

Prayer

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

MR SPEAKER If you would feel comfortable without your coats gentlemen please feel free to remove them this morning

Message from the Office of the Administrator

Honourable Members the first thing I do this morning is report a message from the Office of the Administrator, Message No 78. On 6 April 1995, His Excellency the Governor-General gave the Royal Assent to the Environment, Sport and Territories Legislation Amendment Act 1995. This Act includes amendments to the Norfolk Island Act 1979 to alter the nomenclature of the presiding officers of the Legislative Assembly from President and Deputy President to Speaker and Deputy Speaker respectively. The Act took effect on 6 April 1995. The letter is dated the 7th April 1995, and signed Alan Kerr, Administrator

SUSPENSION OF STANDING ORDERS

MRS ANDERSON Thank you Mr Speaker. I move that so much of Standing Orders be suspended as would prevent the House now considering Notice No 1 standing in my name on the Notice Paper

MR SPEAKER Thank you Mrs Anderson. The question to the House is whether that motion is agreed

QUESTION PUT
AGREED

The ayes have it, that is agreed, thank you Mrs Anderson

STANDING ORDERS - PROPOSAL TO AMEND

MRS ANDERSON Thank you Mr Speaker. I move that all references in the Standing Orders of the Legislative Assembly of Norfolk Island to "President" and "Deputy President" be forthwith read as "Speaker" and "Deputy Speaker". His Honour the Administrator has advised that certain amendments were made to the Norfolk Island Act 1979 by virtue of the Environment, Sport and Territories Amendment Act 1995. The amendments which I am proposing today are of a consequential nature, housekeeping if you will, and are intended to bring Standing Orders in line with the Norfolk Island Act 1979. Mr Speaker I commend the motion

MR SPEAKER Thank you Mrs Anderson. Any debate? I put the question to the House Honourable Members that that proposal be agreed

QUESTION PUT
AGREED

The ayes have it, that proposal is agreed, thank you Honourable Members.

Just by way of explanation, those procedures were important at the very commencement of the meeting so that the rest of the meeting would flow with those authorities you have just authorised, in place

Condolences

MR SPEAKER: I ask if there are any Condolences this morning

MR ADAMS Mr Speaker it is with deep regret that this House records the death of Ilma Louisa Ruth Haydon, a Norfolk Islander, who was born on 8th February 1913, and who passed away at the Norfolk Island Hospital on Monday the 3rd April. Ilma had been an in-patient of the hospital for some years. Ilma was one of six children born to Emily and Robert Edwards. These children were Edwin, Victor, William, Julie and Elsie, all who have predeceased Ilma. Both Ilma and her sister Elsie were Queen Victoria Scholarship winners and their names are on the Honour Board at the School. On leaving school Ilma nursed at the hospital which is now Bishop's Court under Auntie Gordie Beveridge, the then Matron. Later Ilma became Nanny to the Macarthur-Onslow children and moved to Sydney when the family left the island. World War II saw Ilma working in several positions under the War Emergency Manpower Scheme. Towards the end of the war she returned to Norfolk to nurse her ailing mother and then opened the Tea Rooms at the corner of Ferny Lane and the present Little Green Lane which served many of the troops passing in and out of Norfolk Island and the staff of Works and Housing which were here at the time. Early in the 1950's Ilma left for Sydney with Jim Haydon, where they married. Jim's work as a Civil Engineer caused them to move around a great deal in Australia and in New Zealand. They had no children. Jim pre-deceased Ilma in Sydney, she staying on there until 1988 when she became ill and her niece Jeanine Brown brought her back to Norfolk where she has remained since. Quick-witted, with a keen sense of humour, Ilma was a great favourite with family and her wide circle of friends. She was a great home and garden lover, a very gracious hostess and, like most Norfolk Islanders, an excellent cook. Our thoughts are with Jeanine, who has lovingly for her aunt for many years. To her family, to Shirley and family, Robert and family and the many friends Ilma has made throughout her life, this House extends its deepest sympathies

MR SPEAKER Thank you Mr Adams. Honourable Members, as a mark of respect to the memory of Mrs Haydon, I would ask that all Members stand in their places of silence. Thank you Honourable Members

Petitions

MR SPEAKER Petitions. Are there any Petitions this morning

Notices

MR SPEAKER Notices?

Questions without Notice

MR SPEAKER Questions without notice. Are there any Questions without notice

MRS SAMPSON Thank you Mr Speaker. I'll direct this question to Mr Christian as this affair is in his portfolio. Is the Minister aware of inaccuracies in the "no" case for the approaching referendum and does he intend to make a statement on the matter

MR CHRISTIAN Thank you Mr Speaker. Yes I am aware of some inaccuracies and I have a prepared statement here which I will read to the House at the appropriate time

MRS SAMPSON Thank you. These three brief ones are to Mr Bennett. Could the Minister with responsibility for telecommunications please advise this House why the 1-800 and 800 series toll free telephone facilities are not presently available to Norfolk Island consumers on outgoing calls and at what time in the future will the facilities be available

MR BENNETT Mr Speaker I must have read Mrs Sampson's mind. I wandered upstairs with what I think might be the answer she is looking for. The situation at this time is that Norfolk Telecom is still negotiating with Telstra on the question of extending that service. There are problems with it. Basically because Norfolk Island is considered an international service and the 800 or its replacement 1-800 services is national. As a result the costs vary from the lowest STD rate within Australia to the highest if the international users agree to pay IDD cost calls on a country by country basis. The implementation of the two services is substantially different. Because of the complexities of reverse charging services, integration of the platform seems unlikely for a long time. Whilst integration of the services may occur soon it would still require each company to agree to receive calls from Norfolk Island, that is, each company who advertise at the 08 or 1-800 number. Based on advise that I've had now for some ten months or so, Telstra had advised that there have been very few requests for access to 008 services. They had determined that the main demand had been in situations where callers wish to access a company who only advertised a 008 number or a 1-800 number rather causing the driver of the need to be service related rather than just the attraction of getting a free call. The one possibility that remains open to us and which is the point that's being negotiated at the moment is the callers from Norfolk Island to access the 1-800 or a 008 number may inevitably be required to pay the cost of the call from the Norfolk Island exchange to the Sydney exchange, from thereon the call is likely to be free. That is of course, that is the course that is followed. We couldn't arrange for each company to pick up the costs of the calls from Norfolk Island and that's really unlikely. That is the situation as I understand it as early this week Mr Speaker. Just on a side issue, the 0055 access which is when people question the 1-800 access they also usually ask about the 0055. That access is now available. Callers from Norfolk Island ringing the 0055 number which you see so frequently advertised, simply dial 0061 drop one zero so its 055 and then the number, thank you

MRS SAMPSON Thank you. Also Mr Bennett is the Minister aware that there has been only two deliveries of surface mail since January 1st this year and does he have any solution to the problem, as not only are private individuals being disadvantaged but there are many commercial operators who use this method of getting their goods to the Island

MR BENNETT Mr Speaker up until half past seven this morning there were two but the third one is in port at the moment and discharging. I had a look at the schedules last evening and sure, two up til this morning didn't sound alot seeing as we are in April, but if you put this morning's arrival on the ship's are roughly on schedule, they've drifted about a week out from what they should have been, we had a vessel in late January, the second vessel was in the third or fourth of March and we've got one today so I don't see that there's been any deterioration in the service so to speak

MRS SAMPSON Perhaps there's been a deterioration in finding solutions and the last one to Mr Bennett. Has the Minister received a reply from Mr Maurice Williams of the Australian Postal Corporation regarding the imposition of increased postal charges

MR BENNETT Mr Speaker no I have not received a response. I might add that it's not unusual for Australia Post to take many months to respond to our letters. I

think this has been one of the difficulties we've faced over the last couple of years, a very slow response rate to enquiries. I'll leave it a little while longer and chase it up. Outstanding also is a couple of other letters in regard to the mail deliveries as well so I'll chase them all up together

MRS ANDERSON Thank you Mr Speaker. I have a question for Mr King in his capacity as Minister for Tourism. Can the Minister please advise the House whether he has completed his review of tourism industry taxation bearing in mind that an increased tax on accommodation providers has been in place now for almost a year

MR KING Thank you Mr Speaker. No I've not. I have formulated in my mind a programme, a programme with a completion date of April 96 consistent with my statement made in the House in 1992, I have spoken with various segments of the various tourism industry front line, principally tour operators, hire car operators about my intention to impose a tax of some sort, equal to the 3% tax imposed on the accommodation industry to which Mrs Anderson has just referred. That is a tax designed to attract 3% of industry gross. Now I have given that degree of warning so that those segments of the industry can if they wish seek to include those taxation adjustments in their new tariff structures which of course commence each year as at the 1st April, and thus I've chosen the 1st April 1996 and so I'm going to move ahead on that basis Mr President. Time of course is running short. I've got one year to do that. These things seem to take some time and there's no certainty that the measures which I want to take are going to get the blessing of this House but I will nevertheless proceed in that direction with that timetable in mind

MRS ANDERSON Thank you Mr Speaker. I have another question for Mr King as Minister for Tourism. Can the Minister please advise the House what progress has been made on his proposed review of the Island's Tourism Policies

MR KING Mr President if my memory serves me correct I am due today to inform the House of the results of that reviewed. I may stand corrected, it may be next month but it is certainly very very near and I'm not going to meet the deadline at any event. For one reason or another the process of undertaking that review has fallen behind schedule. I have in my possession a draft issues statement which I intend to circulate in the community. I am hopeful that that will be ready for circulation among the community within a couple of weeks and I would like to allow that to continue to circulate in the community for discussion and comment for a period of two months though I guess in effect what I am doing is asking the Houses' indulgence to put that process off, or the timing of that off for at least another two months before I return to this House. I mention also that there is no urgency with this, that we have adopted a set of tourism policies which are in place and there's no urgency and no pressing need to change those, I'm simply fulfilling a commitment given to the House

MR BATES Thank you Mr Speaker. My first question is to Mr King, with responsibility for roads. Could the Minister advise the House if in 1995/96 he is prepared to give a higher priority to sealing unsealed public roads which provide access to residents in preference to concentrating on the recycling of existing sealed roads

MR KING Mr Speaker I will give whatever priority the Membership as a majority wants. That is a process which we go through at budget review time. Indeed, I've put a number of proposals on the table in terms of a roads programme. I'm not of one mind or another as to how that goes as long as the roads receive attention and as long as the roads are getting a fully and productively occupied so if at the

appropriate time Mr Bates wants to make some recommendations as to one road receiving attention ahead of another I will gladly receive that proposal

MR BATES A supplementary question Mr Speaker. Would the Minister bring forward a list of the unsealed roads of which residents live on plus the cost of sealing those, for consideration at budget time

MR KING Yes I'll endeavour to do that Mr Speaker

MRS ANDERSON Thank you Mr Speaker. I have another question for Mr King. This time in his capacity as Minister with responsibility for sport and I ask can he please advise the House what policy exists in relation to extending financial assistance to local clubs to attend sporting competitions conventions and the like

MR KING Mr Speaker there is no policy. There perhaps ought to be a policy. I would have to remind Members that there is not myself as Minister with that responsibility who decides who gets what in the nature of sporting grants, those matters are decided on an ad hoc basis by the membership at large, normally at budget review time, but of course there are requests which come in at other times of the year. There is a pressing need Mr Speaker to develop some sort of policy in relation to sporting grants given the number and the quantum of those requests in recent times. I think I indicated at an informal Meeting of Members recently that I'm hopeful of bringing back the outline of a policy for discussion by Members at an early time, but at the moment there is no policy, each request on an ad hoc basis, but a decision shared by all of us and not just myself

MRS ANDERSON Thank you Mr Speaker. Yet another question for Mr King. Can the Minister please advise what progress has been made regarding the proposal to introduce gaming machines into local clubs as a fund raising venture.

MR KING Mr President, this clearly is a controversial matter. That's evident by two facts, one that Members keep raising it with monotonous regularity on a monthly basis in this House and secondly, by my oft stated position that I'm not going to move ahead on this thing until I get some assistance or support from those in the community who promote the introduction of gaming machines. There are benefits which flow ultimately to the wider community and not just those who would seek to promote the introduction of those machines and on the surface, yes I have a level of support but I am not moving the matter ahead without those proponents in the community bringing forth a paper which reflects the opinions of the clubs that they represent. That is largely the position as I've described it to the House previously and that position is unchanged at this point in time

MRS ANDERSON Thank you Mr Speaker. This could be termed a supplementary question to the last one. Can the Minister confirm that the machines that were brought to the Island by Aristocrat for demonstration purposes have now left the Island

MR KING Well Mr Speaker, I certainly didn't supervise putting them on the plane or the ship myself. To answer the question truthfully, I can't confirm that. I certainly understand that they have left the Island and those were the arrangements that were put in place and I fully suspect that those arrangements have been carried out but I certainly wasn't there to see them loaded on board

MR BATES Thank you Mr Speaker. The first one is to Mr Bennett with responsibility for electricity. Could the Minister inform the House if he still intends to import a small solar generating unit for experimental purposes

MR BENNETT Mr Speaker. That's the intention. I haven't had a discussion with the Electricity Manager about that for a little while but I'll put it in my diary for the next few days and chase that up

MR BATES A final question for Mr King with responsibility for foreshores and quarrying. Does the Minister intend to allow rock removal from Ball Bay during the construction of a facility for the unloading of an SLV to be crushed or otherwise used for the construction of the facility

MR KING Mr Speaker that question is probably a little premature given that this House hasn't yet decided whether we would support the construction of facilities at Ball Bay but I could answer along the lines that assuming there is support, and say that I understand that those who propose to build those facilities would intend to use that dock for the purposes of crushing as a base for road works in that area and I personally would have no objection to that as part of the contribution towards the project given that in essence, those facilities are not costing the public purse anything but that's my own personal position and if someone wants to promote something other than that then they are perfectly willing to do so. Perhaps I'm open to persuasion on that but that's my personal view at the moment

MR BATES A supplementary Mr Speaker. If the issue is raised with the Government would the Minister bring it to this House for consideration by all Members

MR KING Well yes I'm happy to do that if that is the forum in which the decision would be made. Either here, or I'll certainly bring it to the wider membership

MR ADAMS Thank you Mr Speaker. A question for Mr King as Minister for Tourism. Some months ago in this House you gave a report on tourist movements from New Zealand and indicated that at that time that Robert Doyle was going to New Zealand to conduct a marketing initiative on behalf of Norfolk Island. Can you now give to the House an indication of what form these took and the results of this initiative

MR KING No I can't. I don't have any information with me Mr Speaker. I'm happy to obtain that information. At the present time I have no clear recollection of it and I wouldn't want to mislead the House. Perhaps had I been given some earlier notice I could have provided some written material. I would add to that that both Mr Doyle and myself will be visiting New Zealand in one or two weeks time I think and part of that visit will be discussions with the two wholesalers and with the representatives from Air New Zealand so it will move along in that same direction but I'll follow that matter up and perhaps provide Mr Adams with some clearer response as to Mr Doyle's earlier visit

MR ADAMS Thank you Mr Speaker. Again a question for Mr King as Minister for Tourism. Can the Minister advise this House on the marketing stratagems employed by Norfolk's New Zealand tourism contact Mr Henderson

MR KING Well not chapter and verse Mr President. Again, I think if Members are really serious about answers to such searching questions I really can't understand why they don't put them on notice or at least give me adequate notice so that I can come to the House and give some form of informative answer which I'm happy to do, there is no secrecy about what happens in tourism. In fact there is a draft marketing plan in existence now which sets out the strategies and that which are basically followed at the moment. I'm happy to share that with Mr Adams. Anyone else

for that matter. I've a preference for waiting until that document is in its final format before releasing it but I'm not sure whether that's helpful to Mr Adams but if he cares to visit my office sometime I'll give him as much information as he likes about tourism

MR ADAMS Thank you Mr Speaker. I understand these are questions without notice. Another question for Mr King as Minister for Tourism, can the Minister advise the House on the brief from Norfolk Island that its New Zealand agent works to

MR KING Mr President I answer that in the same vein as I answered the last question. I'm happy to get that information for Mr Adams and he can have a look at all that information but I simply don't have it with me now

MR ADAMS Thank you Mr Speaker. A question for Mr King in his capacity as Minister for shipping. Is the Minister aware that the situation regarding the towage of the lighters during shipping operations are still the same in spite of the fact that between \$12-13,000 per year in public money is spent on the hiring of a private vehicle to do the towing when in fact the Administration has available to it vehicles suitable to the task

MR KING Mr Speaker this is another hoary old chestnut and I know it's been around for a long time. It's irking me as much as it's irking Mr Adams, and there were indications given to us of a solution to the matter some few weeks ago which appeared not to have been put into place for the last ship but I understand there were very good reasons why those arrangements weren't put in place. I can't recount them now but I understand that contrary to our earlier thinking that we were told one thing and another thing happened, that there were good reasons why they weren't put in place, there is a desire and objective to remove that expense and to use our own equipment and we are moving in that direction. I'm hoping that we can sort out this question one and for all within a few weeks Mr Speaker

MR ADAMS This is more of a supplementary Mr Speaker to the previous question. Can a Minister give an undertaking that the present situation regarding the towing of lighters be ceased forthwith and a suitable vehicle allocated from Admin resources at a saving to the public purse

MR KING No Mr President, Mr Speaker I'm sorry, I shan't give that undertaking until I receive what I regard as proper advise from the Administration

MR ADAMS Thank you Mr Speaker. A question for Minister King in his capacity as Minister for Immigration. Can the Minister advise the House if it is a fact that some GEP permit holders on the Island have not kept to the conditions on their permit, and if not, why has this permit not been cancelled

MR KING Mr Speaker, I have absolutely no knowledge of the matter that Mr Adams is talking about. It would appear that he has greater knowledge of what happens in the Immigration Department then perhaps I do and I wonder why that might be the case. If there are such instances that Mr Adams can bring to my attention I'll happily look at them. He knows as well as I do that the provisions of the Immigration Act are that permits in fact self cancel. They require no action on my part nor any action on the part of the authorised officers that if a person is in breach of their conditions and a certain period of time has elapsed then the act itself operates to cancel those permits so it doesn't require my intervention but if it is something that needs to be looked at perhaps Mr Adams can give me some more detail

MRS SAMPSON Thank you Mr Speaker. Two for Mrs Cuthbertson. Has the Minister been able to progress the localisation of teachers salaries

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I'm currently waiting on a letter that I've been promised for the last two months from the Department of School Education which sets out in detail, well first of all they confirm the undertaking verbally that they will sell us the curriculum material and ancillary services required to ensure that we meet proper educational standards and that our children will go on behind recognised as having undertaken the same curriculum as children studying in New South Wales. I have no doubt that that letter will arrive. I have been advised that it has been held up because of the change of Government and lots of paperwork that was generated by that situation in New South Wales, but as soon as that letter arrives I certainly will circulate it and follow that up by contacting the Commonwealth authorities and letting them know that we have that undertaking in writing

MRS SAMPSON Thank you. One more for Mrs Cuthbertson. At what stage have legislative amendments reached to extend the provident fund to the staff at the Hospital

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. No legislative amendments are necessary as the staff at the hospital I understand from the previous Director, chose to set up their own provident fund. I also was advised by the previous Director that enquiries were in train as to what kind of a fund they wanted to establish, whether one which would be very similar to the one existing for the other public servants or another one connected to a private company such as AMP and so on. I don't believe that the matter has been finalised but I certainly intend to ask the new Director when he starts work on Tuesday next week to look into it as a matter of urgency

MR ADAMS Thank you Mr Speaker. A question for Mr Christian in his capacity as Minister for the Environment. Can you advise this House on the progress of the Philip Island motion

MR CHRISTIAN Thank you Mr Speaker. Not much progress has been made on the Philip Island issue at this stage. I'm looking forward in the near future to be able to sit down with Mr Adams and put some of the content of his previous motion in this House into a more workable package

MR ADAMS Supplementary to that question Mr Speaker to Mr Christian. Can you give the House an undertaking that work will start on this issue between now and the next formal sitting and that you will give a progress report on the progress of this matter at the next formal sitting

MR CHRISTIAN Mr Speaker I can endeavour to undertake what Mr Adams wants me to do but I do not have unlimited resources within the Administration. Mr Adams would be as much aware of the facts as I am that there isn't any money available directly at this stage for work on Philip Island or any projects on Philip Island and what I've said previously is that come budget time I'm hoping to be able to have some funds directly allocated to Philip Island and its associated problems to deal with in the programme sense

MR SPEAKER Further questions without notice Honourable Members? There are no further Questions Without Notice this morning Honourable Members and there are no Questions on Notice so we move on

Presentation of Papers

MR SPEAKER Presentation of papers. Are there any Papers to present this morning Honourable Members

MR BENNETT Mr Speaker, I table the financial indicators for the month of March and I move that that Paper be noted

MR SPEAKER The question is that the paper be noted

MR BENNETT Mr President, I only circulated this Paper to Members this morning but I think if they remember the indicators for February and have a glance down at the numbers on this page they will find that they are remarkably similar, that is, that revenue continues to run at 99% of budget, expenditure is running still at 90% of budget, that's exactly the same percentages as for February 1995. For the nine months of the financial year which this indicator also incorporates it shows that revenue is running at 20% ahead of the same corresponding period for the previous financial year thank you

MR SPEAKER Any further debate on the question that that Financial Paper be noted?

QUESTION PUT
QUESTION AGREED

The ayes have it, that Paper is noted thank you. Any further Papers this morning

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I table the audited accounts for the Norfolk Island Hospital Enterprise and the audited accounts for the ancillary accounts of the Norfolk Island Hospital Enterprise and I move that the Papers be noted

MR SPEAKER The question is that those papers be noted

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I would briefly like to highlight some of the results mentioned in those Papers if I may Mr Speaker. First of all there are a number of ancillary accounts held by the Norfolk Island Hospital Enterprise. One of the largest ones being the Norfolk Island New Hospital Trust. In that account which comprises a bonus saver account and an interest bearing deposit, in the bonus saver account there is a balance of \$1,773.58 whereas on interest bearing deposit there is a balance of \$43,680.71. I think it is important for the people who have contributed to that account to know that those balances are there. They are being held in trust and probably will one day form the basis of the building of a new hospital. I certainly hope we will work towards that. Another ancillary account is the one held for donations received from the public for various services. The largest expenditure that was incurred from that account during the year was some \$6,000 contributed to the new ambulance, otherwise the account started with \$23,614 in balance and ended with \$21,011 in balance. Then there is the Annie Eliza Moore fund. It is a cash management account. It started the year with a balance of \$28,768.15. The largest expenditure from that account was for autoclave parts which cost some \$2,162.75 and the total in that account at present is \$27,692.98. Then there is another ancillary account for polio immunisation and it is an interest bearing deposit. It started the financial year with \$608.86. Most of that money was spent, in fact all of that money was spent on immunisation for polio, and there is a nil balance in that account. There is another account called the Emily Channer District Nursing Service Account.

It started the year with \$1,231.86. There were various receipts from the Department of Veteran Affairs, from fees for home visits and from the Administration in Norfolk Island, totalling \$6,712.08 so that the total for the year was \$7,943.94 in that account. The payments that came out of that account were mainly for maintaining the district nursing service and it included wages, car maintenance insurance, etc. The payments amounted to \$7,541.63 and we ended up with a balance of \$402.31. I'm sorry to be so long winded but I guess the public really needs to know just what money is lying in various accounts attached to the Hospital. Finally, the last ancillary account is for the Mawson Units. It started the financial year with a balance of \$5,665.14. It received rents donations and interest totalling \$8,087.17 bringing the total before expenditure to \$13,752.31. Expenditure covered wages, workers compensation, water assurance, electricity, pest control, etc, and these amount to \$9,476.11 so the balance after expenditure at the 30th June 1994 was \$4,276.20. The certificates from the auditors certified that all these accounts have been properly conducted. Now I come to the accounts for the Norfolk Island Hospital Enterprise itself for the financial year ending the 30th June and I would briefly like to mention the people who have contributed to some of the work of the hospital, organisations such as St Johns Ambulance Service who raised the money during the financial year ending in June 1994 to buy a new toyota four wheel drive land cruiser which was fitted out as an ambulance and is providing excellent service right now, or the service clubs which have also contributed to the work of the Hospital, including the Lions Club of Arthurs Vale, the Lions Club of Kingston and the Rotary Club as well as of course the Hospital Ladies Auxiliary. They have all contributed in many ways to make the hospital's work easier and to buy goods and services in many ways. I would like to mention the Hospital which everybody knows is funded from mainly two sources. From income derived from providing services and a subsidy provided by the Government. For the financial year ending June 1994 the income in total was \$1,774,558. Of that, \$1,419,638 came from fees of providing services to the community and \$354,950 came from operating income of other kinds. There was also an expenditure of \$1,529,318 which left us with a nett operating profit believe it or not, of \$245,270 which shows that the hospital is at least performing to a certain level. I won't go to all of the accounts of the hospital, they've all been declared to be correct by the auditors, the auditors statement has only one minor qualification and that refers to the fact that the hospital had not adopted a strategic plan prior to the 30th June 1994. That was simply due to the fact that the Health Advisory Council which had to approve the plan before it could be adopted had only been established in late May, however, a plan was later adopted in October 1994, and laid before the Assembly on the 19th October 1994, therefore that condition was met. All the other conditions of the audit report are met. I've only had one query from my colleagues with regard to the accounts that I've circulated and that was from Mr King with regard to the increase in the accumulated appreciation figures for medical equipment and furniture and fittings. These went up considerably between 1993 and 1994 and I have since actually gone through the asset register to find the reason for such a large increase. May I mention that the accumulated appreciation for medical equipment for 1993 totalled \$54,366 on a cost valuation of \$290,936. This financial year, the financial year ending in June 1994, the accumulated appreciation increased by nearly \$30,000 to \$83,346 on a net cost value for medical equipment of \$351,033. You will see there has been an increase of \$30,000 in accumulated appreciation and an increase of \$60,000 approximately in actual at cost value of that equipment. A similar large increase has occurred in furniture and fittings, from \$9,109 in the year ending June 1993 to \$30,102 in the year ending June 1994. By examining the actual asset register which is maintained at the Administration because the computer at the Hospital refuses to handle it and I've ascertained there really is a series of minor reasons why this accumulated increase has occurred. Firstly on medical equipment most of the depreciation is calculated at either 10% or 20% which is higher than depreciation in other kinds of goods. Also, in

other categories most of the items have already reached a zero book value so the accumulated depreciation value is not going to vary very much whereas in this group of medical equipment we've brought several new items which are depreciating at 10 or 20% per year in the last couple of years, so that we have large-ish figures accumulating towards a depreciation whereas in the other items, we don't have very large figures or almost nothing at all accumulating in some instances, towards depreciation. With regard to furniture and fittings the depreciation is even larger because most items are calculated at either 15-20% with some items actually depreciating at 40% per annum so again we have new items there so that the figure for depreciation is quite large whereas the figure for depreciation for the other items is going very slowly. That's the only reason I could find in the asset register for this increase in depreciation. No major item, just a steady accumulation right through. Thank you Mr Speaker

MR KING Thank you Mr Speaker and I thank the Minister for her detailed explanation about the depreciation questions that I raised. I'm happy to accept those explanations. Let me say that I wasn't suggesting at all that there was any funny business going on, it simply didn't measure up to me that, for example, medical equipment could increase by what is the capital outlay, the additional capital outlay of \$60,000 for medical equipment and the depreciation could increase by \$30,000 for the year, so it just didn't measure up. Nor did it measure up for example, in the office equipment. It just doesn't normally follow that if you increase your purchases or invest in an additional \$7,000 in office furniture that your depreciation goes up by \$7,500 or for example, in furniture and fittings, you find an additional expenditure or investment of \$30,000 and an increase in depreciation of \$21,000. Now in depreciation I take your point that a number of items may have been reduced back to a book value of nil, but the depreciation in fact, accumulated depreciation increased by 200%. How can that be in one year? I thank you for taking the time to have a look in the books and perhaps we can talk about it a little later on. I would want to repeat that I don't suggest Mr President that there's any sculduggery going on but these are figures or relationships that you simply don't see as a matter of course in financial statements of this nature unless of course, things have depreciated at 80% or 90% in a year which I doubt very much. I understand medical equipment depreciates very rapidly, but not so furniture and fittings and office equipment and things like that. I also hear Mrs Nadia Cuthbertson's explanation about the - I won't call them slush funds because that's a terrible word to use - ancillary accounts at the hospital. The existence of ancillary accounts at the hospital sort of only pops up every now and then. I can recall several discussions about the hospital's financial situation over recent years when the existence or balance of those accounts simply didn't come into the considerations or the equations at the time. When you talk about how much money we are going to subsidise the hospital by each year, it's the practice of a past Minister to forget about the existence of a slush fund and the fact that they might hold \$80,000 or \$100,000 when we are called upon for example to provide funds for the ambulance which was one specific matter you spoke about this morning, we were called upon at the time to raise \$10,000 or contribute that amount, now I may be wrong but I can't recall at that time anyone else saying to us that there existed another source of funds which might be about, I think from memory, \$30 or 40,000 so I simply make that point. I have an abhorrence of ancillary accounts lying around. I don't like them, I can't understand why they are there, I can't understand why every year in the hospital situation we are called upon to contribute from the public account a subsidy for the hospital while the hospital apparently has the ability to put it in surplus funds in a trust account away from our reach and outside the ambit or scope of the Public Moneys Ordinance. I don't make those comments with any harsh criticisms Mr Speaker, I simply make them as observations thank you very much

MRS LOZZI CUTHBERTSON Two or three things raised by Mr King. I have the actual lists of the asset register and I would be delighted to show them to Mr King. I had the same questions in my mind as I went through the lists in looking at why the depreciation had increased by so much. I could find nothing untowards in the lists itself and the way the depreciation is calculated. I also note that the auditors went through the assets register and they certainly found nothing untowards in the way the assets were depreciated, but on the face of it I certainly see what Mr King was saying. With regard to the ancillary accounts, I have some questions also about their existence and how they are being managed at present. I would prefer for the board, if and when the amendments to the Hospital Act are passed by this House the new board, once it is established, to actually examine the situation with regard to the ancillary accounts and I will ask also the Chief Administrative Officer to advise on the subject as he has had great experience in such matters and come back to this House with some suggestion as to how those ancillary accounts may be incorporated in the whole ambit of the Hospital Enterprise, so I shall be coming back onto this subject sometime in the near future

MR SPEAKER Thank you. Is there any further participation on the debate on the question that those Papers be noted? Then I put the question which is that that Paper be noted

QUESTION PUT
QUESTION AGREED

The ayes have it. Those Papers are noted thank you. Further Papers this morning

MR KING Thank you Mr Speaker. I table the inbound passenger Statistics for March 1995 and move that the Paper be noted

MR SPEAKER The question is that that Paper be noted thank you

MR KING Mr Speaker it is with some disappointment that I note these declining figures as compared to March 1994. I guess I could sit here for a long time and make some sort of explanations or what may appear to sound like excuses, for what appears to be an unsatisfactory performance in the tourism industry during that period but I shan't do that because I maintain that aberrations do occur. An aberration occurred as Members will recall, in October 1994 and the explanation given then, which is one that I accept reasonably anyway, that the market is so price sensitive that when Ansett designated October as a high season month and introduced its high season fares the market reacted by shifting their dates of travel to the month before and the month after. Ansett in fact were warned at the end of last year that the designation of March in 1995 as a high season month would be detrimental to travel. That has proved to be correct. The market is extremely price sensitive. I am hopeful of course that there will be a continuing rebuild in the remaining months of this financial year. I remind those members who are about to jump all over me because of that poor performance in March that the numbers for the 1994 calendar year were in fact record numbers, I remind members that even with a decline of some 30% in March, that the figures to date for the financial year are still running about 12% above those of 1994, and that is probably more in keeping with what I observe as being a desirable rate of increase or regrowth in the industry. I've mentioned in the past that I would be unhappy to have in this year a rebuild of 25-30%. It would have been totally unwelcome and we could have dealt with it, there's no difficulty with that, but I've often said that if we had a rebuild at that rate that may give rise to an expectation out in the commercial world that we should continue to have a rate of regrowth equal to that same figure so 8-10% per year for the next three or four years

would be in my view, far more acceptable than a 20-25% one year and then plateau out again the next year. There are some things happening out there in our major markets which are of some concern. I note some of the statistics come out of the Australia that shows a decline in the domestic holiday packages in Australia. That will effect us to a certain degree and that follows an increase in the interest rates which happen in those economies. We can hopefully look for some stability there but we've had a good period of one year regrowth. I wouldn't like to think that we are going into another period of decline, in fact, I don't foreshadow that at all Mr Speaker. I foreshadow that come the end of the financial year we will still be able to record somewhere in the order of 10%

MR SPEAKER Debate? No debate. The question is Honourable Members that that paper be noted

QUESTION PUT
QUESTION AGREED

The ayes have it thank you. That Paper is noted. Any further papers to present? Are there Regulations to be tabled anywhere along the line?

Statements

Are there any Statements this morning Honourable Members?

MR CHRISTIAN Thank you Mr Speaker. I wish to make a short statement in regard to the referendum question. Mr Speaker as the Minister responsible for the environment I had hoped not to enter the debate over the validity of the official cases, however, I regret to say that the contents of the NO case is so misleading that I'm obliged to make a public statement therefore, I want to draw to the House's attention some clear inaccuracies in the official NO case lodged with you and distributed to the electorate. At the outset I must emphasise that I have no objection to the opponents of the facility making the most robust case they can muster. But I do object to statements which are calculated to mislead or are mischievous. The referendum to be held on 3rd May requests the opinion of the electors on a very specific question, linked to the motion of this Legislative Assembly on 15th March 1995. The electors are not being asked to approve the application of any one proponent, despite what the NO case says. Putting this aside, the NO case has very selectively drawn from elements of a proposal put up by one of the groups that has approached the Administration. In regard to the risk assessment made by the Veterinary Surgeon, Dr David Thomson, the NO case only printed an extract of his comments. Dr Thomson actually said, and I quote: "None of the diseases with significant potential to be introduced to quarantine at Norfolk Island are assessed to have significant potential to spread to affect livestock on Norfolk Island and have significant consequences for public and animal health". I emphasise those words, Mr Speaker, none are assessed to have significant potential. He goes on and I quote again "... it is suggested that establishment of an offshore quarantine premises at Norfolk Island to accommodate camelids imported from Peru according to draft Australian conditions should not present an unacceptable biological, social or economic risk to the well being of the Norfolk Island community or environment. Further, the proposed project appears to have significant potential to benefit the island business and farming communities and possibly also, the Administration". Mr Speaker, no one minds a person arguing their case, but if they use other people's written words then they should not use them selectively or mischievously, as the NO case has done. The referendum question is, of course, about approval in principle, subject to specific conditions. The NO case again selectively quotes from the conditions set by the Assembly but they have been

too clever by half. It is suggested the facility will only operate for one year. If this is the case, Mr Speaker, why is a per annum fee being sought? It is also suggested any indemnification is limited only to the Administration, and yet it has been made clear that legislation insurances and contractual arrangements will extend indemnification to cover losses in the community at large. The writers of the NO case know this and yet, as it doesn't support their distorted argument, it is left out. Mr Speaker, when someone does not have facts to support their arguments they often resort to fear. This is precisely what the NO case has done. And yet when you read the YES case you will note that there are no unsupportable statements, no bald assumptions. The YES case is cautious and conditional, in conformity with the referendum question itself. All the NO case does is invoke fear. The preparers of that case had a golden opportunity to present valid, balanced and reasoned arguments against the question, as they were entitled to do. They chose instead, to ignore the opportunity and instead, quote selectively from certain documents picking up points they could distort or leave hanging in the air, but deliberately missing out the whole story. I regret very much having to make this statement today. I had hoped the YES and NO cases would be prepared in a reasonable and fair manner, so that the electors of Norfolk Island themselves could read both and then make up their minds. Mr Speaker I feel only the YES case passes the fairness test

MR BENNETT Mr President I regret very much that

MR SPEAKER Are you moving that that Statement be noted

MR BENNETT Oh yes I will thank you. Mr Speaker, I regret very much that that it was necessary in Mr Christian's mind to make a Statement about this because I think it has jeopardised or brings into question the fairness and impartiality of the referendum process. It's fine on the one hand to use this place which is available to Members, most of whom support the YES case to foster or argue the merits and demerits of the papers, but an opportunity is not given to the proponents of the NO question, so obviously an advantage of 40-30 or whatever to the Government so I guess on the one hand the Government is running the YES case and obviously if Mr Christian feels that it can use this place to bolster up its argument and to knock the other one down. I mention that it calls into question the fairness and impartiality of the referendum process because once we've made a decision in this place to go to referendum, the matter really was put over to the people to decide, referendums are people's matter. Papers were called for, I understand that the format of the papers was discussed with both sides, and finally the papers were accepted. There is a process by which papers presented under the Referendum Ordinance arguing the case for one side or the other can be rejected. It was accepted. Maybe the issue should be taken not with the proponents of it but with some other part. I don't necessarily accept that the NO case is full of inaccuracies. I think that is a wild sweeping statement. It is true that there is an element of fear of there by those people who don't want the station and I think it is understandably so. I've read the Dr Thomson's report but it doesn't balance with some of the other things that you read and let me quote from the document which is available right now at the Royal Easter Show at a stand manned by the Alpaca Association of Australia, so it is current information, it is not information that was printed last year or the year before or whatever. They are talking about the Alpaca industry and the numbers of alpaca's in Australia and the outlook for future sales and the breeding programme and they go on to say, this is in Australia, and I quote "to increase alpaca numbers is a home grown challenge that will not be met by importing from South America. Peruvian and Bolivian animal health problems make import risky" let me repeat that "Peruvian and Bolivian animal health problems make import risky". Now Mr Speaker that's a colourful report which I'll table, presented by the Australian Alpaca Association Incorporated. I would have thought they would know their business,

so you see, it does call into question an independent or acquiesce veterinary advise as to risk and I think that is what many of the community who don't favour a quarantine station are most concerned about, is the possibility of an outbreak. There is no gilt edged guarantee. If there was a gilt edged guarantee a quarantine station would be in Australia or on an Island just off the coast. I say again Mr President, I think that it's regrettable that the House has been used as a forum to bolster one side of the argument where the proponents haven't had that opportunity. I think the fact that it was put out to the people through the Referendum Ordinance meant that the channels for arguing the merits and demerits of each case was through the local press or through some other means but not this place, thank you

MR KING Mr Speaker thank you very much. I don't want to get into the merits or demerits of the alpaca situation and Mr Christian did say some harsh words in his statement. Unfortunately I haven't had the opportunity to read the YES statement or the NO statement yet. It may be in my mail box but I don't clear very often because it has all these Admin bills in it, but if as I understand the Referendum Ordinance, it includes a process, and its a process which I've been involved in over the years with other referendums and that is the submission of YES statements or NO statements on the question to the person who is oversighting the referendum and on those occasions where I was involved, that was the Administrator and on some of those occasions my statements have been rejected. Other statements have been chosen ahead of the one that I had submitted. I've been told to go away and look at confining myself to facts which are substantiated or facts which are capable of being substantiated to avoid irrelevancies, to avoid philosophies or jargon, to avoid conjecture. Now presumably the existing process still includes that mechanism. I can't accept that whoever has the oversight and I think under our present situation it is the Speaker of the House, or the President who has that authority to vet those statements which were to come in. Now I would imagine that the same rules, written or otherwise still apply in relation to statements, so I will be very disappointed when I read either the YES or the NO statements that they don't confirm themselves to facts and that they don't seek to avoid irrelevancies and conjecture and the like. I don't know how many statements were submitted on either side, I know the community was asked to submit statements and it would be the function of the President at that time, Speaker now, to have a look at those statements and decide which one, I think it would be his decision, to decide which one would be the appropriate statement having regard to some rules somewhere, so I look forward in fact to reading those statements in regard to what Mr Christian has just said now, I will be looking very closely at them

MR CHRISTIAN Thank you Mr Speaker. I think I must comment on some of the points that Mr Bennett raised. I certainly haven't abused my position. I haven't come up here and flogged the YES case which I could quite well have done. All I've said is that the information that is given to the public should be balanced, informative and substantiated by fact and not driven by fear in the absence of being able to mount a substantive case. Now Mr Speaker, Mr Bennett has just sat there with a document from the Alpaca Association and attempted to invoke fear into people. Now what you need to do Mr Speaker is to look at the motives behind that document. It's produced as he says by the Alpaca Association. They could have only have got those alpacas into Australia Mr Speaker by using a quarantine facility somewhere else in the world. Now, Mr Speaker of course they would love to prevent any other animals or any other alpacas from being imported from any other place because it then gives them a monopoly on the Australian industry and what's the best way of creating that monopoly, to strike fear into the hearts of people about the possibility of increased risks of importing diseases into Australia but after they've closed the door Mr Speaker. After they've imported what they require. I don't swallow that argument at all Mr Speaker and neither do I deny that there is a degree of risk involved in having a facility on

Norfolk Island but there is a degree of risk in everything that we do on Norfolk Island Mr Speaker, it's how we manage that risk that is the important thing and at this stage Mr Speaker I don't intend to say any more

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. Mr Christian has made some of the points that I was about to make, so I will not repeat them, with regard to the reasons why the Alpaca Association of Australia would want to retain or close the entrance of further animals into Australia, but the important point Mr Bennett failed to note was that he also was using this House to bolster an argument - the NO argument, so certainly the NO people were getting just as much advantage out of the use of this House as the YES people and let's not forget that. But I have never noticed that there are several, well probably a dozen referendum processes conducted in Australia in the period I've lived there and certainly one referendum conducted here. Just because the NO and YES cases have been circulated it should not prevent further debate. The presentation of facts, the supporting of facts and dealing with the situation in an informed manner. If we as a Government are promoting something because we believe in it, cease to push and proclaim the fact, we are failing in the whole process. What is the point of having a referendum if we know there is a lack of information out there and distortion of the facts out there, and we do nothing to prevent it. Surely we want people to make an informed decision on the facts available. We don't want them to vote which way we think is right but the best way they should vote after they've heard all the facts. I don't think we can run away from making those facts available just because the YES and NO cases have been distributed. Thank you Mr Speaker

MR BENNETT Just one more point that Mr Christian and Mrs Cuthbertson talked about, the keenness by the Australian Alpaca Association to keep more animals out, but I forgot to mention that they were asked specifically what their attitude would be if there was a quarantine station in Norfolk Island and they said they welcomed it. They thought it was a great idea. However, when they were asked if they were going to go on holiday and they had a choice between an Island that had a quarantine station or an Island that didn't, where would they go, they said they get the point and they could see why there might be some opposition to it. But the point of the fact is, the Alpaca Association didn't print that booklet for Norfolk Island's sake or for our argument, it's a view they have and they welcomed a quarantine station in Norfolk Island so obviously they are keen to import more, not close the door as you may have suggested

MR ADAMS Thank you Mr President. One thing that Mr Bennett forgot to mention is that he himself is probably a bigger risk to the health status of the stock on Norfolk Island than the quarantine station and I say this Mr Speaker because he is probably the largest importer of smallgoods on the Island. ie., salamis etc. Most of them or alot of them come from Europe, and salamis are essentially made out of raw meat. Now in Europe they've got foot and mouth disease and any amount of other diseases which comes into Norfolk, goes to the restaurants, fed to the pigs. I find it somewhat ironic that Mr Bennett's voting against the thing on the strength of his concern about disease yet he continues to import a raw meat product. Beats me. Thank you

MRS ANDERSON Thank you Mr Speaker. Mr Bennett alluded to one item that I think should be discussed. Most of the emotive issues in the community at the moment are on the disease factor, whether a quarantine station would or would not be dangerous from a disease point of view. I think that before any quarantine station were allowed into Norfolk Island based on the decisions of the Working Party, sufficient controls would be put in place to make sure that that disease risk factor was negligible. However,

there is one other factor that I think we should take into consideration and that is the effect on our tourist industry. I would like to ask Mr King if it would be possible for him as Minister for Tourism to investigate what the potential risk would be to the tourism industry if there were a quarantine station on Norfolk Island

MR KING I think I'm expected to answer that. Whether I would conduct an examination of what would happen to the tourism industry if there were a quarantine facility in Norfolk Island

MRS ANDERSON Through you Mr Speaker. Is it possible with your contacts within the tourism industry through Bob Doyle and others, to find out just what the tourism industry's reaction would be. Would we be a no go if we had a quarantine station here? How do they feel about sending tourists to Cocos Island for example? I'm sure we could find out that sort of information without undertaking too great a research

MR KING Mr Speaker I may have alluded to the fact earlier or in an earlier debate on this question that I had some reservations based primarily on the effect on the tourism industry. I made a number of inquiries and I received feedback on two levels. One that it wouldn't make any difference, certainly with alpacas in any event, and secondly of far less weight, given to the argument that it may effect tourism and I've spoken to a number of people in the industry wholesalers, major retailers, our own marketing people out there. I can't say for sure that it wouldn't have any effect on the tourism industry but the weight of opinion given to me is that it wouldn't effect the tourism industry unless of course there was an outbreak of disease and then we wouldn't have an industry

MRS ANDERSON Well I think we are going to take every precaution to ensure that that is not a risk

MR KING Let me say, Mr Speaker I'm sorry, Mrs Anderson and I seem to be conducting a conversation across the room here, but I don't have any difficulty if anyone around this table wants to talk to wholesalers or people involved in the industry and they are able to do that by themselves I would have thought, that they would have done that before they voted on the last occasion. Maybe the time for that has passed but then you've got another chance when you vote YES or NO I guess

MR BATES Thank you Mr Speaker. This debate seems to have broadened somewhat from the original statement made by Mr Christian but the thing that concerns me is something along the lines of what Mr Adams said. We don't quarantine people that come from Peru and Bolivia bringing diseases common to people but animals coming from there that go through very strict health procedures, and most of the diseases that they conduct are not human diseases, some are but most of them are not. We don't concern ourselves with where people come from, countries all over the world, they can be here within twenty-four hours and I think that this emotional side of the disease is really getting a little bit out of hand but I just make those comments because the debate seems to have broadened into some of the pros and cons of alpacas

MR SPEAKER Further debate on this matter? If we have done on this subject I just want to conclude with a couple of comments. The first thing I should say is that the President will not be drawn into the YES or the NO situation in this matter. I do want to make some procedural comments because I think it might assist to clarify some things that have been said in various quarters. The role of the President is to direct a referendum upon a resolution of this Assembly and following the resolution of the Assembly on two occasions when we came together that has been done and that process then rolled on. A further process part way through is to call for both YES

and NO cases and for those to be lodged with the President for them to be approved and for them to be distributed to all electors. That has been done. I mention that process to receive those cases is official. It is procedural and it is neutral. And I want to emphasise that. It would be improper for anyone to suggest that there had been any emphasis in selection of either YES or NO on the part of the person who needed to collate them. For your information only two cases were actually presented in writing. One for YES and one for NO and those two cases were distributed as you no doubt have received in the post. I suppose fortunately in my role I didn't need to adjudicate on more than one coming from a particular side and from enquiries that I may have received verbally, I have encouraged people, as indeed I did in my official notification for people to come together if they were of a similar view and I emphasise one case was formally presented for YES and one case was formally presented for NO and they have been distributed. I will put the question now Honourable Members that that statement be noted

QUESTION PUT
QUESTION AGREED

The ayes have it thank you. Any further Statements this morning? Then we are done with Statements

Reports from Standing and Select Committees

Any Reports this morning?

MRS ANDERSON Thank you Mr Speaker. I should just like to report that the Select Committee looking into electoral and constitutional issues, our report is now on track and I would like to thank those members of the community who have contributed to it, thank you

NOTICES

MR SPEAKER We are at Notices Honourable Members

NO 2 - CUSTOMS ORDINANCE 1913 - EXEMPTION FROM DUTY

MR BENNETT Mr Speaker I move that for the purposes of section 2B of the Customs Ordinance 1913, this House recommends to the Administrator that the goods specified in the Schedule, imported by the importers there specified, be exempted from duty. Mr Speaker, the Schedule contains three items, all imported by non profit organisations, namely a water chair-bed for the Sunshine Club, Christmas cakes for the Lions Club and Marquee poles for the Country Music Association. I have nothing further to add. It is a requirement Mr President that where my powers of exemption are exceeded by the value of the duty to be waived there is a requirement that it be passed to the Administrator through the executive council and the process involves a motion from this House confirming my action

MR SPEAKER Thank you. No further debate I put the question that that motion be agreed to

QUESTION PUT
QUESTION AGREED

The ayes have it thank you, that motion is agreed

NO 3 - CUSTOMS ORDINANCE 1913 - EXEMPTION OF SPECIFIED GOODS FROM PAYMENT OF DUTY

MR BENNETT Thank you Mr Speaker. I move that for the purposes of section 2B(1)(b) of the Customs Ordinance 1913, this House recommends to the Administrator that the classes of goods specified in the Schedule be exempted from duty. Mr Speaker the specified classes of goods in the schedule are 1. Headstones, gravestones and associated base stones and 2. Coins, stamps, paper money, phone cards not for circulation. Mr Speaker, I would draw Member's attention to a slight amendment to the wording of the motion as it appeared on the Notice Paper. A comma has been inserted after the words "phone cards" which I would also ask you to note is one word not two. In the original motion "phone cards" was listed as two words it's now been made into one with a comma after it

MR SPEAKER Debate on that motion Honourable Members. Mr Bennett did you want to say anything further

MR BENNETT Mr President, in or around 1987 a direction was given by a former Minister of Finance in respect of exempting duty for headstones, gravestones and associated base stones. That direction never found its way into the House by way of a motion and therefore didn't cover such things as headstones exceeding a value which would cause duty to be in excess of \$200. It seemed appropriate because we traditionally allowed such items to be imported free of duty or be exempted from duty that we should have it declared as a standing exemption item. The second part of the motion deals with coins, stamps, paper money and phonecards not for circulation. Members will be aware that there is already exemption for coins and bullion and paper money for circulation, that's what the banks bring in. It is not intended to reverse the role and get some duty on the larger volume that comes through to the banks and forgo the small amount of duty on the imports of these items by individuals. Mr Speaker, some very late advice was given to Members, it was in your boxes early this morning as a result of my agreeing to circulate some information particularly some advice I had received from the Collector of Customs. I needed also to advise Members of some more details about the imports for the previous financial year. Because of its lateness I don't have any great desire in pursuing this motion to finality today.

Members may want to absorb the paper that was given to them this morning and if that's the case I would be happy for them to do so. The part of the puzzle that I was not able to get in time for members was that information that related to the way that other nations in our neighbourhood deal with the question of duty on these items. As I mentioned to Members at an informal meeting, my understanding is, that is, advise that I had received from our consultants that in this region there is no duty that applies on such items as collectables, however, I would like to get that in a more formal fashion. As I said, I have no great desire in finalising it today. If Members feel so inclined I'm happy to pursue it, otherwise it will lay on the table for another month, thank you

MR BATES Thank you Mr President. I have some reservations about the second part of the motion or the second class of goods in the schedule. I'm always concerned that when we make some of these rules, we create precedents and just around the corner there's somebody else putting up their hand to seek exemption from something else. I think that because a person runs their business in dealing in rare coins or coins and stamps and paper money, phonecards, collectables, that they are little different to somebody who runs their business through buying and selling other commodities and one of Norfolk's main revenues comes from people who buy goods for sale to tourists and I

just have some reservations about the wisdom of just getting into these situations

MRS SAMPSON Thank you Mr Speaker. I was just wondering through you if I may ask Mr Bennett how he defines the phrase "not for circulation" Where is the line of demarcation drawn

MR BENNETT Thank you Mr Speaker, as I understand it, when items are listed as "for circulation" that is, legal tender that is used in the banking process, phonecards that are used in the telecommunications industry and the like as opposed to non-circulating legal tender which is numismatic and philatelic items. Mr President, what I omitted to mention in the opening words, I didn't simply just pluck this idea out of my head and thought gee, this is a good idea I'll pursue it, it arose, the issue of declaring those collectables in a class to be exempted arose out of the strategic plan that's being developed for the Norfolk Island Administration for collectable products and I have a final draft with me, it's about a month away from being circulated to members, but in this marketing strategy or the strategic plan it talks about a vision and the vision is to enhance the availability of Norfolk Island collectable products to a much greater degree than is presently carried out and one of the thrusts of it was to ensure that the dealers in Australasia at the very least are not only aware of the products that we carry but getting behind them and support them.

To that end we were successful in convincing the Australasian Stamp Dealers Association to have their annual general meeting here later this year and arising from that being confirmed was the indication that it would be turned into a collectable fair, and both of those are a first for Norfolk Island, the Dealers Association has never been here and secondly there's never been a fair of that nature so it was important for us to have a look at the implications that might arise from us having them here and whether we could encourage this august body to meet here on an annual basis. We are strategically well placed between Australia and New Zealand, and many of the dealers have suggested that on second thoughts, Norfolk Island would make a wonderful venue. We have to make sure that we don't send these people away with a sour taste in their mouth first up. One of the difficulties that arose first up was that if all the goods that were brought in by the dealers were subject duty then the collectors who were going to have a tourism package marketed to them arrived and found the same product available in Norfolk Island that they could buy down the road, it would be at least 10% more expensive by virtue of the customs duty. There also was another problem with the trade between the dealers, because dealers do a lot of trade amongst themselves on these particular jaunts, so what we endeavoured to do was to blend in an arrangement where we could follow the thrust of the marketing strategy which was to get all the dealers on side, pushing Norfolk Island's product, without their assistance we are going to make a very slow pace in our visionary statement, that is, to multiply significantly the sales of our products and to do that we needed to reflect on the way the Customs Ordinance was and to have a look at the import duty performance over the last few years and make a decision as to whether we would fall into line with the neighbouring nations that don't put impost duty on imports of these items and thereby hopefully succeed in having the annual conference here, giving the dealer the great time getting them behind the product and boosting our sales. So that's a long winded explanation why I didn't mention first up. It simply is not just an idea that popped into the head, it has been developing for quite some time

MR KING Thank you Mr Speaker. Mr Bennett suggested the other day or indicated that he wouldn't have any objections and he's just repeated that, no objection to an adjournment so I didn't do my homework. I haven't given it any further thought since then. The only thing that comes to my mind every now and then is that it is a very very sensitive area when you start scheduling classes of goods which are free from import duty. A great many people in the Island collect other

things, are we opening up a means or opportunity for those people to argue that they ought to be exempt as well. I'm not quite sure about this question. I'm not quite sure about the full implications of this. It would appear that perhaps I'm the only person who wants to adjourn it til next month but if Mr Bennett can see his way clear to that, I would be grateful

MR BENNETT Mr Speaker I have no objections as I mentioned. It is not an urgent issue. The matter of headstone, gravestones and the like would be handled in the normal course in between now and then so I have no problem. In view of the fact that some of the advise I gave to Members only arrived this morning and some is yet to come, I think it is fair on them to know the full story. At the appropriate time I will move an adjournment

MR SPEAKER Any further debate before that adjournment motion comes forward

MR BENNETT Mr President I move that this matter be adjourned and made an order of the day for the next day of sitting

MR SPEAKER The question is that this matter be adjourned and made an order of the day for the next day of sitting

QUESTION PUT
AGREED

The ayes have it, that matter is so adjourned thank you.

I'll call on Order of the Day No 2 which is a prelude to Notice No 4. It has been restructured so that those two matters may be considered one after the other

JOINT STANDING COMMITTEE OF THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA ON THE NATIONAL CAPITAL AND EXTERNAL TERRITORIES - REPORT ENTITLED "DELIVERING THE GOODS"

Order of the Day No 2. Joint Standing Committee of the Parliament of the Commonwealth of Australia of the National Capital and External Territories, a Report entitled "Delivering the Goods". We are resuming debate on the question that the House take note of that paper which is that report

MR ADAMS Thank you Mr Speaker. Mr Speaker I've now been able to avail myself of a copy of the JSC's Report and I've had time to have a good look at it. Mr Speaker essentially I was looking, probably like many others, for some good solid helpful suggestions - probably even technical ones - to assist in bettering our freight situation. Mr Speaker, after reading the document I don't believe that Norfolk Island's any better off for the JSC's enquiry. In fact I think it's probably worse off because it has been rather unsubtly pointed out that unless Norfolk Island pays income tax the JSC effectively advocates no assistance. Mr Speaker the committee berates Norfolk Island for decades of procrastination on the shipping issue and at the same time recommending (a) no aid from anywhere; (b) no loans from the Commonwealth unless we pay income tax to Australia, and (c) no grants from the Commonwealth. It's interesting Mr Speaker that in 1976 Sir John Nimmo recommended a small boat harbour be commenced. What happened, nothing. Australia can hardly be seen to be leading from the front Mr Speaker. Mr Speaker, the JSC strongly and repeatedly points out that the Norfolk Island Government cannot borrow money without the Commonwealth approval - incidentally something the JSC recommends against anyway - and that Norfolk Island is not eligible for foreign aid since it is part of the Commonwealth. Where does that leave us Mr Speaker? I would say effectively between a rock and a hard place

regarding Commonwealth assistance. Mr Speaker, all in all the report contains little if anything that we don't know already. It does not contain anything that might give us a new angle to go back to the drawing board with and perhaps have a fresh look at an old problem. Reading the shipping section concerning Norfolk Island one can't help the feeling that the committee was somewhat fortunate that an SLV proposal was being put forward otherwise it might be fair to suggest that they would have been unable to recommend anything different from the status quo or anything that has not already been canvassed locally. Mr Speaker, it appears somewhat curious that there is a continuing assertion throughout the report that containerisation is a must for Norfolk Island to reduce its freight rates. When one looks at the figures contained in "Price Watch" - "Price Watch" is a publication that's put out by Mr Warren Snowdon - and its purpose in life is to survey the prices of grocery items in the Cocos/Keeling, Christmas and Norfolk Islands. I believe members have a copy of that. The figures in Price Watch indicate that in spite of the containerised freight to the Indian Ocean territories, a basket of goods in Norfolk Island was between \$8 and \$40 per basket cheaper. I think those are interesting statistics Mr Speaker. Price Watch in fact states that availability and price are comparable to, although slightly more costly, than remote sites in the Northern Territory, such as Alice Springs. I think again that's an interesting statistic as Alice Springs is rather well served by rail and, sorry, road and air links. Mr Speaker the bottom line I think for the JSC Report is that it's not much of a help, if any. Probably a document facing early retirement. The issue of bettering the freight situation I think is therefore effectively ours to achieve. So really Mr Speaker we're no better off for the Report. We're exactly where we started. Thank you.

MRS ANDERSON Thank you Mr Speaker. Mr Speaker when the Report from the Joint Standing Committee entitled "Delivering the Goods" was tabled at the last sitting of the House the Members generally indulged in a spate of what could only be termed JSC bashing. This was perhaps a knee-jerk reaction to the findings of the Report which was an indictment of the Norfolk Island Government. However, unpalatable these feelings may have been, let's face it, for the most part they were accurate and the truth hurts. The committee voiced concern in Section 5.79 of its Report that if the future of shipping to Norfolk Island and the upgrading of infrastructure is left up to the Norfolk Island Government, it is unlikely that a new system of freight handling will be in place at the end of 1995, when the present shipping service to Norfolk Island is due to be withdrawn. Further, it appeared to the committee that the Norfolk Island Government was not concerned about this and was prepared to rely on yet more make-shift shipping service and the continuation of unsafe and insufficient lighterage operations until it made up its mind about what it wanted to do. Can we deny this? The committee also stated that it was not persuaded that operation of shipping and freight handling by the Norfolk Island Administration would be in the best interests of the Norfolk Island community. Can we argue this point? Mr Speaker, I believe that the Norfolk Island Assembly, not just the Government, notwithstanding their earlier objections, will heed these comments and will take some positive steps towards improving our shipping facilities. One of these steps will be to assist and encourage private enterprise in the establishment of a new and competitive shipping service. However, there is one point in this Report that disturbs me. It is the not infrequent reference to the financial relationship between the Commonwealth and Norfolk Island, and the need for an enquiry to be conducted in this regard. What are the reasons behind this recommendation? The committee also recommends that the Australian Bureau of Statistics should conduct a survey to provide information to the Commonwealth and Norfolk Island Governments on the cost of living of residents on Norfolk Island as a remote Australian community. Again, I question the value of such a study, which seems to stem not from a concern as to the living standard of people on Norfolk Island, but more whether the Island would have the capacity to repay capital borrowed for the

upgrading of infrastructure which low in the committee elsewhere recommends we should not be granted. This departure from the committee's terms of reference sets certain alarm bells ringing. Thank you Mr Speaker.

MR BENNETT Mr President, I was hoping to seek leave to make an amendment to that motion but before I do perhaps let me say that I don't want to reiterate those comments made at last month's Assembly, but I support the views of particularly Mr Adams. That was the way the Report was read by me when I waded through it. I think that sadly, but I think inevitably, it came to us in a form that we have discovered to be flawed in the way it was put together. It was, the level of research was inadequate, the balancing of evidence was distorted and importantly that they made an early decision not to take expert advice. I think that those factors in themselves really destroyed I think the efficacy of it. The motion that I would hope to seek leave to move Mr Speaker talks in terms of rejecting the Report. At an appropriate time I'll seek leave when there's no further debate.

MR KING Thank you Mr Speaker. I have to say that I was just a little alarmed to see the nature of Mr Bennett's proposed motion to amend this proposed changed motion in this matter. The first knowledge I had of it was when it hit the deck here at 10 o' clock this morning the same time as we sat down for this meeting. It is strong. It may be seen to be provocative. Beyond those things it cuts across an area that I administer in my portfolio. Mr Bennett has chosen to take this course without any ...

MR BATES Point of order Mr Speaker. Are we discussing an amendment that hasn't come before us yet/

MR SPEAKER We're moving towards that.

MR KING Yes, I'm trying to avoid that Mr Speaker, and let me just leave that for a minute and come back to it perhaps at a later time. I quite agree with what Mr Adams said, that the Report is of no value to us. It's stimulated a bit of thinking, it's stimulated a bit of discussion on a number of points, but at the end of the day it's of little value to us. We knew that that was a distinct possibility. A number of us have said that. I've certainly said it around this table. It is principally saying, and there maybe danger bells ringing for Mrs Anderson and a number of other people in the community, when there is talk about the income taxation questions, and the question of why should we be able to dip into the coffers of the Australian tax payers without contributing anything. I think that's a reasonably valid concern for anyone in the Commonwealth area of administration to raise, and I think in the commercial sector of Norfolk Island it's a legitimate fear to raise perhaps. I must say that it is not a fear in the area of a great many other people on the island, but we're not here to address whether Australian income tax ought to be extended here or not. Who of us around this table would have rejected a contribution from the Australian taxpayers of \$20 or \$30 million dollars to develop a harbour in Norfolk Island. Hands up. No-one. It's all well and good sitting around here now and complaining that the JSC has raised this hoary old chestnut again, but none of us would have rejected it. We would have taken it gladly and said thank you very much, now just beetle off and let us spend it the way we want. There can be a number of knee-jerk reactions to the JSC findings and I think that the motion that has been circulated this morning which may be put a little later on, is one of those knee-jerk reactions. Maybe at the end of the day we do dismiss the JSC Report. I foreshadowed in my short deliberation on the last occasion that we have to make a formal response to the Joint Standing Committee and I'm very, very surprised to see in this House today we seem to be heading towards making a very formal response of rejection out and

out. There were a number of things that Mrs Anderson pointed out in her debate that we ought to take notice of. There has been a great deal of procrastination here in the island. There has been of late a certain slowness or tardiness in dealing with the shipping question, and I accept some degree of responsibility for that. I acknowledge that I have been ultra cautious and conservative with the question of shipping, but that ultra conservatism and ultra caution has been in fact supported by this House in its informal discussions at least by Members of this House that we ought to be waiting on certain things like the findings of the JSC etc., etc. Okay, so now we've got the JSC Committee Report, we don't like what it says, well let's put it aside and we'll get on with what we've got to get on with. There's a motion later on in this Sitting that deals partly with the shipping question. Mrs Anderson made some focus on the Committee's comment that if it would left up to the Norfolk Island Government it was unlikely, that it would be unlikely that we would find a system to replace that which is to be withdrawn at the end of 1995, and we can't make up our minds. Well, Mrs Anderson knows, as a fellow member of the working group on shipping, that I have not been concerned for at least a period of a year about the prospect of the Union Purchase rigged ships being unavailable beyond 1995. I've said that to Members of this House, I've said it on a number of occasions to the JSC. If the JSC have chosen, as they appear to have, to reject or dismiss my evidence then that's up to them. I'll take issue with that as we respond to them in a formal sense, but I take issue with Mrs Anderson now as a fellow member of the working group when she knows full well that that has been my attitude, an attitude based on facts which were shared with her. There is no threat of the withdrawal of a Union Purchase rigged arrangement at the end of 1995, and that's the fact of the situation. Even the present ship running out of Sydney will be operating beyond that point in time for a further period, albeit not a long period because it hasn't got that much, whatever you call it, license period or something left, survey. But there are other ships, other people are still putting their hands up who have got Union Purchase rigged ships, so the urgency with dealing with the shipping question changed. And I said that to the JSC, and I said it to Mrs Anderson also. I agree that there are a number of things in the Report which were quite true. There are a number of things in the Report which were quite wrong and flawed. I am disturbed by the outcome of the JSC, but I am not going to lose any sleep over it. I think ultimately when we get around to doing a formal response, which we ought to do instead of moving any motion of rejection today, I think the safer and the more cautious approach - again caution - which I might urge is to simply adjourn the matter again and leave it on the Notice Paper until such time as we've developed a formal response to it, instead of going making provocative statements and motions of rejection today. Thank you Mr President.

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I've listened very carefully to the various speakers to this point. My personal disappointment with the Report of the JSC is something completely different. I felt, looking at all the documents that we have to date about the cost of harbours and the possibility of developing alternatives, that we've had a reasonable amount of advice so far but most of it requires the expenditure of funds that Norfolk Island budget just could not meet. So of course we have done nothing about it, without galloping into enormous debt for which we would have to have approval from the Commonwealth anyway and now the JSC has said they would not give us approval, we could do nothing about it. However, we certainly have been short of money to have a proper study conducted for an alternative of a cheaper kind and the only recommendation that I feel is missing, the only constructive recommendation I feel is missing in the JSC Report would be to suggest for the Australian Government to assist us in actually conducting that kind of research. They certainly have facts and information and resources available that would make that research much easier to conduct, if they made them available. For example, the Navy could certainly make the cost of a wave study in the various areas that we could have

an alternative perhaps much cheaper. I feel without that kind of study, that kind of concrete expert advice, we cannot move in any direction. The only pieces of paper and research reports that I've seen entail millions of dollars of expenditure. Of course we will do nothing about them. That's the only sensible thing to do. It's good that a suggestion from private enterprise has come forward, but quite frankly I fear that without the kind of study that I'm referring to it is possible that the jetty and the facilities that we're looking at being constructed by private enterprise may, if a serious enough storm develops, be damaged, and we will not know until the actual thing happens. The really constructive thing that the JSC and the Australian Government could have done was to assist us in developing that kind of information, and it is a pity it has not seen fit to give us the tools or assist in giving us the tools to make a proper decision in the future.

MRS SAMPSON Thank you Mr Speaker. I hear what Mrs Cuthbertson says, but I feel that this matter has been going on for so many years that more studies are only going to add to the pile of consultancies that have disappeared into black holes. Surely there is enough information around for us to draw a firm conclusion and more or less put the matter to rest. I entirely agree that private enterprise should be able to come in and look at it and perhaps assess it and see if it's worthwhile, but going back to the days of even having a study to have a, I think it was a jetty at Headstone, we're going back 10 or 15 years, and to actually ask for more studies and more consultancies seems to me to be a waste of government money.

MR KING Mrs Sampson, Mr Speaker, appears to have digressed a little away from the subject matter of the motion. We're talking about noting the Report of the JSC, and although the JSC deals with transport matters generally I think that Mrs Sampson is more alluding to addressing the finality of the total question of shipping to Norfolk Island, and thinks there ought to be enough information laying around on which we can make decisions. Well the fact of the matter is that yes, there is enough information around on which we can make decisions but those would be very limited decisions. We would have to decide emphatically that no, we can't build a break-water. We would have to say that, no we can't extend Cascade Pier because we don't have the seismic traverses of the area immediately in front of the pier to establish what the quality of the sub-grade is. We would have to say no, we can't build anything, the Government that is, at Ball Bay because we don't have information on the waves. We would have to say, we would have to say no to any further development around at Cascade because we don't have the wave studies in that area on which specifications of any facility depends. So those are the kinds of decisions we can make now. So throw our hands in the air and say we can't do anything, bad luck. I agree that there has been a whole host of reports over many, many years that stand taller than myself when stacked one on top of the other, but not very helpful in the final analysis. We've known for many, many years that we lack the technical data and again I have to go back on it, but I again say that I set as my objective in 1992, a three year objective, which was to gather all the information on which we can make the right kinds of decisions. Regretfully, three years later I've failed in that objective, because I haven't been able to find the 4 or 5 hundred thousand bucks which is needed simply to gather that information.

MRS ANDERSON Thank you Mr President. I would just like to pick up on Mr King's remark that I was not taking notice of information that was available to me as a member of the working group. Yes, Mr King has stated his opinion that Union Purchase ships are available and will continue to be available, however I feel that even if they are available Norfolk Island still does have to progress towards the 21st century. Containerisation is important to us, not only to reduce the cost of goods which Mr Adams suggests it might not do, but we also have to look at how the rest of

the world works. It's not only what we want, we have to look at what our suppliers want and our suppliers are all going to containerisation and we're going to be the odd one out if we are the only place in the world that can't accept containers. I'm also not convinced that the Union Purchase ships that are offered to us are going to be available indefinitely, and we have to start planning now, in fact we should have started planning last year when we first started talking about this, about what we're going to do when they go out of service and I feel that if this private enterprise suggestion, proposal, had not come to light we really would be sitting back now with our fingers crossed hoping that the Capitaine Wallis and the Maasmons are going to make it for another year. Which I don't think we can rely on.

MR BENNETT Thank you Mr Speaker. One of the earlier speakers mentioned in his opinion that the Report does not advance our position having waited for it and setting a lot of other decision making processes aside, we now find it doesn't advance our position. Private enterprise and the emergence of the stern loading vessel would have emerged anyway. It didn't take a joint standing committee for Mr Ballantyne to visit the island in 1984/85 or whatever when he tried to offer it to an earlier government, so it would have emerged in any case. I didn't take the joint standing committee, or it cannot be said that the joint standing committee was the catalyst for the emergence of something that would have been inevitable. Madam Deputy Speaker, Mr King has urged caution, urged caution on the way we respond or what we say about this Report, what might be overlooked is the fact that the joint standing committee has already requested copies of Hansard, the deliberations of this House at the last meeting. Now in a few days time that will inevitably roll off the press and they will get hold of it. They'll wait a little bit longer for the Hansard of this meeting but don't overlook the fact that there was a fair amount said at the last meeting, and I think that it's absolutely essential that our views be made known to them. I mean they were individual views. I think that the House has got to make some decision on the final Report and have it conveyed to them. I think the community are also looking for that.

I think that it warrants far more than simply noting the paper and that was the cause of the consideration at the last minute, I might add, of an amendment which shortly I'll seek leave to move. The last point that I would make is that it is unlikely that the joint standing committee, having armed themselves with the Hansard of our previous deliberations and even the deliberations of today, will staple them into the back of the Report for all to see. But perhaps a Resolution of this Parliament might have more prominence so that the person reading the Report will note somewhere that the Norfolk Island Government's views were whatever they are going to be, expressed. The danger in not trying to have the views of the island made known in that form is that the Report will gather its own importance over time. I think that a lot was said at the last meeting about the danger to Norfolk Island of that happening. Where a Report is flawed we ought to say it's flawed, but it ought to be the Parliament that says it's flawed and not just noted and let it gather its own importance to bite us on the backside sometime further down the track. Thank you Madam Deputy President.

MR BUFFETT Madam Deputy Speaker, there are a number of issues really that we've ranged over here this morning, although the principal one is the JSC Report. I think it must be said that in this overall issue, and all of those things that attach themselves to it, it must be said that we're no further ahead, we're no more ahead than say, 20 or 30 years ago. I think really that is the clear situation that we're in. That Report having been delivered. The JSC Report that we've had delivered to us does need some formal response from us. We have said this before but we have not at this stage got a proposal as to how we should respond except in this motion that has been made by Mr Bennett as an amendment to today's proposal. I'm not too sure that I see that that response in exactly those terms is the exact way to go, but I'm just trying to identify it as being the only proposal at this time as being a firm response

to what the JSC has said to us. I do think we need to make a response and I think we need to make it before too far down the track otherwise it will be the only document that has received some publicity and there will be no counter weighing notation that might put it into better perspective. I would prefer to see, for example, that in lieu of making the amendment that is talked about, I don't want to necessarily preempt that, is to make some indication that we will make a measured response to the JSC and then carefully measure it out, so that we do know what we want to say in lieu of just saying something in paragraphs (a), (b), (c) and (d). I think it's important that we do way it but I'm not too sure that the amendment will say all that needs to be said about it. But you know, I said that this was, I said that we're no further ahead, I'm disappointed that we're no further ahead it must be said, because I think we have had an ideal opportunity to solve some of the difficulties, or to at least more readily address them that has been addressed. Some of the difficulties are of course the freight factor. The opportunity for cruise ships. Itinerant shipping arrangements. Solving our cliff difficulties at the seashore. Solving some of our availability of rock. All of those could have well come together, and indeed more, in solving the overall issues addressed by the JSC, or the principal one, which was the freight service. There was good opportunity. We haven't, I think, made maximum use of all of that. The long term for us is still yet undecided and that's important to us of course. You, Madam Deputy Speaker made reference to that, and I think you're right in that. There is a proposal for almost immediate alleviation of some of the difficulties that we've described, and that's a proposal that private enterprise might enter the list in the was described in another area of today's proceedings. That is a good point. It's probably the only good point that comes out of all this. It's the only way ahead that has been described to us at this moment. It remains to be seen however as to whether that can sustain us in the real long term and it's a pity that we've not put something into place that could sustain us knowingly in the long term. There has been some talk about, well, you know, we haven't got the money, and indeed we haven't. The Commonwealth won't give us the money. The Commonwealth shouldn't give us the money. We know that we're on a path to self-government and indeed, as far as possible, we should be making our own way and paying our own way. But I just want to draw your attention to a couple of factors. This matter about freight difficulties in Norfolk Island - freight services, shipping services and the difficulties with ships coming and discharging their arrangements here, and indeed we loading things - has been around for decades and decades and decades. We have accepted responsibility since 1979, the Commonwealth had responsibility for decades before that. It's not unreasonable for the Commonwealth to enter the lists to ensure that in their passing over some of these areas that they make a contribution to ensure that the long term is preserved. I don't necessarily mean that they should hand it out for nothing, but there may be room to negotiate some loan arrangement that is advantageous to us if we wanted to go that way, and I think it's probably not a good thing that the JSC is endeavouring to cut off that particular point altogether. But maybe that's a point for another day. Let me just talk about some of the pluses. The private enterprise arrangement probably is the only plus, as I've mentioned earlier, and we will talk about that, I think, in another way in another moment. But overall the JSC Report obviously isn't of great use to us. I'm disappointed about that. I'm disappointed we didn't make better of the opportunity for maybe them to be a participant in ensuring that Norfolk Island's long term well-being is properly cared for in the freight and shipping arrangements within Norfolk Island.

MR KING Thank you. I wonder if Mr Buffett might care to elaborate on his closing statement that he was disappointed that we didn't make more of the opportunity to have the JSC participate in long term solutions. I'm not quite sure what that means. If it is a slight at my participation in the arrangement as the Executive Member, well I would ask that he elaborate on that so that I can perhaps respond to

it. I think we are a little bit further ahead. I mean what we see is no further ahead certainly than 20 or 30 years ago, and that's quite clear. These problems have been around for a long time. But you know, in some respects when you look back on the wealth of information and that which was available through the Joint Standing Committee hearings, and we have all that, not only the Report, there is a wealth of information there which is very useful to us. We know about barge arrangements; we know about SLV arrangements and we know about hover crafts, and we know about a whole host of other things, so it hasn't been a complete waste of time. Please don't lose sight of the fact that we knew at the very outset that there would be some difficulties in the Joint Standing Committee coming to terms with Norfolk Island as a separate territory to the Indian Ocean territories. Because we are different. We recognise that because we urged them to put in a little bit, an extra phrase in their terms of reference having regard to the self-governing status of Norfolk Island. Don't lose sight of that Joint Standing Committee. So we knew that it would be difficult for them. And during the course of their hearings we received messages from them as individuals as they were here from Canberra that they were in a bit of a quandary. Norfolk Island was different. You're not part of the taxation system. We can't really deal with you. The Grants Commission Act doesn't extend to Norfolk Island. It's different. We had the Leo Mackays who are noted anti Norfolk Island self-government arrangements people, and others among them too. On both sides of the parliament they are sceptical about our self-governmental arrangements. That's for them. We can deal with each of them as they come along, but what we couldn't avoid was their own personal thoughts running through the considerations and perhaps ultimately the recommendations. There is, as Mr Buffett observed, some room to negotiate further with the Commonwealth on these matters. This is not the be all end all. It doesn't necessarily follow that the Commonwealth will accept all the recommendations of the Joint Standing Committee. Their Report is currently on the table of the House of Reps and the Commonwealth is not due to respond to it for a couple of months yet. It may sit around on the table of the House of Reps for a long time. Mr Buffett referred to Mr Bennett's proposed motion, so I feel happy to refer to it as well, even though we both may pre-empt it a little bit. Again, I urge us not to be hasty in responding in this fashion. I won't support this today. This additional, amendment to Mr Adams' motion. I will support a further adjournment of this matter, and there's nothing wrong with allowing the matter to sit on our table, or on our Notice Paper for a couple of months - longer- until we are in a position to put together a properly considered, intelligent and perhaps meaningful response to the Joint Standing Committee. Let's not be too preceptive now in dismissing it out of hand. Although again I concede, and I emphasise that at the end of the day it is probably of little value to us, and I don't argue with that.

MR BENNETT Thank you Madam Deputy Speaker. I've listened very carefully to the contributions made by Members which leads me to believe that some modification of what I intended to move by way of amendment is probably wise or prudent. If I may now, Madam Deputy Speaker, seek leave to move an amendment to that.

DEPUTY SPEAKER Leave is granted Mr Bennett.

MR BATES Point of order. Is there a question to the House.

DEPUTY SPEAKER No, under Standing Order 121 the amendment may be permitted by leave of the President.

MR BATES Where does Standing Order 84 stand?

DEPUTY SPEAKER Mr Bates, with your indulgence I will let Mr Bennett speak.

MR BATES I was going to raise a dissenting voice to the gaining of leave to move his amendment.

MR BENNETT Madam Deputy Speaker, I was seeking the leave of the chair to move the amendment, not the leave of the House. So I accepted your ruling

DEPUTY SPEAKER Pursuant to Standing Order 121 leave is granted Mr Bennett.

MR BENNETT Madam Deputy Speaker, I have mentioned that this is a motion that I circulated and I have modified it. If Members have a pen I will move that the following words be added to Mr Adams' motion

MR KING on your ruling. On the basis that a copy wasn't lodged with the Clerk, otherwise it would have been circulated I'm sure, at least 24 hours before the time fixed for the meeting of the House.

DEPUTY SPEAKER My understanding of the Standing Order to which I'm referring is that leave may be granted by the President, or in this case the Speaker, to an amendment whether or not lodged.

MR BENNETT I accept that decision Madam Deputy Speaker, and may I be allowed to continue. I sought leave Madam Deputy Speaker that the following words be added to Mr Adams' motion. And if you've got the piece of paper in front of you it will now say, "but expresses its deep concern at the Report of the Joint Standing Committee on National Capital and External Territories entitled "Delivering the Goods" in relation to Norfolk Island because of (a) inadequate research; (b) distorted balancing of evidence, and (c) lack of expert advice - all of which make elements of the Report of little practical use to the Government, the Assembly and the people of Norfolk Island". Madam Deputy Speaker ...

MR KING Madam Deputy Speaker, I've no wish to disrupt proceedings but I must call another point of order. The amendment that Mr Bennett has just moved is not as circulated to me in writing. I mean I thought we were bound to follow the Standing Orders. I mean I'm ...

DEPUTY SPEAKER That's correct Mr King.

MR KING Bound to follow the Standing Orders in some respect aren't we. It says an amendment to any motion before the House must be in writing, signed by the mover and a copy must be lodged with the Clerk at least 24 hours before the time fixed for the meeting of the House. Now, I can accept that the Clerk may have had a copy of the motion 24 hours ago, but ...

MR BUFFETT It says notwithstanding, read the next bit.

MR KING It doesn't say anything about notwithstanding.

MR BUFFETT Well what does it say?

MR KING It says "provided", "provided that an amendment ...

MR BUFFETT Yes, provided ...

MR KING Provided that an amendment may be permitted by leave of the

President ... What does that refer to?

MR BUFFETT It means that if that doesn't prevail, there is another step that you can take.

MR KING All right. It's getting a little confusing to me but I ..

MR BUFFETT Well don't confuse us, don't confuse us Mr King. Let's get on with the job.

MR BATES Well, I'm a little bit confused myself Madam Deputy President. The motion that was circulated to us was not the motion that Mr Bennett is seeking leave to move. He is seeking to move a different motion to the one that was circulated to us. He's already made some amendments to it therefore it becomes a different motion to the one that was circulated to us.

DEPUTY SPEAKER Mr Bennett has sought leave to move a motion. I have granted that leave. Mr Bennett has moved that motion verbally - that amendment verbally, and I accept that as the amendment which is being moved.

MR BENNETT Madam Deputy Speaker, I notice that there was only one or two pens out and perhaps just so that the motion is understood ...

MR ADAMS Yes.

MR BUFFETT It's worse than the other one is it.

MR BENNETT No, no, no. It's exactly the same.

DEPUTY SPEAKER Mr Bennett. Perhaps for the sake of clarity, we'd like to start from the top.

MR BENNETT Madam Deputy Speaker, I move that the following words be added to Mr Adams' motion, "but expresses its deep concern at the Report of the Joint Standing Committee on National Capital and External Territories entitled "Delivering the Goods" in relation to Norfolk Island because of, (a) inadequate research; (b) distorted balancing of evidence, and (c) lack of expert advice all of which make elements of the Report of little practical use to the Government, Assembly and the people of Norfolk Island".

DEPUTY SPEAKER Thank you. Mr Bennett, do you wish to speak to that amendment.

MR BENNETT Madam Deputy Speaker, I think all that's been said has been said and I have nothing further to add. That's the way I've summed up the contributions over two meetings by the majority of Members. I believe that we need to be saying something to the community and to the JSC about the Report. They will in the next few days as I've mentioned get copies of Hansard. I think it's essential that our views be made known and that we don't procrastinate and talk about this thing month after month after month and finally some time late in the year get a response to them when the thing is already gathering dust on the shelves over there. Thank you.

DEPUTY SPEAKER Thank you Mr Bennett.

MR CHRISTIAN Thank you Madam Deputy Speaker. I just ask that you provide some advice in regard to my situation. I appeared before the Joint Standing Committee as

an expert witness in a private capacity. I wonder if you would be able to tell me whether I am able to participate in the debate today, or in fact even note?

DEPUTY SPEAKER Honourable Members, I believe that this is a matter for the House to decide if anyone would care to move a motion that they feel Mr Christian should not participate in this debate, would they please do so.

MR CHRISTIAN Madam Deputy Speaker, I don't think there's any requirement to go that far. I'm quite happy not to muddy the waters and to abstain from voting or partaking in debate.

DEPUTY SPEAKER Thank you Mr Christian.

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. As it's now worded, I think the motion certainly reflects what I feel about the Report of the Joint Standing Committee. There was inadequate research. Certainly evidence presented by the Government was not given anything like the due weight that it deserved, especially with regard to the information, the evidence which was presented with regard to Australia Post which has been given very little attention so far in our debate but which certainly makes me very unhappy about the Report, and I think the lack of expert advice rejected as it was by the Standing Committee early in the piece is clearly missing in their final Report. Any expert surely would have pointed out that Norfolk Island cannot proceed without certain information, information Mr King has pointed out, and with that information to obtain it would cost us a lot of money. No matter what Reports we have already in file I certainly, and I can't imagine anyone else being able to make decisions without that basic information, and I think an expert would have pointed that out to the committee. I certainly supported the motion as it is now.

MR BATES Madam Deputy President, I've only had this before me since this morning and I certainly could see no way clear of supporting the original motion that was given to us at the beginning of the meeting. I think that was just provocative and served little purpose other than confrontation. I think it's not for us to accept or reject the Report, it's a Report to the Australian Parliament. There are certainly things in it that I don't accept. I think there are things in it that have already been said around here, that are useful to us. I notice that Mr Bennett has changed it so that we're not throwing out the whole Report, we're just saying that there are elements of it which are not good to us. We're not saying that everything in it is not good to us. I do share his concerns of some of the things in it. I think it would have been better had we prepared a more carefully worded response to this Report, and I'm still of that opinion. I don't think this has really considered the Report as a whole. It probably serves Mr Bennett's purpose of anti anything Australian, but I think we should consider all the elements of the Report and if we agree with something in it then I think we should say so. I think we should equally criticise those parts of it which are quite obvious to us incorrect and misleading. Thank you Madam Deputy President.

MR BUFFETT Madam Deputy Speaker, I can't support the motion as it stands for this reason. If we had more time - this has just been dropped on us this morning - and it obviously is intending to draw out the main conclusions, that is those things mentioned of the Report as far as it relates to us anyhow, and I'm not too sure that to just decide upon that without some mature thought is the best way to go about it. I would prefer that we said something like this, that we note the Report and that we agree that a measured response be made to the JSC within one month. That would allow us to look at this. I would say that I regret that it's taken this long for us to

make such a response, but there we are, that's where we're at. That we have a concise response, and I don't mean that we should spend weeks on it, but more than just saying the things that are contained within this motion. I think that probably we should recognise any reasonable things that are in it and point out the inadequate things that are in it. This probably only covers one side of it. If you wanted me to vote today on this matter I probably would vote against it. I'd be happy to adjourn the matter. I couldn't support it at this stage.

MRS SAMPSON Thank you Madam Deputy Speaker. I agree with Mr Buffett, not on his previous remarks in the debate made some minutes ago which I was going to take him to task with, but it moved ahead before I got my say in. Going through the Notice Paper, there are two other notices - one Mr Bates to move on certain matters, and another one on shipping services by Mr King. Now, these two matters still to be debated all impinge on the Report and I feel that it's premature to move this before those other matters have come up for discussion in the House, and I would support Mr Buffett for an adjournment.

MR ADAMS Thank you Madam Deputy Speaker. I intend to support the motion if it's brought to a vote at this time. I think, it's probably fair comment to say that this paper's been dropped on us at short notice, and indeed it has, however the content of it has been spread out over the past four weeks. I mean no one around here is going to seriously argue that inadequate research has been carried out, balancing of evidence. There's some reports in there, or some conclusions are based on the fact that Union Purchase ships will be going out of service at the end of this year, that is clearly wrong. So all this motion to me, or this amendment to the motion to me, indicates that we are unhappy with it, it's inadequate, and we're saying so. For instance, there's no recommendations about air freight or air services. No recommendations at all. So I'll be supporting this amendment today.

MR BENNETT Madam Deputy Speaker I don't want to prolong this any further, I just want to make the point that this motion if passed doesn't by any means negate the need for a full response. I mean I think we're duty bound to say why, for example, we thought this way. This is not a choice between a detailed response that might happen some months down the track and the attitude today, I think that both are necessary. We need to, I think as I said before, it's essential to let them know at an early point our feelings, because as I said, in a few days they will have the Hansard. So this sort of deals with the question of that needs I think to let them know what our views are but it doesn't negate the need for Mr King, if he's the one who needs to do it, to get on his bike and get moving on the detailed response, because there is quite a lot to be said about the Report. Quite a lot. It's not going to be a matter that will be dealt with in one or two days time, but this will set us along the path.

MR KING I'm sorry, I hear what Mr Bennett says Madam Deputy Speaker, but the fact of the matter is that this is the formal forum of the membership and this constitutes a formal response, and it should not pre-empt a proper consideration on a clause by clause basis of the committee's Report. I hear some of the comments around the table that they are a little bit disappointed that I haven't got on the bike and done this response earlier. I'm happy to do it. I can assure you that members of the committee are well aware of our feelings about this matter. Well aware. They did in fact seek copy of the debate and no doubt they will again, or the secretary of the committee did, in any event. They're not going to go away. I'll happily get some work done on that and move towards a proper response within a month, but I won't agree to what to me constitutes a formal response today. Which quite frankly the words of which have been put together in whispered little meetings at the back of this room

here today, and that's just irresponsible.

MR BENNETT I move that the motion be put Madam Deputy Speaker

DEPUTY SPEAKER The question before us Honourable Members is that the motion be put

QUESTION PUT
QUESTION AGREED

MR CHRISTIAN ABSTAINED

We are voting on the motion that the amendment be put. The question before us then is that the amendment be agreed to

QUESTION PUT

Could the Clerk please call the House

MR BUFFETT NO
MRS ANDERSONNO
MR BATES NO
MRS LOZZI CUTHBERTSONAYE
MR BENNETT AYE
MRS SAMPSON NO
MR ADAMS AYE
MR KING NO
MR CHRISTIANABSTAIN

Honourable Members the ayes three the noes five, one abstention the noes have it

MR BUFFETT I will seek your leave to move another amendment Madam Deputy President which will say that a measured response will be made to the JSC within one month.

DEPUTY SPEAKER Leave is granted Mr Buffett.

MR BUFFETT Thank you. This really is an endeavour to not just say noted, as the motion now stands, but to also say that there is a response coming, without being committed to exactly what it is at this moment and it will give that time frame for Members to participate within it, and they will know that it's coming. That's important. They will know that it's coming. I think that's an important point that Mr Bennett might gain benefit from.

MR BENNETT Madam Deputy Speaker, may I ask a question, Mr Buffett used the word "measured". I'm not quite sure, when you use the word "measured response" whether you've got some idea in mind that it might go so far but not too far or that we've measured the longest distance ...

MR BUFFETT I'm not committed to the word.

MR BENNETT No.

MR BUFFETT I think maybe it was an endeavour to indicate that there maybe varying views about the matter, and these would all be measured and conveyed. But if

you're not happy with the word, I'm happy to withdraw it.

MR BENNETT No, I'm not unhappy with it, I support the motion. I just wondered whether you had some qualifications on it. Mr King, who's going to deal with the Report will obviously put his own in.

MR KING I'm happy to take Mr Buffett's interpretation of the adjective.

MR BUFFETT And the words that I have endeavoured to use are not at odds with what Mr King has endeavoured to say that he will do.

MR BENNETT Yes.

DEPUTY SPEAKER Honourable Members, if there's no further debate I will put to you Mr Buffett's amendment.

QUESTION PUT
QUESTION AGREED

The question before us now Honourable Members is that the motion as amended by Mr Buffett be put.

QUESTION PUT
QUESTION AGREED

MR CHRISTIAN ABSTAINED

The question now before us is that the motion as amended be agreed to.

QUESTION PUT
QUESTION AGREED

MR CHRISTIAN ABSTAINED

NO 4 - JOINT STANDING COMMITTEE INTO FREIGHT AND PASSENGER TRANSPORT - ADOPTION OF COMMITTEE'S RECOMMENDATION FOR THE CONDUCT OF A SURVEY ON CERTAIN MATTERS

MR BATES Thank you Madam Deputy President. Before I move this motion if I may, I'm not too sure how long this is going to take, but it is getting close to lunchtime if you wish to consider that before I move my motion.

MR BUFFETT He must be hungry. Let's have lunch.

DEPUTY SPEAKER Shall we then adjourn for one hour. Till 2 o' clock. We shall then suspend proceedings until 2 o' clock. Thank you Honourable Members.

MR SPEAKER We reconvene after lunch. We are at Notice No. 4.

MR BATES Mr Speaker, I move that this House notes the Report of the Joint Standing Committee into Freight and Passenger Transport to Norfolk Island and the Indian Ocean Territories which was tabled in the Federal Parliament on 6th March 1995 and request the Minister for Health and Education to take whatever action is necessary to carry out and report on a survey along the lines of that recommended by

the committee which will identify and analyse: (a) patterns of income and expenditure for households earning wage and/or salary income on Norfolk Island, broken down into at least three income brackets; (b) prices of items in a selected household basket of goods and services on Norfolk Island; (c) the cost of parcel post, fuel, electricity, housing and transport on Norfolk Island; (d) the extent to which the sales tax free status of Norfolk Island effects the cost of living of its residents; (e) the average weekly income for individuals and families entirely dependent on social security payments on Norfolk Island; (f) the value of subsidised housing and any other benefits extended to social security recipients on Norfolk Island, and (g) patterns of household expenditure for social security recipients on Norfolk Island. Mr President, I have brought this motion forward as a recommendation stands in the Report of the Joint Standing Committee because their recommendation is that the survey be carried out by the Bureau of Statistics and this could be the most cost effective way of having it carried out. However, if the Commonwealth does not take up the recommendation, there are components of it which would not be necessary. My opinion, not necessary in my opinion, and could reduce the cost if they were not done. On the other hand it is difficult to argue that other components are things which we should have known years ago, and which are necessary in the interests of good government. In view of the earlier decision regarding the Report it could save a lot of time if Members just gave their initial responses to this motion and it were adjourned until the other recommendations have been considered. Members have recently discussed salary levels in relation to the coming Remuneration Tribunal as it affects public servants and nursing staff. We also have an Employment Act which although under review sets a fairly low hourly rate at well under \$6.00 per hour as a minimum. We also have a scale of social service benefits which receive automatic adjustments based on increases measured on the increase in the cost of a package of goods and services.

Apart from those issues we know very little about what it costs to live on Norfolk Island. We have nothing to tell us where the poverty line could reasonably be drawn.

Too often we suggested wages should be a certain figure less the mainland rates because mainland tax is not paid, and I draw your attention to a response by the Government, to the Remuneration Tribunal when the nurses made application for a salary increase and the Commission says "the parody requested by the Norfolk Island Nurses Association were nurses working in New South Wales, is quite inappropriate for many reasons, including (a) nurses working in New South Wales pay many taxes not levied in Norfolk Island, but it doesn't say the cost of living for nurses on Norfolk Island may be different to that in Australia. It doesn't say that we have a tax structure which the nurses on Norfolk Island have to pay and the nurses in Australia don't, and it doesn't say that the nurses in Australia receive benefits from the fact that they pay taxation. That's the type of thing that this is all about Mr President. We don't consider the local taxes, the services, the cost of food - and they're not quite the same as in Australia where family benefits are paid. In other words, a lot of guess work goes into what it costs to provide a home, live reasonably and raise a family, and it's probably more common on Norfolk Island that people need to hold down more than one job just to make ends meet, or perhaps just to get a little bit ahead. There's also the cost of having holidays, which is so much more expensive from Norfolk Island because of our isolation. A cheap holiday on the mainland may simply mean putting a tent in the boot of the family car and going up or down the coast a few kilometres. Quite a different situation to Norfolk Island. If we are to progress internal self-government in Norfolk Island we must responsibly address most of the matters contained in the motion. I will be interested to hear the views of other Members. I have a feeling that those who feel the information is not necessary, that it will be costly or too hard to obtain, will be those few amongst us who do not rely on wage or salary or social security payments as their means of livelihood. I would be prepared to adjourn this Mr Speaker when Members have had their initial response.

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I must admit that when I first the motion on the Paper the first question that occurred to me is the idea of having the information certainly would be interesting but what would we do with it. Just what measures could be taken as a result of having that information available. Mr Bates has answered some of the questions but certainly what the implication of some of his answers mean far-reaching changes to social services policy on this island, and I wonder what kind of support there would be amongst others for it and what kind of funding might need to be put aside to bring about the kind of necessary changes. The main thing that concerns me about this kind of information is the kind of use that we will put it to. Yes, we can review how people are affected by our salary structures and pays; what concerns me is getting the information as well. Getting accurate information. And that process is not going to be easy at all. I doubt if there is anyone on this island that could conduct such a survey. I anticipate that we would call for expressions of interest, but this is a very complex study to get accurate figures from people and ensure that they are reasonably accurate. It's going to be a very specialised job. The kind of information that's available on the mainland to a lot of these questions is made simple by the availability of extensive records; extensive interconnection of computer information that is maintained by a great many bodies. Unfortunately we just do not have that kind of basis of information and facts ready. We would have to try and establish it. maybe it's an indication of some of the instability, political instability of my own background that makes me aware of the fact that a great many people do not answer census information about income and assets in anything like accurate detail. To many of them, people who perhaps have lived in other countries, have been exposed to persecution because of such information being made available to government. I wonder how many people on Norfolk Island would be prepared to give that kind of information accurately since they've never had to provide it, well, they've provided it in census information, but I wonder whether it's accurate. All of these are hesitations that I have with agreeing to the motion. Once we have this kind of information a great many changes to policy might have to be made. That is not a reason not to have it. I'm arguing two ways simply because I'm torn as to whether we are going to get facts, whether we are going to be able to use them afterwards. I'll leave it at that for the moment.

MRS SAMPSON Thank you Mr Speaker. I'll just briefly address each of the clauses as I see it, and this is not a really in-depth thought about it. The first clause (a) was the income. Now income from all sources is broken down into 13 categories in the census figures and I checked on the 1991 census. We have another census due next year. The expenditure patterns were canvassed to enable the CPI to be introduced, I think some 8 years ago, possibly a little longer and this is reflected in the basket of goods, and the collection for the CPI is currently in operation, and I think the prices are collected every three months, which I would assume takes care of paragraph (b). Paragraph (c) - the cost of parcel post at current prices, fuel and electricity are set down. They're rigid. They're known. And the housing and transport could quite easily be calculated. (d) rather escapes me. Does this paragraph refer to exemption from sales tax from items imported from other countries, or does it refer to the fact that we have no sales tax per se imposed from within, and discussions have taken place on an informal basis on VAT or GST, but not with any seriousness. (d) As there is legislation place, policies and guidelines regarding social security and the Board meets regularly to consider all aspects, all this information should be available. (f) Benefits to local social service recipients are known and are part of the system. (g) Patterns of household expenditure were recorded in a questionnaire that was analysed for the purpose of introducing a CPI type of adjustment, known as the Benefit Adjustment Factor, but the results were not taken as definitive as some recipients of local social security payments either refused to answer or were vague as quite a proportion of their expenses, whether goods

or services, were paid for by friends and relatives. I'm in no way condemning this, on the contrary, applauding the care and concern taken by the community for those who have a limited income, but the lack of information tended to distort the figures and I see no reason to believe that anything else is changed. I'm quite happy to support an adjournment because I would like to go into it in a little more depth. Thank you.

MRS ANDERSON Thank you Mr Speaker. Mr Speaker, Mr Bates proposes that the House adopt the Joint Standing Committee's recommendation and request the Minister for Health and Education to cause a survey to be conducted on certain matters relating to the cost of living on Norfolk Island. The JSC did not propose that Norfolk Island undertake such a survey, but that it be conducted by the Australian Bureau of Statistics. I cannot see the benefits of such a survey, even when conducted by the Australian Bureau of Statistics for many of the reasons that Mrs Sampson has pointed out. If the survey is to be funded by the Norfolk Island Administration, it will mean an expenditure of perhaps \$80,000 - \$100,000 for the same questionable benefit. At the time of the census that's coming next year, perhaps Mrs Lozzi-Cuthbertson could informally, or without a motion from this House - a direction from the House - gather together that information which is readily available and make some judgement at that time. But for the time being Mr Speaker, I do not support Mr Bates' motion.

MR ADAMS Thank you Mr Speaker. Essentially Brian's motion, as I understand it, is Recommendation 21 of the JSC's Report. Firstly, the Australian Bureau of Statistics (ABS) I don't really believe has the authority to commence an on-island enquiry without perhaps an invitation from Norfolk Island. As for the income of Norfolk Islanders - income of the people of Norfolk Island - there is no mention Brian on how you actually intend to get this information, so there basically appears no particular driving reason for enquiring into people's income and what they do with it. Is it right or possible that we go prying into people's income for the sake of it. I don't really believe that it is. Mr Speaker, the cost of parcel post, fuel and electricity, housing and transport are a generally known quantity. For instance, it's unusual for the JSC to be recommending an enquiry into the postal rates where on Page 215 we can see them all laid down - parcel post rates. As for the electricity rates, sent to me in the mail recently it says here 28 cents per unit for electricity. The point I'm making Mr Speaker is that most of the information that's required here is already known. I mean to me it's somewhat ridiculous that we'll commission a public servant to go and enquire into this information when we already have the core of it. I think it's a waste of time and resources, and I think, it's fair to say the benefits extended to social security recipients are fairly easily attainable. I think a 'phone call to Graeme Donaldson will reveal all, and as Mrs Sampson indicated there other means. I feel there are more important factors than those listed in our community which have been around for a long time. Perhaps these things are somewhat higher in the priority list. For instance, Section 14(4) of the Employment Act, the so-called overtime provision - it's actual operation actually means that on Norfolk Island there is no overtime. For instance, if somebody reads Section 14(4) and actually takes its meaning as in general it is taken in the community, you can actually be on \$9 or \$10 an hour throughout the week and if you work Saturday morning you can, by law, be paid less than your normal hourly rate. I think things like that really need addressing before digging into things that we already know about. There's other things as well Mr Speaker. For instance, double time. It's a well known happening, if you like, in the private sector, that on public holidays people are called in whether they want to go in or not, and they work say, three hours, and sure they're paid double time - they work six hours. Had they stayed home they would have been paid eight hours. Things again which deserve far more priority than the price of parcel post, fuel and electricity. Another critical thing that's been tolerated for way too long is a non-indexing of the minimum wage. The minimum wage is not indexed

MR CHRISTIAN

Mr Speaker, I appreciate what Brian's trying to achieve here.

The words of the motion may not correctly describe what his two aims are, but I've for a long time been of a view that the Norfolk economy at the moment isn't as buoyant as what some of the indicators available to the government indicate. If you took, for instance, record tourism numbers in the 1994 calendar year you would automatically extrapolate that out to say that the economy's doing very well. But in the same period we've got young local people leaving in record numbers because they can't afford to live on Norfolk Island any more. We pay the same interest rates as mainland Australians do on a housing loan, but in some cases, and Norfolk Island, we're slugged with a 2% penalty above the going rate for the same privilege. Land is cheaper than most places in Australia, but actual building costs are substantially dearer. And you've only got to look at some of the properties Mr Speaker that are available in Queensland for, you know, around the 170,000 dollar mark where you can pick up 5 acres of land, a swimming pool and a tennis court and a three or four bedroom house. There's no way in the world you can achieve that sort of a living standard in Norfolk Island for that kind of money. I mean, you're basically looking on Norfolk at the moment, you know, if you own the land yourself through either buying it or being fortunate enough to inherit it, you're still looking at about \$145,000 to build yourself a three or four bedroom house. I believe Norfolk is a very expensive place to live and I think there needs to be a relativity evolved between the cost of living here and the wages that are paid, because the two are directly connected. And I am of the view that a number of people in Norfolk Island live below the, sorry, earn a wage that would be below the poverty line, but make up for it by working extra long hours that you wouldn't be expected to do in other areas. So, I agree with what Brian's trying to achieve here and I'm happy if he wants to adjourn this and maybe amend it at a future meeting to more correctly, or more accurately reflect his true intentions. But you know, I commend Mr Bates for having the courage to stand up and basically say, as I understand it, that everything's not quite rosy in Norfolk Island at this time.

MR KING

Thank you Mr Speaker. If I were called upon to vote on this today, I'd vote in favour of the motion. I can reflect on a number of occasions where such a study, or the results of such a study or a survey would have been particularly helpful as a tool on which to make objective decisions instead of pulling numbers out of the air. Members may recall in 1981 when Norfolk Island established its own system of social service benefits, benefits as of right, and there needed to be a starting point for that, where do we start. What's it going to be. How much should we pay our pensioners. The decision taken at that time was to subjectively, very subjectively, some may argue that there was some objectivity in it but I've ah I've yet to be convinced of that. Subjectively a decision was taken to set them at 75% of the Australian rates without any regard to what the wants, needs, desires, expectations of our pensioners were. No one knew no one tested the water as to their quality of living the standard of living their cost of living. It needed something to reflect on such as results of a survey like this to establish the starting point. The same thing can be said in respect of the establishment of a minimum wage. Good heavens I can recall when the a community committee came up with a recommendation as the starting point for the minimum wage and they plucked out of the air something like \$3.50 in the mid eighties. By the time the government got round to having a look at it and discussing it and considering it in their magnanimity they had upped it to \$4.50 without any objectivity whatsoever ultimately I think it came into place in 89 or something or rather it was set at \$5.00 since then as Mr Adams pointed out there's no nexus to any index on this matter so understand that the bench mark the point at which it started was chosen without regard to any objective factors and is since been adjusted on a very subjective way as well in fact when Brownie did it was a former Minister with responsibility for employment did it I go so far as to say he dreamt the figure up over night. There is nothing else there is nothing in the legislation now

another sealed envelope and everything would be destroyed when the forms were finally collated and therefore the sensitivity of that would make people to my mind who had misgivings about what was going to be done with the information put down false evidence. On following on from that which this may seem slightly argumentative to that is there ways in which we could change or enlarge the census form for 1996 it has to be done that some of this information that Mr Bates has is seeking here or some that we feel has not been in any way forthcoming could be included on a new census form or an amended one from the 1991 one.

MR SPEAKER: Mr Bates.

MR BATES: Thank you Mr President. I must say that both Mrs Cuthbertson I think Mrs Sampson have placed alot of emphasis on people's income. That's okay. This motion could even be couched to achieve what I'm trying to achieve without even mentioning their incomes provided their income is not below the poverty line. I think it is far more important than their income and it's the cost of people living on Norfolk Island versus the cost of people living on the mainland. We compare mainland wages with Norfolk Island wages we compare Australian taxation with our own taxation but we have no real nothing to really compare the person in Australia cost them 500 dollars a week and their counterpart on Norfolk Island cost them 400 dollars a week to live. We don't know that we can't we can't say therefore that somebody earns 500 dollars a week in Australia its fair that the same person loses 400 dollars a week on Norfolk Island. These are the answers I'm trying to achieve. I'm not after people footing down the last cent of their income and divulging it to me or to anybody else.

I'm quite sure that as I said I chose this because this came out of the Standing Committee and if it was a way ahead by the Bureau of Statistics finding out these information this information it could be the best way to go but it doesn't get away from the fact the real purpose behind the motion is to get this relativity across the board of life on Norfolk versus life on the mainland because too often we quote mainland salaries and mainland wages and mainland things and try and come up with a good reason why we should pay somebody on Norfolk Island something a little bit less and so if the income is a real problem I'm sure we can still achieve what we are trying to achieve and not give people a heartache of giving their last cent of income to anybody at all. I'm quite sure if we come out with a level of expenditure for people a reasonable level of expenditure where somebody can live and somebody didn't come as below that they'll stick up their hand and divulge their income. If it's above that then we probably don't want to know about it. Thank you Mr President.

MR SPEAKER: Thank you. Mrs Anderson

DEPUTY SPEAKER: Thank you Mr Speaker. I think that hearing Mr Bates talk just now that Mr Christian has hit the nail on the head that Mr Bates motion does not truly reflect his intentions and I would suggest that the matter be adjourned that Mr Bates amend his motion and that we discuss more his true feelings at a later date.

MR BATES: I have indicated that at the appropriate time I'm prepared to adjourn Mr Speaker.

MR SPEAKER: Thank you. Further debate Honourable Members. Mr Adams.

MR ADAMS: Thank you Mr Speaker. It's rather interesting that this appears to be all about the cost of living. Yet it leaves both Brian and Mike's sat here in the last Assembly and voted on across the board increase on the cost of living with the exception of Brian on the food issue. So it seems a little unusual at this stage Mr Speaker to be having a manifested concern which arose out of JC Report about

the cost of living when it could be said Brian that you have contributed to the cost of living. Mr Speaker another point I would like to clarify perhaps is the original minimum wage figure. Certainly wasn't pulled out of the air it was put together along on lines relevant to the cost of living by Mr Bob Fitzgibbons who admitted even at that time it was low. But again Members in this House now were in the were Members of the Sixth Assembly who also voted on the 40 cents an hour increase for the minimum wage which I think is a fairly sorry inditement. Mr Speaker I think it's fair to say the effect of the cost of living is really or the effect that the cost of living will have on you is effected by your income and I mean in that circumstance the cost of living and the minimum wage really governed by the minimum wage because there's people here that are being paid less than \$7.00 an hour. Nothing in the motion reflects anything to do that will possibly right that situation. I mean as I said there's far more serious situations out there or pressing or hardening situations then what's in the motion. I appreciate Brian's intent on this but it I don't believe it achieves much. Thank you.

MR SPEAKER: Thank you. Mrs Anderson then Mr Bates.

MRS ANDERSON: Thank you Mr Speaker. I believe that the question of the minimum wage for Norfolk Island needs to be looked at seriously, it's far too low at the present time and I believe that Mrs Lozzi-Cuthbertson has that matter in train and I would like to leave it to her to continue that matter, I don't think it should be made part of this survey suggested by Mr Bates.

MR SPEAKER: Thank you. Mr Bates.

MR BATES: Mr Speaker I don't think Mr Adams and myself are well to part on what we are trying to achieve. I think he just wants to achieve a little bit differently. I just wanted to take up the point of the \$7.00 an hour that he mentioned. Now \$7.00 an hour assuming that the person works \$40.00 a week is \$280.00 a week. Now if you think that he could support a family, educate his kids and purchase a home to live in on \$280.00 a week, it just shows that's impossible, that it requires \$350.00 a week to do that, then we do have a right to say that \$7.00 an hour is quite inadequate. And these are the things that unless we have some figures, some of these figures that I'm trying to get not necessarily all of the figures of this but some of the figures I'm trying to achieve are going to tell us that. That that's basically what I'm on about and as I said this debate is useful, I think it is interesting to hear some of the things and I think when we discussed all the issues in the Report I'll get some feeling as to what parts of this are not necessary and what parts of it could be useful and I can tell you there are bound to be some amendments when we come back to the House at the next meeting.

MR SPEAKER: Any further debate. Mr Bates.

MR BATES: Well I'll move that the matter be adjourned and made an Order of the Day for the next sitting.

MR SPEAKER: The question is that this debate be adjourned and made and Order of the Day for a subsequent day of sitting

QUESTION PUT
AGREED

The ayes have it thank you.

That matter is so adjourned thank you.

NOTICE NO. 5 - SHIPPING SERVICE TO NORFOLK ISLAND AND ENDORSEMENT OF RECOMMENDATIONS OF THE WORKING GROUP

MR KING: Thank you Mr Speaker. Mr Speaker I move that this House agrees with the recommendations of the working group on shipping that -

1. Harbour development is presently beyond the means of the Administration and is nevertheless not justified by the small volumes of sea freight.
2. No further consideration be given at this point to harbour development.
3. No further consideration be given at the present time to government ownership or operation of a shipping service.
4. Subject to obtaining suitable indemnities covering damage to the foreshore. No opposition be raised to the construction of cargo handling facilities at Ball Bay as proposed by local developers.
5. Recognising the title in the proposed new facilities at Ball Bay will remain vested in the Commonwealth of Australia. A five year lease of the facilities be available to the developers of the facilities subject to the facilities being used for a shipping service which incorporates containerisation of cargo.
6. No exclusive licence should be made available for operating the shipping service.
7. The existing lighterage service be maintained and continued, I'm sorry let me say that one again please. No. 7 - The existing lighterage service be maintained and continued maintenance be subject to periodic review.

MR SPEAKER: Mr King.

MR KING: Thank you. Mr Speaker this is not the end of the shipping issue. It is simply a device to move it along a little bit by focusing perhaps on some parts of the shipping question which can be dealt with to finality. The motion deals with two maybe three shipping related issues. No. 1 - the question of deep water harbour development and it seeks to for the time being put that issue, question to rest. It addresses the question of government ownership operation of shipping service and seeks to at least for the moment put that particular issue to rest and it addresses the proposal which has been before us for some months by proposal by local developers to construct construct facilities at Ball Bay to operate a stern loaded vessel. Ship cargo, cargo ship into that area. Excuse me Mr President, just a minute. Mr Speaker, the ships, the shipping group that is the working group of this Assembly comprised of myself, Mrs Anderson, Mrs Lozzi-Cuthbertson and Mr Bates have been considering general question of shipping for some for some time. The group has concluded in respect to deep water harbour development that costs are prohibitive. General indicative costs relating to harbour development are somewhere in the order of 25 to 35 million. We spoke this morning about whether or not Members had any expectations regarding the the deliberations of the joint Standing Committee and on the question of funding for a Norfolk Island breakwater. I pose to question this morning that perhaps some of us, perhaps some of us were hopeful that a grant might

have been available there. The fact that the joint Standing Committee has ruled out that possibility has firmed the groups belief that the development of deep water harbour, deep water harbour facilities have been are in fact beyond beyond our, beyond our means and the group has accepted also the proposal that the present low volumes of sea freight simply do not justify large scale expenditure of the of the nature that I've mentioned. Mr Speaker, the group has also accepted that certain events have overtaken the very loose proposal that we, that is the government ought to be looking or the Assembly ought to be looking closely at ownership and operation of a shipping service. The group has believes that events have over taken that proposal, some among the group have expressed the view that the operation of a shipping service is something that we in Norfolk Island lack not only the resources but the expertise, expertise to to pursue and so it has concluded that we ought not give any further consideration to government ownership or operation at this point in time. Mr Speaker, the motion recognizes the as I mentioned earlier the proposal by local developers to put some facilities in place in Ball Bay to receive a stern loaded vessel and we have spoken about that from time to time and this in other forums and I believe that the community is well aware of the nature of those facilities. Over the past few months we, that is the working group has sought and received certain information from the local proponents, the local developers to the point where we are satisfied that we as a government or an Assembly ought not to be put in any opposition in the way of private enterprise, particularly, particularly as there is no call on public funds to construct those facilities. Mr Speaker, this motion does not accept as inevitable that the stern loaded vessel facility or service will either be viable or will operate or will operate at all let alone the medium or long term. I have at least formed a view that since we are not called upon to contribute to the cost of this exercise that private enterprise that is the local developers are very firmly of the view that the operation will be viable, that whether it falls over or not is not a matter for us to consider at this point in time, particularly as I pointed out in part 7 of this motion, particularly if we are to continue at least for a time being to maintain the lighterage service and its present capabilities. Mr Speaker, part of the proposal made by local developers was initially that those developers be granted an exclusive licence or a licence to exclusively operate shipping to Norfolk Island. I'm not sure that has from day one had a great deal of support among Members of the Assembly, certainly in the working group we were very ambivalent about it. We have come to the view, the view contained in this motion that there should be no exclusive licence granted to those operators, that the spirit of free enterprise and competition ought to rule, again we place no obstacles ahead of them in the construction of those facilities, let them be up and running, let market forces play their part, the government, the Assembly takes a back seat and views the operation. The motion however does go on to say that there ought to be some protection afforded or some contribution as it were and the nature of that contribution is as, as embodied in this motion, a suggestion that we place, that we raise no opposition to those local developers receiving a lease for exclusive use of the facilities for a period of five years, that is the facilities for which local developers will be supplying all costs.

Mr Speaker, I mentioned earlier on in my debate that the working group is not sure, certainly I am not sure of the viability or feasibility of the proposed facilities and operation into Ball Bay, thus we were very insistent that we include a recommendation that we maintain the lighterage service in its present condition and capabilities. We expect that that will be for a period of at least a year, now it does call on us of course to be, to be responsible in reviewing on a periodic basis whether in the light of success or otherwise, the SLV operation what we ought to do regarding the shipping question. Mr President, Mr Speaker, I'm sorry, the issue, the consideration of the issue of shipping doesn't stop there, it must go on, we must develop some alternative proposal to take us beyond a point in time where we could cover the eventuality of this particular style of service which is proposed, not working out. If that doesn't

happen in six months or a year down the track we are left entirely no further advanced than where we are now, so I wish the private developers every success in the operation. I will continue to, endeavour to develop further recommendations regarding the extension of the Cascade Pier and the costing out of an operation involving motorised barges, but that's as far as it will go Mr Speaker, once that has developed it will sit, basically sit in the files awaiting the initial review of the operation which is proposed to be commenced at Ball Bay. And that's all I have to say at the present point in time. Happy to hear Members contributions.

MR SPEAKER: Thank you Mr King. Debate, Mr Bates.

MR BATES: Thank you Mr Speaker. Basically I support this motion. There is only one issue I eluded to that in question time this morning and I understand that if you look at paragraph number 4 of the motion it says subject to obtaining suitable indemnities covering damage to the foreshore no opposition be raised to the construction of cargo handling facilities at Ball Bay as proposed by the local developers. Now I don't know what that as proposed quite means but in discussions on an informal basis with a, with some of the principles in this issue that they did say that they hoped to use the rock from the foreshore, cart it up country, crush and use it for making their, their concrete block, construction facilities or the construction. Now I'm opposed to that, I think that that rock should better be left on the foreshores of Ball Bay. This facility maybe there for twenty years, it maybe there for fifty years and it maybe there forever. But I am opposed to removing any of that rock that forms the base or the body of the shore line taking it away, digging a hole that's 15 metres, 5 metres deep or whatever it is proposed to be to dock the ship in it and then perhaps it all fall into the sea one day and we've left a big hole there and all that rock is been carved up country and crushed and made into concrete and a whole host of other things. But with that proviso, I make it quite clear that I am opposed to that concept, the Minister has promised that he will bring that part of it to further discussion if that is part of their proposal, but I just foreshadow that that part of if it I'm not very happy with at this point in time. The rest of its fine. Thank you Mr Speaker.

MR SPEAKER: Thank you. Further debate Honourable Members, Mrs Anderson.

MRS ANDERSON: Thank you Mr Speaker. Mr Speaker, I am a member of the working group on shipping as Mr King mentioned earlier and I endorse the recommendations made by that group. It's understatement to say that harbour development is presently beyond the means of the Administration. Until such time as we can comfortably finance the studies necessary as precursor to any harbour development we should not devote further resources to the project. Likewise the ownership and and or operation of a shipping service which we do not have the experience or the expertise to undertake. I commend Norfolk's sealink for their initiative. I am happy to support private enterprise undertakings on the Island only by venturing time and capital and by taking calculated risks can one hope to achieve anything worthwhile. Only private enterprise is willing to do this. The concept of constructing a basin at Ball Bay to receive the proposed stern landing vessel or other ships is a novel one and appears far simpler than extending the Cascade Jetty or other solutions which have been proposed in the past. Safeguards regarding any effect it may have on the environment are in place and will have to be met prior to any construction work taking place. Mr Speaker, I believe it would be unwise for the Administration to grant an exclusive licence to any one shipping company. If Norfolk sealink can offer a better and more reasonably priced service than their competitors, then through market forces they will achieve what amounts to an exclusivity. Mr Speaker, I support the motion.

MR SPEAKER: Thank you. Further debate, Mrs Sampson.

MRS SAMPSON: Thank you Mr Speaker. I support the recommendations. I just wish that perhaps we could clarify if not in this House at a later time the title of the proposed new facilities at Ball Bay, will the facility that is built by the private enterprise company, will they jeopardise the delivery of gas and fuel, if they're able to use the facility, will they be charged, thus adding to the cost of gas and fuel. I don't expect an answer at the moment, but it was something that I would like to look into. Apart from that I'm quite happy with the recommendation.

MR SPEAKER: Thank you. Further debate, Mrs Cuthbertson.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. I generally support the recommendation, I only wish to flag the same concern that I flagged in debate of this recommendation earlier on. If the stern loading vessel is successful and I'm certainly hope so in many respects, it will bring about a change in the income derived by quite a number of people as working the lighterage system. Many jobs will disappear and a number of families on the Island will be that much worse off as a result of it. Sure some jobs will be created by the new system, but I think we have to bear in mind that that balance will be in the negative rather than in the positive in regards to job creation if the new vessel is successful. As is the possibility from reading the material that has been submitted to the working group, we do not actually have a stern loading vessel using the facility at the beginning by rather one of the vessels that service the Island suitably doctored to utilise the facility. Well again, lighterage people will be that much worse off because there will be less work for them and considering the pattern of employment and the pattern of lack of employment in certain areas for people on the Island that does concern me. However we have very little choice, I think we need to be looking at alternatives in shipping services but we need to be aware that there will be negatives if this eventually successful and the negatives will effect quite a number of people. Thank you Mr Speaker.

MR SPEAKER: Thank you. Further debate, Mr Adams.

MR ADAMS: Thank you Mr Speaker. Mr Speaker, I generally support the motion. I think there is common sense in their worthwhile recommendations. Any slight difficulty I have is with Item 4. I mean nowhere in there that it say anything about environmental impact survey. I don't know whether ones proposed or not but I mean has any studies is it a requirement that any studies be undertaken concerning the actual impact of shipping on that part on, I mean I understand there's some rare shell fish that live in that area. Yes so that's my major concern with their motion as put Mr President. I would like to see an impact, environmental impact survey included with that. I am also interested in what comes after point 7 on the motion. Point 7 being the last one. Last point of the motion I'd like to see what the recommendations will be for such a future things as a) the future of union purchase rig ships, medium and long term and we've had conflicting stories of as to their availability or lack of availability in the future. What about the availability of ships in general, of a size relevant to Norfolk Island, the general age of these types of ships, I mean what is their working life, it seems that every other ship that turns up here within a matter of time their getting close to survey and getting more expensive to get through survey and perhaps a forecast by the committee on the whys and wherefores of break volt cargo and its implications for Norfolk Island. I think Mr Speaker, it's fair to say this motion is good as far as it goes but I think much more work needs to be done to give Norfolk Island some idea of the future as regards shipping and its future implications for Norfolk. Thank you.

MR SPEAKER: Any final debate Honourable Members, Mr King

MR KING: Mr Speaker, thank you. I'm not in a position to answer precisely some of the questions that are being put to us but one or two I can address. That is the matter of the environmental impact statement. That current is a matter for consideration by the Administrator under Commonwealth statutes. That process is being followed is I understand that a notice of intent under the Commonwealth Legislation has been lodged for consideration. The consideration of that will decide whether a fully blown environmental impact statement, impact, environmental impact assessment is necessary. I don't it will be. I believe it will be probably a sought of second tier or third tier findings in relation to the facility sense it affects only I think less than one percent of the total area of Ball Bay. So it's not a great undertaking. Some documents have passed through at least my hands and I'm hoping to hand them around to Members. They are really not for my consideration as I don't deal with the Commonwealth statutes but there is a report done a marine, a marine study done which identifies the various marine life which is in that area and which may be affected and various degrees of likelihood to be affected. I'm happy to share that around but that process has been followed and certainly any advice that we give the Administrator as a result of this motion has been successful today if it is will cover all those aspects. I mean I'm I'm deeply worried as well about what comes afterwards, as I say I mean I wish I could be as confident as the proponents of this scheme are. I'm not. So I appreciate the need to not simply let the matter rest here, there are other questions which have got to be answered. I will get on with them if you want it to continue to be a matter of this shipping working group. Well I am happy with that as well. Questions of the availability of union purchase ships or any other ships and their sizes and periods of survey which might ply these waters well that information is around. Future of break bulk. There will always be a need for a break bulk facility here. Not all cargo can be containerised of course. But alot hinges on the, the operational success or otherwise of the proposed facility over the next year. But certainly I won't, I won't treat the matter as closed at this point in time Mr President, Mr Speaker I'm sorry.

MR SPEAKER: Further debate. If there is no further debate I will put the question that the motion be agreed to.

QUESTION PUT
AGREED

Mr Christian abstains.

That motion is agreed to Honourable Members.

NOTICE NO. 6 - EMPLOYMENT ACT 1988 - APPOINTMENT OF A MEMBER OF THE EMPLOYMENT CONCILIATION BOARD

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. I move that in accordance with section 65 brackets to end of brackets of the Employment Act 1988 the Legislative Assembly recommend to the Executive Member the appointment of John Robert Hughes as a member of the Employment Conciliation Board from 20th April 1995 to 18th November 1997.

MR SPEAKER: Thank you Mrs Cuthbertson.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. May I explain the appointment of Mr Hughes or the vacancy to which Mr Hughes is being nominated. It has been caused by

the fact that Mr John Robinson has found it necessary to resign as Chairman of the Employment Conciliation Board. He was an excellent member and an excellent Chairman and it was with regret that I accepted his resignation which caused by personal reasons. I would like to thank him for his contribution, for his good sense and good judgement in carrying out his duties and I know that the other members that remain on the Board, Mrs Brenda Reed and Mrs Celia Bigg would also like to thank him for the able way he conducted the affairs of the Board. Nonetheless Mr John Hughes has kindly agreed to fill the vacancy and I think he will be a very able and competent member. If I may explain also Mrs Brenda Reed has agreed to be a Chairperson of the Board, if this appointment is approved.

MR SPEAKER: Thank you. Debate.

MR KING: I support Mr Hughes Mr Speaker.

MR SPEAKER: Thank you.

MR KING: I have had Mr Hughes work on the Tourist Board and I've found him quite excellent to work with. A very meaningful chap.

MR SPEAKER: Thank you. Any further contributions. Then I will put the question. The question is that this motion be agreed to.

QUESTION PUT
AGREED

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

NOTICE NO. 7 - THE HEALTHCARE AMENDMENT BILL 1995

Mrs Cuthbertson this is in your care to, to propose and I do understand that you would wish to move both of these and then you may want to talk about them concurrently and if that is the case, please proceed on that basis.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. I seek leave of the House to present the Healthcare Amendment Bill 1995 and the Healthcare Levy Amendment Bill 1995 together as a package. For cognate debate to take place on this Bill.

MR SPEAKER: Leave is granted. Leave is granted. Thank you.

MRS LOZZI CUTHBERTSON: Mr Speaker I present the Healthcare Amendment Bill 1995 and the Healthcare Levy Amendment Bill 1995 and move that the Bills be agreed to in principle.

MR SPEAKER: Thank you. Mrs Cuthbertson.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. The main object of the first Bill, the Levy Amendment Bill is to change a levy date from the present dates of 1st June and 1st December to new dates of 1st March and 1st September. This change has been sought by many in the community who felt an additional financial obligation at Christmas should if possible be avoided. The Bill also makes some other amendment to the Healthcare Levy Act 1990 consequential on the change in levy days and to clarify certain aspects relating to liability to pay the levy. The Bill provides that amounts owed to the Administration by a person can be deducted from the refund payable to a person who ceases to be liable to pay the levy. The Bill contains a transitional

provision to provide that, even though the levy day has been changed to 1st June, the first levy day after the commencement of the Bill will be 1st June 1995. However the relevant period for that levy day will be only 3 months, the amount payable for this period only will be \$65. This is purely to synchronise the new levy periods. The Bill also, where necessary, links provisions relating to income and exempt persons to similar provisions in the Healthcare Act 1989 and the Social Services Act 1980. The second Bill I am introducing today is the Healthcare Amendment Bill 1995. This Bill is consequential on the Healthcare Levy Amendment Bill which I have just outlined. This short Bill makes minor changes in relation to when a financial report is to be submitted and the definition of an eligible person in the Schedule. The amendments to the definition of "eligible person" relate to full-time students over the age of 18 years and persons who cannot support themselves because of disability. I commend the Bills to the House. Thank you Mr Speaker.

MR SPEAKER: Thank you. Debate Honourable Members. Mr Bates.

MR BATES: Thank you Mr Speaker. There is just one other matter which I've raised privately with Mrs Cuthbertson about the application or non-application of the Public Monies Ordinance to Healthcare funds. I hope, I think that Mrs Cuthbertson intends to do something about that in the next month before these Bills are finally considered. That is her intention, I don't need to say anything more about it. But if they're not coming forward then I think I would like to point out some of the reasons as to why I think that, that the Public Monies Ordinance should apply to Healthcare funds. Thank you Mr Speaker.

MR SPEAKER: Thank you. Mrs Cuthbertson.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. If I may reassure Mr Bates I certainly would be bringing forward that amendment. The only reason it's not included at present is to a misunderstanding when we examined the amendments. We were advised that the Healthcare Levy Amendment Bill, the Healthcare Levy Bill and the Healthcare Bill all came under the Public Monies Ordinance already, in fact if not correct that amendment will be made.

MR SPEAKER: Thank you. Further contributions. Mrs Sampson.

MRS SAMPSON: Thank you Mr Speaker. I think the Bill goes well on the way to alter a few things which have been a bout of contention. One was the levy day, the second one always appeared just before Christmas which some people found difficultly in doing their Christmas shopping and paying the levy at that time. And the other one is the comment that the, I'm sorry, the section that makes a student not entitled to pay unless they are over the age of 25. For us around the table that have had children away, particularly at University when they became over 18 and they were no longer classed in the family Healthcare. If they came back to the Island for holidays and had to go to the Hospital, they were then treated as someone who lived off Island and had to pay full Hospital fees. It goes along way to address that. There is little we can do with private healthcare, they have their own age groups, but making this one to the age of 25 years undertaking full time studies is a very commendable alteration. Thank you.

MR SPEAKER: Thank you. Further debate. Mr King

MR KING: Mr Speaker. I foreshadowed during the week that I would raise some opposition to the Levy Amendment, Healthcare Levy Amendment Bill or a particular clause which seeks to apparently formalise a practice which is currently taking place.

And that is that where a temporary entry permit holder leaves the Island their any premium, part of their Healthcare premium that might be owing to them can be held back for payment of any other Administration debts. Quite frankly I think that clause stinks. I will not be party to treating people like in that fashion, irrespective of whether the practice currently exists or not. I don't think it's a desirable practice for us to get in to use ones statute to ensure that or each, use all our statutes to ensure that we can hold back monies to pay for something else in the wide scheme of Administration bills etc. Least of all this one where what you're doing is dealing with a refund of a premium for a service an insurance premium for a service. A service is no longer required people get a refund for their insurance premium and that's what this is and I won't be party to that section. I will during the course of the next month be lobbying vigorously for some support on that particular clause being struck out and I hope that I can find sufficient numbers to join me.

MR SPEAKER: Mrs Cuthbertson.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. I certainly hear some of the things that Mr King says but I have made some enquiries into just how many such claims or refunds since 1993 have been made and how many debts actually were covered in before the refunds were made. There were 74 applications for refunds since July 93 and the number of people who owed a debt were 18 percent of, sorry 18, 24 percent of them and the amount owed which was recovered through these means was \$1,350.00. It's not alot of money but it is a fairly significant number of people who owed money to the Island Administration and who may or may not of paid their debts had the money not been deducted from what they would be reclaiming as a refund. May I also point out that it is fairly normal practice in business that if you are making a refund but also the person you are making the refund to owe some money it is pretty appropriate to deduct the money that's being owed before the refund is made and I understand the reason this was conducted for many years the money were being deducted is to a mistaken reading of the law and since there's been a re-reading of the existing regulations and laws the Healthcare Manager sought to have the matter straightened out by having it inserted in this changes the Act. Frankly on balance I support it. I'm aware of a great many people who do leave the Island owing the Administration quite considerable amounts of money and if there is one small way of redressing the situation I think we should be taking it.

MR SPEAKER: Further debate. No further debate. Mrs Cuthbertson.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. I move that the debate on these bills be adjourned and the resumption of debate be made, be part of Order of the Day for the next Sitting.

MR SPEAKER: Thank you. I put that question to the House.

QUESTION PUT
AGREED

The ayes have it. That matter is adjourned. Thank you.

ORDERS OF THE DAY

ORDER OF THE DAY NO. 1 - PUBLIC MONIES ORDINANCE 1979

Orders of the Day. The first is the Public Monies Ordinance 1979. Directions given by the executive member for virement of funds. We are resuming debate on the question

that the House take note of the papers that were so tabled about virement and Mr King you have the call to resume the debate.

MR KING: Yes, I'm sorry Mr Speaker, thank you very much. Mr Speaker I have had an opportunity to examine the papers that Mr Bennett tabled last time the House sat. I'm satisfied that he is not purloined any funds from the, from my appropriation votes. I find that he has conducted himself in an exemplary manner and is in fact as pure as the driven snow and I have nothing further thank you, Mr President, let me make a serious note. I guess sometimes things take Members unawares in the House, bits of paper tabled that we have no prior knowledge of and I'm not suggesting in any way, shape or form that Mr Bennett has conducted himself in an improper way. In fact those papers dealt with the result of the budget review and since the budget review most of the sacrifices that were made were made by mostly by monies which became to be transferred to other votes came from, in fact from areas that I had some executive oversight with. I wanted to assure myself that the balances, the residue that were left in those votes. Thank you Mr Speaker, I have nothing further to add.

MR SPEAKER: Thank you. Is there any further debate on this question. The question is that those papers be noted.

QUESTION PUT
AGREED

The ayes have it. Those papers are so noted.

ORDER OF THE DAY NO. 3 - WASTE MINIMISATION STRATEGIES FOR NORFOLK ISLAND

Again we are resuming debate. This time on the question that the motion be agreed to. Mrs Sampson you have resumption of the debate on this matter.

MRS SAMPSON: Thank you Mr Speaker. I have little to add to the, to the motion except that it has been received most favourably and would like to thank all those who have responded. In addition, Mr Semple who was a concerned Member of the previous Assembly and now works at the Headstone Tip has written to me and I will quote from his letter which I received a few days ago "some four weeks ago a gazette notice was published regarding restrictions on dumping certain waste at Headstone. Public response has been quite positive, however there remain a number of people who do not abide by the new policy. Claims generally being that they didn't read the notice. To capitalize on gains made re this notice I feel now that it would be the time to reinforce and go one step further. Many people are unaware of how to handle and dispose of waste in both a manner that helps themselves and the environment. Perhaps it would be appropriate to provide a letter in each post box outlining acceptable disposable practice. People should be encouraged rather than threatened to develop these habits. Public education should be the first step in achieving an environmentally appropriate waste management system for Norfolk. Although the enclosed guidelines are rather lengthy, I feel all should be included in any publication. This way no one can plead ignorance if caught not complying." I have four pages of rather detailed suggestions from Mr Semple for a public awareness campaign which more or less follows up point (a) on my motion instigated community awareness campaign for the necessity of waste minimisation that includes information, dissemination, public education and instruction and guidance when necessary and I'll pass those comments on to the Minister for his intention. Regarding point (b) the matter of the incinerator, I think Mr Bennett wishes to make an alteration to that paragraph and perhaps other Members may have some contribution also. Thank you.

MR SPEAKER: Thank you Mrs Sampson. Debate Honourable Members. Mr Bennett.

MR BENNETT: Mr Speaker, I generally support the motion but did foreshadow and in fact did lodge with the Clerk a small amendment to paragraph b. Members will be aware that I think Mr Bates raised this question either in this place or over an informal meeting and the point he raised was that the motion of this House should not commit expenditure of an unknown quantity or against budget. If it's the appropriate time Mr Speaker, I would simply move that in paragraph the words "purchase of" be deleted and substituted with the words "seek prices for" but amended section b would then read arrange for the design and seek prices for a suitable high temperature batch incinerator for use at Headstone. I so move.

MR SPEAKER: Thank you Mr Bennett. We have an amendment before us Honourable Members. Debate. Mr Adams.

MR ADAMS: Thank you Mr Speaker. I hope the proposed amendment to clause b simply not a, perhaps a backdoor way of basically taking the legs away from the motion. Mr Speaker, those are my concerns with the moved motion, moved amendment I'm sorry.

MR SPEAKER: Thank you. Further debate. Mrs Anderson.

MRS ANDERSON: I just have one other query with regards to paragraph d. It instructs the Minister to arrange for the design of this high temperature batch incinerator. Quite alot of informal discussions has taken place on the possible availability of second hand incinerators, therefore there would be no design required. Are we again restricting the Minister in making this requirement.

MR SPEAKER: Further debate. Mr Bennett.

MR BENNETT: I wanted to reassure Mr Adams as far as I'm concerned that was the intent of the motion to find a back way out but the reality is that the executive member, this motion if it was passed without those amendments it says the executive member can go and buy a batch incinerator, he might find one for a million dollars, he just simply doesn't have the authority if he had to go and buy that. And it's a nonsense to pass the motion that we knowingly know, knowingly are aware it can't be done. So with great reassurance I still approve of the amendment.

MR SPEAKER: Further debate. Mr Bates.

MR BATES: Thank you Mr Speaker. Yes I support Mr Bennett's amendment. There are components of this which may have some costs associated with them, the design for instance but I see that most, most of these other steps can be done in House. But I agree with Mr Bennett. If b goes ahead, the way he has suggested the amendment then the prices of this high temperature batch incinerator will come back by the appropriate Minister in a budget, or if not in a budget, certainly come back with a, with a special proposal for funding and I see that is a correct step. I didn't want this motion to go ahead where people might say ah look I've got to purchase a, I've got the authority to purchase this and it's going to, it's going to cost \$500,000.00, but you've already given me that authority and there it is and I think this avoids that possibility and puts it in its right and proper context where the funding of it will be considered in the appropriate manner.

MR SPEAKER: Thank you. Mrs Cuthbertson.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. To answer Mrs Anderson's concerns which they just, the wording just might constrain the Minister, should we perhaps change the motion to read ascertain the most appropriate design and seek prices for a suitable high temperature batch incinerator for the use at Headstone. Is it a, will it constrain you to have the motion as it is. Let's forget it then.

MR BENNETT: He'd never restrain.

MR SPEAKER: Any further debate. Mrs Sampson.

MRS SAMPSON: Thank you Mr Speaker. I, I'm quite happy to accept Mr Bennett's amendment on that. I was just trying to find another suitable word for arrange for the design but in consultation with Mr Bennett we've decided that perhaps that might stay as is.

MR SPEAKER: No further debate. Honourable Members, I will firstly put the amendment. The question to you is the amendment be agreed to.

QUESTION PUT
AGREED

The ayes have it. That amendment is agreed. Therefore we now have a motion as amended. Is there any final debate on the motion as amended. Then I will put that final motion as amended be agreed to.

QUESTION PUT
AGREED

The ayes have it. The amended motion is agreed. Thank you Honourable Members.

ORDER OF THE DAY NO. 4 - PHILATELIC AND OTHER COLLECTABLE PRODUCTS APPROVED ISSUING POLICY

Mr Bennett. We are resuming debate on the question that this motion be agreed to. You have the call Mr Bennett.

MR BENNETT: Mr Speaker, at the last sitting I tabled a document entitled the approved issuing policy relating Philatelic and other collectable products and at that time I adjourned the motion for the express purpose of wanting to distribute the draft policy documents to a few people in the community to seek their comments on it and I have today received some comment substantially or substantial enough to warrant a change to page 1 of the issuing policy relating to stamps and other collectable products and I circulated the amended page in a, under a memo to Members the other day. The, the changes occurred to clauses 1 to 5 and 6 from memory and they simply tidied up the wordings, wording, for example in 1 where original policy suggested that designs may incorporate the Royal Family, this is now to and this may incorporate members of the Royal Family. Obviously I didn't want anyone to get the idea that it had to be a group photograph or nothing. It also added a sentence at the end saying if a stamp was to depict Her Majesty The Queen, Her Majesty's permission will be sought. I think that that went without saying but I think it's nice to have it in the, in the Policy. And the other two or three changes were simply tidying it up that they read better or were a little bit clearer. Mr Speaker, last evening or late yesterday afternoon, I did receive from Mrs Sampson a number of comments rising more

to phonecards then stamps and I had to immediately despatch those to the consultants to have his views, to reconsider them and to pass to me his views. I've had no formal views back other than to say that each of those whilst appearing to have some, some good sense to them, the view is that we will stay with the policy that we have. Now most of those can be, the reasons for those can be easily explained and if Mrs Sampson is concerned about that, I certainly will explain that to her in more detail. The final thing that I did say to Mrs Sampson in relation to this was that it is a policy after all and policies are relatively easy to change. It's alot more straight forward than changing a piece of legislation for example and I would hope that over the passage of time that alot of people will consider the, the different policies as this industry grows and the nature of the policies might change slightly as we go. For my part, I'm happy to with the amended page having been circulated, if it was necessary to incorporate that into, into the motion then I will, but other than that I'll accept it as it is.

MR SPEAKER: Thank you. Debate. No further debate. If there isn't any further debate, I'll put the question that the motion be agreed to. I will put that question.

QUESTION PUT
AGREED

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

ORDER OF THE DAY NO. 5 - THE POLICE AMENDMENT BILL 1995

We are resuming debate Honourable Members on the question that the Bill be agreed to in principle and Mrs Cuthbertson you have the call to resume this debate.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. Honourable Members will recall that this brief Bill provides amendments to enable the disposal of lost property of little or no commercial value by other means than by auction. There is a reasonable amount of such valueless or of little value property and we need to find ways to dispose of it and the Bill proposes that it can be offered for dutch auction, for charity purposes and so on. Thank you Mr Speaker.

MR SPEAKER: Thank you. Any debate. Mr Bates.

MR BATES: Thank you Mr Speaker. I think the property of little value, I think within this it gives the Minister some discretion even where the property is of some value and it could be a scale of or a number of means of disposal. Some of the items might simply be only suitable for destruction, some may be suitable for giving to charity, some may be, maybe worth something which could be sold either by tender or by auction but at present the only way of disposing of anything is by public auction and I think we would all agree around this table that public auctions just don't happen with any degree of, of frequency here and this stuff tends to accumulate and it gives no choice even where a piece of property is obviously of no use whatsoever and should either be burnt or tossed over Headstone, it, it doesn't even give the ability to do that. It simply says it's got to be disposed of by public auction and I think that, I think this is a fair amendment which is a practical one and which can be administered by the Minister depending on, on her or the administrative assessment of the value of the item concerned. Recommendations can be made and they can be questioned and the stuff can be properly disposed of. I support it. Ta.

MR SPEAKER: Thank you. Further debate. Mrs Anderson.

MRS ANDERSON: Thank you Mr Speaker. I think that this is a common sense Bill and I'm very supportive of anything that will cut through unnecessary red tape. Thank you Mr Speaker.

MR SPEAKER: Thank you. Mrs Sampson.

MRS SAMPSON: Thank you Mr Speaker. I was just wanting through you if I could ask Mr Bates as to what happens from the proceeds for the sale. Does it go back into some slash fund in your department.

MR BATES: No, no, it goes into miscellaneous revenue as part of the revenue fund.

MRS SAMPSON: Thank you.

MR BATES: As does cash.

MRS SAMPSON: Yes, thank you.

MR SPEAKER: Further debate. No further debate. If there isn't any further debate, I will put the question the Bill be agreed to in principle.

QUESTION PUT
AGREED

The ayes have it thank you. Do you wish dispense with the details stage. Yes we will so dispense with the detail stage. Mrs Cuthbertson.

MRS LOZZI CUTHBERTSON: Mr Speaker, I move that the Bill be agreed to.

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

QUESTION PUT
AGREED

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

ORDER OF THE DAY NO. 6 - THE AIRPORT AMENDMENT BILL 1995

We are resuming debate on the question that the Bill be agreed to in principle and Mr Bennett you have the call to resume on this Bill.

MR BENNETT: Mr President, it's a fairly short Bill, the Airport Amendment Bill. It, it amends the principle Act by providing regulations for, regulations made under the Act prescribing landing charges can prescribe a charge for that if the hire of a per passenger fee or an amount calculated by reference to the maximum take-off weight of an aircraft. Bill repeals section two of that Airport Act and replaces it with another schedule. At the time I mentioned that no airlines should get alarmed at it, it wasn't going to change anything, it was simply going to allow greater flexibility with respect to freight aircraft or passenger aircraft leaving Norfolk Island without any passengers. The Bill if you will recall provides for, or it had a provision for retrospective effect back to 18th April 1991 which is the day the principle Act commenced and I explained I think that I also didn't favour retrospectivity. There was legal advice to the, provided to me suggesting that we

ought to be preserving the integrity of the landing and take-off charging regime and to ensure, and to ensure that there's no doubt monies were collected within the law. The desirability for retrospectivity was, was recommended. Mr Speaker, I emphasize that no additional money is being sought by this amendment but as I mentioned before it will allow a flexibility in regulations which will advantage regular and charter operated using our Airport and just to make absolutely certain that the charging regime that it was adopted from the outset, that is from the 18th April 1991 was okay. I have no amendments, no further amendments at the time to amend its package.

MR SPEAKER: Thank you. Debate. No debate. I put the question that the Bill be agreed to in principle.

QUESTION PUT
AGREED

The ayes have it thank you. Do you wish to dispense with the details stage. Detail stage is so dispensed with. The final stages. Mr Bennett.

MR BENNETT: Mr Speaker I move that the Bill be agreed to.

MR SPEAKER: Final debate. I put the question that the Bill be agreed to.

QUESTION PUT
AGREED

The ayes have it. The Bill is agreed to. Thank you.

ORDER OF THE DAY NO. 7 - NORFOLK ISLAND HOSPITAL AMENDMENT BILL 1995

Again we are resuming debate on the question that the Bill be agreed to in principle and Mrs Cuthbertson you have the call to resume.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. I present detail stage amendments to the Norfolk Island Hospital Amendment Bill 1995. These amendments take account of comments and suggestions made by Members since the introduction of the Bill. The amendments make clear that the executive member can give directions to the Board to prepare a strategic plan and required information evaluating the success in implementing a strategic plan to be included in the Annual Report. The amendments also are to remove the casting vote of the Chairperson of the Board of Management. The amendments remove some doubt that has arisen that the Public Monies Ordinance 1979 does not apply to Hospital Enterprise. On the other hand, several clauses from that Ordinance have been included in this Bill to tighten up financial practices and procedures. The new clauses require the Director to prepare for the Board a monthly statement of expenditure and limit his authority to spending amounts of less than \$5,000.00. The new clauses provide for better controls over bank accounts and prevent an overdraft without the permission of the executive member. They also enable the Board to write-off certain losses and unrecoverable amounts and provide enough sense in relation to misappropriation of money or stores. They are identical to provisions in the Public Monies Ordinance. Finally Mr Speaker, the amendments provide that the Administrator can make regulations prescribing accounting standards and the manner in which accounts and financial records of the Enterprise are to be kept. I commend the amendments of the Bill and the Bill as amended to the House.

MR SPEAKER: Thank you Mrs Cuthbertson. Debate Honourable Members. Mrs Sampson.

MRS SAMPSON: Thank you Mr Speaker. I don't know whether events over took me while I wasn't around for a few days, but Hospital Island Amendment Bill was 7/3/95, I presume was the last copy. On page 3 of that particular thing it says membership and I just clearly just if I may with Mrs Cuthbertson the Board consists of a Director and six members appointed by the executive member in accordance with the resolution of the Legislative Assembly. 2 - a person who is an employee of the Enterprise or an executive member is not eligible for appointment as a member. Now I am under the impression that the Director is a paid employee of the Enterprise, perhaps you could clarify that clause for me.

MRS LOZZI CUTHBERTSON: Yes, but there are provisions later on that he can be appointed in that the Bill itself.

MRS SAMPSON: Which would then, then that clause 12 would have to be amended.

MRS LOZZI CUTHBERTSON: We asked about that and I thought it was alright. I am informed that the answer to that question was that he is not being appointed, he's already a member because of other clauses. The Board consists of the Director and six members appointed, the Board consists of the Director and six members appointed and that the kind of people that can be appointed are, are subject to clause 2.

MRS SAMPSON: So therefore the clause 2-a an employee of the Enterprise doesn't than

MRS LOZZI CUTHBERTSON: Doesn't apply to him because he is already directly a member.

MRS SAMPSON: He's already directly a member. I'll take it as you say but I'm still a bit unclear about it. Thank you Mr Speaker.

MR SPEAKER: Thank you. Any debate further Honourable Members. We are debating the matter that this Bill be agreed to in principle. No further debate. I will put the question Honourable Members that this Bill be agreed to in principle.

QUESTION PUT
AGREED

The ayes have it. The Bill is agreed to in principle. We move to the detail stage Honourable Members. We have two options here, 1 that we take the amendments that foreshadowed together or do you want to look at it clause by clause. As a whole, is that agreed. Then I will turn to Mrs Cuthbertson, you like to move them in bulk.

MRS LOZZI CUTHBERTSON: Mr Speaker, I move that the Bill as amended be agreed to.

MR SPEAKER: Yes, thank you and we've just concluded that part. I would seek a motion something along these lines might be appropriate Mrs Cuthbertson, that the amendments may be as a whole be agreed to.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. Yes, I got confused, I apologise. May I move that the amendments as a whole be agreed to.

MR SPEAKER: The question is that the amendments as a whole be agreed to.

QUESTION PUT

AGREED

The ayes have it. The amendments as a whole are agreed to. Could I now just ask you to look at the remainder of the Bill for sake of clarity and I will ask you the question whether the remainder of the Bill is agreed to. Is the remainder of the Bill agreed.

QUESTION PUT
AGREED

The remainder of the Bill is agreed. Thank you. We now have a final Bill in its amended form. Can I seek a final motion from you please Mrs Cuthbertson.

MRS LOZZI CUTHBERTSON: Mr Speaker, I move the Bill as amended be agreed to.

MR SPEAKER: Thank you. Is there any final debate. No final debate. I will put that question to you that the Bill as amended be agreed to.

QUESTION PUT
AGREED

The ayes have it. The Bill as amended is agreed. Thank you.

ORDER OF THE DAY NO. 8 - FAIR TRADING BILL OF 1995

We are again resuming debate on the question that this Bill be agreed to in principle and Mr Christian you have to the call in this instance to resume.

MR CHRISTIAN: Thank you Mr Speaker. I don't have much to say at the in principle stage now so I'm happy we can dispense with that and move on to the detailed amendment stage. Other Members have any debate I'll listen to it, if not I won't cause any.

MR SPEAKER: Is there any final debate on the question that the Bill be agreed to in principle. Then I will put that question. The question is that the Bill be agreed to in principle.

QUESTION PUT
AGREED

The ayes have it. The Bill is agreed to in principle. We are now at the detailed stage Honourable Members.

MR CHRISTIAN: Thank you Mr Speaker. I move the detailed stage amendments dated the 7th April 1995 and circulated in my name and move that the amendments be agreed.

MR SPEAKER: Thank you. Is there any debate. Mr Christian.

MR CHRISTIAN: Thank you Mr Speaker. I'll explain for the benefit of the Members and the listening public what the amendments are. The amendments revise some parts of the Bill as follows. The first one is a definition of trade and commerce is included which makes clear that businesses or professional activities come within the scope of trade or commerce. Secondly some Members particularly Mr King explained concern to me about the harsh penalties that were being proposed in the original Bill

and those penalty provisions have all been lessened substantially to equate with local circumstances and I agree with that and thirdly Mr Speaker, the statutory preclusion on the words duty free or tax free is removed. I think Mr Bennett had particularly wanted this in there but it was extremely difficult to quantify in legal terms. So what this means that if a shop owner has a sign advertising his wares for example better than Australian duty free prices or better than Australian tax free prices that's not misleading but if he just has the words duty free or tax free, that is entirely misleading and therefore covered by the Fair Trading Bill. After representations from Mrs Anderson I have agreed to remove the prohibition on goods being offered for sale through a post office box alone. This is a provision reasonable in other places but in Norfolk Island where there is no delivery of mail to street addresses it is, it is considered unreasonable to outlaw that practice. The amendments also insert provisions against what the Americans call double jeopardy or two strokes and your in if you like. These prevent a person being punished more than once for the same offence. Finally the amendment also corrects a minor referencing error in clause 37. Mr Speaker these messes will further taylor our Fair Trading Bill to local conditions. I thank those people who have provided valuable inputs since the Bill was introduced in February and I commend the Bill as amended to the House.

MR SPEAKER: Thank you. Further debate. Mrs Anderson

MRS ANDERSON: Thank you Mr Speaker. I would like to speak to this Bill. I think it's regrettable that in a place such as Norfolk Island where you can safely leave your house unlocked when you go away on holidays that we feel the need for a Fair Trading Act. The majority of business people on Norfolk do more to benefit their customers than similar businesses on the mainland would do. The retail sector prides itself on giving good service and value for money. Norfolk is renowned for that. Let us look upon this Bill as insurance against the one bad apple that could unfortunately creep into the barrel. The Bill as presented was criticised for being difficult to understand and true in its penalties. In this regard I support the amendments brought by Mr Christian to reduce the penalties for offences under the Act from \$20,000.00 to \$5,000.00 for a natural person and from a \$100,000.00 to \$10,000.00 for a body corporate. The Bill itself is lengthy and is written in flowery, legal language which is off putting to the average reader. Some people are fearful that they might run the risk of being prosecuted under the Act cause they didn't understand one of its provisions. I don't believe that this is a danger. The Bill is drafted to cover a substantial number of different situations and variance so the length is unavoidable.

If each clause is studied individually it can be understood and I believe that any business person going about his business in a fair and honest way has no cause for alarm. Amendment number three deletes clause 16 section 2 which provided that it was an offence to make representations using duty free or tax free. This was perhaps the most contentious part of the proposed Act. Except under various specific circumstances nothing imported into Norfolk Island is duty free. If it were a large portion of the Island's revenue base would disappear. However prices offered by most of our retail stores are as good and frequently better than those charged in mainland duty free stores. As worded a statement such as better than duty free prices could have been construed to be an offence which to my mind is not what the Bill is aimed at. Mr Speaker, it still remains an offence under clause 16 to represent the goods at duty free when they are not and this I believe will afford sufficient protection to consumers and to other retailers who might otherwise be disadvantaged. I support amendment number ten and welcome the deletion of clause 23 in the original draft which made it an offence to advertise supply of goods or services using only a private postal box number. This was totally inappropriate for Norfolk Island where we have no street addresses or mail delivery. I support amendment number 17 the double jeopardy provision which provides that a person cannot be punished more than once for the same

offence. Mr Speaker, I commend the Bill. Thank you.

MR SPEAKER: Thank you. Further debate. Mr King

MR KING: Mr Speaker, thank you very much. I have no wish to embarrass Mrs Anderson but I have to take issues at the retail and service sectors are a squeaky clan as Mrs Anderson suggests. Of course there's a need to protect the consumer in Norfolk Island just as there is anywhere else. Its sector of our society is made up of or has included in some unscrupulous people. I mean I can recall instance after instance about some of the offensive practices that have taken place in the community affecting the consumer. I shan't recount them now cause I don't think it's necessary but please don't ask me to accept that the commercial sectors' squeaky clean for heavens sake. The Bill doesn't go far enough. These amendments don't go far enough quite frankly but I'm quite happy as a whole to accept, to introduce this Bill into law, have this Bill introduced in law. I mean it doesn't, it doesn't deal for example with matters of after sale service or faulty goods or what happens if you take back a watch which stops working a day later or half an hour later. I mean I know of one instance of half a day the answer was well you had better send it off to the, to the manufacturer. I mean that's hardly satisfactory but this Bill, this Bill doesn't deal with those sought of things and it should. But it represents a reasonable starting point and I'm quite sure that after a period of operation, maybe a year when we review it we can introduce some other things which need to be attended to. Yes it was my recommendation that the penalties be altered, not because I thought they were too high. I think some of the practices they ought to be thrown in jail for but because they were penalties weren't consistent with our, the penalties in our other statutes. We're talking in terms of \$100,000.00 or something or rather and it was absolutely ridiculous. There would be never any intention of our judiciary imposing such penalties here on Norfolk Island. But I think a starting point for a matter of protecting the consumer. I think it's a reasonable starting point. I will agree the amendments, I will agree the Bill as a whole.

MR SPEAKER: Thank you. Further debate. Mrs Cuthbertson.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. Perhaps speaking of one of the many traders on this Island, I frankly do not expect a flood of complaints as a result of the Bill's enactment. I think there maybe a few but by enlarge the standards supported in this Bill are pretty well practised on this Island, that's my experience. I feel only one possible area that we may have to take action in time. It just is pretty off putting to have to take court action to get redressed if you cannot get redress on some complaint and in time perhaps we could look at, if we do get enough complaints, establishing something like consumer claims tribunal which operate in other States of Australia. They are supervised by a non-legal person. They are conducted in very simple, direct terms. People present their own case without legal representative, in fact legal representatives are barred from such tribunals and only a very small administrative fee is charged. I think that would ensure that the working of this kind of a Bill would really be acceptable to consumers but perhaps we will consider in time if there is a need for it. Otherwise I certainly support the Bill.

MR SPEAKER: Thank you. We are debating the amendments as a whole be agreed to. Any further contributions. No, then I'll put that question. The question is that the amendments as a whole be agreed to.

QUESTION PUT
AGREED

The ayes have it. The amendments as a whole are agreed to. Can I now ask you whether the remainder of the Bill be agreed to. Yes/No. Is the remainder of the Bill agreed to. Thank you the remainder of the Bill is agreed to. Mr Christian I look to you for a final motion please.

MR CHRISTIAN: Mr Speaker I move that the Bill as amended be agreed to.

MR SPEAKER: Thank you. Is there any final debate. I put that final question that the Bill as amended be agreed to.

QUESTION PUT
AGREED

The ayes have it. The Bill as amended is agreed to. Thank you. That concludes our main business for the day Honourable Members. We turn to the fixing of our next sitting day. Mr Bates.

FIXING OF THE NEXT DAY OF SITTING

MR BATES: Mr Speaker, I move that this House and its rising adjourn until Wednesday 17th May 1995 at 10.00am.

MR SPEAKER: Thank you. Any queries or debates on that. I put that question.

QUESTION PUT
AGREED

The ayes therefore have it Honourable Members. Adjournment Mr Christian.

MR CHRISTIAN: Mr Speaker, I move that the House be now adjourned.

MR SPEAKER: The question is that the House do now adjourn. Is there any participation in an adjournment debate today. There being no debate I put the question that this House do now adjourn.

QUESTION PUT
AGREED

The ayes have it Honourable Members, therefore this House stands adjourned until Wednesday 17th May 1995 at 10 o'clock in the morning.

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