

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

Condolences

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

MR ADAMS: Thank you Mr President. It is with regret that this house records the death of Florette Nicolai. In the early hours of Tuesday 31st May at the Norfolk Island Hospital, Florette Nicolai, affectionately known as "Mummy" passed away peacefully in her sleep. In the presence of her many friends and relatives on Norfolk Flo was laid to rest at Kingston on Wednesday 1st June 1994. Florette nee Buffett grew up and schooled on Norfolk and while she did live for a time in the New Hebrides, Tasmania and Sydney it was here on Norfolk that she spent the greater part of her 78 years. Flo was active in the community. She was a staunch member of the RSL Womens Auxillary for 38 years and also a Charter Member of the Lioness Club here on Norfolk. She was a keen sportswoman renowned for her skill on the tennis court and in later years also enjoyed a game of croquet with her friends. This active life probably contributed to the fact that Flo was never really sick, only going to hospital to have her children. She is survived by her sister Delorus, her brother Leslie along with her nine children, Jacqui, Irene, Pedro, Culla, Neville, Barry, Sandra, Bevon and Andrea, 21 grandchildren and numerous great grandchildren. Though she ruled her family with a firm hand she was much loved. A women of perceptive wit with a keen sense of humour, telling jokes to the last. She was quick to befriend and comfort the lonely - a beautiful person who loved life and was loved by all, Flo will long be remembered. To all the family of the late Florette Nicolai this House sends its sincere sympathy.

Mr President it is with regret that this House also records the death of Bert Berganin. On Saturday 21st May Bert Berganin, a resident of many years passed away after a period of some sixteen months of indifferent health. Bert was born on the 7th September 1906 in a small village in the Dolomite Mountains of Northern Italy. At the age of 21 he migrated to Sydney and became a naturalised Australian citizen. He served for thirty two years in the Australian Army in World War II. Bert met Gwennie Menzies in Sydney and they were married in 1942. They have one son John. After living in Sydney for many years they returned to live on Norfolk Island in the early 1960's. A quiet, honest and gentlemanly fellow Bert had many friends on the Island. He was a much loved husband, father and grandfather. His world revolved around his family. He is survived by his wife Gwen, two brothers, two sisters, his son John and two grandchildren Brett and Cindy. To all the family of the late Bert Berganin this House extends its sincere sympathy. Thank you Mr President

MR PRESIDENT: Thank you Mr Adams. Honourable Members, as a mark of respect to the memory of the deceased I would ask that all Members stand for a period of silence. Thank you Honourable Members

Presentation of Petitions

Presentation of Petitions, are there any Petitions this morning?

Notices

MR PRESIDENT: Notices. Are there any Notices?

Questions Without Notice

MR PRESIDENT: Are there any Questions Without Notice?

MRS SAMPSON: Thank you Mr President. I have half a dozen here for the Minister in charge of education and a few carrying on from that on health. As a preamble to my first question I quote from Saturday's paper "last week in the course of struggling to balance the 1994/95 budget the Members of the Legislative Assembly agreed to scrap the idea of collecting fees from the parents of students undertaking years 11 and 12. I cannot speak about the reasons motivating the other Members, I can only say that the decision was unanimous in spite of the problems caused by having to deal with so many genuine needs". As the matter was only briefly raised in a Committee Meeting Member's individual views were not sought nor was a vote taken. How could the Minister misrepresent the situation by saying that it was a unanimous decision when the only decision made was by herself

MRS LOZZI CUTHBERTSON: Mrs Sampson, a discussion paper on how I planned to deal with this issue and the localisation of the teachers salaries was circulated to all MLA's including yourself on the 11 May 1994. I have a copy here. It was discussed in the Meeting of MLAS on 16/5/94 and I can't recall any dissent on the question of abolishing school fees for years 11 and 12 from anyone, including yourself. Further, in the course of discussing the revenue part of the budget on the 2nd June 1994 each item was open to input and discussion and in fact frank and wide ranging talks took place on various matters. When we came to the item on revenue from school fees I asked for it to be struck out. Mr Bennett raised the issue of general school fees and I mentioned that I was consulting the P & C on it but personally favoured asking the parents to purchase such general items as pens, books, writing material etc rather than go to the expense and aggravation of imposing a general school fee. This would result in a saving in the school budget.

I said I would come back to him on that subject. No-one else made any comment on any of this and we passed on to the next item. I had no idea I had to invite comments. There was nothing special about this revenue item. Discussion could have taken place on it like on all the other items. I think I was fully justified in assuming everyone present was in agreement

MRS SAMPSON: A supplementary question if I may. Does the Minister recall that when the matter was raised at this committee meeting the first word she said was that she had decided to abolish the fees and had already advised the P & C Committee of this decision the previous evening

MRS LOZZI CUTHBERTSON: Yes, but surely input and comments and agreement could have been expressed

MRS SAMPSON: Does the Minister intend to withdraw the summonses that were issued in regards to fees and if so does this include the summonses that were issued for non payment of fees for 1992 and 93

MRS LOZZI CUTHBERTSON: Yes, we are discussing the withdrawal of the summonses provided that individuals agree to pay their own expenses and other matters relating to that but no, we will not be withdrawing the summonses for previous years, only 1994

MRS SAMPSON: Thank you. Having regard to your decision to scrap years 11 and 12 school fees what action do you propose in order to assist parents who have sent their children away from Norfolk Island to complete their education, particularly

having regard to the greatly improved academic and other performances which are being achieved by those children

MRS LOZZI CUTHBERTSON: I don't propose any specific new initiative in that regard.

It is a personal choice to send children away from Norfolk Island. There are a number of bursaries and scholarships available to people wanting to send their children away and I am sure parents apply for those but to offer a proper and comprehensive education to the minimum level required is the responsibility of every government and especially taking into consideration the situations of parents who cannot afford to send children away. Those children should not be disadvantaged therefore we need to offer years 11 and 12 on Norfolk Island

MRS SAMPSON: Should the Minister be successful in negotiating local salaries for teachers does she intend to look upon the savings as revenue to be spent on the school having regard to her last sentence "it sure would be nice to have some money to improve conditions at the school"

MRS LOZZI CUTHBERTSON: Certainly I think we should spend some of that money in improving the conditions at the school. There is a great deal to be done to improve the space available for children, the conditions and so on, but not all of it may go back to the school in time

MRS SAMPSON: I have three here for the Minister in regard to Health Mr President. Regarding your portfolio of Health the statement in the paper included the words "the new Advisory Council has the right to tell the Minister, the Hospital Director and all of the Hospital Staff if it does not think they are doing their best for the sick people of Norfolk Island". Is it a fact that the Council's function is set out in Section 15 of the Act and that it is limited to providing advise to the Director and the Minister and there is no right to tell the staff anything

MRS LOZZI CUTHBERTSON: Yes that is correct reading of the Act but I have given the Director of the Hospital certain written directions which I intend to table later on and those directions certainly allow the Council a great deal more latitude then is set out in the Act itself

MRS SAMPSON: Is it a fact that a person who is an employee of the Hospital be it casual or part time cannot be appointed as a Member of the Health Advisory Council. If so, is one of the persons whom you have appointed to the Council actually prohibited from such appointment by virtue of being paid regularly by the Hospital

MRS LOZZI CUTHBERTSON: If you are referring to Dr Duke, he is definately not an employee of the Hospital. He is Consultant Physician at the Hospital. He is not paid by the Hospital. He is actually paid by the people who consult him. Their money is collected by the Hospital, they deduct a service fee and then they pass it on to Dr Duke. I am not aware of anyone else who is an employee of the Hospital who has been appointed to the Health Advisory Council

MRS SAMPSON: My last question to Mrs Cuthbertson. Could you advise whether the public will be able to consult with the Health Advisory Council and if so will they be able to consult about any aspect of Healthcare or the Hospital. Will the Health Advisory Council under your proposal be able to override the confidentiality which previously existed between a doctor and his patient

MRS LOZZI CUTHBERTSON: There are several questions. First of all I cannot see any problem with the public consulting with the Health Advisory Council and in fact certain members of the Health Advisory Council are already seeking ideas and ways of improving the conditions for patients, long term patients particularly at the

Hospital but that is the choice of the Health Advisory Council if they wish to consult the public. It is something they may do or may not do as they decide. As far as overriding confidentiality I don't think anyone or anybody can possibly do that. That is surely an essential qualification of doctor/patient situations

MRS SAMPSON: I have two for Mr King

MR PRESIDENT: Did you want to have a break Mrs Sampson?

MRS SAMPSON: Well it will be very brief and then I'll be quiet

MR PRESIDENT: No, No, No No No, No, No, No, No. I didn't want to imply that you should be quiet but I'm trying to give you an opportunity to have a break should you wish to do so

MRS SAMPSON: I'll just finish these two Mr President. This is for Mr King in his capacity as leader of the Government. As the place for making and changing policies has been in this House in past Assemblies does the Minister of Education's individual action signify that we may expect a change in policy making practices which will allow Ministers to spend large chunks of public money on personal preferences without consultation or debate

MR KING: Mr President I think it means no more than the need for at least one of our executive members to become more accustomed to the normal practises of the Assembly

MRS SAMPSON: Yes, and the one to Mr King with his portfolio of shipping. Could the Minister please inform this House how the Cook Island National Line presented a suggestion to the Select Committee on Freight etc that a trial run be made to see if the on board handling equipment is suitable and is now offering a full ongoing shipping service less than a month later after "consultation with the Administration and the people of Norfolk Island and no trial shipment

MR KING: I'm not quite sure I understood the question but no doubt Mrs Sampson will correct me if I address it wrongly. It wasn't as a result of the Cook Island Shipping Line addressing the Parliamentary Standing Committee that a trial run using a hired crane rigged vessel resulted. In fact, there were discussions which took place before that and it was at the suggestion of a number of local people including myself that the principals of the Cook Island Line actually make a submission to the Federal Parliamentary Committee. I understand as well that Mr Pratt of the Cook Island Lines addressed the Committee as a direct result of an invitation by the Chairman of the federal Committee. I am not quite sure whether that answers the question fully

MRS SAMPSON: I'll take it as such thank you Mr King. Thank you Mr President

MR BATES: Thank you Mr President. I will address this one to Mr King first as it is slightly based on the previous question. Recently expressions of interest was sought regarding the provision of a suitable shipping service to Norfolk Island. Could the Minister comment on the response and if there were any proposals which would appear to warrant further consideration

MR KING: Mr President I can do no more then say that I have called for a summary of the expressions of interest that were obtained as a result of that advertisement. I've not yet seen them nor have I seen the summary but I will certainly let members know when I do receive that information

MR BATES: A question for Mrs Lozzi Cuthbertson, Minister for Health. The previous Minister for Health was having prepared conceptual plans for a new

hospital. Do you have any knowledge of them and if so, when do you expect to be in a position to consider them

MRS LOZZI CUTHBERTSON: I've heard of their existence and I've asked for them to be shown to me and I believe the Healthcare Advisory Council has also expressed an interest in seeing these plans and I hope I shall be able to see them this week

MR BATES: A further question on that issue. The previous Minister for Health had also written somewhat disturbing letters to landowners adjacent to the Hospital regarding resumption of their land. Are you aware of his intentions and are you considering resumption of land for the new hospital

MRS LOZZI CUTHBERTSON: I have only heard of those letters in a general way. I didn't know they were disturbing but I certainly will ask to see copies of them. No, I have no plans for the resumption of the land around the Hospital at the moment. I would certainly want to have much broader consultation about where the new Hospital should be located before looking at anything like that

MR BATES: A further question for Mrs Lozzi Cuthbertson in her responsibility for Police. What stage has the construction of a new police station and lockup reached and is it still intended to construct it near the netball courts and the Berganin cottage

MRS LOZZI CUTHBERTSON: The final plans have been circulated and it is now proposed to call for tenders to actually do the building but at a meeting of all members, the location of the police station was discussed again and the majority of members was strongly of the opinion that the site should be reconsidered and during my absence last week Minister Christian undertook consultations on this matter with the Federal Police and the Health and Building Inspector and I believe he has now written to the head of the Federal Police and suggested that the building of the police station should be transferred to the paddock next to the radio station

MR BATES: Mr President I have a question for Mr Christian who has responsibility for the environment. Due to what would appear to be a lowering of the underground water table would the Minister as a matter of priority investigate methods to conserve and protect this resource

MR CHRISTIAN: Yes Mr Bates. I share your concerns about the lowering of the water table as well and I will be bringing forward some suggestions in future for the consideration of Members for water conservation measures

MR BATES: A question for Mr Bennett, Minister for Finance. Could the Minister inform the House what stage the upgrading and renovation is at and is it progressing according to schedule

MR BENNETT: Mr President about an hour ago I had a conversation with the Chief Administrative Officer about this very point that Mr Bates is making. I think it is fair to say that both the Chief Administrative Officer and myself have some disquiet about the progress of the terminal and he has undertaken to have a look at where we are at with it and I will talk to him again this afternoon and in the course of a journey that I'm proposing to take to Canberra tomorrow I intend to take the time to have some discussions with the Consultants in relation to the progress. It is by my recollection about four weeks behind schedule and the fact that I have not heard anything substantial from them or through the officers to me for a little over a month just raises a few questions in my mind. I will get the detail that I've just mentioned and I will make it available to Members when we meet in a fortnight's time

MR BATES: I have two more questions Mr President. One for Mr Christian,

Minister responsible for liquor licensing. At the last meeting of this Assembly an urgent bill was passed in order to allow local manufacture of liquor. Could the Minister inform this House if any licences have yet been issued under the new provisions

MR CHRISTIAN: Thank you Mr President. As Members would recall at the last meeting I did exactly as Brian has suggested, no licences have as yet been issued.

One will probably be issued this afternoon and all the criteria laid out in the new permits have been satisfied. The second permit will be issued in approximately two weeks time, the hold up there has been with the design work in the labels, the artwork hasn't been finished but other than that everything is ready to go

MR BATES: Thank you Mr President my last question is to Mr King with responsibility for roads. Does the Minister intend to bring forward a road programme for 1994/95 for consideration and approval by the Assembly

MR KING: Yes I do indeed Mr President. Whether I bring it to this House or whether Members deal with it their ordinary week to week meetings is really a matter that I'll be guided on but certainly it will be a matter for consideration by all members

MR ADAMS: Thank you Mr President my question is to Mr King in his capacity as Minister for shipping. Could the Minister inform the House if an enquiry is to be, or has been undertaken into the recent shipping of ammunition enclosed in general cargo

MR KING: Mr President I'm not sure that enquiry is an appropriate word. Or perhaps it is an appropriate word but investigation comes to my mind more immediately and certainly an investigation is being carried out by the authorities but I can say no more than that at this point in time

MR ADAMS: Supplementary question Mr President. Could the Minister assure personnel who are involved in shipping operations that ammunition will in future be shipped in a manner commensurate with dangerous cargo

MR KING: Mr President I can assure Mr Adams and the members of the lighterage service that the Government is seriously concerned about certain recent events in relation to imported cargo. Those concerns centre around the lack of proper documentation, the apparent breach of laws which have a basis of international covenants regarding the transportation of dangerous goods and those laws are laws of places other than Norfolk Island which may or may not have been breached on this occasion and I would think that those people who associate themselves or involve themselves in those activities should feel the full impact of whatever laws are available to be brought into play

Questions On Notice

MR PRESIDENT: Any other Questions Without Notice Honourable Members? We are finished with Questions Without Notice Honourable Members. We move to Questions On Notice. There are a number and I am wondering if any Ministers are in a position to respond to any of them at this time

MRS LOZZI CUTHBERTSON: With regard to a question from Mr Bates Mr President as to the kind of trust fund that has been established with the funds already raised for the new hospital I would like to advise that the money is in a bank account but not in a trust fund as such. There are four signatories to the bank account. The Chairperson of the no longer existing Hospital Board, Mrs McCullough Robinson, the Director of the Hospital, Mrs Jane Bataille and Mesdames Patricia Buffett and Jean Sims. The account can be operated by any two signatories together.

Mr President, in answer to some of Mrs Sampson's questions in regard to the number of children who completed year 10 at the Norfolk Island Central School in 1993 there were 20. 12 enrolled in year 11 in 1994, 1 took up employment, 2 received scholarships to Hurlstone Agricultural High, 1 received a scholarship at a private Roman Catholic High School and 4 have gone to other high schools. This means that 60% of children remained on at Norfolk Island Central School to do year 11. As to the second question as to evaluating the effectiveness of years 11 and 12 there is no more real reason to evaluate the effectiveness of years 11 and 12 than that of any other year. We need to accept these days a basic education includes years 11 and 12 and that it seriously disadvantages any child not to have access to those years. Nevertheless the Norfolk Island Central School is setting up an evaluation method which will focus on tracking ex students for a period of five years to find out what they achieve as a result of undertaking years 11 and 12 here as against what they might have achieved if they had not had access to those two extra years. The survey will certainly look at those children who would not have continued at school at all if years 11 and 12 had not been available here and take into consideration that the abilities, levels of interest and ambitions of young people will vary from year to year.

As to the third question from Mrs Sampson I confess that I spent some time trying to understand what it might be getting at. Finally I settled for the obvious. The result and difficulties that Mrs Sampson asked to look at as flowing from any decision for discontinuing years 11 and 12 include in my mind the severe destruction which families of students planning to complete the studies that Norfolk Island Central School would face. The impact such a retrograde decision would have on the morale of students, families and teachers, the consequences for our staffing agreements and arrangements and the missed opportunities which will effect young people whose families cannot afford to send them overseas to study, these consequences are pretty serious and I hope they will never have to be faced by Norfolk Islanders.

I also have an answer to Mr Adam's question. Spouses of seconded officers and itinerant workers are all on Norfolk Island as TEP's and under the Norfolk Island Immigration Act they can be hired by an employer only after a vacancy has been advertised in the local paper for two weeks in succession. All residents and GEP's who apply have to be interviewed and if found not to have the skills and or experience necessary to fill the position the employer must then satisfy the Immigration Officer of this by giving full details of who applied and why they were not suitable. I believe the Immigration Officer is careful to check that these conditions are adhered to and I have no immediate reason to doubt that most employers would only opt to recruit a TEP if a suitable local person was not available. As an employer myself it is obviously far better to recruit a person who will be able to stay with you permanently rather than someone on whom you may only be able to count for a short term, however, I am troubled by reports that there are a very few employers who prefer to hire TEP's because they are less likely to complain about the poor conditions. It is this kind of playing one group against the other which I trust will no longer be possible after the Employment Act is reviewed. In so far as the Norfolk Island Public Service is concerned I am aware that there has been a broad policy that spouses of seconded officers should not generally work. This has been expressed in broad terms in the past rather than as a matter of compulsion and I am not sure that the doctrine of privity of contract would allow us to insist that a contracted officer's spouse be compelled not to seek employment.

MR PRESIDENT: Thank you. That concludes Questions that are on Notice Honourable Members. May I just make this comment before we leave that particular area. Mrs Cuthbertson at the commencement you responded to a question that was not formally on Notice although there was no difficulty in that, I don't want to raise

it as a difficulty. I want to raise it to remind Members that if they wish to have a question placed upon Notice there is a procedure which includes lodging it in writing with the Clerk so that it can be properly recorded on the Notice Paper and be clearly seen by all participants and I would ask that you comply with that arrangement

Presentation of Papers

MR PRESIDENT: Are there any Papers to present this morning

MR BENNETT: Mr President in accordance with section 41(2)(a) of the Interpretation Ordinance 1979 I table the Postal Service Regulations 1994. Mr President these regulations were made on the 24th May 1994 under the Postal Services Act 1983

MR PRESIDENT: Further Papers this morning

MR KING: Mr President I table the tourist arrival figures for May 1994 and move that the paper be noted

MR PRESIDENT: The question is that the paper on tourist figures be noted?

MR KING: Mr President, just some brief comments. Again I am very pleased to report the increases reflected in this paper, some 33% out of East Coast Australia over May 1993. 29% increase out of New Zealand and an overall increase of almost 29% in visitors. I'm keen to see those figures maintained in the coming months. One can't be too sure. It would appear that we are not going to have what has become known as our traditional June/July/August trough this year and we hope that we can avoid the other traditional troughs that we have had during the course of each year. The second point that I would like to make is that there has been a great deal of talk about re-arranging the presentation of these figures to be presented in a more meaningful fashion. It's very difficult to keep track of statistics and make comparisons when the information is provided in this very scant manner in which it is set out in this paper for example these figures show that there's 1023 people travelling from Sydney and none from Melbourne. Now we know that that is simply not the case, that there are a great many people who visit the Island from Melbourne and from other ports of embarkation who simply travel through Sydney so I would like to think that somewhere in the near future I can present these figures in a more meaningful manner

MR BENNETT: Mr President just a question to Mr King. I have asked him before and I am not certain of the answer. In the compilation of the figures, how did they register visitors such as the 100 or so army personnel who arrived for the conference in recent times. Are they listed under charters or from their destination. It would appear that the bulk in the main body of the figures, the figures relate to RPT flights and I'm just curious to know how they deal with these relatively short visitors, but in this case they stayed two or three days

MR KING: To be quite truthful Mr President I've been a little bit tardy. Mr Bennett did ask me a couple of days ago but I've not yet ascertained. I have a sneaking suspicion on this occasion, the conference that Mr Bennett is no doubt referring to which occurred during the month of way were asked to fill in arrival forms and departure forms so they would be reflected in there. If that's not the case I'll let him know. On other occasions if there are short term visits by Defence Force personnel they need not fill in arrival and departure forms so there is a mixture of both but I'll confirm if it's other than that

MR BATES: Mr President I think that is a valid point that Mr King is going to look at a different method of presentation because I think this particular year

we have had probably the largest influx of visitors brought about through the various clubs and activities on the Island. At the last meeting we had a motion congratulating the Country Music Group but the RSL has been very active in bringing people here for ANZAC day and the publicity that goes with that, the Gun Club, Golf Club, Bowling Club have all been participating. The Bowling Club is expecting an additional tournament this year with quite a number of teams already interested and of course we have the Army Group that Mr Bennett has already spoken about, and we had the CPA group and I think if we knew just how many people come as tourist for holidays and how many people come for these events I think it would be very interesting statistics and quite helpful

MR PRESIDENT: You mentioned the present Golf arrangement also Mr Bates, yes

MR KING: I hadn't thought Mr President that I would present the figures in that fashion, I think it would almost be impossible for me to determine from an arrival form why a person has come here and be able to slot them into a particular category. I had a faint feeling that Mr Bates was suggesting that I had ignored the efforts of those other groups who have succeeded in attracting people to come to the Island for one function or another. I need to remind Mr Bates that I did make mention of those during my debate on the motion congratulating the Country Music Festival the last occasion this House sat. If I neglected to mention one or two groups in the community who have also contributed then I certainly apologise for that but I have on as many occasions as I have felt it necessary certainly acknowledged those efforts and if all those clubs and groups have contributed to the 25 -30% average increase we have had over the past five months and I congratulate them on that. When the figures are down I hope that they also take the credit for that as well

MR PRESIDENT: The question is that the paper on tourism 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?

MRS LOZZI CUTHBERTSON: Mr President I am required to table directions given by me under section 20(4) of the Norfolk Island Hospital Act 1985 and accordingly I table a direction so given by me to the Director Mrs Jane Bataille on the 30th May 1994

MR PRESIDENT: Further Papers?

MR KING: Mr President I've been asked to table the Administrative Arrangements for the Seventh Legislative Assembly and I do so

MR BENNETT: Mr President I am required to table details of virements that have occurred from time to time and I so table a document which identifies funds which have been transferred by way of virement since the 10th May 1994. There were sixteen movements in the time, most of them are routine in nature, that is, getting towards the end of the year there's a little bit of tidying up but a few dollars here and a few dollars there to meet electricity bills and the like. The total sum of money viremented was to hospital and medical assistance for approved persons, some \$126,000 in additional funds required to be transferred to that vote that is \$126,000 more than we had anticipated when the budget was set in June last year and reviewed again in December. I so table

MR BENNETT: Mr President, finally I table the Financial Indicators for the month of May 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 as aside from the month of May it does incorporate the eleven months of this financial year and we have just the month of June to complete the financial year. Looking at the right hand column one might feel a little bit comfortable looking at revenue running at 97% of budget and expenditure at 93% but that really doesn't tell the whole story. We had anticipated a slightly better month of May than is shown in these figures. The notable disappointment was customs duty, although I'm told that the arrival of the two ships close together close towards the end of the month contributed to the fact that not all importers were able to lodge entries in that time. I've taken steps in recent days to ensure that the officers of that service take every step to ensure that outstanding customs duty and entries which have not yet been lodged are lodged so that duty from those entries are incorporated into the month of June. I'm expecting a bumper customs duty figure for June in the hope that it will reduce the shortfall that we currently have if you look at the figures. Mr President there were some notable performances and I think after Mr King's figures on tourism arrivals for the month of May there was a logical rise in the quantum of departure fees and that has bumped the category entitled "Other Taxes" up considerably, almost 50% above its monthly revised budget total. Mr President because we now have eleven working days til the end of the month and because of the position that are shown by these financial indicators I've taken steps to throw a net across a number of the expenditure votes in the revenue fund by direction. Firstly I caused the net to go over all of the unspent money in the capital votes believing that if commitments had not been made with eleven days of the financial year to go then on items that 18 months were thought to be necessary then I consider it not necessary for those funds to be spent. Now there will obviously be exceptions. We were not able to look into the minds or the drawers of some of the section heads who have made commitments and the requisitions and the other forms yet to reach the office of the finance manager however we are dealing with those on an individual basis and I have made a commitment not to starve any section of any funds and not to curtail any works programme that is undertaken but it is simply to stop any temptation of the Christmas shopping in June syndrome. Mr President in addition I further directed that following a discussion with the finance manager that the control of unspent votes extend to include areas of recurrent expenditure highlighted during a meeting with the finance manager. Now they were too numerous to go through today but simply they were identified a number of areas with unspent funds and the net was around those as well. It is somewhat controversial to do so but we are facing the anticipated deficit that we have had with us in this financial year from almost the outset and to limit that I have taken that step believing it to be necessary. As with the capital vote areas, no section will be left on a limb. If there is expenditure require in those votes and it can be justified then there certainly won't be any move to curb that we will release the funds to allow those purchases to go ahead. That's all I have to say on that Mr President. I'm hoping for a very good June

MR PRESIDENT: Thank you Mr Bennett. Further participation on the question that the financial indicators be noted

MR KING: Thank you Mr President. I have to say that I'm quite surprised that Mr Bennett raises in this forum his practise of so called throwing a net over the funds which have been appropriated by a bill passed by this House. We all need to understand that this House is the one that approves the financial plan for the year. It is a bill. An Act of Parliament that we are dealing with and Mr Bennett cannot simply by administrative or executive direction, curtail the effect of that bill. I can understand though, his need to curb that expenditure and I admire his efforts in doing so but I need to remind Mr Bennett from time to time of that fact. I should also mention, although it touches on the previous debate it certainly touches on the matters of finance given the spending power of our visitor that I've

just ascertained a little late that the 113 army personnel that arrived during the May conference did not fill out arrival forms and therefore they are not included in the figures that are contained in the tourist arrival figures that I tabled. There were between 20-25 spouses who accompanied the army officers who attended the conferences and they of course did fill out the forms so there was a little bit of an overlap there

MR BENNETT: Mr President I thank Mr King for his lesson in reading legislation, the point that he overlooked however was that when we vote funds by an Appropriation Bill it is simply a provision based upon revenue expectations. Now you simply can't spend what you haven't got and if revenue has fallen short then the expenditure has to be cut and that's my role to make sure that we don't spend more than we earn money for. It's not a matter of breaching the law it simply needs to be understood that when we vote funds at the beginning of the year that doesn't provide an entitlement for those funds to be necessarily spent. They can be spent only if the money or the revenue side of it as projected meets its targets as well

MR KING: This is not a court of law Mr President and I shan't argue the point but I would suggest that before the judiciary such an argument would fail

MR PRESIDENT: The question before us is that the paper on the financial indicators 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

STATEMENTS

MRS LOZZI CUTHBERTSON: Mr President I would like to report the results of my meetings in Sydney with the New South Wales Education Authorities if I may. Briefly I firstly met with the General Secretary and Secretary of the New South Wales Teachers Federation and though they were not in agreement with out proposal for bringing the wages of teachers working on Norfolk Island more in line with those of other contract officers recruited in Australia, they did not blankly shut the door to any further negotiation. In fact the discussion was friendly and we parted on the understanding that negotiations would continue and that they would try to think of ways to help us. At the last moment the New South Wales Minister for Education the Honourable Virginia Chadwick was unable to meet with me but I did meet with Miss Jan McClelland the Deputy Director General of the Department of School Education in charge of resources. She was accompanied by two of her senior people concerned with industrial relations and they all gave me a very positive and constructive hearing. They said they could understand the reasons for our proposals and were sympathetic to the financial stringencies facing the Island. Off hand they could think of no good reason why a special enterprise agreement should not be negotiated to cover Norfolk Island and they offered to take the matter up on our behalf. They particularly noticed that we do not propose disadvantage to overseas resident teachers already here, that new recruits would have the option of agreeing to the new terms before accepting the position and that in the longer term only the teachers resident on Norfolk Island would be adversely affected. In the next few days I would write to Miss McClelland fully setting out proposals and to ask her to proceed on our behalf. I will report further to this House on whatever progress is made on this issue, thank you Mr President

MR PRESIDENT: Any further Statements this morning. We have concluded

statements Honourable Members?

Messages from the Office of the Administrator

MR PRESIDENT: We move to Messages Honourable Members. Message No 69. On the 16th May 1994 pursuant to subsection 22(1) of the Norfolk Island Act 1979 His Excellency the Governor General declared his assent to the Commons and Public Reserves (Amendment) Act 1994 which is Act No 10 of 1994, dated this 24th day of May 1994, Ralph Condon, Deputy Administrator

Message No 70 from the Office of the Administrator. On the 24th May 1994 pursuant to section 20(1) of the Norfolk Island Act 1979 I declared my assent to the Liquor (Amendment) Act 1994 which is Act No 11 of 1994, dated this 24th day of May 1994, Ralph Condon, Deputy Administrator

Reports of Standing or Select Committees

MRS ANDERSON: Mr President the Select Committee on Electoral and Constitutional Matters established by this House at its May meeting met on the 25th May for the purpose of election of a Chairman and to discuss the Committee's modus operandi for its operations. Mr President my colleagues Mrs Helen Sampson and Mr Robert Adams have kindly appointed me as their Chairman and the Clerk to the Assembly Ms Robin Graham will be acting as the Committee's Clerk. Mr President, the Committee through me would like to take this opportunity to remind the community that written submissions are being sought from interested persons and that they should be forwarded to Ms Robin Graham at the Assembly Offices by the 30th June. The Committee will also be holding public meetings for those who would like to speak to the Committee personally. The first of these hearings Mr President will take place on Wednesday 27th July in the Assembly Chamber between 2 and 4.30 pm and appointments can be made by phoning either Ms Graham or myself. Mr President the Committee would like to re-emphasise how important it is for members of the Norfolk Island Community to put forward their thoughts on these important electoral and constitutional matters. Without that valued community input the Committee's task is made all that much harder in formulating its recommendations to the House. It is most important that the final report reflects the views of all the community not just the those of the committee, thank you Mr President

NOTICES

Message from the Office of the Administrator

MR PRESIDENT: We now move to notices on todays business paper Honourable Members. The first relates to the Appropriation Bill 1994-95. I report that I have received Message No 71 from His Honour the Administrator recommending to this Legislative Assembly the enactment of a proposed law entitled "An Act to authorise expenditure from the Public Account for the service of the year ending 30th June 1995"

NO 1 - APPROPRIATION BILL 1994-95

MR BENNETT: Thank you Mr President. I have pleasure in presenting the Appropriation Bill for the financial year 1994/95 more commonly known as the budget. Mr President it is an act to authorise expenditure from the public account for the service of the year ending on 30th June 1995 and Mr President I will table a copy of that bill plus I'll also table a copy of the summary of revenue and expenditure estimates and a summary of revenue estimates. These are normally copied to members and made available for the press. They are a concise form of summary and they provide an overview of both expenditure and the revenue that supports it. Mr President I move that the bill be agreed to in principle

MR PRESIDENT: Thank you. The question before us Honourable Members is the bill be agreed to in principle

MR BENNETT: Mr President traditionally in Westminster Parliaments annual appropriation legislation provides a dual opportunity. On the one hand the Minister for Finance is able to discuss the year just passed and the year ahead in terms of projected economic performances. On the other hand, he and other Honourable Members traditionally find the budget debate affords them the opportunity to discuss the financial performance of the government and indeed the Island in broad or specific detail. Before making some remarks on the performance of our economy I encourage all members of the House to use this chance to comment on their views on the direction in which the Island is heading. Mr President I understand that this opportunity is only afforded in other meetings to the adjournment debate so perhaps members might take advantage of this opportunity. Mr President the bill proposes expenditure totalling \$8.27 million and is expected to be funded by revenue estimated to be \$8.305m. Revenue is expected to exceed expenditure by a modest amount thus we have a surplus budget and importantly it is a budget that has been achieved without any tax increases accompanying it. Mr President it is a strong budget, positive but responsible. Whilst the revenue forecasts are still considered by many to be a little conservative there is much optimism for the future and appropriate adjustments will be made as we go along the way. Before turning to the budget proper let me make some general comments. Mr President the last two years in particular have been very difficult years for many residents. Perhaps as difficult financially as at any time in the last decade. The economy became very depressed and the consequences were felt by all sections of the community. Expenditure in the public arena was slashed, businesses went into liquidation, houses and property were seized, household incomes shrank as the availability of work dried up, unemployment and underemployment became a reality, a number of families felt the need to relocate off the Island and a general low air of confidence and uncertainty pervaded the community. It would be far too easy and far too glib to look back and place the whole blame for the economic worries of the past two years upon the Island's geographical circumstance of being sandwiched between two recessed economies and to blame the resulting decline in visitor numbers dealing a blow to the tourist industry here, and hence, the total economy.

Mr President the facts are that we could have done a better job in the circumstances and didn't. We became embroiled in personality clashes and infighting, losing the necessary cohesion and rapport along the way. We simply did not respond effectively enough to the trends and slid into a slump from which the way out provided few clear opportunities. Invaluable lessons have been learnt. Mr President that is all in the recent past and I'm pleased to say that the Island is now very firmly on the path to recovery. Four straight months of very positive tourist intake figures are beginning to imbue lost confidence. With a further tourist advertising programme about to commence and a marketing plan for the next two years about to be produced we can only look forward to a further period of sustained recovery and buoyancy. We can add to this two wonderful bonus advertising coups that have occurred in recent weeks and I'm referring to the recent national televising in New Zealand of an hour long documentary on Tuku and Huru Bicentenary and the two hour long National Country Music Radio Programme by Nick Irby in Australia. It is recognised or acknowledged that traveller demand will follow but let me not digress from the budget proper. Mr President the philosophy or thought behind the framing of the 1994/95 budget was not alot different from the approach taken in recent years. That is, the underpinning objective remained to live within the Island's means whilst providing optimum activity in all sections of the Administration thus fully utilising both human resources and equipment available, a well considered but achievable capital works programme, adequate funding for health, education and social service areas, sufficient funds for an aggressive approach to marketing tourism, the funding for training, development and the introduction of enhanced management skills to the

public service. Enough funding to meet present and imminent funding commitments made to the Commonwealth and importantly to commence funding projects which but for the want of more buoyant times would have commenced at an earlier time. Mr President the task to meet these objectives was a little easier this time around by the fact that more than \$1m in extra revenue is expected in this financial year compared with the revised estimates for the year just ending, but, and also very importantly, just because of additional revenue being available has not meant the government has gone soft on the curbing of inappropriate, unnecessary or wasted expenditure. There remains a solid commitment to explore every avenue of expenditure. To this end the Expenditure Review Committee has made a number of recommendations already and have some major rationalisation studies in train which are expected to bring considerable expenditure savings at the same time as increasing programme efficiencies. The budget process this time has taken a considerable amount of time for members and many officers in the public service. All of the Administration branch heads and almost all of the section heads were given an opportunity to address and argue their own budget submissions to an assemblage of all members of this Assembly. This opportunity has been welcomed by many of the section heads who hitherto have not always been given the chance to defend their respective programmes and to argue against cuts etc. Obviously, not all budget bids were successful as at the time of commencing the process of dealing with the budget some \$843,000 of expenditure had to be culled out. What has remained represents a fair and well considered spread of expenditure across the board including as mentioned previously some important new initiatives. Mr President as mentioned in the opening sentence this Appropriation Bill before members seeks approval to expend \$8.27m from the revenue estimated to be \$8.305m. Let me now turn to some of the key points of the budget firstly referring to revenue. Of the \$8.305m total revenue some \$4.885m is expected to be derived from the group headed taxes. There is an increase of \$655,000 expected over the revised estimate for the previous financial year in this section. The principal components of this increase are customs duty, and increase of \$200,000, accommodation levy, departure fees an expected increase of \$165,000, fuel levy an expected increase over 1993/94 of \$180,000. The revenue from the next section, that is the section headed charges, is relatively unchanged from 1993/94 and is set at \$665,200 showing a modest increase of \$23,700. The last section in the summary is headed Earnings from Services that is, from the Government Business Enterprises. \$2.755m is expected from dividends interests and management fees, an increase of \$385,100 over the previous revised estimates. The principal components making up this increase are, first of all in the postal operation area an increase of \$200,000 in the dividend payment is expected and this relates to mail imbalance payments from Australia Post for the handling of excess mail from Australia to Norfolk Island plus some of the revenue expected from the sale of phonecards to collectors. Norfolk Island Telecom, an increase of \$200,000 in the dividend representing new revenue from Telestra or from the Telestra Operating Agreement and revenue from Phonecard sales also. Turning now to expenditure and I would like to highlight some of the key components in this category as well. Whilst all expenditure is grouped and listed in the summary tabled here today and which will be provided to the Norfolk Islander for publication the list is not so detailed as to evidence some of the new and importantly recognised initiatives. I'll go through them Mr President but not in any order of priority or importance as they appear in the actual budget papers. In the general Administration section Members will note that an allowance of \$25,000 has been provided for staff training of all sections recognising the need to reach an ongoing objective of 1% of the salary for the purpose of upskilling, cross training etc in the service. In addition, the budget provides for two apprentices and the establishment of a new position entitled Commercial Manager. Mr President it will be up to the Public Service Board to determine the sections where the apprentices will be taken on and it is hoped that further positions might be found on a continuing but perhaps in future a non commitment basis, meaning insofar as guaranteeing a full position in the service once qualified, is concerned, if we were able to take that approach Mr President I

think the Administration would be able to take on more apprentices and thus give some hope to those young people on the Island who choose to stay in the Island for their education and wish to pursue careers in the Island. The commercial managers position recognise the increasing reliance upon the government business enterprises as a source of revenue and recognises the need for marketing and policy development skills in existing business enterprises as well as the new business opportunities being developed and these are referred to in past occasions, the phonecards and perhaps coinage as two obvious examples. An additional \$35,000 has been provided for the commencement of computerisation of the records section and other funding has been provided to investigate and enhance integrated computerised information systems for the service. Those are exciting developments and both will bring about quite major changes in the way business is done or transacted in the service. Both will ultimately bring about efficiency's also. Turning to the health and welfare area increased subsidies have been provided for both the hospital and healthcare and to social services and the HMA or Medical Assistance area of Health. An additional sum of \$140,000 in total across both section have been provided against the estimates for the last financial year. Mr President the cost of policing in Norfolk Island remains high with some \$243,000 being budget for this financial year including a further \$50,000 towards the soon to be constructed police station. Mrs Cuthbertson has indicated a willingness to re-examine the cost of policing as an early priority soon after settling the education area of expenditure and I look forward to that examination. In the area of tourism an additional \$100,000 has been provided for the tourism promotion fund. It is expected that the value of this additional funding will be enhanced by further funding on a co-operative basis by the airlines. Perhaps Mr King might comment further on this point. Mr President \$100,000 has been provided for the development, improvement and beautification of Burnt Pine. That includes the proper surfacing of the car parking area on land purchased by the Administration a year or so ago. Finally Mr President taking a global view of the summary of expenditure Members will note that the Roads, Forestry, Noxious Weeds and Works Depot areas received very positive funding including an additional \$250,000 for capital expenditure over the previous year. Members will also note the new areas of expenditure and revenue entitled Norfolk Island Emergency Services and this is a culmination of change that occurred by the amalgamation of the airport fire fighting service and the local volunteer brigade and ultimately it's designed to be a fully funded operation. The fees that will be drawn from its services provided to the Airport, the Administration and to other people in the private sector, the fees and charges from those are expected to fund its expenditure. Mr President Members are expected to raise both good and bad points in the budget in their comments and this is to be expected as each of us has a particular area more favoured than others and areas where expenditure has not perhaps been provided for at all. For my part I believe we have a budget of some substance, positive but responsible. I comment the Bill to Members

MR PRESIDENT: Thank you Mr Bennett. Further participation on the question that the Bill be agreed to in principle

MR KING: He who hesitates is lost. Mr Bennett never leaves us a great deal to say in budget time. I agree that it certainly is a good budget, but it's not good simply because the expenditure is balanced with the revenue. I intend to say on a yearly basis at this time that balanced budgets are neither here nor there to me. It ought not be the objective or the exercise of the past several weeks simply to balance expenditure with revenue. It is fairly important on this occasion because we all recognise that the reserve funds have been very sadly and sorely depleted over recent years. I am one who is prepared to say that I believe that the revenue estimates are fairly conservative. I accept that. It doesn't mean that if I am proven to be correct during the course of the coming year that we embark on more expenditure. I believe that expenditure from the public purse has been adequately catered for by this particular bill. I did hear Mr Bennett's words

that we could have done a better job. I imagine that he was referring to the job of the Sixth Legislative Assembly and I agree that that's the case. We certainly could have done a better job. We could have done more during that particular period but I've also been critical from time to time of the efforts of former Assemblies. We are quick to say in other debates that we might like to see a handout from the Australian authorities for one capital project or another but I need to remind Members that our history of taxation in this Island has been very very poor and we look at the attitude that we have taken towards our taxing regime since day one of self government you'll find that it is a pretty poor history. Almost our entire tax package has been set on a regressive basis. There have been, well it's fair to say, there have been no progressive taxes and certainly no political willingness to review taxation levels from time to time. Now I believe that that is irresponsible. When we took up self government in 1979 that carried with it an acceptance of the responsibility to progressively and responsibly view your tax package with a view to fair and equitable tax raising. Now I'm not sure that we have taken that approach. Certainly it wasn't taken during the course of the Sixth Legislative Assembly. The economy certainly wasn't in the right state or conducive to further taxation but having said that, I am pleased nevertheless that this budget doesn't propose any new taxes for this coming year which is quite proper since we threw a fairly heavy package in before we pulled the plug on the last Assembly. But Mr President I agree that it is a good budget. It is good for a number of features, not simply because it is a balance budget and not simply because there are no new taxes. The budget as I see it is based on maintaining a full and productive work force within the Administration. A number of us recognise that despite the pressures from certain parts of the community to cut down on the work force in the Administration that that would be counter productive to enhancing the economic activity in the Island. For every \$10,000 we take out of the wages bill that's something in the order of \$25,000 that doesn't circulate in the wider economy. I'm happy to say, or pleased to see that as Mr Bennett pointed out a fairly handsome provision for staff training within the Administration. Year after year we hear criticisms and talk in fact in this forum about matters of efficiency and productivity within the public service yet we have never or the authority, the Assembly here has never responsibly addressed making an adequate provision for staff training and I'm very pleased to see that that has happened. I am also very pleased to see that the apprenticeship positions have been filled once again. The bill provides for capital expenditure somewhere in the order of about \$1.3m. As Mr Bennett may or may not have pointed out in that particular total it is a fairly handsome provision and that's over and above maintaining an adequate provision for recurrent expenditure. The important area of expenditure is in the capital area because that of course is the area in which the money will circulate through the wider economy with probably greater effect. For example, in the area of purchasing plant and equipment or replacement of plant and equipment we consciously took the decision that we ought not to be replacing certain or buying certain pieces of equipment where those pieces of equipment were available in the community to hire. Indeed, in the long term perhaps we could have saved a few dollars by importing our own equipment rather than hiring it locally but we didn't lose sight of the fact that to hire it locally means a direct injection into the economy, an injection which will continue to circulate on the multiplier basis. So we took that conscious decision but nevertheless we have arrived at the figure somewhere in the order of \$230,000 odd, that is in the works area, for replacement plant and equipment. I am very pleased to see that happen because it has been an area that we have neglected for many years and we only have to look at a number of the vehicles that we ask the Administration employees to drive around in and we ought to be hanging our heads in shame. We have made an adequate provision for improvement of the Burnt Pine Beautification Programme but let's not lose sight of the fact that we haven't got the foggiest idea how we are going to spend that money. We need to get on with that planning fairly quickly or the end result of that is going to be that come May or June in 1995 Mr Bennett will pull out his blanket and throw it over that sum of money. We need to think now, otherwise that

money is going to be left unspent. It's all well and good making these provisions for expenditure but we need to have a plan on how it might be spent. I'm also happy to see and I'm not sure that Mr Bennett mentioned it that there is an unprecedented level of appropriation for the promotion and development of sport both youth and amateur sport in the Island which is good. That is also an area that we overlooked. Sport goes hand in hand very much with tourism and we need to develop our facilities here in the Island a bit more; we need to encourage our own children and those who are a little bit healthier than myself and Mr Christian to involve themselves in more sport and be a little more active. There has been an increase of some 25% in the area of tourism, in fact more like 33% in the area of tourism promotion, that is, in the provision which is made for promotion other than the provision made for the operation of the local Bureau. That's fairly meaningful and I'm quite happy to have been able to play a part in getting that extra money there. It is a quid pro quo measure compensating for the recent taxation of the accommodation industry. A measure as I described then as an industry development measure and I'm very pleased to see that some of that money can now be channelled back into further promotion of tourism in the Island and in the area of Burnt Pine Beautification so those are the features that I generally focus on Mr President to justify my saying that I think this is a good bill

MRS LOZZI CUTHBERTSON: As Mr King indicated, he who hesitates is lost or has to repeat other peoples comments but I will not do that. Mr King has covered many of the things I wanted to say but probably he has not made it as clear as I would like to make it clear how much balancing this budget has been made possible by the fees and duties and levies that were increased by the previous Assembly. There would have been no hope of producing a balance budget otherwise. Unfortunately all those increases did hurt the community and most of the members here feel very strongly that hopefully this budget returns something to them by way of better services and a better chance of earning more money through tourism. Personally I'm very very pleased with the extra allocation for the two apprentices, the new Business Manager and the extra training allocation that was provided in answer to the Public Service Board's proposal for the budget. Those are really important initiatives and I think they should bear fruit of a long term nature for the whole Island. I particularly commend the new fundraising initiatives, the Telstra Agreement, the phonecards and some of the other initiatives that Mr Bennett is working on. I also would like to commend Mr Bennett personally for the way he took the new MLA's as well as the more experienced MLA's through this budget. The whole procedure gave us an opportunity to understand how various aspects of the Administration and the Government Business Authorities work, what their duties are and what their responsibilities are to understand better the work ahead of us. On the beautification of Burnt Pine I cannot support Mr King's remarks enough. We really need to do something very urgently about Burnt Pine. It is our showpiece and it has been neglected for a long time and I certainly will be pushing very hard to see that a plan is put forward as soon as possible. I commend this budget. I hope that it will have an expansionary effect and I certainly support it

MRS SAMPSON: Thank you Mr President. Once again I will get on my hobby horse and express concern about the increase in education fees. It looks as if we are now locked into \$100,000 for two extra teachers for years 11 and 12. We've no idea of how it is going to end. I also notice in the fourth draft that the \$66,000 which was expected to be collected for school fees has now been taken out. I also note that there is no provision, an amount has not been provided for repaying the fees which have already been paid and I wonder if perhaps Mr Bennett has got that

MR BENNETT: I'm happy to comment Mr President. Yes indeed with some luck I might add the fees for years 11 and 12 were completely abolished but the question was asked of Mrs Cuthbertson and she made reference to it again in this place, that the question of a general fee would be looked at and if that happens to be the case then revenue will flow in of a smaller quantum but at least there will be some

evidence of it. I just wanted to talk generally about the additional \$100,000 for education. By my calculations we are talking about a budget allocation which is in fact less than the original allocation this time last year but as Members will be aware it was reviewed at Budget time, slightly downwards and we are talking about a comparison I think of \$1.298m against \$1.314, something in the order of 16,000 off the top of my head but I think it's important to compare the budget bids or the voted funds for education at this time last year to this year and I think you will get the true picture of it as the year goes through, the responsibility of the Headmaster to contain expenditure is evidenced and in fact that is one of the principal reasons we were able to revise the expenditure in the education area down at the budget review time. I'm quite confident he will do exactly the same again, in fact if Mrs Cuthbertson is in any way successful in her negotiations with the Education Department there will be a substantial difference in the cost of education in budget terms

MRS SAMPSON: I just feel that for a limited application it is unfair and unreasonable extra to my mind massive increase in education onto the other taxpayers of the Island. They have to absorb this cost of years 11 and 12 which is being provided for a very limited section of the community. I feel that the money could have been spent much better in extending the bursary system for providing financial assistance to parents to send their children off the Island for years 11 and 12 which would have provided a much broader education and I am disappointed to have to sit here in this Assembly and see that this money has got to come out of the other taxpayers pocket

MR BENNETT: Mr President I just want to make one comment, I'm not sure if I am reading from a different document to Mrs Sampson but I refer to page 14 of the fourth and final draft and when you look at the total expenditure for education in the 1993/94 revised budget is \$1.336.2m the first priority for this current year is proposing to spend less than that \$1.314m now I'm not so sure where our purposes have crossed on that but there is a reduction in overall expenditure planned for this financial year in education compared to the position that we were in for last year

MRS SAMPSON: Yes I take Mr Bennett's point but I mean the amount of \$813,400 for full time teachers does already include those two teachers for years 11 and 12. Then I notice that superannuation, leave and loading has gone up \$20,000, removal costs has gone up \$9,000, transfer of teachers in and out is \$5,000 leave airfare entitlements is up \$8,000. Bursaries and scholarships is down by \$13,000 and this is where I feel that the money has been not spent in my opinion in the wisest direction

MR CHRISTIAN: Thank you Mr Buffett. I agree with the comments of Mr King and Mrs Cuthbertson before me that Geoff has brought down a pretty well thought out budget however, there are some things that concern me. I like Mr King, think that the income estimates may be a little too conservative and what I would like to see happen come the budget review time six months down the line that if income is running ahead of expectations that rather than increased expenditure be looked at that we consider reducing or removing some of the tax increases that was tossed upon the community of Norfolk Island by the outgoing Assembly. The budget really looks after the Administration as an entity. It does very little for the wider community and I come from the private sector and I can speak with some knowledge about that and whilst I admire Mr King for saying that benefits will filter down through the community from keeping the public servants employed I would also like to think that there would be direct injection of capital or fee for service if you like into the private sector. The private sector in the past has been disadvantaged by the process of budgeting that we go through and I will just outline some of those disadvantages. When someone goes along to the Administration to tender for some work quite often the officers in charge will say well the

tenders or the prices from the private sector are too high we'll do them in house, and I would just like to point out to the Members some of the reasons why the outside tenders can seem to be substantially above what the Administration can do it for in house but when you look at the big picture and this is what the Administration needs to do, I think the cost differences reduce substantially. For instance with diesel, the Administration pays approximately 40 cents a litre. Anyone in the private sector would be paying around \$1.00. Over twice as much. No duty is paid on capital equipment expenditure by the Administration when they purchase a piece of equipment to use in road making or building or something like that. No true cost of ownership is ever applied to this equipment and by this I mean there is no provision for long term maintenance or parts. We need to cost everything on a commercial basis in the Administration. That hasn't happened up until now so what I would hope is that Mr King and Mr Bennett in their future deliberations would look at this aspect of the budgeting when they engage the private sector to do work because the private sector pays its way. The system that we go through at the moment with the budget, the Administration doesn't pay its way

MR BATES: Mr President it was some months ago that the previous Assembly, they almost in panic increased charges and certain charges at a time when the economy was very depressed and people were scared and certainly at that stage I didn't envy whoever had to prepare the 1994/95 budget but in fact it was relatively easy. There has been an upturn in the economy, there has been an upturn in the number of tourists and I think we have every reason to be confident in the future.

Revenue is starting to flow and the dollars are starting to go around but like Mr King and Mr Christian I believe that some of the revenue estimates could be conservative and if they are we may even end up with some surplus at the end of the year and I think that will probably be good because our reserves have been running down in the last couple of years, we've had deficits and we've needed to call on those reserves. Often in the past previous Governments' answer to a downturn in the economy was simply to reduce government spending and little else and I think this is a rather too simplistic approach. The Government certainly doesn't have the right to tax people to put funds aside with no intention of doing anything for the community with those funds. I think that now is the time that if we could create a little surplus that would be find provided that we plan to do something with those funds in the future. We have seen an injection of funds from offshore.

Mr Bennett has alluded to those. He is expecting revenue from the Phonecards. We are expecting payments from Australia Post for the imbalance. These are good and this means that we get from offshore are funds that we don't have to extract from the community by way of taxes. I think when you look at where our revenue comes from, well over a third of our revenue comes from our services. Telecom for instance brings in \$1.1m. The total money from our services is almost \$3m, \$2 3/4m anyway. Our taxes are almost \$5m but by comparison the level of taxes has been on the increase in relationship to the total budget and the revenue from our earnings and services has been on the increase. I am a little surprised, maybe I misunderstood, Mrs Sampson's attack on the cost of education. I think she said why do those who aren't being educated have to pay. It's a burden on those who have nothing to do with education and it is my belief that such government activities and education welfare and health are a burden on the whole community. After all, those who are receiving education today are the tax payers of tomorrow.

Those who are receiving welfare today are the taxpayers of yesterday and I don't think we should simply say that those who don't wish to be educated have to stand the burden of education. I see in this budget that there is room to develop other activities other than tourism and we must look at that. We have seen that when things go wrong in the tourist industry they go wrong right across the Island. In the coming year, something that I had hoped to have seen underway by now is the upgrading of the airport terminal. That in itself will inject funds into the community, it will create a boost to the economy. The police station is another example. Some of the those funds are coming from Australia. The building of that will inject funds into the community and it will create employment. I think Mr

President it would be silly to say that every article of expenditure in the supply bill is something that I personally agree with. I don't think there would be a person around the table who agrees with everything 100% but the fact is we have to create a supply bill or things just don't work. For example, one of the things that I don't really see in there, one of my pet hobby horses is what I consider the waste of money extracting hyacinth from the Kingston creek. I don't know why we have to do that. We have foreign things in the Kingston area which are foreign to the historical aspect. We have cattle stops, we have motor vehicles, we have computers, we have things that have been introduced, we even have kikuyu grass down there but we seem to be spending alot of money all the time virtually destroying what I think was once a pretty little asset to Kingston and the Kingston creek. That's just an example to point out that I don't necessarily agree with everything that's in the supply bill but I do intend to support it. Thank you Mr President

MR ADAMS: Thank you Mr President. Most of my views have been echoed by former speakers. Perhaps this show of accord is not such a bad thing. Generally I am happy with the substance and the technical makeup of this budget. It brings in a surplus, it allows a number of major capital acquisitions and a greater amount of resources has been allocated for change and in particular provision for a couple of apprenticeship positions have been proposed by the Public Service Board, I think very worthwhile and long overdue. I'm also pleased that there are no new taxes, particularly after the last round of increases initiated by the previous Assembly keeping in mind the negative effect of these taxes on the community's cost of living and like Mr Christian I would personally like to see an effort to reduce tax pressure in various areas of our tax regime as the Island's income increases. I am however slightly concerned by the fact that this again appears to be a status quo budget and by that I mean one that strengthens our high dependence on tourism for our income and with little emphasis on alternative or commercial avenues to reduce the risk to the community's financial well being in the unhappy event of a sudden tourism downturn as we have seen in previous times. Apart from this concern I support the budget

MRS ANDERSON: Thank you Mr President. Most of what I would care to say has already been said by other members so I won't reiterate it. I support the budget, I think it's well thought out. I also agree that revenue is somewhat understated. I would like to think that we are going forward alot faster than the budget would reflect but I do agree that it's essential that our spending be prudent, that we not go ahead and spend money that we haven't yet got as Mr Bennett has suggested. But rather than spend money that we haven't got I think that it is also essential that we have money available to put into other areas, forward looking projects, other ways of raising revenue, other things that are on the backburner at the moment because we haven't had the money available for them. I would also agree with Mr Christian that if we do have additional income we should look at possibly reducing some of the taxes which were recently introduced. I would like not only to reduce the taxes that are paid by the local community but also some of the taxes that we seem to be forever directing to the tourists who are a very important part of our revenue base and we always seem to think that another couple of dollars paid by the tourists doesn't hurt us it hurts them so we might as well. Once we've managed to reduce some of our charges to the tourists I think that that would give us a better image and would encourage more of them to come here and spend more money so we would be better off in the long run. In the budget we've set aside \$100,000 for the beautification of Burnt Pine. I think this is long overdue and I look forward with Mr King to make sure that the money is spent before Mr Bennett puts a lid on it, thank you Mr President

MRS SAMPSON: Thank you Mr President. I just want to make a comment about Mr Bates saying he doesn't understand my comments on education. Education is a very emotive subject and perhaps I hear a deafening silence from my colleagues to make any criticism of education. I would just throw into the ring that the former

Minister of Education said that any criticism of education are votes lost at the next election. I'll leave it at that

MR KING: Thank you Mr President. I neglected to respond to Mr Bennett about the matter of tourism. He asked whether we might be able to gain an increased co-operative advertising dollar or promotional dollar from the airlines that operate into the Island in view of our increased funding. I don't know quite frankly. We can certainly try. We have been enjoying for some time some \$80,000 contribution by the main carrier out of Australia. That \$80,000 I might add is a contribution towards co-operative advertising, it doesn't include the dollars that they spend advertising their products, it's more a contribution which goes towards destination awareness advertising rather than product advertising and we did enjoy for some time out of New Zealand \$25,000 from each of the carriers under the Qantas/Air New Zealand code sharing arrangement which finished in February 1983 and that was reduced to \$25,000 as Air New Zealand took over the half share of the run owned by or operated by Qantas so there was a reduction there, we hope to increase that contribution from Air New Zealand, although they don't know it yet until someone sends them a copy of this Hansard, but we are fairly optimistic that we can increase that slightly but as to the other side of the Tasman I'm not quite sure but there's certainly harm in asking. I wanted to say in my earlier presentation Mr President that in respect of the capital expenditure I mentioned a figure of about \$1.3m and that's only in the revenue fund of course, Members should also be aware that there is an increased level of capital expenditure in the business undertaking but it is essential from my point of view that we follow closely where necessary the public procurement process, that is the tender process.

We must give equal opportunity throughout the community for operators to sell their wares or provide services to the Administration so that must be a process which is very closely followed during this coming year so that the benefits are spread as widely as possible, and lastly I wanted to say that whilst I think every penny of the capital expenditure ought to be spent I think in the area of recurrent expenditure there is a lot of room for improvement. Certainly in my areas I have some thoughts where some of that expenditure is a little unnecessary and I think that there can be some savings made in that area. That coupled with my thought that the year ought to be a good year in terms of tourist activity and therefore the economy ought to produce a bottom line in 1995 which is quite acceptable to us and the community. Thank you Mr President

MRS ANDERSON: Thank you Mr President. I would just like to pick up on a point raised by Mrs Sampson regarding education and bursaries. I don't think that years 11 and 12 on Norfolk Island are necessarily the be all and end all of education. I think that if we are spending say \$8000 per year per child which I understand is the figure to educate a child in year 11 and 12, that we should give consideration as to whether that money would be better spent for the benefit of the child in sending that child to the mainland to complete his education giving him therefore a wider view of the world than he can get on Norfolk. I'm not saying we should or we must but I think it's an avenue that should be explored

MRS LOZZI CUTHBERTSON: I would like to lay to rest once and for all this question of us spending \$8000 for each child or approximately that amount when educating them at the level of years 11 and 12 for Norfolk Island. The two extra teachers that are talked about as being hired for years 11 and 12 teach other classes as well. Their salaries should not be allocated merely to the teaching of years 11 and 12. They carry out other duties as well. In fact, there was one teacher here already and another teacher had to be recruited. The reason was put forward that it an overstaffing and therefore the first teacher should have been done away with the contract terminated but in effect we actually recruited only one extra teacher for years 11 and 12 and let me say, it worked in other ways as well. The essential thing is that years 11 and 12 are now essential requirements for the gaining of employment. They are regarded as an integral and normal part of an

education system. The world has changed. We are phasing out the school certificate. The Higher School Certificate is going to be the only certificate the children on leaving school will get when they've finished their education. If the Norfolk Island Government were to contemplate offering money to parents to send their children overseas to receive those years of extra education it would cost far more

MR PRESIDENT: Further participation Honourable Members. The question before us is that the Bill be agreed to in principle

MR BENNETT: Mr President if there is no more debate I will proceed to wind it up for today. This bill as Members are aware, will lay on the table for this time, a fortnight for the final session in the budget process will be the 29th June. I just want to pick up on a couple of comments made, one a general comment in respect of revenue and one in respect of expenditure. I think it is fairly acknowledged that the revenue forecasts are on the conservative basis. My preference was to follow the guidance of the Finance Manager who has done budgets for a great number of years and if you look back over the last decade you will find that he isn't far wrong or hasn't been far wrong in his estimates. They are based not on what might be projected but rather a curious mixture of what has been and some other mathematical things I don't understand but whilst it might err on the conservative side I think that as I said there is an air of optimism about and I feel quietly confident that the revenue forecasts will be met and exceeded and if that occurs I think Members ought to be aware that I believe the first priority is to put some of the surplus back into the Island's Reserve Fund. In the last two financial years and the financial year just ending there'll be something in the order of \$700,000-800,000 of the reserve fund depleted. It is now at a very low level. It's at a level that ought not be sustained for any longer than can be managed. I think that if there is a revenue bonanza then serious consideration ought to be given to diverting as much as might be possible to top up the depleted reserve fund. I note the comments of Mr Christian, Mr Adams and Mrs Anderson in relation to a view that taxes should be reduced if there is a bonanza and I think I would like them to consider between now and a fortnights time the question of whether the greater priority is to top up the reserve fund. It will be so dangerously low at the end of this financial year that only a hiccup in future years will put the Island into hock. There is a responsibility of the people in this place to ensure that that doesn't occur. Mr President in the general comment about expenditure, I pick up the point that Mr King made when he said "that there perhaps are areas of expenditure that could be scrutinised a bit more" or words to that effect. I think it is a necessary responsibility of all Executives to look at the expenditure in their areas, not at the day the budget comes down at the end of the year, or at budget review time, but on a continuous basis. There are always opportunities to do things differently more efficiently and sometimes there is a windfall at the end of it by having some surplus funds in those particular votes. The Expenditure Review Committee, as I mentioned in the opening statement has three very important studies, in ... and I have referred to those in previous meetings but I will touch on them again today. One of them is the vehicle rationalisation programme, which will consider not only all the plant and equipment in the Administration and Undertakings but will look at usage, replacement policies, whether the equipment is right for the job, or whether there is other equipment that ought to be acquired to do the job better, and a whole host of things. My own view on vehicle rationalisation is that at the end of the day we ought to give serious consideration to the engagement of a plant superintendent, somebody who manages the moveable or important capital assets of the Administration, and also deals with the question of rationalising the usage of the plant and vehicles. There is a lot I could say about it, but I think I have just sown the seeds right now, but if you could imagine that if you had a programme that identified all the sections that needed to use a bulldozer, and they totalled up what years uses of a bulldozer was, it could be programmed that one bulldozer could do the job perhaps

instead of two. I am not suggesting that we have an excess of bulldozers, but I am using that as an example. It works with trucks it works with other equipment. It is an interesting study, it will come to this Assembly by way of recommendations and we will have an interesting time in dealing with it. But my own view and even though the recommendations are yet to be brought down, will be at the end of the day somebody who has the responsibility for looking after all the Administrations vehicles and equipment, and there are millions of dollars worth, its a huge amount of money we have tied up in it, will bring about efficiencies and savings that will surprise us all. In another area there is the question of ground maintenance, whether we can look at the way of doing our ground maintenance differently, by having equipment brought to do specific jobs in a better way. There are heaps and heaps of lawn mowers around of all different sizes if we seem to lack some of the larger mowing equipment we need to mow larger areas like the sports oval and the Kingston area, but that's something that will be looked at in the hope that it might be rationalised, we might finish up with a lesser number of mowers, but of different kinds that are transportable easily and will do the job more efficiently, and lastly the matter of stores, the fact that we have stores in few areas, the main Administration works depot store, the electricity undertaking has some stores, the airport, the Telecom and so on, and whether the acquisition and storage of stores can be rationalised is a question before the RC. It may well evolve that the best solution is to turn the stores area, once it has been rationalised in to a Government Business Enterprise, so that it becomes a trader rather than just a service. So those are some positive things that are occurring and I mentioned those. To pick up the point that Mr King made about other areas less dramatic as those that are available to executives if they keep their eyes open to towards opportunities. And lastly, Mr President in closing the debate, I want to mention the Government Business Enterprises. The Government Business Enterprise budgets have yet to be dealt with to finality, and that will occur between now and the 29 June, it is usual to have the Business Enterprise budgets tabled during the budget session. It is not mandatory that they be dealt with in the same manner as the Revenue Fund, but I think it is important, particularly for the newer members of the Assembly that we go through the process, similar to the process adopted for the Revenue Fund for the GBE's. So that opportunity will be afforded members over the next couple of weeks. And I will be talking more about the impact of those deliberations when I table the Government Business Enterprise budget on the 29th June. Mr President, if there is no further debate then I move that debate be adjourned

MRS SAMPSON: I was wonder Mr President, you also are a member of this Assembly do you not enter into discussion, is your position ...

MR PRESIDENT: ...A good opportunity when we bring it forward on 29th Mrs Sampson

MR BENNETT: He's leaving it rather late.

MR PRESIDENT: Yes well if you are seeking comment upon that no others have proposed adjustments or changes Mr Bennett

MR BATES: Thank you Mr President, I just wanted to support Mr Bennett in what he said. Little has been said about the actual Revenue Fund, and the balance of the Revenue Fund is really the amount of money we have to one side for this type of budget, that does not include the reserves of the Business Undertakings as Mr Bennett mentioned we will be discussing at our next meeting. But the level of funds that we retained in the Revenue Fund I think is fairly important and as Mr Bennett said we are really well down in those, and I think that if we do have a good year and if we have been conservative in our revenue estimates then there is a chance to build that fund up, and I think that is good we should do that. I guess if you went around this table and you asked all of the nine members "what do they

think the balance of the Revenue Fund should be" you would probably get nine different answers. It is a fine line for us to decide just what we think are prudent reserves to have. I think the Revenue Fund balances have served us well in the last two years as Mr Bennett says we have run it down by the tune of \$800,000.

And that is in keeping with my sentiments, that Government should when times are good perhaps build up their reserves a little bit, and when times are not that good that they should be prepared to spend those, provided they spend them well, and for the benefit of the total economy. But still as I said earlier we should not tax just to accumulate without debating what we intend to do with those funds, but really I would just like to support, I think we do have to look at what we think our reserves should be, what we think are safe reserves, and I think we must give those our consideration over the coming twelve months.

MR PRESIDENT: Further participation? No further participation.

MR BENNETT: Mr President I move that the debate be adjourned and the resumption of 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 day of sitting?

QUESTION PUT
AGREED

The ayes have it. Thank you.

NO 2 POSTAL SERVICES (CHARGES) AMENDMENT BILL 1994

MR BENNETT: Mr President I have pleasure the Postal Services (Charges) Amendment Bill 1994. Mr President I move that the Bill be agreed to in principal.

This Bill makes a minor amendment to the Postal Services Act 1983 to remove mail privileges from most agencies of the Norfolk Island Administration and Australian Government entities in Norfolk Island. The Bill is a result of a report by the government's Internal Auditor who in 1993 drew attention to the fact that the Norfolk Island Postal Service subsidises other government agencies to an amount estimated in excess of \$30,000 per annum. The Bill ends the current situation whereby bodies such as the School, the Norfolk Island Hospital and the Administrator's Office receive free mail privileges. It also makes clear that other agencies, whether under the auspices of the Norfolk Island Government or the Commonwealth, should pay for using the Norfolk Island Postal Service. Some may say this Bill is merely effecting a journal entry in relation to NIG agencies, as the money for mail will still come out of the same ultimate source. Such a comment however shows a lack of understanding of modern accounting procedures whereby true costs should be reflected in an organization's ledgers, whether that organization is a Section of the Administration, a government business enterprise, or an outside agency such as the Australian Nature Conservation Agency. The Bill will end the current anomaly where some Commonwealth and NIG authorities pay for mail and others do not and place them both on equal terms. If this Bill is passed, clause 2 provides it has effect from 1st July 1994 and so Members may regard it as part of the Budget package of Bills. Mr President, I understand that the publication of the title of the Bill in last weekend's "Norfolk Islander" led to fears in the community that the Government is going to increase the price of stamps. Now that is not being contemplated and I make the commitment now that, while I have ministerial responsibility for the Postal Service, any cost increases will only occur if absolutely essential and after full consultation with my colleagues and in this place. This Bill will end an artificial subsidy our Postal Service has provided since at least 1979 to several government agencies. The only exceptions which will continue to enjoy mail privileges are mail despatched by the Postal Service itself and official - not private - mail from the Legislative Assembly. I

commend the Bill to the House.

MR KING: Mr President, Mr Bennett said that we can regard this as being a part of the budget package, I take it then that the financial outcome of this Bill is reflected in the figures that were put before us

MR BENNETT: Well there is sufficient flexibility to do that, the principal outcome will be reflected in the Postal Services budget which will be tabled on 29 June. There will be the greatest recipient of such a change because the hitherto subsidy will not be a subsidy, there will be an inflow in their accounts of what have been subsidies in the past. But the cost is spread in drips and drabs over a whole raft of organisations, some of them business undertakings, some the hospital, some the Administrator's office and the like, so you want be able to scratch around and find item by item in our Revenue Fund budget, but be assured that there is sufficient there to cover it.

MR KING: I think that answer was ... but I am not real sure. I am interested to know what the expected cost, and I know it is only a paper entry only and it will reflect on the other side in a decrease in the management fee or dividend paid by the postal service to the Administration, but I am interested to know what the estimated cost of postage will be in the Administration general area.

MR BENNETT: Just that main building?

MR KING: You say the only ones that are exempt under this Bill will be the Postal Service itself and the Legislative Assembly mail, and does that include the Administration?

MR BENNETT: The Administration sections that use, the Administrators Office, the Administration, Hospital them all will be paying

MR KING: I am just wondering Mr President, what the estimate of Administration postage will be given that it hasn't paid it previously

MR BENNETT: The total amount of postage which is given free to all agencies is \$30,000 per year. I don't have the breakdown of individual operations but there is a document on the file that shows the estimated number of articles posted locally and externally so if you are interested in it I will get those figures for you and have them at the next occasion we discuss the Bill

MR CHRISTIAN: Thank you Mr President. I wonder if Mr Bennett could clarify for me whether that free postage in the past, applied to local as well as international mail, or overseas mail, and if we are in fact applying modern accounting principals as he calls it, why in fact are we exempting the Government, Legislative Assembly and individual members and the postal service itself, surely if it is a book entry they should all do it

MR BENNETT: Mr President, firstly, yes it applied to local mail and international mail. Postal Services universally don't charge themselves postage, that's the answer to the second part. Third part is, it is not intended that any private mail from a member of the Assembly be free, it is simply the Government's mail. This follows a traditional pattern with postal services, it is not something we invented. The agencies that are involved with free postage now some of them send quite large parcels across the other side of the world, at quite some expense, which is paid for by the tax payer in Norfolk Island, and most of the agencies who have been spoken to are quite conscious of that need. I haven't received and strong objections to what we are doing, in fact it has been the opposite, there has been cooperation from the Office of the Administrator and other Commonwealth agencies

MR PRESIDENT: Further debate? No further debate

MR BENNETT: Mr President I now move that the debate be adjourned and the resumption of debate made an order of the day for the next sitting

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

QUESTION PUT
AGREED

The ayes have it. That matter is adjourned until our next day of sitting.

NO 3 HEALTHCARE (REFERRAL) AMENDMENT BILL 1994

MRS LOZZI-CUTHBERTSON: Mr President, I present the Healthcare (Referral) Amendment Bill 1994 and move that the Bill be agreed to in principal. I table the Explanatory Memorandum for the Bill thank you Mr President. I have pleasure in presenting the Healthcare (Referral) Amendment Bill. This Bill is to clarify the purpose of section 20 of the Healthcare Act 1989 by making clear that a member of the medical staff at the Hospital may refer patients under the Healthcare Scheme to places outside Norfolk Island, when the medical staff-member is satisfied the service required cannot be provided on the Island. It also allows a member to refer a patient to a place on Norfolk Island other than the Hospital if he or she judges that is necessary, and it allows a medical practitioner, other than a member of the Hospital staff, to treat referred patients at the Hospital when a medical officer at the hospital is satisfied that he or she cannot provide the required service. Mr President, this Bill partially reflects current practice in relation to referrals off the Island, but it clears up an anomaly in the principal Act to ensure Healthcare referrals can in relevant cases be made to medical practitioners resident in Norfolk Island who are not employed at the Hospital or who are working at the Hospital as visiting practitioners from abroad. This legislation will have no visible impact on persons who currently have Healthcare referrals or who are likely to be referred in the future, other than to clarify and remove doubts about the operation of section 20 of the Healthcare Act. I commend the Bill to the House.

MR CHRISTIAN: Thank you Mr President. I wonder if I could ask Nadia with the amendments that we are talking about here, it is obviously to change the referral system. I guess that the intention of this is not to prevent a doctor from giving somebody a letter of introduction to a specialist somewhere else if they intend paying for that treatment themselves, or through another insurance fund.

MRS LOZZI-CUTHBERTSON: No that will not change. The Act does not change the system, it clarifies the present situation that is already in force.

MR PRESIDENT: Further debate? No further debate.

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

MR PRESIDENT: The question is that 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.

ORDERS OF THE DAY

NO 1 CRIMINAL LAW AMENDMENT BILL 1994

MRS LOZZI-CUTHBERTSON: Mr President this Bill is to remedy an incorrect section of reference in the Bill itself.

MR PRESIDENT: Thank you, debate? No further debate then I put the question that that Bill be agreed to in principal?

QUESTION PUT
AGREED

The ayes have it thank you. Do you wish to dispense with the details stage? Yes we so dispense with the detail stage. So I seek a final motion Mrs Lozzi-Cuthbertson.

MRS LOZZI-CUTHBERTSON: Mr President I move that the Bill be agreed to.

MR PRESIDENT: I put that question, the question is that the Bill be agreed to.

QUESTION PUT
AGREED

The ayes have it. That Bill is agreed.

NO 2 DESERTED WIVES AND CHILDREN ORDINANCE 1923 REPEAL BILL OF 1994

MRS LOZZI-CUTHBERTSON: Mr President this short Bill was introduced at the last meeting of the sixth Assembly but lapsed with the general election. The Bill repeals the 71 year old Ordinance, which has had no practical effect since the passage of the Commonwealth Family Law Act 1975, which prevails over it.

MR PRESIDENT: Any further debate. Any participation? I put the question that the Bill be agreed to in principal.

QUESTION PUT
AGREED

The ayes have it. Do you wish to dispense with the detail stage in respect of this Bill? Yes we so dispense with the detail stage, and we come to the final stage.

MRS LOZZI-CUTHBERTSON: Mr President I move that the Bill be agreed to.

MR PRESIDENT: The question is that the Bill be agreed to.

QUESTION PUT
AGREED

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

NO 3 DOGS REGISTRATION AMENDMENT BILL 1994

MR CHRISTIAN: Thank you Mr President, this Bill too lapsed at the last election and I will refresh members memories by reading the summary to the Bill. The purpose of the Bill is to provide for registration of dogs and the issue by the Registrar of dog tag. It is necessary for the owner of a dog to affix a current tag, which is prima facie proof of registration. The Bill empowers the executive

member to appoint person to be inspectors for the purpose of the Bill. A member of the Police Force is automatically an inspector. The Bill gives an inspector power with the permission of the occupiers of a place or with a warrant to enter the place if the inspector reasonably believes that there is an unregistered dog at that place. An unregistered dog or dogs that is molesting stock or a person may be seized and destroyed. A dog that is in a prescribed place may be seized and detained, and if the owner does not claim it within 48 hours after notification the dog may be destroyed. The cost of detention and destroying a dog are a debt due to the Administration. Mr President if I might just go on a little bit. If dogs could vote, they would vote in support of this Bill. The present Ordinance empowers anybody, any member of the public to shoot a dog, whether licensed or unlicensed, if it is molesting stock or attacking humans. The problem with this is that the handler of the dog or owner of the dog could get accidentally shot, and this gets us in to the grey area, of whether it is murder, homicide, dog slaughter or what ever you want to call it, so this Bill goes a fair way towards clearing up all of those potential problems that could arise under the administration of the old Ordinance, and I commend the Bill to the House and I believe that at the appropriate time Mrs Cuthbertson will be moving an amendment, and I will just foreshadow now that I don't have any difficulty with the proposed amendment.

MRS LOZZI-CUTHBERTSON: ...at the previous meeting, I have been convinced of this legislation does in fact protect dogs in the way that Mr Christian described. So I will certainly not be opposing the body of the legislation.

MRS SAMPSON: Mr President, could I just clarify a penalty unit is what amount?

MR CHRISTIAN: \$100.

MR KING: I have just had a quick look through this Mr President to see whether this proposed new penalty of \$50 is consistent with the penalties for other offences created by the Bill. I note that under 5b if the keeper of a dog fails to affix the registration tag that he gets a fine of up to \$300. I notice in transitional provisions clause 13. I wonder if it is appropriate to address the other penalties Mr President if we are reducing the penalty for the principal offence created by the Bill. I fail to see why lesser offences created by the Bill should have far greater penalties.

MRS LOZZI-CUTHBERTSON: ...other penalty but if Mr King would like to move an amendment to that particular clause as well I certainly have no objection to that either.

MR KING: ...whether my thinking is clear Mr President. I not sure whether I am barking up the tree, if you will pardon the pun.

MRS LOZZI-CUTHBERTSON: I was going to suggest the amendment to the Bill, simply because I did not think it was likely that people would report dogs in prescribed areas if the fine was likely to be as high as it is at present. I feel that we would have much greater compliance with the legislation if the fine was more reasonable, hence my plan to move this amendment.

MR KING: ...for that logic Mr President. I have no difficulty in the reduction of the penalty for the principal offence.

MR PRESIDENT: Further participation? If there isn't any further participation I will put the question that the Bill be agreed to in principal. I put that question that the Bill be agreed to in principal?

QUESTION PUT

AGREED

The ayes have it thank you. The Bill is agreed to in principal. We move to the details stage, and firstly I should give you an opportunity Mrs Cuthbertson to move the amendment to the particular page and clause that you earlier made mention of.

MRS LOZZI-CUTHBERTSON: I move that the Bill be amended in clause 10, page 5 to omit "5 penalty units" and substitute the following "penalty: .5 penalty units." I've already said what needs to be said about it, I think that people will report what infringements of the Act much more readily this way.

MR BENNETT: Mr President, I don't have any difficulty with the thrust of what Mrs Cuthbertson is trying to achieve, however, it does ... the question as to whether this is not another example of where we ought to be moving to infringement notices rather than having a very small fine and having to deal with the courts. It would cost many times more than \$50 for even our Administration to prosecute or whatever, it just seems to be a paltry waste of resource to think about going to court for \$50 at \$500 it probably was an argument for keeping it as it was in allowing the court process to deal with it. I'm not certain whether Mrs Cuthbertson or in fact Mr Christian has given any thought to simplifying the process by causing the penalties to be incurred by following the issue of an infringement notice rather than a summons to appear in court because the latter is counterproductive in my terms

MRS LOZZI CUTHBERTSON: I certainly support what you have said Mr Bennett. I had not thought of it in those terms. Perhaps I should move a further amendment to that effect at some other time

MR CHRISTIAN: Mr President I'm happy in view of comments that Geoff and Nadia have made, rather than move another amendment at a later time I would prefer that we adjourn this and I bring it back with the infringement notices. That is a more sensible way of doing it

MR PRESIDENT: Would you like to do that? The question that we have before us now Honourable Members is that this matter be adjourned and be made an Order of the Day for a subsequent day of sitting

QUESTION PUT
AGREED

The ayes have it. That matter is adjourned thank you That completes Orders of the Day Honourable Members

FIXING OF THE NEXT SITTING DAY

MR BENNETT: Thank you Mr President. I move that the House at its rising adjourn until Wednesday 29 June 1994 at 10 am

MR PRESIDENT: You will understand Honourable Members that that's a fortnight's time and as Mr Bennett made earlier mention of in the budget debate, it is designed so that we can look at that piece of legislation prior to the end of this financial year and all be in place for the commencement of the new financial year. Any difficulties with that? No, I put the question that that motion be agreed

QUESTION PUT
MOTION AGREED

The ayes have it. We agree that we meet next on Wednesday 29th June

ADJOURNMENT

MR KING:
now adjourn

Mr President I move that the House do

MR PRESIDENT: The question before us is that the House
do now adjourn. Any adjournment debate? No adjournment debate. I put the
question therefore that we do now adjourn

QUESTION PUT
AGREED

Therefore on that basis Honourable Members this House will stand adjourned until
Wednesday 29th June 1994 at 10.00 am.

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