MR CHRISTIAN: Thank you Mr President. I take on board everything that Mr Bennett and Mr Bates have said. I don't personally see it as band-aid solution.

It is a response to a need that is there. The people out there who are involved in manufacturing, have become involved basically because of the goodwill that was shown to them, by Ministers in the past, and the assurance that legislation would be forthcoming. We are the ones who are dragging the chain, not the potential manufacturers. We haven't held up our end of the bargain, as I see it, and they are at the position now Mr President where they need to be able to start selling their product to try and recoup some of their investment and on this point of investment Mr President, when you look around the community in the last two years, there are a number of individuals in the community that have invested upwards of \$1.6 million.

In different attractions if you like, or different things that make Norfolk Island a little bit different from other places, and a little bit more attractive to the people that come here. Almost without exception everyone of them has been hindered by the lack of the Assembly to keep up with the legislative framework necessary to allow them to do business. Now I know there are times when things do need to be taken slowly, but this isn't a major change to the Liquor Ordinance it just varies one of the permits that the executive member is able to issue, and I would certainly hope that we could proceed with this to finality today. Thank you.

MR KING: Thank you Mr President. I also have a dislike of urgent Bills. I have said so in the past and I maintain the view. But I have listened carefully to what Mr Christian has said today, and whilst I can understand how the urgency has developed, probably more so than some of the new members. I am aware of the saga, on the Liquor Amendment Bills and consideration of informal meetings in this Chamber, on what was required to be done to allow local manufacturing. Which as Members may recall was considered to be a prime objective given the economic downturns that we have experience and the need to diversify our economy. It was along those lines that whether we like it or not, a reasonable expectation was raised in the minds of these people. Reasonable expectation of such proportions which resulted in them investing a large amount of capital and proceeding on the basis of certain assurances that were given by former government, or former members of government. Now we all know and accept that we are not bound by any promises made or such by former Assembly's or by former governments, but we also accept I am sure that we live in a small community, that we can turn our backs on very clear indications that reasonable expectations we raised in the minds of these investors. It would appear if we accept what Mr Christian has said, that the matter was not as complex as it was made out to be by the former Ministers who were dealing with the matter. I am aware that the Liquor Ordinance 1960 does not have as part of its objective a desire to exclude or prevent liquor manufacturing in Norfolk Island. So we are not talking here about a shift in policy. I can only say to you that I applaud Mr Christian's efforts to coming to terms so quickly with this particular matter, and bringing about a very early solution, if that is any indication of the manner in which Mr Christian is going to conduct himself as a Minister of this Government, then I am quite pleased with the faith and confidence in him in electing him to ministerial office, because we will get a whole site more done than what we have done in the past. I accept his assurances that matters of financial impact, and health will be adequately covered for this interim period. I accept that it is a responsible approach that he's taking in allowing an interim arrangement which will give him and the Finance Minister an opportunity to monitor the wider effects before tailoring our legislation more closely to what we want to achieve. Thank you.

MR CUTHBERTSON: Thank you Mr President. I generally support what Mr Christian has submitted to us, and I do not feel there's a major change in legislation. I also thought the speed which he had come to grips with this

problem, but I would also like the opportunity to peruse the background papers mentioned by Mr Bennett. And I was wondering what kind of hardship would the manufacturers and the people who have been active in this regard suffer if this matter was put off until our next sitting.

MR CHRISTIAN: Mr President, I am not able to answer that question for Nadia, I am not aware of the financial situation of the people concerned. What does concern me today if it doesn't proceed through, is that it will sit here for another four weeks, it may well sit for another four weeks if any future amendments introduced by members, and it just compounds a bad problem. These people are still sitting out there waiting to go but cant go, and I don't think it is a situation that the Assembly can condone.

MR BATES: Thank you Mr President. My attitude is, if this Bill does lay on the table, is adjourned until the next meeting, it gives the Minister a month to get it right. If it goes through today, quite frankly we may never get it right, it has been around for 12 months and we have not been able to get it right. I believe that our bargaining position will only be weakened if people can start getting licences and not fully understanding what ultimately those licences may entail. I think it would be better if the Minister spends the next month in getting the legislation along the correct lines and we spend a lot of time during this month in endeavour to pass it at the next meeting.

MR ADAMS: Thank you Mr President. I would just like to say that if this Bill, if the interim measure is agreed to today, it will in no way detract from the governments ability to, as Mr Bates puts it, put it right in the future. As it specifically states in this interim bill this permit will not exceed six months. So if this is agreed to today it will in no way, or I don't see it as in any way detracting from the government's bargaining position. And if an argument is to be pushed along those lines, then it could be argued that the government through the nature of an executive standing up in the Assembly and advising the manufacturers to proceed, has already weakened this position, it has created a hope out there, or its created a hope along the lines that these manufacturers can actually start producing and now, if I recollected correctly over a year ago, and here we are still, or the new Assembly is continuing the procrastination effort of the last Assembly, I mean when is it going to finish.

MR BATES: I take the inference of the six months, but I put it to members that if a license is given for six months and the legislation is still not in place at the end of the six months, another license will be given for a further six months, and probably six months after that. My view is that lets fix it up in one month and know where we all stand, let the manufacturers know where they all stand, instead of fobbing it off for another day.

MRS ANDERSON: Thank you Mr President. Mr President I don't think that we can give the manufacturers any guarantee that we will get the legislation ready in another month. We've got an awful lot on our plates, I will support Mr Christian's bill today, because I think that this gives us an opportunity to have a test period if you like. So long as its on the clear understanding that the licence is very restrictive, its very limited, it is for a six month period only, with no guarantee of a renewal on the same basis, and we just work through as quickly as we can to get the legislation ready, but I don't think we can do it in a month. I will support the Bill today.

MRS SAMPSON: Thank you Mr President. I will support the Bill, as you know I am a firm believer in private enterprise and my comment is, that these people have spent a lot of their own money and time getting their two businesses up

to scratch and to the point of sale and I am not quite sure about the Cascade Drinks but I know that the manufacture of beer has definitely got a "use by date", a limited life and I feel to procrastinate for another month, may put the brewery in a position where it may have to dispose of some of its newly brewed beer. I will certainly support the Bill to go through today.

MR BENNETT: Mr President we have just heard a couple of examples, in the danger of rushing in without having the information because this suggestion that we wouldn't have the legislation ready in month. There is draft legislation already there, it just needs some fine tuning. I mean that is only an hour and a half's work for somebody and here we are, we are going to make a decision on an urgency provision making decisions, when many of us have not even had the time or had the access to the documents or the draft Bill that was tabled in September plus the briefing from the Public Service. I am a little bit surprised that people would be so bold as to do that. I know Mr Adams is anxious to see it going and he is concerned about procrastination that occurred in the last Assembly from time to time, I think this isn't procrastination it is getting it right, doing it properly and I shudder to think that if we are going to use the urgency provisions and make decisions without first having read what the draft Bill was all about because it has been around for a long while and its been on the table for a while and to read the comments from the Public Service then we are not heading down the track in the proper manner I don't think. I think the community would have the right to be annoyed. The community want to see action, I grant you that, but this is almost cowboy stuff, and I think we have got to pause and get it right, I really do.

MRS CUTHBERTSON: I would think some further .... Mr Bennett do you envisage that the new Bill, the new Liquor Act would be finished, or could be ready to go in a month or do you envisage that Mr Christian's amendment be tested and looked at more closely and be ready to go next month.

MR BENNETT: My understanding in talking to the office of the Administration the other day, we were talking about a very simple process, he was talking about minor little amendments, now whether Mr Christian wants to pursue and continue to pursue the Liquor Amendment Bill that was in the House in September is another question. But if he does well its there.

MRS CUTHBERTSON: Could I ask a further question. Would Mr Christian tell me has he received any advice on just how long it would take to get the present Liquor Act up to presentation in the House.

MR CHRISTIAN: Thank you Mr President. Nadia the information given to me by some officers of the Administration is that the draft bill that Geoff has just produced to members there in its current form is totally unworkable. I don't want to put the new elected members into a position of having to make a decision on the new draft legislation in the next 30 days when we already have a piece of legislation in place that quite clearly has a facility to allow the manufacturing to go on but just doesn't have the facility to allow them to sell it. And a very minor modification to the existing legislation will allow that to happen. I can monitor that quite closely, the bill that Mr Bennett is referring to or, the draft legislation covers the whole range of the liquor industry, its not just the manufacturing and it may in the end be totally different to what it is in its draft form now, by the time the 9 members sitting around this area have finished with it. I don't think its the correct thing to do to delay these people from starting up any longer.

MR BATES: Mr President, before you put the motion I would like to move that debate be adjourned and made an order of the day for the next sitting.

MR PRESIDENT: The question is, I might say I am obliged to put that forthwith if that proposal is made. The question is that debate be adjourned and made an order of the day for the next sitting?

## QUESTION PUT

MR BUFFETTNO  
 MRS ANDERSONNO  
 MR BATESAYE  
 MRS CUTHBERTSONNO  
 MR BENNETTAYE  
 MRS SAMPSONNO  
 MR ADAMSNO  
 MR KINGNO  
 MR CHRISTIANNO

Result of voting Honourable Members, the ayes two, the noes seven. The noes have it. We continue this matter Honourable Members.

MR CHRISTIAN: Mr President, I move that so much of standing orders be suspended as would prevent the Bill being dealt with through all stages at this sitting.

MR BENNETT: Mr President. If I can certainly count and it would seem that this bill has got a strong chance of going through, so I wanted to talk about the financial impact for a moment because as Mr Christian has mentioned and I certainly agreed with him, that there is a degree of uncertainty about the impact and I feel quite uncomfortable that we are embarking on something where there is some uncertainty, sure at the upper end of the scale the loss at its worst could be say \$25,000 and at best the revenue for the Liquor Bond might be enhanced but to make decisions when you don't know, I mean perhaps people might include in their debate some ideas or suggestions whether the shortfall of money might be found if we are faced with the worst case. Now I don't want to be a pessimist because I am quite optimistic about the performance of these three applicants, I mean I am not opposed to their operation. I just want to know how the sums added up and to have taken this matter on yesterday at 10.30, and put the Bill through to finality today, is faster than speedy. Numbers where you are making decisions based on the assumption made by the applicant as to how much the Liquor Bond is going to loose not by the public service or the government, I mean sure there is a great deal of integrity in the business community and I don't have any doubts on the integrity of the applicant that put the figures through, but surely we should be checking them. There is another matter that I have some slight concern about, and that is that Mr Christian in his note to members says, I will ensure that any special permit issued conforms with the Australian health and hygiene standards and I understand that, but, the revenue of the Liquor Bond is not reduced by one cent and that proper hours for the sale of liquor are maintained. As to the middle part, the revenue of the Liquor Bond is not reduced by one cent, the members of this House haven't had any input into that at all, don't you want to discuss that, he might have to for example add excise for example, is excise for example something you all agree with? I admire the drive to get this thing through, I totally reject that it is procrastinating, I think it is doing it right and I worry that we are rushing into something when only a few of the members around this table know much about and its a worry.

MR CHRISTIAN: Mr President, I'll attempt to calm some of Geoff's fears. This gives me the facility to issue a permit it does not by any stretch of the imagination, compel me to issue one. Now I have given all members of this House an assurance that before any permit is issued that full supporting

documentation will be supplied to you. I would have been quite happy to have bought this matter forward at another meeting, but this meeting was available today and I thought it appropriate that it come forward rather than wait any longer. But certainly before any of the conditions are attached to it, I won't issue any permit without first running it past a meeting of MLA's with all the conditions that would be attached to the permit.

MR PRESIDENT: Honourable Members the question in front of us is, that the standing orders be suspended so that the matter can go through all of its stages at this time, what we have done is start to go back into the debate about the pros and cons of this particular piece of legislation. I would like to settle the first matter of standing orders being suspended. The question is that so much of standing orders be suspended which will prevent the bill being dealt with through all stages of that sitting.

## QUESTION PUT

MR BUFFETTAYE  
 MRS ANDERSONAYE  
 MR BATESNO  
 MRS CUTHBERTSON ABSTAIN  
 MR BENNETTNO  
 MRS SAMPSON AYE  
 MR ADAMSAYE  
 MR KINGAYE  
 MR CHRISTIANAYE

The result of voting Honourable Members the ayes six, the noes two, abstentions one. Thank you, therefore so much of standing orders are set aside which would prevent this matter from going through all stages at this sitting. We now move to the details stage in that particular instance Honourable Members. Do you want to dispense with the details stage? Could I just point this out because I can see that a couple of Members do additionally want to speak. Whether that happens or not, whether you dispense with it or not, there will be a final stage in which I will ask you whether the Bill be agreed to. There will be an opportunity to discuss the Bill again when we come to that stage. It doesn't hinge upon whether we go through the details stage or not. Is that clear. Do you wish to dispense with the detail stage, I will ask again. We will dispense with the detail stage. And I move to the final motion and ask whether you want to agree the bill in its final stages.

MR CHRISTIAN: Mr President I move that the Bill be agreed to.

MR PRESIDENT: The question now before us is that the Bill be agreed to? Debate. Mrs Cuthbertson had earlier sought the call.

MRS CUTHBERTSON: I would like some assurance from Mr Christian please that when he submits the figures and the background information to the meeting of the MLAs, he will actually take a vote and abide by that vote. Because with the information before me I feel happy about voting, without the information before me I feel very unhappy.

MR CHRISTIAN: Mr President. I have never been pig-headed if you like and I will certainly take on board the wishes of all the MLAs in the decision making process.

MR BATES: Mr President, like Mr Bennett I can

count too but, I want to make it very clear that I do support the concepts of what's being done here, the concepts of the local manufacture of liquor, I do support that, what worries me is that this piece of legislation doesn't have the "i"s dotted and "t"s crossed, it leaves us at risk, it leaves the situation of certain things may never get done to suit. And an agreement may never be arrived at. But we may be just getting ourselves into something which, just because we haven't done it properly in the first place. However as long as it is really understood that I do support the concepts of what the Minister is trying to do, and I do commend him for getting on with the job as well, but I would certainly feel more comfortable if the matter had been adjourned and dealt with correctly.

MR BENNETT: Mr President, I was going to make a comment about executive discretion ... the Minister isn't compelled to talk to us about it, these permits, but then if he choose not to it is up to us to find out and come to this House to sort it out, but make no mistake that the executive discretion is pretty wide, and you know of course we can be held accountable for things that we say in this House, that we will do, but in many cases and we have had this experience it is a matter of finding out and often you find out to late. I think the urgency provisions are such that need to be treated with much care.

MR PRESIDENT: Further debate? No further debate Honourable Members. Then I put the question in its final form. The question is that the Bill be agreed to?

## QUESTION PUT

MR BUFFETTAYE  
MRS ANDERSONAYE  
MR BATESNO  
MRS CUTHBERTSONAYE  
MR BENNETTNO  
MRS SAMPSONAYE  
MR ADAMSABSTAIN  
MR KINGAYE  
MR CHRISTIANAYE

The result of voting Honourable Members. The ayes six, the noes two, and with one abstention The ayes have it. Thank you. Honourable Members we have concluded the substantive business of the day listed on the programme taken from the notice paper. We now turn to fixing of the next sitting day.

MR ADAMS: Thank you Mr President. I move that the House at its rising adjourn until Wednesday 15 June 1994 at 10 am.

MR PRESIDENT: You will recall Honourable Members that we have more informally spoken about two sittings in June prospectively the 15 and the 29 June which will hopefully be finalising the budget that the Minister for Finance will bring before us. But today it is matter of the 15. Any participation about that? I put the question that the motion be agreed to?

QUESTION PUT  
AGREED

The ayes have it. Thank you are next sitting day 15 June.

**ADJOURNMENT**

MRS ANDERSON: Mr President, I move that the House do

now adjourn.

MR PRESIDENT: The question is that the House do now adjourn? Adjournment debate? Honourable Members if they isn't any participation in the adjournment debate, I put the question that the House do now adjourn?

QUESTION PUT  
AGREED

The ayes have it. Therefore Honourable Members this House stands adjourned until Wednesday 15 June 1994 at 10 am

--oo0oo--