

Prayer

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

Condolences

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

MRS ANDERSON Thank you Mr Speaker it is with regret that this House records the death of Leslie Edward Wynyard Buffett who passed away peacefully in the Norfolk Island Hospital on Wednesday 31 May 1995. Nobby, as he was always known, was born in New Zealand on 25 July 1909, the eldest son of Nobby and Gladys Buffett. He came to Norfolk Island at the age of 5 and did all his schooling here, winning the Queen Victoria Scholarship. In 1926 he went to Australia where, for many years, he worked at the Austral Bronze Company. He served in the RAAF for three years and returned home in 1948. On Norfolk he worked for the works and Housing until they closed down in 1952. he then went to New Zealand where he married Joyce in August 1955. In New Zealand he was employed at the SKF Ballbearing Company where he remained for 24 years until his retirement in 1974. He and Joyce and Tony came back to Norfolk Island in March 1975. Retirement didn't suit Nobby and for a short time he worked at the RSL and for Ken Nobbs. Later he worked at Sampson's Nursery and subsequently at Martin's Agencies where he remained for the next 12 years, retiring at the age of 81. He was a great lover of sport, cricket and fishing being at the top of the list. He was also a tremendous personality with his typical Norfolk wit and a gentleman in every sense of the word. Nobby was very much loved by all. To his wife Joyce, daughter Vickie, son Tony, sister Dolores and their families, to his many grandchildren and great grandchildren this House extends its deepest sympathies.

Mr Speaker it is with regret that this House records the death of Mary Burgess, wife of Bill and long term resident of Norfolk Island.

Mr Speaker it is also with regret that this House records the death of Stanley Frank Rodgers, a resident of Norfolk for some 25 years, who died suddenly on 2 June 1995. Stan was born in London on 29 March 1909. Following his mothers death he was raised by his aunt. As a young man in England Stan worked for Vickers Armstrong and later did stirling work with the London Fire Service during World War II and the Blitz of London. His varied life included running a taxi service outside London and working a farmlet in Sussex with his first wife Joyce and their two children, Vincent and Sally. Stan migrated to New Zealand in 1952 where he worked in various jobs, culminating in employment with the smallgoods and meat exporting firm of J C Hutton. Stan married his second wife, Colleen in 1960, and came to settle fin Norfolk Island in 1971 after holidaying here. He worked as an accountant for O'Sullivan and Associates. He used his skills in accountancy and book-keeping to assist many local charities as treasurer or auditor, among them the Hospital Auxiliary and the Sunshine Club. He was an office bearer and treasurer of the Royal A & H Society and a member of Probus and the Senior Citizens. Stan loved people and was a gentle and homely person. He was an avid radio fan and a keen card player, spending many an enjoyable evening playing cards with his friends. To Colleen, Sally, Vincent and their families this House extends it sincerest sympathies.

Mr Speaker it is with regret that this House records the death of one time resident Bill Bishop, who passed away earlier this month at the age of 67. Bill came to Norfolk from New Zealand in 1975 and initially worked as a plumber, for which he was known as "Basher Bill". His ready smile and co-operation earned him many

friends on the island. While on Norfolk he also looked after the Palm plantation at Peter's Highway and brought in the machinery to make local ice cream. He took a keen interest in community affairs and was a member of the Lions Club for some 10 years during which time he was elected to the office of President. He returned to New Zealand in 1990's. At the time of his death he was building a boat in which he hoped to sail to Norfolk. Bill is mourned by his children Clarke, Glenda, Brett and Carol, his step children Malcolm, Raewyn and Paul and his adopted daughter Emily. To Bill's family this House conveys its deepest sympathies.

Mr Speaker it is with regret that this House records the death of Tony Unt, a long time resident of Norfolk Island, who passed away in Brisbane on 30 May. Tony was born in Estonia in 1929 and migrated to Australia in 1948. With his wife Ruth he came to Norfolk in 1976. He worked for some time at the Printery where he was much appreciated. Tony's deteriorating health forced him to go to Brisbane for medical attention some five years ago. He was a gentle soul and loved classical music of which he had a wealth of knowledge. To Tony's daughter Tiu and other members of his family this House extends its sincerest condolences.

MR SPEAKER Thank you Mrs Anderson. Honourable Members, as a mark of respect to the memory of those deceased, I would ask that all Members stand in their places for a period of silence. Thank you Honourable Members

Leave of Absence

MR SPEAKER Mr Neville Christian has sought leave for this morning Honourable Members, until he arrives later this morning, is leave granted? Thank you, leave is granted

Congratulations to Administrator

MR SPEAKER Honourable Members the Administrator Mr Alan Kerr, has in the Queens' Birthday Honours has been made a Member in the Order of Australia. I offer on your behalf, and on my own behalf, congratulations to His Honour the Administrator, on being recognised by this award, especially whilst he is Administrator of Norfolk Island

Petitions

MR SPEAKER Petitions. Are there any Petitions this morning ?

Notices

MR SPEAKER Notices? Are there any Notices?

Questions without Notice

MR SPEAKER Questions without notice. Are there any Questions without Notice this morning

MRS SAMPSON Thank you Mr Speaker. Three questions addressed to Mr King. With the acceleration in Australia of the debate on the republican issue, would the Minister please advise this House as to what he sees necessary for the issue to be raised here

MR KING Thank you Mr Speaker. Clearly, Mr Speaker, that is an issue that we cannot hide from. The debate on the republican issue must take place here in Norfolk Island and I would foreshadow that that debate should take place sooner rather than later. At the end of the day, of course, I can't be sure what it will mean for us. We are aware of course that there is a proposal presently put forward

by the Prime Minister Mr Keating that at least the states will have the opportunity to remain monarchist as it were, and I'm not quite sure at this point in time whether that facility or alternative will be extended to Norfolk Island, but nevertheless I think that we as an Assembly and the community generally ought to have an opportunity to discuss the issue and express a view and I would anticipate that the debate should commence on that in the next couple of months

MRS SAMPSON Thank you Mr Speaker. Another one for Mr King. As Ansett Airlines are doing some sabre rattling at the moment regarding future air services to Norfolk, is the Minister going to draw up some contingency plans

MR KING Thank you Mr Speaker. I'm not quite sure what sort of contingency plan I can draw up. I have a view that we are almost totally reliant upon the airline which seeks to operate to Norfolk Island. I have mentioned before that airlines are not lining up to operate to a route which is not as productive in terms of number as other routes but yes, there has been some talk in recent times of changes in the type of plant the airline is to be operating to Norfolk Island and Members will recall that I said that the last I heard in any event was that the F28 3000's were to be withdrawn from the Norfolk Island route by the end of May and that we would be left then with one of the 4000 series F28 jets and then supplemented that with a 737 service. In recent weeks I see that the F28 3000 are still running to Norfolk Island so I'm not quite sure when they are going to cease.

I know that the pressure is on Ansett from the Federal sphere in respect of noise abatement and the Sydney airport. Sabre rattling? I guess there is an element of sabre rattling in what Ansett has said to us in recent times. More particularly during the discussion I had with the Chief Executive, Graeme McMahon in Melbourne some few weeks ago that yes they did have some concerns for Norfolk Island and those concerns were in relation to demand and capacity and the type of plant that they might continue to run to Norfolk Island. But at this stage let me say that I am sure that Ansett is committed to maintaining a route to Norfolk Island to the extent that we need to maintain contact with them. I should mention that we have established some fairly high level points of contact at the strategic planning level of Ansett and I intend to ensure that those contacts continue Mr Speaker

MRS SAMPSON Thank you Mr Speaker. A final one for Mr King. Has the Minister any further information on the formation of a private shipping service

MR KING Thank you Mr Speaker. That of course is a reference to the proposal by a local private company, Norfolk Sealink for the establishment of a stern loading facility in Ball Bay and I have had nothing further since the last time I reported to the House Mr Speaker and I shall certainly keep Members informed as I hear

MR BATES Thank you Mr Speaker. My first question is to Mr Bennett with responsibility for electricity. The site pegged out for the new electricity storage shed, necessitates the removal of a security fence and several fine young Norfolk Island pines. Can the Minister advise what will happen to the pines and have all other site alternatives been scrubbed?

MR BENNETT Mr Speaker the pegged out site is the preferred site at the airport for the construction of the electrical shed. It does necessitate the removal of the existing security fence and a slight relocation and if that is the site that's firmed on it will require the removal of six pine trees. The advise I've received in recent days is that the removal of these trees does not present a problem, that's according to Forestry, and so that is obviously the preferred option. An interesting point about pine trees at the airport is that there are onerous requirements, that is, clearance at given points of approach and departure from the airport where trees over a certain height have to be lopped. I think there's nothing worse than seeing lopped pine trees. My preference would be to see

no pine trees in the airport environment, particularly in the areas where lopping would have to occur. The preference really, looking at that row of pine trees, would be to have them removed and either relocated and other pine trees and other natives planted elsewhere, but the row of pine trees replaced with something that will not grow beyond the height where lopping has to occur

MR BATES Thank you Mr Speaker. Another question for Mr Bennett in his capacity as acting for the Minister for the Environment. Is the Minister aware that plagues of rats are causing more than normal damage to local commercial and private produce growers and since fresh produce is important would he consider making rat poison available to the growers free of charge or at subsidised rates until the numbers are reduced

MR BENNETT Thank you Mr Speaker. No I'm not aware that there is a current plague. I'll certainly make it my business to find out a bit more about it and if it does require the kind of steps that Mr Bates has outlined and I'm happy to consider it

MR BATES And for Mr Bennett again in his capacity as acting for the Minister for the Environment. How advanced are suggestions to instal a waste disposal incinerator on the airport and what effect will this have on aviation regulations etc

MR BENNETT Thank you Mr Speaker. I too have heard that rumour. I am not aware if there is any substance to it, nobody has spoken to me directly and I have responsibility for the airport, so I think at this stage it can only be classified as a rumour

MR BATES A final question for Mr Bennett in his responsibility for the airport. Since the Sixth Legislative Assembly decided to go ahead with the new airport terminal building, partly as a measure to help boost the economy, how much has been spent to date and what is the present situation regarding this project

MR BENNETT Mr Speaker. I don't have those figures with me today but I'll certainly provide them to Mr Bates later on following this meeting. In relation to the progress to date, Members will be aware that a decision was taken to negotiate with the on Island tenderers for this project in the hope that a more economic result might eventuate. I am advised that these negotiations have commenced and assuming a successful outcome it would be intended to identify a viable means of proceeding to a construction regime which may well include both of the builders doing portions of the job with perhaps one of them in charge. The preliminary discussions are progressing and they would be helpful in identifying the means by which the matter can be progressed

MRS ANDERSON Thank you Mr Speaker. I have a question for Mr King. Mr King I understand that the French are proposing to recommence nuclear testing on the Island of Murorea, has the Norfolk Island Government been advised of this

MR KING Mr Speaker, no. Mrs Anderson may not be aware that foreign affairs is not a matter with which the Norfolk Island Assembly is charged with responsibility for. I hadn't anticipated that we would be advised by the French authorities. I'm not sure whether we are in a position to make any statement in relation to the matter but we can certainly look into that. I doubt it somehow given that it is, as it were, foreign affairs

MRS ANDERSON Thank you Mr Speaker. I have a question for Mrs Lozzi Cuthbertson with responsibility for police. Could the Minister please advise why the date of the 13th June, the day after a public holiday and the day before an Assembly meeting was selected for the opening of the police station

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. The approximate date was selected to fit in with the Commissioner of the Federal Police' timetable. He advised us that he couldn't come to the Island much later than that or much earlier. If it had been allowed to wait until he would have had time again the opening could not have taken place until fairly late in July and the police station was ready. At first the date of the 12th, Monday, was set but then it became obvious that it was the Queen's birthday weekend and there was some last moment work to be done on the police station to make it ready for the opening on the 13th, and we thought it was sensible to allow that work to be done on an ordinary working day instead of a holiday which would have cost more. Also the people who were invited to attend the opening of the police station, most of them would have had other commitments on a holiday weekend therefore it was decided that all things considered, the 13th was probably the best date, thank you

MRS SAMPSON Thank you Mr Speaker. My perennial question to Mr Bennett. What is the status of the incoming mail at this time

MR BENNETT: Mr Speaker. Monday was a holiday and I didn't get my usual fax but I am told informally that there is no backlog and that is air parcel post or first class airmail, there is no backlog

MRS SAMPSON Thank you Mr Speaker. I'll accept that. I sometimes have reservations on it. At the last meeting Mr Christian indicated that an options paper on the possibility of importing certain fruits would be available by today's meeting. As the Minister handling Mr Christian's affairs, have you seen that paper

MR BENNETT No Mr Speaker, I haven't

MR SPEAKER Any further Questions Without Notice this morning? No further Questions Without Notice. We will proceed

Presentation of Papers

MR SPEAKER Any Papers for presentation this morning?

MR KING Thank you Mr Speaker. In accordance with paragraph 41(2)(a) of the Interpretation Ordinance 1979 I table the Immigration Amendment Regulations 1995

MR SPEAKER Thank you. Any further Papers?

MR BENNETT Mr Speaker, in accordance with subsection 32(b)(2) of the Public Moneys Ordinance 1979 I table a list of funds transferred by way of virement since the last meeting of the Assembly on the 17th May 1995 together with the directions given by the executive member for those transfers

MR KING Mr Speaker as required by subsection 13(4)(b) of the Public Sector Remuneration Tribunal Act 1992 I table the Tribunal's determinations 1,2,3,4 and 5 of 1995 made by the Tribunal on the 31st May, 1995

MR SPEAKER Thank you. Further Papers, Mr Bennett

MR BENNETT Mr Speaker, I table the monthly financial indicators for the month of May 1995 and move that that Paper be noted

MR SPEAKER The question is that the paper be noted

MR BENNETT Mr Speaker the indicators were circulated to Members only

yesterday, however they may well have had time to look at it overnight. The paper also includes the progression for the eleven months of the financial year. On the surface it looks okay, revenue is running at 98% of budget and expenditure at 93% but it is important to note that the month of May was not a good month for revenue.

It appears that with the finishing line in sight we've got the staggers at the final bend. Customs duty performed to expectations but the others, with the exception of interest and other charges, staggered along a little. One of the notable reductions is in the line earnings from services. Members will note that that shows a decline of something like 106,000 below what we would normally expect to receive for the month. The Finance Manager advises me that an adjustment was made to the earnings from the postal operations and the quantum of that revised figure was applied against the month of May. The Post Office projections in terms of returns are very difficult to estimate, and are very difficult to keep tabs on simply because many of the returns from the overseas distributors don't arrive into the Island for some months after the end of each month, but he took a precaution of adjusting the earnings from services for the postal operations back and that explains that great difference.

MR SPEAKER Any further participation on the question Honourable Members. Then I put the question that that Financial Paper be noted?

QUESTION PUT

QUESTION AGREED

The ayes have it, that Paper is noted thank you. Are there any further Papers to be presented this morning

Statements

Are there any Statements this morning Honourable Members? No Statements?

MR BENNETT Thank you Mr Speaker. Just an additional comment to the answer I gave to Mr Bates on the question of the pine trees, I omitted to say to him that although the airport is not covered by the Trees Preservation Act I intended, and intend to follow the provisions of the Trees Preservation Act in as much as that requires an application and consideration, in this case, by the Minister for the Environment. It is normal procedure for people who wish to have pine trees either taken out or removed or whatever to make application under that Act, and the relevant Minister takes advise from the Forester and gives the matter consideration. That process will be adopted in this case

MR SPEAKER Thank you. Any further Statements this morning? No. Then we are done with Statements

Messages from the Office of the Administrator

MR SPEAKER Messages from the Office of the Administrator Honourable Members. I have received the following message from the Office of the Administrator, Message No 80. "On the 24th May 1995 pursuant to section 21 of the Norfolk Island Act 1979 I declared my assent to the Healthcare Amendment Act 1995, which is Act No 6 of 1995, the Healthcare Levy Amendment Act 1995 which is Act No 7 of 1995, and the Immigration Amendment (Visa) Act 1994 which is Act No 8 of 1995. Dated the 25th day of May 1995, Alan Kerr, Administrator"

Reports from Standing and Select Committees

Any there any Reports from Select or Standing Committees this morning?

NOTICES

We are now at Notices Honourable Members but before we move onto that I have to report a Message from the Administrator in respect of an Appropriation Bill. I have to report that I have received Message No. 81 from His Honour the Administrator recommending to the Legislative Assembly the enactment of a proposed law entitled "An Act to authorise expenditure from the Public Account for the service of the year ending on 30 June 1996" and I will read the formality of the message. Message No 81. Appropriation Bill 1995. In accordance with the requirements of section 25 of the Norfolk Island Act 1979 I recommend to the Legislative Assembly the enactment of a proposed law entitled "An Act to authorise expenditure from the Public Account for the year ending on 30 June 1996". Dated the 9th June 1995, Alan Kerr, Administrator

NO 1 - APPROPRIATION BILL 1995

MR BENNETT Mr Speaker I present the Appropriation Bill 1995 and move that the Bill be agreed to in principle

MR SPEAKER The question is that the Bill be agreed to in principle

MR BENNETT Mr Speaker the purpose of this Bill is to authorise expenditure from the public account for the financial year from the 1st July 1995, to 30th June 1996. The Bill is in the conventional form and attached to it is the schedule which lists the votes for expenditure for all the groups and subgroups of the Administration. Clause 2 of the bill is the usual clause to prevent revenues raised by the Fuel Levy Act 1987 or the Tourist Accommodation Act 1984 from being used other than for matters specified in Schedule 2 of the Norfolk Island Act 1979.

Clause 4 notes that payment for salaries of Members of the Assembly is authorised by the Public Sector Remuneration Tribunal Act 1992, and not by this Appropriation Bill. Subclause 4(2) makes clear the amounts in the schedule are estimates of expenditure planned to be made over the course of the financial year. Mr Speaker the Bill is tabled herewith, together with a summary of both Revenue and Expenditure estimates extracted from the 3rd and final Draft of the Revenue and Expenditure estimates for the Revenue Fund, the document dated 9th June 1995. Mr Speaker I apologise I didn't copy them out this morning, I'll table that whole document and for those interested including the Press that normally take copies of those extracts, the Secretariat may well provide photocopies for them from that document. Mr Speaker, at this time last year the attention of Members was drawn to the opportunities that are brought through the introduction of Appropriation legislation in the House. Importantly, budget sessions provide Members with one of the few opportunities to not only discuss the performance of the government in the past year, and its future projections, but to make whatever comments they wish about the economy generally, and significant factors impacting upon it. Members will be aware that this opportunity really arises in the adjournment debate of each meeting and so an opportunity of this kind is rather rare. Mr Speaker, this Appropriation Bill proposes expenditure from the revenue fund of \$8.521m which is expected to be funded by revenue estimated to reach \$8.523m. Revenue estimates exceed the Expenditure proposals by a mere \$1800, thus we have a balanced budget forecast for this next financial year. Importantly, Mr Speaker, this budget has been balanced without tax or levy increases, and without any new imposts being introduced.

Mr Speaker, there has been no pleasure in the process of either presenting this Budget, nor in the process leading to the last and conclusive meeting of Members last Thursday. It has been a tough grind, in the circumstances being faced. The Island's economic pulse rate, whilst showing some promising signs in the first six months of this current financial year, has slowed down somewhat in the second half, and could now be best described as sluggish. This in turn has caused revenue forecasts to remain at the same level as proposed this time last year, with the exception of one or two Revenue items which I will refer to in more detail shortly.

In addition Mr Speaker, for my part and I believe the view held by the majority of Members, it was felt that the economic conditions had not shown sufficient improvement to justify or warrant any increase in taxes, levies or charges. As I have said before, and repeat again, the budget whilst in its balanced form has been achieved by not having to raise taxes levies or charges, or create new imposts. With these circumstances or beliefs in mind, the philosophy or thought behind the framing of this budget was not alot different from the approach taken in the previous years budget, that is, the underpinning objective remained to live within the Island's means whilst providing where possible the optimum activity in all sections of the Administration thus fully utilising both human resources and equipment available. It was important to provide a well considered but achievable capital works programme, adequate funding for health, education and social service areas, sufficient funds for an aggressive approach to the marketing of tourism, the funding for training, development and the introduction of enhanced management skills to the public service. It was also required to provide enough funding to meet present and imminent funding commitments made to the Commonwealth and importantly to commence funding projects for which commitments have variously been made by Members of this Assembly. The task was not easy, and at times there were hours and hours of spirited debate.

Mr Speaker, in terms of living within the Island's means, there have been divided views expressed by Members, and no doubt we will hear more of this in the debate today. The concept most loudly put by some Members, involved or called for the process of transferring some of the cash reserves of the GBE's as a means of balancing the budget. Thankfully, in the final analysis, this was resisted, for unless (in my view) the earnings of the government Business Enterprises had produced or were expected to produce over the corresponding period, excess profits, the taking of an increased dividend could be likened to dipping into the reserves - the possible commencement of the slippery slide phenomena.

The increasing of dividend payments from the GBE's to the Revenue Fund, must be relative to earnings. An example of this approach taken in this budget was to recognise the additional profits in Telecom and to consciously increase the dividend appropriately. But, to take additional dividends when the earnings have not increased is a retrograde step, and the ultimate path to eventual economic oblivion. No doubt Mr Speaker, alternative arguments will be raised in the debate today. But let me return to the Appropriation Bill itself and first to reiterate that the bill proposes expenditure of \$8.521m from forecasted revenue of \$8.523m. Next, let me now turn to some of the key points of the budget, commencing with some brief comment in respect of the revenue forecasts.

Total Revenue is forecast to produce \$148,000 more this next financial year than the revised forecast of the 31st December 1994 for the revenue in this current year. The two areas of notable expected increases, were interest from investments, where, with better interest rates, an increased return of \$106,000 is forecast, bringing the total interest for the year to an expected \$316,000.

Secondly, as a result of increased earnings in Norfolk Telecom, the dividend payable to the revenue fund has been increased by \$150,000 to \$1.23m.

Significantly the total revenue transferred to the revenue fund from the earnings of the GBE's and including the interest factor, is expected to reach \$2.96m in this budget, or 35% of the total revenue. I should make the point that the difference between the \$256,000 extra in the Earnings category, from Interest and Telecom, has been offset somewhat with less revenue available by way of dividends etc from the Business Enterprises, including the Liquor Bond, the Airport and Lighterage. That's the offset that takes the \$256,000 increase in two items producing an overall increase of \$148,000.

There are two other sources of revenue and revenue from Taxes and Charges are forecast to be almost the same as for the last financial year, being \$4.87m and \$691,400 respectively.

Turning now to Expenditure, some key components ought to be highlighted. Whilst all expenditure is grouped in Divisions and listed in the schedule to the Bill, and even more consolidated in the Summary tabled this morning, (and which will no doubt

be published in the "Norfolk Islander"), the list is not so detailed as to evidence some of the new and important initiatives contained in the budget.

I will go through them at random, first focusing on areas where expenditure has increased over the corresponding period for last in, particular areas :-

- the recent Remuneration Tribunal determination has or will add \$172,000 to the Administrative salary vote
- the cost of Education recurrent expenditure expects to increase by \$45,000 to a total of \$1.309m, but this increase has been slightly offset by reduced capital expenditure planned in the Education area
- the process of transferring the power of land to the Government brings with it substantial cost, and an increase of \$153,000 in the Land/Courts division is anticipated, the majority being related directly to the increased management costs of the Land portfolio
- the cost of policing in the Island continue to rise, with an expected additional \$40,000 being called for in this next financial year. The significant part of this increase is the acquisition of a new Police Vehicle
- an additional \$46,000 has been provided to the Tourism vote, and it is expected that the majority of this will serve to fund enhanced tourist promotion
- an additional \$35,000 has been allocated to Roads - Capital Expenditure, and an additional \$140,000 has been voted to the General Works Recurrent Expenditure area. This includes \$70,000 as a provision for Waste Management, as a commencement towards responding to the recent recommendations for improved tip burning facilities.

Mr Speaker, Members will no doubt wish to highlight some of the new initiatives as well as some of the shortcomings in the budget, and some of the positives of same.

Briefly, and in closing my contribution to the detail of the budget, members will note that \$50,000 has been allocated to the Burnt Pine Upgrading project in this next financial year; \$38,000 has been allocated as a commencing contribution to the commitment taken to become more involved with Philip Island.

\$20,000 has been provided towards the Anzac Day 1996 proposed Air Show, and modest funding has been provided in support of the Cultural Arts, Sports Promotion and the Amateur Sports Association, as well as the Youth Sports Trust Fund.

In the circumstances, with the economy still sluggish causing similar revenue forecasts to this current year, I believe that Members have done well and fairly, in the allocation of expenditure across the board.

Mr Speaker, in closing there will no doubt be Members who will again decry the notion of balancing expenditure with revenue, however, Members should be mindful that our Reserve Fund is still in a sad state, and a duty exists to ensure it is not further depleted.

I commend the Bill to Members.

MR SPEAKER Thank you Mr Bennett. Any debate Honourable Members?

MR KING Thank you Mr Speaker. There won't be any surprises Mr Speaker about anything said by any of us around the table in this debate. Each of our contributions to the debate will merely be a summary of the views and philosophies that we have expressed during the informal budget sessions. Nothing that Mr Bennett has said comes as any surprise to me and I guess, nor will anything that I say come as a surprise to Mr Bennett, in fact he has foreshadowed some of the comments that I have made. Geoff knows that I'm going to bag him, he expects it, only because we are philosophically different. Anyway, I do it every year Mr Speaker, but I hope that my debate is not seen as being over critical of Mr Bennett because I certainly don't intend that. I admire Mr Bennett greatly for the effort that he puts into his job and into the budget process and I admire his ardent protection, perhaps overzealous protection of the public purse, and he of course, is entitled as Minister for Finance to put his own stamp on the budget and he has certainly done that. Mr Speaker, this budget is a distinctly Bennett Budget. It is a politically palatable one and one which is readily capable of being sold to or bought by the public. It is a balanced budget Mr Speaker, as pointed out by Mr

Bennett and from the outset, it was never going to be anything other than a balanced budget. It has always been my contention that the major focus of the budget should be economic impact rather than the preservation of the revenue fund. Of course Mr Speaker, the revenue fund is an important factor but it can't continue to be the main focus year after year. There is a view which I support, that it is easy to balance the budget. You simply don't undertake necessary expenditure. There is another view Mr Speaker, that I support that deficit budgeting is an under-rated and certainly in Norfolk Island, an under-used tool in economic management. Of course, I appreciate that you can't budget for a deficit every year and that we should always endeavour to maintain some savings for a rainy day, but what we have had over the years is some difficulty identifying how much rain should fall before we start loosening up the purse strings. Some, Mr Speaker would suggest that it has been raining so hard the past few years that some greater injection into the economy from the public purse is well overdue and maybe that is so Mr Speaker. One of the other difficulties we have had is understanding just how much we do have in kitty for our rainy day. As I mentioned during the informal budget sessions, I don't believe that the revenue fund balance has properly reflected our true surplus funds position and that to a certain extent, the public has been misled into believing that we are in a borderline growth situation when in fact there is probably some, \$3-5,000,000 surplus monies scattered throughout the business undertakings. My view Mr Speaker is that that money belongs rightly to the community and should be consolidated in such a way as to reflect a true and fair picture of our funds position and the moneys that we have for this rainy day scenario. It is fair Mr Speaker to characterise this budget as a conservative budget. It is certainly not austere, in fact, there is an increase of almost 6% in planned expenditure. It is conservative because no new or increased taxes are planned, there is no economic growth anticipated in the revenue figures, and as I mentioned previously it has been driven almost totally by a desire for a balanced position. Quaintly put, perhaps conveniently put by Mr Bennett, as living within our means. All of these things Mr Speaker don't necessarily mean that it is a bad budget. In fact, there are some quite positive aspects to the budget and I would like to focus on a few of those just briefly. Mr Bennett mentioned in a few short words that there had been an increase in the Public Service salaries and wages and the budget reflects a 6 1/2 percent increase in salaries and wages following a decision made recently not by myself and not by this House or Members of this House but by the independent Remuneration Tribunal. In its decision the Tribunal took into account the public servants have not received an adjustment in wages for some four years. A period during which the purchasing power of wages have been eroded considerably in excessive of the 6 1/2 percent adjustment. The community, Mr Speaker, is entitled to be aware that the total cost of the 6 1/2 percent increase is in the order of some \$300,000.00 and will bring the total administration wages Bill to something like 4.8 million dollars. In Norfolk Island terms those are big numbers and they tend to be a little bit scary. In my mind, Mr Speaker, there is no doubt that the increase is justified and I'm not here to defend the Tribunal's decision. What I did want to emphasize to Members and the community that the flow on effect to the rest of the economy from a public service wage adjustment should not be overlooked. The majority of the public service are permanent members of the community and in the main their earnings are spent throughout the community. In meaningful terms the recent increase in public service wages will result in a wider economic impact of some \$900,000.00. So in theoretic terms for every dollar of public service wages is spent in the community. There is a multiplier effect of some 2 1/2 to 3 times. Mr Speaker in the area of tourism I'm pleased to announce, Mr Bennett has announced, I'm pleased to see that there has been an increase in subsidy of some 9.3 percent. This brings the total subsidy to a record 604,000 which again is a big number in Norfolk Island terms. And that satisfies my original objective that increased revenue through the accommodation bed levy should be returned to the industry through increased promotional dollars. Obviously, Mr Speaker, those funds have to be spent wisely and in accordance with an acceptable plan and strategy and that means changing our target market to achieve a higher

yield. Again let me mention, Mr Speaker, that I'm hopeful that within a few months I'll be able to produce to Members and the Community the completed marketing plan which will be completed following completion of the review of tourism policies. In the meantime it's appropriate to mention that the Tourist Bureau is very mindful of the need to restore tourism activity to the levels enjoyed in the mid eighties and to pursue a strategy which will result in a high yield visitor. And, Mr Speaker, those strategies have been pursued for some time but I repeat that the Bureau nor myself doesn't expect any material change in the profile of our visitor over night or in the near term. I wanted to ensure that the community and Members are fully aware however that the Bureau is clearly mindful that yield is an essential part of the tourism question and that positive steps have been taken and will continue to be taken to achieve that end without I mention abandoning our traditional markets.

The strategy has got to be to restore our base line to get our critical mass up and then pursue more strenuously changes in the yield question. Mr Speaker, the only other point that I wanted to make was and I mentioned earlier in my debate that we ought to be placing a greater emphasis on economic impact rather than preservation of the public purse in the budget process. And over the last couple of years I'm pleased to be able to say that that concept has been introduced more and more as each year has gone by. We have been mindful of the need particularly in the building industry which is an essential integral part of our economy and needs massaging and stimulation from time to time. That we have deliberately pursued a policy of endeavouring to push as much work out to the private sector, particularly in the building, than we can possibly do whilst at the same time keeping our own building teams fully productively employed. And on this occasion, occasion of this Budget there are a number of items which appear in there in the area of building industry which will require public procurement process to be undertaken so as we can get those works out into the private sector and I think that's an important part and I hope that it continues to play an increasingly important part in the Budget process. Mr Speaker, that is all I intend to say on this occasion and I might join the debate again on the occasion of the second reading in a fortnights time. Thank you.

MR BATES: Thank you Mr Speaker. Yes I must support alot of the things that Mr King has said. I am pleased that I allowed him to speak first on this occasion. If we look at the Budget of the Revenue Fund we see that 8.5 million dollars is being withdrawn from the community and being redistributed in the community. Almost the total amount taken from the community is redistributed within the community. So the Budget is just redirecting those monies. There are exceptions to that, some of the revenue items do come from off-shore and I'll just highlight those. A lot of those funds paid in from the postal administration come in by way of mail imbalance payments and sale of postage stamps . A lot of our Telecom money comes from off-shore by people making inward use of our Telephone Exchange, inward calls and faxes etc. We do get a commission from our lotteries although most of the money spent on the lottery does come from within the Island. And we get interest on our investments which come from off-shore. The rest of it though, the rest of that Budget comes from within the community and is redistributed in the community and I have said on many occasions that Budgets should simply not be balanced but contain more thought as to their effect on the total Island economy. For some years now I've said that Government spending plays a major role in that pool of money which makes up the local economy. I see nothing in this Budget to stimulate that pool of money either through the public or the private sectors. Any Government acts or charges naturally unpopular. If Governments must have money to meet their obligations, I put health welfare, education on top of the list, however the obligations of Government on Norfolk Island extends far beyond those basic ideals. There is that pool of money the economy which the Government should focus in addition to carrying out its day to day responsibilities. This budget forecasts a 1.7 percent growth in revenue. That's mostly from interest and from Telecom and that doesn't match inflation. Expenses has been cold to match that 1.7 percent growth but it still shows a growth

of about 5.5 percent in itself and less than 10 percent of the total expenditure is capital expenditure. Where it is capital expenditure is the first to be cut. It is capital expenditure which has the capacity to influence the economy by injecting funds into it. I also believe that no Government has the right to tax its people unless it uses those taxes for the benefit of the people. It does not have the right to withdraw monies from circulation unless it has every intention of returning those monies at a later date. Having said that we must decide what is an acceptable level for our Revenue Fund and where appropriate try to maintain that level. We should plan for our Revenue Fund to gradually build up to a safe and acceptable. At the same time acknowledging that funds withdrawn from circulation do nothing for the economy until they are again released back into it. We should use the Revenue Fund more than we do to benefit the economy but we should not use it for political reasons. Making a profit is not sufficient reason to consider we have done a good job with public finances. Producing a balanced Budget invariably creates a surplus at the end of the day and there is also not sufficient reason to consider that we have done a good job. Why we continue to focus only on balancing the Budget without any thought or understanding of its effect on the economy then we are guilty of tunnel vision. I intend to support the Bill before the House although I don't pretend it forms part of a progressive Budget designed to stimulate the economy. In fact I wonder just how detrimental Budgets like this really are in relation to the economy and what they contribute to the state we find our economy in today. Thank you Mr Speaker.

MRS SAMPSON: Thank you Mr Speaker. I listened with interest to Mr Bates and Mr King and my only comment at the moment is I agree with Mr King about the impact of the GBE and the revenue earned from these enterprises. There was a disappointment to me that at the informal working sessions with the Budget were actively denied the opportunity of scrutinising the expenditure of these enterprises although Members pressed for the accounts to be looked at. I wonder if Mr Bennett can give us a credible account of why the GBE's were wrapped in cotton wool.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. My impressions of the whole Budget process is that perhaps somewhere in between Mr Bennett's and the other two speakers, Mr Bates and Mr King. I can understand in this uncertain financial time why we need to be a little careful with our expenditure. At the same time I would very much like to have seen a much clearer position emerge for all of the Island as to just how much is being held in the GBE's various funds. I am firmly of the belief that since the GBE's were created on funds provided by the community to the Revenue Fund all of the monies that they earn and all the monies they have in reserve actually should be summarised at some point so that we know exactly how much is lying in various pockets and what reserves the Island has. Yes those figures are available but they are not so directly clearly available as if they were listed in one place. I believe there could be quarantine within the Revenue Fund so that they couldn't be got at unless there was a proper process engaged in and the Assembly voted on it but they should be clearly in one place so that we know exactly at all times with one glance what our financial position is and this I would consider be most important at the end of the financial year or presentation of the new Budget. I'm sure the system could be devised that it would reassure Mr Bennett that we are not going to break into reserve funds unless there are very very good reasons put forward. But at the moment the finding of funds to carry out any project over and above what was carried out the previous year is exceedingly difficult. It isn't very to point out where the funds may come from and why would be a great advantage to carry out this particular project and not to just leave the funds alone. Perhaps we should engage in this discussion further not at the Budget process time but somewhere during the year and arrive at some plan or some format that is secure to everybody or clear to everybody and satisfies everybody. I echo some of the praise that goes into, has gone into, stimulating the economy but I wonder whether we could have done more. Projects such as the new Police Station

and various repairs and improvements to the School and improvements to the Hospital that have been carried out over the year and now work that has started on the Bean Shed has spread money into the various building firms of the Island and has stimulated the economy. It is a pity that the new Airport Building has not been started because I think that would have also stimulated the economy by an injection of capital. I'm delighted that Mr King has pointed out the value of increases having been made to the salaries of the public servants. I'm unfortunately aware that throughout the community amongst people who are not public servants and who do not really look at this issue very carefully, the increases to the public service salaries will be very unpopular but I urge people to consider that the increases were not accepted and approved willy nilly. The Public Service had put up a very strong case in order to receive the increases that were approved. The nurses at the Hospital also had to put strong cases based on cost of living changes and loss in purchasing power in the money that they were receiving. The value of these increases will be felt in the community because people will have more money to spend and most of it will be spent here on the Island. It has a multiplier effect and it will be valuable to the businesses down town who are not enjoying such a good time at the moment. It is important that the very businesses will benefit by this increase understand that the process is of value to them and they understand initiatives such as the little building that is undertaken by the Government has value in stimulating the economy. As far as my own areas of responsibilities are concerned I note the increase in the Education Budget. Unfortunately a great deal of it goes in higher salaries and we are still engaged in negotiations with both the Commonwealth and the New South Wales Education Authorities to try to in fact bring the teacher's salaries in line with other salaries on the Island and I hope to have further information on those negotiations after I return from Sydney in a few days time. I am particularly delighted that waste management procedures are going to be undertaken in the next financial year. That has been a problem on the Island for a considerable time. The pollution of the environment and the poor disposal practices of our waste. We have an excellent report that suggests to us how we should manage this change and the setting aside of a Budget to undertake this is terribly important. It is a new land mark not only for our own welfare and welfare of our children but I am certain it will enhance our tourism industry as more and more people become aware of the importance of paying attention to the ecology and to the environment. I feel that also the community should have an explanation of why Burnt Pine has not yet been beautified and perhaps it should be mentioned that we have been waiting on plans that are being put together by some experts architects who in fact are scheduled to present those plans tomorrow. So it isn't that this Assembly has failed to do anything about Burnt Pine. We actually have been waiting for a decent plan on which to do something and the funds to start working on that beautification for there. All in all I generally agree with the Budget, I don't think we can afford to take too many risks. I think we need to make clear though to the people in the community that the position of the Island is much more secure than it might appear by looking at this Budgetted surplus of \$1,800.00. Thank you Mr Speaker.

MRS ANDERSON: Thank you Mr Speaker. I commend Mr Bennett for bringing down a balanced Budget. I feel that the situation within Norfolk at the present time is still not rosy and doesn't look as if it will be rosy for some time to come. Tourism is our only external source of income and until it increases or until alternative source is found and exploited we cannot expect the Island's revenue to increase dramatically. In his speech Mr Bennett has identified additional expenditure for this coming year such as the guaranteed land titles, purchase of an incinerator which I feel is an essential acquisition, wage increases for the Public Service which is quite a considerable sum which has to be found in a short space of time. All of these additional expenditures, we need to budget for. The alternatives are to dip further into reserves or to make print unnecessary expenditures. I agree that monies expended within the community will circulate and boost the economy, but we must remember that all these monies we are

talking about are in fact monies that Norfolk already has. Until we can generate more funds from off-shore, additional funds to circulate within the community then we will have to tighten our belts and watch our Budget very closely and I believe Mr Bennett has done an excellent job. Thank you Mr Speaker.

MR ADAMS: Thank you Mr Speaker. This is a conservative Budget, balanced and has increased in certain areas, some of them new areas. There are particular items in this Budget which are quite promising and I commend Mr Bennett on the effort he has put into this Budget. But, Mr Speaker, I believe that style of Budget is becoming unsatisfactory for Norfolk Island. I think in fact that it's at the very least obsolescence. It's simply not doing the business for the Island. This is really yet another bill paying Budget. There is way too much emphasis on resource consumption on resource expenditure. There is simply not enough emphasis on broad economic development. There is no bodies or individuals with an objective to develop or research anything on the Island. Perhaps there is faint hope for the off-shore finance centre proposal. However Mr Speaker, things are relatively quiet on at front at the moment. Mr Speaker, for years many many times the desirability of diversification into other areas aside from main stream tourism have been stated, have been mentioned and have been flagged. Little on-going serious has happened. But we can't think of it right this minute and implement the next minute, than the attitude is that it can't be done, it's not worth the effort and in to the too hard tray it goes. Mr Speaker, I digress a little. These Budgets have an almost total focus on input, in other words the relevant Executive puts up his/her case for a chunk of public money and dutifully spends it throughout the year. The justification for X sum of money is put up using the line budgeting system and therefore, Mr Speaker, only input into the administrative processes is spelt out. Little about what we hope to achieve or what was achieved in the previous year and how efficiently those achievements were undertaken. In other words, Mr Speaker, the public is not really given a clear picture of how well their tax money was spent. I think little is reflected in these Budgets for medium or longer term planning item. Things for instance, Mr Speaker, such as addressing the situation which has existed forever regarding the shortage of tertiary trained locals, instead we keep importing professionals, paying them well and when they leave their savings leave with them making no investment in the Norfolk scenario. Things such as a necessity of a qualified Agricultural Officer or and Agronomist being employed with a mission to provide research and professional advisory services to assist a near dormant rural sector for the purposes of import replacement and partial diversification from main stream tourism. Mr Speaker, there are quite a number of things and areas where good long term objectives can and should be identified and worked towards. Norfolk's future direction should be reflected in the Budget instead we are stuck in a state of equilibrium economics and as long as we stay there, Mr Speaker, progress for Norfolk will be difficult and it's going to be slow. Thank you.

MR BENNETT: Thank you Mr Speaker. I would like to touch on some of the remarks by some of the speakers to this debate and not in any order. Mrs Lozzi-Cuthbertson made the point that the Government Business Enterprise financial statements should be summarised and listed so that they can be easily identified. I draw her attention to a couple of things. One is the summary that is contained in the financial statements that are produced each year. I think there is a consolidated balance sheet in there and also if you recall there is a summary of the Business Enterprises done as well but not included in here but tabled at the same time. In addition we have Budget proposals the document for the nine Business Enterprises and in that includes an estimation of its financial health. It's listed on one page for each of those. I'm not quite sure what else we need to do. I will talk a little bit longer about the health of each of these Government Business Enterprises in a moment. Mrs Sampson made an interesting point that Members she felt were being denied the opportunity to look at the Government Business Enterprises. Mrs Sampson's overlooked the fact that I made reference to

the Government Business Enterprises and said that they would be discussed in a meeting commencing next Monday. It is usual that they are not included in the normal Budget process. They certainly were exactly that way last year. We have as a group always have the opportunity to look at them and make comment and that opportunity is not being denied at all. Mr Speaker, it was hard enough to get everyone together during the Revenue Fund Budget discussions, in fact three or four Members only were present for the whole process. Many of the others had differing commitments which keled them away. So in terms of continuity you know that produced some difficulty in itself, but to throw in straight on top of the Revenue Fund deliberations the Government Business Enterprises would not, in my view, have given fairness in the decisions. Many of the speakers have talked about the GBE reserve funds or the amount of money that's in there and questioning whether that money ought to be available in the normal course. I think it's important to have look at them individually rather than taking the global figure as Mr King did and so there's two, three or four million dollars sitting there. Maybe we ought to think about using some of it. Lets look at them individually. The Healthcare Fund and the Workers Compensation Fund have together cash surpluses expected at the end of this next financial year over \$400,000.00. Now it would be foolish to begin to deplete those reserves simply because they are both in areas where there is the capacity or density of large unexpected expenditure to occur from them, so it would be foolish to think about taking any out of there. In the case of the Airport, a deliberate program was arranged in 1990 or 1991 to retain a large slice of the earnings of the Airport into a sinking fund to cover future capital works of major nature. Again lost, the formula was theoretical. No one really knows at what point the Airport runways will deteriorate to the point where they've got to be done. Engineers make an estimate, we run the formula to suit that estimate. It may occur or the need to upgrade may occur sooner or it may occur later. It will be foolish to begin dipping in to that on the basis of the fact that it had alot of money sitting there and it was attractive and in fact the airlines would be a little bit disgruntled at that as well. They would see that their contribution to in some cases their contribution towards the landing fees were funding general expenditure. Mr Speaker, the Water Assurance Scheme has certainly had a rising reserve fund and that in fact has not escaped me. I would hope that in some time in the future to discuss with Members the possibility of perhaps altering the Water Assurance Scheme to include Water and Waste Management Assurance Scheme and thus incorporate some of the waste management ideals into that Business Enterprise. It would then, the waste management side of it would have access to some excess capital. But that hasn't been fully developed yet but it's just in my mind. In the area of the Postal Services it has a reserve of \$25,000.00 and I would defy anyone to tell me it's logical to take that out. The Liquor Bond has working capital of \$540,000.00. From time to time different Executives are given consideration to reducing that working capital but you couldn't in fairness reduce it by very much. They do need capital to run their business. The Lighterage area has reserves of about \$40,000.00 and I doubt whether it would be wise to grab that, but from time to time as it builds up we in fact increase the dividend. Members will be aware that the dividend was increased to 50,000 in one year, it's back to 25,000 on the basis that they have to or feel that have to build a new lighter. So consequently the dividend was reduced. In the Electricity Business Enterprise there also is and consciously so a rising or an increasing reserve fund there and a decision was taken to discontinue the paying of the dividend into the Revenue Fund for a period of a few years to allow the reserves to build up in that area to meet projected future capital expenditure needs of a major nature in that area whether it be a new generator or whether it would be a swing towards solar powered electricity or whatever. There is a need and it will occur sooner than later there is a need to have funds in there for, I would fight very hard to ensure that funds in the Electricity Undertaking remain there for the purpose with which I just mentioned. We finally turn to Telecom, Mr Speaker. Telecom is operating very nicely and as a result of its increased earnings we have consciously increased the dividend to be paid from Telecom into the Revenue Fund this year. The total

dividend as I mentioned is now going to 1.23 million dollars from Telecom. That 1.23 million dollars, for information, does exceed their earnings for this next financial year. They are expected to have an excessive of income over expenditure of 1.143 million and here we are taking 1.23 million dollars out. So that I think consciously shows where Business Enterprises are in fact earning more there is no difficulty in moving some of the extra profits away into the Revenue Fund. Now it just so happens that the Telecom Business Enterprise has also as a result of a couple of very good years accumulated quite a sum of reserves. They expect to have reserves totalling 663,000 in their fund at the end of June 1996 and that has attracted attention and it has not gone unnoticed. I think it was Mr King in one of our informal sessions who mentioned that there was a loan made from the Revenue Fund to Telecom many years ago that hasn't been repaid. The question whether that could be repaid. I certainly took that seriously and will be looking at it. I think that a transfer of those soughts of funds should be targeted to a projects specific and not just to meet any recurrent expenditure. Mr Speaker, Mr Bates talked about the fact that the capital expenditure in the Revenue Fund was less than 10 percent of the total Budget and the fact that is correct but perhaps to put that into perspective Members ought to look at the Budget proposals for the Government Business Enterprises. It may in fact propose to spend nearly twice the amount on capital projects and other capital expenditure in this next financial year as they did for the previous year. Something like \$820,000.00 in capital expenditure is proposed in the Business Enterprise area. Now that's where alot of it which will be done outside, some in house but it is important to keep that in mind as well. Now the Business Enterprises Budgets has not been concluded and alot of that capital expenditure may well disappear but certainly not hundreds of thousands, it will still be a significant ingredient to injecting funds into the economy. I was pleased to hear Mr King talk about the marketing plans that's expected. I happen to look at my Hansard for last year and it was expected this time last year too, so they might get it in the short period of time. Mr King too made the point that Members need to understand how much is in the kitty. I think he was also meaning the public needs to understand how much is in the kitty. I didn't take too kindly to his remarks the public is being mislead because that document that I referred to Mrs Cuthbertson is also a public document and available to Members and in fact the summary that I referred to which is not included in here but is tabled at the same time that's tabled is past to the Norfolk Islander and in fact was published. Now if that's misleading the public I misunderstand the term.

Mr Speaker, I said in my debate that I wasn't at all pleased about the process and I wasn't. I think nobody likes to have to cut things so tight as to squeeze and squeeze as ultimately it will turn and bite us on the backside in time but in my view it became necessary. We became encouraged by the increase in tourism and thus the economy in the first half of the year as I said. That has taken an about turn.

I have not heard Mr King say in terms of what he projects tourism figures for the year but it will be roughly about the same as the last financial year and that meant that revenue forecasts remained at that stage. I to hope that we might develop some other longer term industries in the Island that will produce some more of greater level of stable income to the Island and take the pressure of tourism.

There are a couple of things that are being looked at but they are slow in their development and they will also be slow to produce fruit. I think in the meantime until we find or latch on to something we have to regrettably the approach that we are taking in my view and that is to cut the cloth to suit our means. Mr Speaker, I think I've said quite enough for today. Thank you.

MR KING: Thank you Mr Speaker. Like I said earlier there will be no surprises in our utterances today and it doesn't surprise me that Geoff jumped, adopted it in defensive stance. I regret that I hurt his feelings that I used the word mislead. Let me explain that just very quickly so that it will lead on to some other remarks I want to make. I wasn't suggesting that Mr Bennett has mislead the community but the Revenue Fund balance has mislead the community. If one sought to rely only on the balance of the Revenue Fund as indicating our surplus

funds position the community would perceive that we have three or four hundred thousand bucks which is borderline broke. That's the kind of, that is the context in which I expressed the word misleading. I didn't intend that to reflect or for Geoff to take that as he did. Geoff knows full well that if the Revenue Fund were to be conducted on a cruel basis, if everything was lumped into one as one business then we would, and the Revenue Fund or as it would be called in those circumstances the appropriation account which show a vastly different situation than what exists now and that's the simple fact of the matter. We can't continue to isolate the GBE's and think of them as something different. Mrs Sampson expressed that wrap them in cotton wool, I'm not quite sure whether I would use those words but I know precisely what Mrs Sampson means when she uses that expression. It's got to be looked at. Those businesses belong to the community, belong to the people and you know if we were to take, have a look at their surplus funds situation, their surplus of debtors over creditors, if we took into account the creditors that are outstanding as at the 30th June in the Revenue Fund. All of those things are legitimate part of a legitimate appreciation of the surplus fund position, not a scally wag \$200,000.00, \$300,000.00 bottom line in the Revenue Fund, that in itself is misleading, not Geoff. I have from time to time and in recent times talked about what I felt the tourism thing would be. Earlier on in the year we were experiencing some 20 percent up, 30 percent up in certain months of the year and at those times as Mr Bennett will recall I hope, I said that that to me wasn't entirely satisfactory, that we couldn't maintain or sustain those kinds of increases. It would only give rise to the expectations in the community that we have another 30 percent next year and a 30 percent next year. That I will be far happier with a 6 to 8 percent or 9 percent, somewhere in that order increase in tourism sustained over a number of years. Now in more recent times I've suggested that that is coincidentally I would suggest is going to be the result for this year, somewhere about 5 or 6 percent up, not the same it was last year. That maybe my mathematics are wrong or Geoff tells me that tourism taps are going to be turned off for the remaining half of this month, I don't know. I wanted to say I thought about saying in my early presentation some words about industry diversification and importance of it. I neglected to do so and Geoff has pointed out that yes those things haven't been, those plans haven't been abandoned. Mr Adams suggested the things to be put in the too hard basket, to a certain extent that's most probably right and things are looked at and we look at resources and money available to pursue diversification and it's all too hard and put it aside. Things do carry on.

Mr Bennett is pursuing his off-shore finance centre and as I understand it we're in the latest stages of finalisation of a submission which will go to the Australian Authorities on the question, so it is being pursued. I'm currently talking with two people who are looking at clean industry establishment in Norfolk Island and the immigration system can cater for those people. I expect to hear in the near future a proposal from the mainland where a particular entrepreneur has engaged a consultant to put together a package for proposal for us and that will be shared with Members. So these things are happening behind the scenes, although we, Ministers and the Government get frustrated in their endeavours through lack of resources and that we plod on quietly some times. So that is my interpretation of a number of things that Mr Bennett has said, Mr Speaker, I don't want to add anymore at this point in time.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. My point is very similar to Mr Kings. The money that is earned by the GBE's listed that it is in little pockets as Mr Bennett has outlined in great detail looks like it belongs to them. It doesn't.

It belongs to the Island, it belongs to the same group or organisation that also spend money and do not earn money and it is much easier now at the present system of accounting and the present system of book keeping and management for say a GBE that's earning money like Telecom to spend it to acquire some new gadget or acquire a new vehicle, do some building, to do something like that, whereas a section of the Administration that doesn't earn money, say welfare doesn't have nearly the same kind of latitude. Every time we want to do something special in the area that

\$50,000 is required there, the HMA expenditure as I explained to you blew out by at least \$50,000 and that has to be viremented from identified savings, the museums area rang me last night, they've run out of money, they had to have a virement this morning and there are lots of other little ones that have occurred, too numerous to mention, and if Members care to have a look at the documents that I tabled in the virementing area, you will see what has happened. It is partly a product of having a tight budget but it is also a reality. The last thing it would have affected of course of the \$300,000 surplus that was planned for this year was the flow on of the back dated remuneration Tribunal. That was an assessment made by the Tribunal, but it costs, the money has to come from somewhere, and so you will see that whilst we had budgetted for quite a large surplus in terms of annual budgets for Norfolk Island, we are not going to achieve anywhere near that. Now the same process applies for this next financial year, the balanced budget at this particular time will not provide sufficient funds for the whole of the Administration and we will be the mid year or budget review be looking for additional funding to meet expenditure needs. Mr Speaker, I don't have anything further to say. If there is no further debate I will move that the debate be adjourned and the resumption of debate be made an order

MR SPEAKER I think there is

MR BATES Mr Speaker, I just wanted to make a very small comment on one of the matters just mentioned by Mr Bennett and that is the matter of viremented funds, and I would just like to point out that when a Bill like the one before us today is passed and it has a bottom line figure of \$8.5m, the only way that that bottom line figure can be increased is by a further supply bill. Some of the expenditure items that don't come up to standard, and others that blow out, this is what virement is for, but it is only a movement of the funds within the original budgetted expenditure unless we come forward with a further supply bill. I just want to make that quite clear because Mr Bennett was more or less saying that our expenditure is blowing out through these issues, but the total expenditure as approved by this Assembly is not blowing out unless we have another Supply Bill

MR SPEAKER Thank you. Is there any further debate on this question Honourable Members? No further debate. Mr Bennett

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

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

QUESTION PUT
AGREED

The ayes have it. That matter is so adjourned thank you

NO 2 - TOURIST ACCOMMODATION AMENDMENT BILL 1995

MR KING Mr Speaker I seek leave of the Chair under Standing Order 119 to introduce a Bill which is the same in substance as the Bill defeated at the 'in principle' stage by this House on 21 September 1994

MR SPEAKER Leave is granted Mr King

MR KING Thank you Mr Speaker. I present the Tourist Accommodation Amendment Bill 1995 and move that the Bill be agreed to in principle

MR SPEAKER The question is that this Bill be agreed to in principle

MR KING Thank you Mr Speaker. This is a very simple Bill which does no more than create an offence for a Tourist Accommodation Proprietor to charge an accommodation levy direct to a guest. As I have pointed out to Members on previous occasions, the levy set in subsection 21(1) of the Tourist Accommodation Act is a fee payable by the accommodation proprietor to the Administration. Mr Speaker, as I have mentioned when I sought leave this Bill has been before this same Assembly on a previous occasion, introduced as I recall, in August of last year and Members will recall that the Bill was defeated in view of strong lobbying by the accommodation proprietors through their industry organisation, the ATA. At that time Members accepted the argument put by accommodation proprietors that they had had insufficient opportunity to adjust their tariffs to take account of the new levy. At a meeting between accommodation proprietors and Assembly Members in camera in an informal sitting, I think that happened in August or so, the majority of Members were persuaded that the government should tolerate the oncharging of the new levy to guests until the 1st April 1995 at which time the accommodation proprietors assured us, that anyone wanting to on charge the levy will do so by inclusion in tariffs and that direct charging of guests would cease. Mr Speaker, I am embarrassed and disappointed to report to the House that contrary to assurances given to Members by the ATA, some accommodation proprietors continue to charge the levy direct to guests and that complaints continue to be made and damage continues to occur to our tourist industry. I very much regret the necessity for this measure for to a large extent I would prefer various industry segments to regulate themselves. Unfortunately Mr Speaker, this has not happened in this case and although only a very few are continuing with the unsatisfactory practice. Members are entitled to feel cheated and somewhat misled by the ATA's inability to deliver on its assurances. Mr Speaker I have a general disliking for urgent Bills and a strong preference for allowing them to sit on the table for a period, however on this occasion and at the conclusion of debate and in anticipation that there is no-one in the community who can validly argue against this piece of legislation I will be moving that the Bill proceed through all stages at a later time. I commend this Bill Mr Speaker

MR BATES Thank you Mr Speaker. I recall at the time when this Bill was first introduced into the House, that there were a lot of complaints, especially from our visitors who had paid for their accommodation through their package deals etc and they found at the end of their stay that they were having an additional charge levied on them here. It certainly was causing a lot of problems and I was at that stage quite prepared to support this Bill when it first came before the House, because I could see that a certain amount of damage was being done to the industry itself, and I was present at the meeting where those representatives of the ATA that were present convinced me that they had a good argument for wanting to pass it on the way they did, and I recall quite clearly that they assured me that this would cease in April when their new charges or rates were struck and advertised and form part and parcel - and I am disappointed to find that it is still happening. I don't know personally where it is happening and I guess that a lot of those people who told us that it wouldn't happen, no longer apply it and stuck by their word, but there is always unfortunately, those that won't abide by the general consensus and unfortunately pieces of legislation like this are necessary. I believe it is necessary and I certainly intend to support it, thank you Mr Speaker

MRS ANDERSON Thank you Mr Speaker. When we met with the ATA last August I too was convinced that they had not had sufficient time to incorporate this levy into their charges and would therefore be disadvantaged. I was very appreciative of those Members of the ATA who at that time realised the damage that this additional charge could do to our tourist industry and by their own volition absorbed the cost and did not pass it directly on to their visitors. They did assure us at that time that the levy could be incorporated into their new charges to come out in April and that it would be done and I am very disappointed that it

is still the case with some accommodation owners that they are passing this levy on directly to the visitor and I fully support Mr King's motion

MR ADAMS I fully support the other speakers and the motion put up by Mr King. The accommodation proprietors who are still passing the charge on to the guests in my opinion are doing something that is quite outside the bounds of correctness. They have had long enough notice of this coming into place and I think that with this charge some of the accommodation proprietors have actually totally absorbed it and are still absorbing it, but for the ones who are actually passing it on to the guests I think that's quite unethical and I support the motion. I believe there should be a penalty for the people who are continuing to charge it direct to the guests, thank you

MR SPEAKER Thank you. Further debate. I think we've concluded debate Mr King

MR KING Thank you Mr Speaker. I would move that so much of

MR SPEAKER Well I've put that this Bill be agreed to in principle. I thought you might want an opportunity to wind up that part of the debate

MR KING No. I see. I have nothing further to add at this stage thank you

MR SPEAKER The question is that the Bill be agreed to in principle

QUESTION PUT
AGREED

MR KING Mr Speaker, I would that so much of Standing Orders be suspended as would prevent this Bill being dealt with through all stages at this Sitting

MR SPEAKER I put the question

QUESTION PUT
AGREED

Then we will move forward. Do you wish to dispense with the detail stage Honourable Members. We will so dispense. I will then seek a final motion that the Bill at its final stage be agreed to

MR KING Mr Speaker, I so move that the Bill be agreed to this matter be adjourned to the next meeting

MR SPEAKER The question HonourableMembers is that the Bill at its final stage be agreed to

QUESTION PUT
AGREED

The ayes have it. The Bill is agreed

NO 3 - ROAD TRAFFIC AMENDMENT BILL 1995

MRS LOZZI CUTHBERTSON Thank you Mr Speaker, I present the Road Traffic Amendment Bill 1995 and move that the Bill be agreed to in principle

MR SPEAKER The question is that this Bill be agreed to in principle

MRS LOZZI CUTHBERTSON Thank you Mr Speaker, the purpose of this Bill is to amend the Road Traffic Act 1982 to allow police officers to issue infringement notices in lieu of taking traffic offenders to court. It also establishes a merit point system. The Bill makes other minor amendments to the principle Act including the creation of a new offence for a fixing number plates to a vehicle if the person knows that the vehicle is not the one for which the number plates were issued and to make it an offence for a vehicle to be driven if the driver knows it has incorrect number plates. The concept behind the traffic infringement notice system will be familiar to members as it operates already throughout New Zealand and Australia. A person issued with a notice may elect to pay a prescribed amount in relation to a prescribed offence rather than being required to appear in Court. Once a person has paid the prescribed amount within the specified period no further action can be taken in relation to that offence. The Police can choose not to issue an infringement notice and can withdraw a notice and in such cases the alleged offender must appear in court. It is also open to a person issued with a notice not to pay the prescribed amount and instead dispute the liability in court.

The offences for which notices may be issued under this Bill and the relevant penalties will be prescribed by regulation. It is envisaged that these will encompass most traffic offences but will not extend to major driving offences. The Bill also includes a demerit points system as I mentioned earlier. Financial sanctions are often not as sufficient deterrent for some offenders and so it is desirable that a consequential effect on the offenders right to drive should also be affected by the persons driving record. It is a system which in time changes drivers attitude to how they drive. It is not oppressive. It is in effect, something that restricts our impulsive nature as we get behind the wheel. It makes us aware that we have to be more careful because there are consequences to our earlier driving record. The merit points will be incurred upon payment of a traffic infringement notice or conviction for a relevant traffic offence in court.

The Registrar of Motor Vehicles will maintain the merit point register and will record the merit points accumulated in any three year period. If the number of points accumulated by a person within this period reaches the limit for the class of licence held by that person the driver will have his or her licence suspended for a specified period. Under certain circumstances, people will be able to apply for another category of licence, one with appropriate restrictions. To this end the Bill provides for new classes of special or probationary licences to be issued.

Mr Speaker, a special licence may be issued at the direction of the court to allow a person who has had his or her drivers licence suspended or cancelled to drive to and from work, or for specified purposes and at specified times. The Bill also includes provisions for the issue of a twelve month probationary licence. Provisions are included to provide for lesser numbers of demerit points to apply to specialised and probationary licences. Mr Speaker, the concept of the merit points and traffic infringement notices has the support of the Chief Magistrate and the local magistracy as well as the police force. It's introduction should also alleviate the routine traffic work of our Court of Petty Sessions and in that regard ought to lead to savings of public money. I consider this amending legislation as a major step forward in traffic policing. It is not oppressive, and more important it will in time produce better road safety and I commend this Bill to the House

MR SPEAKER Thank you Mrs Cuthbertson. Further debate

MR ADAMS Thank you Mr Speaker. I think with the introduction of any legislation or amendments to any present legislation the over-riding question must be "is it good for Norfolk Island", "does it provide a better way or process for the people of Norfolk Island". Mr Speaker I've studied this Bill thoroughly and I cannot find this overall requirement answered anywhere except in the negative. Mr Speaker, from reading this document the beneficiaries will be the police and the magistrates. Not the public of Norfolk Island, particularly, Mr Speaker, it's

younger traffic using members. Mr Speaker we shouldn't be under any illusion, this Bill will have a definite negative and immediate effect on the young people, for instant, fifteen year olds and up who use the roads. This Bill makes it all too easy for the constabulary to book younger road users who are learners or are high spirited. It makes it easier for the system and therefore more conducive to exacting a price for the slightest alledged indiscretion. Mr Speaker under the present system if a person is alledged to have broken the traffic laws by the police the obligation is on them, as in the police, to prove in court the allegation. Under this amendment the onus shifts onto the bookee if you like, to prove their innocence. Completely at odds Mr Speaker with the principle of being innocent until your are proven guilty. Mr Speaker can you imagine a fifteen year old deciding after being booked under this system and believing that it was all a bit rough, to come to Kingston, take on the police, the administration and the legal section in the Courts in an attempt to prove their innocence. Without doubt an intimidating prospect for a younger person but Mr Speaker, that is certainly a prospect that is demanded by this amendment. Mr Speaker, with this in mind it is a pretty good assumption that at least some of the alledged traffic offenders will decline this option of coming to Kingston and contesting the case, of appearing in court and challenging the establishment. Not for reasons of belief in guilt or in innocence, but fear of the intimidative nature of the process. Mr Speaker, somewhere in the back of my mind an old hackneyed phrase is manifesting itself and that is "guilt needs to be proven beyond all reasonable doubt". Mr Speaker, this phrase and the principles behind it run an absolute chance of being disregarded if this amendment Bill becomes law and considering the reasons given for this Bill and they are according to this Explanatory Memorandum which appeared only a number of days ago, unheralded, they will be for easy administration of this Act for the police and the magistrates. No mention of justice or equity for the public or its suitability as a law for Norfolk Island. These reasons are certainly too weak to sustain this amendment. If police and the magistrates have problems in the administration of the Act, so be it. Far better that then risking the booking of innocent people. Mr Speaker if this amendment is given life, then we are condoning the fact that the ease of administration, both for the police and the magistrates and the revenue for traffic violations are more important considerations then the proven rights and wrongs of each case. Mr Speaker, ethically or morally this amendment has no place, I consider, in Norfolk's legal framework. It provides a means for innocent but intimidated people to be fined, it provides a means whereby police can issue tickets with a majority expectation of not having to prove their allegation and above all, who benefits from this amendment as put forward. The police and the magistrates. Not the public of Norfolk Island, thank you

MRS CUTHBERTSON Thank you Mr Speaker. I'm surprised by some of Mr Adams' remarks and perhaps I should quote some figures about what has happened over the last year on our roads. For example, there have been forty one collisions over the last year between different vehicles. Out of those collisions ten people were injured, some of them quite seriously. Twenty three people were given traffic cautions, that is, they were not taken to court. I cannot imagine that the police shall change that attitude overnight because of this Bill. What this Bill proposes has been occurring in other countries that have drivers for years and it hasn't produced the kind of income increase or the kind of reaction that Mr Adams forsees.

The most important part of this Bill as I see it, is the demerit points. Once you have appeared in Court, once all that trauma is over, quite often you tend to forget it. You put it out of your mind as it was unpleasant. But what happens to you in a Court is very much affected by the kind of defence that you can afford, or the competence of the solicitor that can represent you and let's face it, by the string of good excuses you can put forward for what you did. Yes, we do have to prove our culpability, the court's have to be satisfied that something has happened beyond reasonable doubt, but this provision is not done away with by this amendment to the traffic Act, this will still continue. People will have the choice of going to court and forcing the police to prove that something has happened beyond

reasonable doubt. Yes, some people might be intimidated by the Court and may choose to take the easy way out. I'm afraid that is part of the situation in every eventuality. They can come to court and plead guilty and not go through all the trauma of having to have the matter proven but at the moment they at least will have the option of not having to face the court and having a lesser fine to pay. People by and large know whether they've committed an offence or not and I trust that the young people as Mr Adams is most concerned about, of Norfolk Island, will stand up for their rights as they have stood up for them over the centuries. I can't imagine that that faculty in the young people of Norfolk Island has disappeared. But it is important to realise that a drivers licence is not a right.

It is a responsibility and it is something of a privilege. Every time we get behind the wheel of a motor vehicle we take our own life and the life of others in our hands and a lot of young people don't really think of it that much. But I don't want to focus on young people. In fact, what happens under the demerit points and the issuing of infringement notices, is that older people also get fined and lose points. In fact, probably in equal number as younger people and it is my experience overseas of the demerit points, of hearing many older people saying "I'll have to drive more carefully tonight, I've lost three points and I don't want to lose any more". Not just young people. I cannot produce the statistics but certainly my experience was that the police is much more likely to issue an infringement notice to an established driver as well as to the young person if this is a possibility instead of going to court, where an older person will have much better arguments and will be able to produce an unblemished record of working and of being a good responsible citizen, and therefore be dealt with much more lightly than a young person. In fact, this system as I see it, and as I've seen it working in other places, is much fairer to all concerned and the fact that the merit points can be carried to other jurisdictions is also important. It means that our tourists will also have to drive more carefully. At present, I'm sad to say, that a lot of tourists drive somewhat carelessly of other drivers. They park in all sorts of peculiar places, they do not pay attention to what happens to the car driving behind them, they give very few traffic signals and it is only because our own drivers are somewhat aware of this and have been exposed to it for some time, that more accidents do not happen, but certainly, the tourists that continue to break the traffic rules and be a hazard on the road will also be issued with driving infringement notices. It think those are all important issues. They certainly demonstrate that this is not an oppressive Bill and I hope that other Members will consider it on its merits

MR ADAMS Thank you Mr Speaker. Reading the front page of this Explanatory Memorandum there's some tremendous collection of words here. I'll just read out a number of these. "The concept behind the traffic infringement notice system is that a person can choose to pay a prescribed amount in relation to a prescribed offence rather than being required to appear in Court". 'choose' that's an interesting word there. I can either be financially guillotined or I can accept the axe. Either way, I'm going to go. In other words, we can really remove 'choose' and put in 'must'. There's probably also a reasonable expectation that they'll be appearing a lot more times and I grant there may be some merit in a demerit system, but in a traffic infringement notice system I believe Mr Speaker that it is completely unsuitable to the Norfolk environment and regarding the case of a fifteen year old perhaps being somewhat intimidated and taking the soft option of paying rather than appearing in court and risking parental wrath etc, I can speak from a position of strength to that because as a fifteen year old Mr Speaker I was duly summoned to appear before the Bench on an incident involving a motor cycle, now if I had any other option, other than appear in there I would have taken it because it would be fair to say that I was intimidated. Probably a better way of summing up would be to say that I was terrified. But the fact is, if there was a system where an infringement notice could have been paid rather than me coming to court I would have taken that option and what makes all that a good example of how this won't work is the fact that the bench after hearing the case, threw it out.

And that Mr Speaker will occur time and time again. Now this model I've been given to understand has been adapted from the ACT. In the ACT they don't have fifteen year olds driving. The minimum age, if my memory serves me correctly, is sixteen years and nine months. Now what bothers me also is that Mrs Cuthbertson has made the suggestion that she doesn't want to focus on the younger people, and I find that quite incredible really. No consideration has been given to the effects of this Bill. All we hear is the terrific assistance we are going to provide to the police and the magistrates. We have to take into account Mr Speaker that we already have three full time police, plus three part timers. If Mrs Cuthbertson is suggesting that the system isn't working because people aren't getting booked and because tourists are getting away, perhaps their driving is not up to scratch and they're getting away with it, and this system will pull them into line, what are the police doing. Why hasn't that question been addressed first? Thank you Mr Speaker

MRS ANDERSON Thank you Mr Speaker. I'm somewhat surprised at some of Mr Adams' comments. I would suggest that anyone on Norfolk Island who holds a driving licence be he fifteen or fifty or anywhere in between is subject to the Road Traffic Act. I don't think that if somebody is pulled up for speeding his age has anything to do with whether he is guilty or not. I think that the system of infringement notice to save the time and trouble of the magistrates when somebody knows he's been caught speeding is much easier to pay the fine and not have to take the day off work and go down to Kingston. I think it's an excellent system, but I certainly find it very hard to believe, as Mr Adams' suggests that all these infringement notices are going to be handed out by the police in a vexatious manner. I think if that is the case we would definitely have to do something about it, but I don't think there's any suggestion from Mrs Lozzi Cuthbertson that that will be the case. I think that the Bill as a whole is to be commended and I am very surprised at Mr Adams' attitude, thank you Mr Speaker

MRS CUTHBERTSON Thank you Mr Speaker. I just want to point out once again that I really do not want to exclude consideration of young people and I feel that this important aspect of this Bill is that it applies to everyone and in fact it brings a far more effect on older people than young people in the final results. I really do not anticipate our police becoming vexatious. The question of that line that you read that police can choose not to issue traffic infringement is because they can issue a caution. They have been issuing and cautioning people and they can. That will continue to be the case. The Bill does not reverse the presumption of innocence. As soon as a person lodges a notice challenging an infringement notice the police is obliged to lodge an information and if the police doesn't do so, it is as though the notice was never issued so all that will not go by the board. Yes, it will make management, administrative aspects of the traffic infringement easier but the important part really quite frankly, is that it will effect everybody's driving in a much more balanced manner

MRS SAMPSON Thank you Mr Speaker. Just briefly, I would like to say that in many other forums Mr Adams' has advocated justice for all, the quality of wages, and various other comments that he has made. If one is capable of driving sufficiently to be able to gain a licence and handle the car or motor bike, whether the person, and I agree with Mrs Anderson, fifteen or fifty, they should accept the consequences of their actions so therefore I see no problem with this Bill. I agree that the younger driver is possibly more inept than the older one but I feel that this Bill might teach them to tidy up their act slightly

MR ADAMS Thank you Mr Speaker. A point Mrs Sampson, I mean, to teach someone to tidy up their act, we also hear Mrs Cuthbertson and Mrs Anderson suggesting there'll be a similar level of bookings if you like, less infringements, or there'll be no increase in infringement notices. There seems to be a conflict of opinion there, and the point Mrs Cuthbertson made about police can choose not to

actually book somebody, that is not the point that I was referring to. The point I was referring to is, it says in this Bill, you can choose to pay a prescribed amount in relation to a prescribed offence rather be required to appear in Court. Well, three rousing cheers for freedom of choice Mr Speaker. I think basically this Bill stinks and I don't support it, thank you

MR KING Mr Speaker I'm betting that Mr Adams doesn't change his mind between now and next month. I just want to say a couple of words. In essence, I have been a supporter of the traffic infringement notice system. In fact I asked for some examination of it to be done some three years or so ago. Like Mr Adams I'm a little bit surprised that it came to us in the form that it is in now, some few days ago. I haven't had a great deal of time to have a look at the implications of the detail of the system and I would like to do that over the next month. I don't see it as being an oppressive process and I do see it as being perhaps not a major step in regulation of road usage, as Mrs Cuthbertson has used but certainly a step in the right direction. There are benefits which will flow to the community and I think Mr Adams may through the course of the next month, will see that there are one or two benefits which will flow to the community from it. I know that if I got booked for speeding I would certainly have a preference for paying an on the spot fine then appearing in the local gazette and having to appear in the Court of Petty Sessions, that would be a preference on my part and we can't overlook the fact that the system of this is designed to be a deterrent and if people are deterred from misuse of the roads then it is certainly the wider public and the wider community that benefits from that in terms of safety. Those things can't be overlooked, but I will look with interest at the detail of this Bill during the course of the next month and I expect that in the final wash I will be supporting it

MR SPEAKER Thank you. Any further debate? No. Mrs Lozzi Cuthbertson

MRS LOZZI CUTHBERTSON Mr Speaker, I move that the debate be adjourned and the resumption of debate made an Order of the Day for the next day of Sitting

MR SPEAKER The question is that this matter be adjourned and resumption of debate made an Order of the Day for the next day of Sitting

QUESTION PUT
AGREED

The ayes have it. That matter is adjourned thank you

NO 4 - ENVIRONMENT AMENDMENT BILL 1995

MR CHRISTIAN Thank you Mr Speaker. I will not be proceeding with this Bill. Instead Mr Speaker, the amendment proposing the Bill is now to be proposed as detail stage amendments to the Statue Law (Miscellaneous Provisions) Bill 1995 which we will deal with later on today

MR SPEAKER Thank you. I will call the next one which is Notice Number 5

NO 5 - EMPLOYMENT AMENDMENT BILL 1995

MRS LOZZI CUTHBERTSON Thank you Mr Speaker, I present the Employment Amendment Bill 1995 and move that the Bill be agreed to in principle

MR SPEAKER Thank you. The question is that the Bill be agreed to in principle

MRS LOZZI CUTHBERTSON Thank you Mr Speaker, the purpose of the Employment Amendment Bill is to amend the Employment Act 1988 in respect of the power to make regulations concerning the minimum wage. The minimum wage is referred to in section 14(1) of the Employment Act. The Act presently provides Section 107 for the making of regulations to prescribe a minimum wage but subsection 107(2) provides that the regulations made for that purpose cease to have effect and shall be deemed to be repealed after twelve months from the date regulations come into operation. This is a very curious situation, it means if new regulations are not made within twelve months there is no minimum wage. Subsection 107(4) of the Employment Act requires a formalised and extensive consultation process and if there is any technical flaw in this process again, regulation made under section 107 cease to operate. Mr Speaker, a wide ranging review of the Employment Act has been under way for some months, but it is now clear that the process will not be completed for some time yet. In the meantime the peculiarities of the current section 107 of the Act have left us without a minimum wage, therefore the bill I'm introducing today seeks to repeal section 107 and to amend section 108 to provide that the Administrator may make regulations prescribing a minimum wage in the normal way. These regulations will not lapse after a period of twelve months and a technical error in consultation before a minimum wage is set will not invalidate the mechanisms setting that wage. The regulations setting the minimum wage will be tabled and will be subject to disallowance by this House in the same way as other regulations. Mr Speaker I commend the Bill to the House

MR SPEAKER Thank you Mrs Cuthbertson. Any further debate?

MR KING Thank you Mr Speaker. Mr Speaker the development of minimum wage fixing machinery and in fact the history of minimum wage fixing in Norfolk Island has been I think a sad and sorry story for some neglect. Neglect of the working class, a group the majority of which has been Norfolk Islanders, our own people. I think looking back ten years or so ago, there was probably a genuine desire on the part of our legislators to do it right so to speak, but as is often the case in the Assembly as it puts together legislative processes, little thought was probably given to how the process might work or might be administered. The intention of course was to endeavour to ensure that every adult employee received at least sufficient wages to live on, a survival wage if you like. The concept of a minimum wage suggested that the legislature had identified a wage level, below which an adult could not survive, but in fact no objective analysis were undertaken, no study had determined what minimum needs were or where the poverty line was drawn. There was very little recognition of the fact that the Australian system of minimum wages had failed and had effectively been replaced by a system of awards and a fully blown arbitration system. The Commonwealth system failed in part because some mainland employers, like some in Norfolk Island, began to structure their wages around the minimum wage as if it were an award wage. Mr Speaker, these kinds of difficulties have emerged in Norfolk Island and have served to undermine the effectiveness of our minimum wage machinery. Added to these difficulties is the complicated and convoluted system of determining the minimum wages which has in the past resulted in periods where there has been no minimum wage enforced, either it had lapsed through inattention or it had effectively been rendered inoperative through a failure in following the processes set down in law. Mr Speaker, the amendments now before us will solve some of the difficulties associated with our minimum wage machinery, that is, difficulties which can only act to the detriment of the employee and no-one else. I believe they are sensible amendments and I will support them. It doesn't however, solve difficulties relating to employer mis-use of the minimum wage. Although this mis-use is not widespread Mr Speaker, it has to be said that those few employers who use the legislation to minimise their wages bill and to deny their employees fairness and equity will ultimately undermine the existing system and cause its replacement with a much more onerous system which will be burdensome for all employers but I've digressed a little Mr Speaker. I wanted to make that point that if the minimum

wage machinery does not provide the benefits and the protection originally intended then all aspects of this operation will ultimately need to be examined. I intend to support the amending Bill, thank you

MR SPEAKER Thank you. Any further debate? No. Mrs Lozzi Cuthbertson

MRS LOZZI CUTHBERTSON Mr Speaker, I move that the debate be adjourned and the resumption of debate made an Order of the Day for the next Sitting

MR SPEAKER The question is that this matter be adjourned and resumption of debate made an Order of the Day for another day of Sitting

QUESTION PUT
AGREED

The ayes have it. That matter is adjourned thank you

ORDERS OF THE DAY

NO 1 - TOURIST ACCOMMODATION ACT 1984 - INTRODUCTION OF "ISLAND HOME ACCOMMODATION"

Honourable Members, we now turn to Orders of the Day, thank you. We are resuming debate on the question that the motion before us be agreed to. Mr Adams you have the call to resume

MR ADAMS Thank you Mr Speaker. I move that this House (a) agrees the establishment of a new category of tourist accommodation, to be known as "Island Home Accommodation"; (b) requests the Minister for Tourism and Works to bring forward necessary amendments to the Tourist Accommodation Act 1984 to provide for the new category; and (c) requests that the Minister bring forward any other legislative or administrative measures required for the introduction of "Island Home Accommodation". Mr Speaker, I brought forward this motion to the House at the last Sitting for initial consideration and I again bring it forward today to seek a decision from the House. Mr Speaker, in summary, the reasons that I've brought forward this motion is that it will allow new players into the tourist accommodation industry, it is in fact a cottage industry and participating members of the community can inject their ideas, feelings, characters, personalities, into improving the visitors stay to Norfolk Island. It also allows older people, including retirees to enter the industry. It allows tourists to go behind the mask of the mainstream tourist accommodation and socially interact better with the community of Norfolk Island. I make the point again Mr Speaker that it is the original form of tourist accommodation on Norfolk Island and successful I might add, in a time when there was no marketing of any type. None of it was undertaken, Norfolk Island was advertised in effect only by word of mouth. This motion allows these things without the heavy load of massive debt as would occur if people from the community attempted to involve themselves in the present mainstream tourist accommodation industry. Mr Speaker, this motion provides the framework for Island home accommodation to work on Norfolk Island It ensures the level of recognised standards, it gives guidelines for the Tourist Accommodation Officer to work with.

Mr Speaker, the guidelines to be adopted are the national classification guidelines produced by the Australian Automobile Association. They are comprehensive and the should serve Norfolk well. Mr Speaker, in a nut shell the proposed legislative boundaries are 1. licensed will be loaned. 2. Licences are of a twelve month renewable term. 3. Licences are not transferrable in any form accept in back to Administration. Establishment must be, this is the Island Home Accommodation establishment, must be in accord with the triple A national classification guidelines. Size bed numbers are up to be a maximum of 4 per home and the establishments are to be graded each year at the same time as the other

mainstream tourist accommodation establishments are graded. Mr Speaker, Island Home accommodation will not appeal to everyone, tourist or local, but we should, I believe, clear the way for those on both sides of the fence who have a preference for it to be able to be involved in this type of tourist accommodation. It will require host tones and their participants to participate in a team environment particularly as regards marketing input and strategies. It will require a good deal of leg work and above all a good deal of professionalism. But I believe the benefits are there for participants in this industry. Overall, Mr Speaker, it will serve to spread the tourist dollars more widely to bring more visitors into closer contact with the mainstream Islander community and to add another facet to the tourist accommodation industry. I will now be interested, Mr Speaker, to here how the comments and I commend the motion to the House. Thank you.

MR KING: Thank you Mr Speaker. I wanted to get the coal early cause I want to foreshadow that I am going to be moving that this debate on this motion be adjourned again a little bit later on in the debate and I'll explain why in a short time. I said last month when Mr Adams introduced this motion that I agreed with his objective and that it was to spread the commercial benefits of tourism a little wider than they have been. I think I mentioned last month that I wasn't a particular supporter of continued regulation, continued moratorium on tourist accommodation. So in essence I support what Mr Adams is trying to achieve and I want to make that point very clear. I also expressed a view that the motion was premature. Maybe our timing got messed up somewhere along the line when I sought to get the House's concurrence to conduct a review of tourism policies. Perhaps Mr Adams should have tapped me on the shoulders then and said well hang on a bit lets not do that because you are going to disrupt my plans to bring forward this Homestay motion. Now I'm sorry if that's happened but I am genuine in my desire in reaching out to the community and asking them to comment on the issues relating to tourism and where we are heading. Now you recall the issues papers that was sent out to the community focused, tourism issue paper, on a number specific issues and two of them were in relation to accommodation. The type of accommodation that we have and the quantity of accommodation and we have gone out, we have said in this House that we want to go out in the community and have their comments on that. Now how can we move off now before a general direction has been established after consultation with the community. Now I just can't accept that. What are we saying to the community. We'll conduct this review but we are not going to take any notice of what you say. Now I don't think it's fair to do that. Let's establish a general direction first after the review of tourism policies has taken place, which will be after the consultation process with the community. Once that general direction has been established then we can embroider the cariffery with laws and policies and whatever to give effect to that general direction, but you can't put the cart before the horse. But let me also say that repeating some, to some extent, some of the words that was said on the last occasion that I wonder whether this Homestay thing is going to work in Norfolk Island. I think it has all the benefits that Mr Adams has eluded to in his debate, all of them. I don't know whether it has all those benefits here in Norfolk Island. I know it's very popular in other tourist destinations and I know that I've seen in various trade shows and consumer shows, people who conduct Homestay accommodation or Farmer stay and that kind of stuff conducting their little stalls and selling their product. But invariably they sell their products along with a whole host of other people who provide those facilities because it is only in that way that they can get there, stimulate wholesalers interest in selling their products. A wholesaler is not particularly interested in a person who only has four beds to sell. Now I can assure Mr Adams of that. They will not be interested, they will only be interested if and the final analysis this is agreed and we introduce this style of accommodation, that all those persons come together and market Norfolk Island Homestay as one product and get it out into the market place. It's only that way that you'll create that wholesale interest. I mean there are increasing difficulties now with the marketing or selling by the wholesalers of the products

of the small accommodation complex proprietors. It is very, very difficult and it's getting increasingly difficult. So I would be interested in a further adjournment of this and during the course of that adjournment process of the tourism policy review would take place and I'm also interested whether Mr Adams might go out into the community and seek some expressions of interest. Are we putting together, are we using up resources, time and energy in putting together a system which no one is going to use. Are there people out there who are interested and I want to know further whether these people are interested in acting in a co-operative fashion because if they don't, if we entertain people setting up Homestay and giving them four beds, it's only going to create undesirable pressures on us. I can assure you of that. I've had three years of pressures from the accommodation industry and I can assure you they are very, very real and very, very difficult to deal with. So at an appropriate time, Mr Speaker, I will be moving an adjournment for the reasons that I have mentioned.

MRS SAMPSON: Thank you Mr Speaker. I supported this motion when Mr Adams introduced it at the last meeting and I see no reason to change my mind. I just would like to ask a question of Mr Adams through you Mr Speaker - has he put a ceiling on the total beds that he envisages in this category. I realise that it's four per home but going back to here that with in 1981 the bed numbers were 13/26 presently they are as low as 12/56. Does he envisage bringing them up and putting a ceiling of perhaps 80 on this to bring it up to the original 81 numbers. I will leave that question hanging for the moment and the other thing, I hear what Mr King says but once again I think that he is pouring cold water on another idea. We've had a lot of things that have been proposed as new ideas coming into Norfolk. We've had the Alpacas which has gone away. We've had a guava industry which has not been developed. We've had various other horticultural and agricultural pursuits which appear to have come to nothing. This to my mind is an extension of an industry which has got going and I think for that reason it should be tried. It shouldn't be condemned before it gets off the ground. I'll leave it at that.

MRS ANDERSON: Thank you Mr Speaker. I agree with some of the points made by Mr King. I think it is absolutely essential that potential Homestay operators work together and market together. I think only in that way they can they hope to succeed. My initial reaction was that perhaps Mr King had a point that we should undertake the review of tourism policies before going ahead with this, but if you read through a lot of the other papers that are presented to us, you hear that such and such a thing was not brought forward because it was awaiting the outcome of some study which three years later is still not off the ground. We cannot continually leap frog with things. We are not putting the cart before the horse, we put the cart before the horse then the horse before the cart but nothing ever gets undertaken. I propose to support Mr Adams motion, I think it's an excellent idea. I think we should get it off the ground as soon as possible. If it doesn't work that's unfortunate, very unfortunate, but I think we should give it every chance. Thank you Mr Speaker.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. I supported Mr Adams motion before and I still support it. I understand Mr King's hesitations and concerns but perhaps there are ways around those hesitations and concerns. When Homestay, a person proposes to establish a Homestay accommodation applies for a licence, it certainly would be opportune and appropriate for the body issuing the licence to give them the kind of advice about the pitfalls that are ahead of them that Mr King has outlined. It surely is an important aspect of ensuring our industry, tourism industry, works as well as possible. Perhaps we could even encourage people that apply for Homestay licences to be in touch with each other. To randomly try and sample the community of a possible interest before the thing has actually been established would be very difficult and certainly very unproductive I would imagine unless Mr Adams happens to know a few people that are really keen on this already. But I would really consider it a most important ingredient of giving a licence of

providing as much as advice as possible and information as possible how to make this thing work. I do not see that we do have to wait till the end of the consultation process is conducted before we can vote on this. By indicating our support for this we are contributing to that consultation process. We are making an input, something that can be taken into consideration when the whole thing is collated. We've all discussed this idea and as I recall nobody seemed to be against it. That is 9 people here who indicate to the consultation process this is an opportunity that perhaps we should be exploiting. Therefore I will continue to support this motion.

MR BATES: Thank you Mr Speaker. I can understand Mr King's reservations about going forward with this while he is in a process but I really wonder if the process he's going through he expects the result of that to come out either greatly in favour of Homestay or greatly opposed to it. I think it probably won't get much exposure in the kind of information feedback he's hoping to get from his circulars to the people. I recall at the previous occasion that Mr Bennett said he didn't think it would work and now I think Mr King's angle he's not too sure it would work either. I'm a bit of an optimist, I think that in four or five years time it could be one of the greatest things that might have hit Norfolk Island, then again perhaps it may not work. But I don't think either of those are good enough excuses not to commend Mr Adams for his initiative on this great idea and to give him all the support we can. Also to give those that may venture out on this new project all the support we can. Just because we personally don't think it might work. I mean I probably think I couldn't run a grocer shop either but Mr Bennett knows different and I think it's no excuse just to, not to approve it. So I certainly intend to support it. Thank you Mr Speaker.

MR BENNETT: Thank you Mr Speaker. I don't want to be accused of pouring cold water on it either or decrying the initiative of Mr Adams, but in the course of politics strange things appear out of the ethos and I find myself supporting the adjournment motion of Mr King raised. I think that aside from the reservations that I had when we dealt with this motion a month ago I too have the view that apart Mr Adams assuring us that there are people out there who are interested in the Homestay, we've really not seen the evidence of it. I think the question of calling for expressions of interest has some merit for both us and for the people who have an intention or a wish to become involved in the industry. I mean I'm not sure just how much lobbying in this process, or how much advice etc Mr Adams has given to the enquirers but you know there is a fair amount that people or prospective Homestay operators need to know about how it all works. You will recall I was very concerned about building up unnecessary and expensive expectations on the people's behalf and that is the thing that ought to be avoided.

It could well be avoided in the process of calling for expressions of interest and people who are interested are identified, they then can perhaps be a little bit more quickly exposed to the details that they will need in terms of advertising, promoting, the question of cohesive, you know the role of the Bureau, a whole gamut of things. I think that that's important. I also to am surprised to hear a couple of speakers say that it really doesn't know what the issues paper says this motion can go ahead, words to that effect. The fact is that what if the issues paper results in a whole lot of people saying no we don't want Homestay, the Parliament's already agreed to say we're disregarding it we are going to go this way anyway. I mean what sought of confidence to you give the people. Are we really fair dinkum about the issues paper or is it just a bit of a sham. In a consultation, a Claytons consultation. I think we are serious about it. There is along time between 1981 when the Select Committee dealt with tourism and a formal expression by the people of what they would like to see happen with tourism. I mean it's not a, I don't know the time frame for the issues paper, I understand they have got to be in by the 30th June. I don't understand what the time frame is for collating that. But Mrs Anderson was concerned about this being lost by the leap frogging process. I can assure you that Mr Adams would never let something as important as

this be left. He is tenacious and my goodluck to him for that. I think not alot of regard has been held for the need for cohesiveness and it's a point that Mr King made, I think that perhaps this ought not to be treated as lightly as it has been.

It is the key to the success or otherwise of Homestay working. It will not work on its own in isolation. The cost of advertising individually just simply doesn't stack up. And finally I think the point that somebody made, at least Mr King may have, is that is it smart to have the Administration develop the infrastructure and the capacity to be able to deal with this new arrangement before we have seen real evidence of people that are going to be involved in it. So whether those people, once they have been identified, have really considered some of the ramifications and then can with an open mind say yes we want to be part of it. I mean that's really the time I think that we should be dealing with the motion and that's the time where the infrastructure arrangements ought to be commenced, not before. I support the adjournment.

MR CHRISTIAN: Thank you Mr Speaker. Mr Speaker, I have listened to what Mr Adams has had to say and I totally support him and congratulate him on bringing this initiative, it's been long overdue and, Mr Speaker, I also have listened to what Mr King and Mr Bennett have had to say and I would hope that this motion doesn't come to an adjournment today or does not get adjourned because when you carefully read the motion, the course that it must follow rests squarely with the Minister for Tourism. He sets the agenda. The motion requests him to develop the necessary legislation to implement this and I'm sure that he could weave this into his policy review paper which should be in, in the next few weeks and knowing what a tenacious man Mr King is, it is highly likely that he is going to bring forward the legislation before he's finished his policy review anyway. Mr Speaker, I think we should deal with this motion to finality today.

MR ADAMS: Thank you Mr Speaker. I think it might be an opportune moment to give Members an idea of the background on what we see in front of us today. Not as Mr King may have suggested appeared out of the woodwork about a week after he decided to put the tourism position paper out in the community. Mr Speaker, this concept goes back a number of years, as a matter of fact was put out, the concept was actually put forward by the APA itself, the industry body of the APA at that time now changed to the ATA and in their position paper with respect to review of the Norfolk Island's revenue base, Island Home accommodation, they suggest that this association and I quote "This Association in principle supports this concept in accommodation style. A full and comprehensive range of accommodation would then be available to meet the budgetary needs of most visitors." The next reference to it, Mr Speaker, appears on the 19/12/1990 in this House quite contrary to what Mr Bennett suggested at the last meeting. He suggested the previous Assemblys didn't like, or didn't support in essence a concept of homestyle accommodation. It appears that, well history doesn't really agree with Geoff here because I have the Hansard of the meeting and I have written on the front the number of the names of the people who supported and it is a majority. Subsequent to that event, Mr Speaker, I've actually spoken to the Minister for Tourism prior to be elected in April and his comments at the time were we'll maybe it's to be something we need to look into to. After being elected I actually spoke to Mr Rex Grant and he suggested at his time and his comments are also merit in some of the paper work I believe I have presented to Members. He suggested that the Members of the now ATA in principle had no difficulty with the proviso that there must be guidelines or some assessment guidelines in rough accord with the mainstream tourism bodies. After that, Mr Speaker, I wrote away to the Australian Automobile Association on the 19th August of which Mr King was aware prior to sending out the position paper to the community on the 26th April this year. I wrote to Mr Graeme Gittings who is the Administration Manager and he sent me back, Mr Speaker, the actual, the draft copy or the revised draft copy for bed and breakfast guesthouse and private hotel. So this has been in the pipeline along time and I think it is somewhat unfair for Mr King to suggest that we are putting

the cart before the horse. I mean he's been aware for along time and as he stated in the last sitting of this House, he's been aware since last year that I have been working on this project and I really don't think there will be anything added to this by waiting. I mean it's been five years now, how much longer do we need. Thank you Mr Speaker.

MR KING: Thank you Mr Speaker. I am impressed and I've been painted as the ogre in all this. Mrs Sampson's use of words is somewhat injudicious sometimes or ill considered, something to do with limited vocabulary perhaps, but pouring cold water on things, no. No, I haven't done that, I haven't done that, I mean I support basically the principles that Mr Adams is trying to achieve. I just want to make sure that it's going to work and I regret if I don't appear to be bubbling over with enthusiasm for it but I've got over three years experience as Tourism Minister to draw it. Do people expect me to ignore that experience and what I have learnt in that period of time. I just can't do that but I'm full of enthusiasm for what he is in essence trying to achieve. I'm simply trying to pursue it what I see as a responsible manner. I really don't see that we can regard this motion, or the finalisation of this motion, as part of the consultation phase. We are looking at firm instructions from the House to pursue in a certain direction. It's sought of fait accompli if, it's certainly not as Mr Christian has suggested that during the course of reviewing the comments of the community on tourism policies that we can simply take into account of what we decide or if we decide here and now today to vote to this motion. It appears to me to a fait accompli and I guess I could be subjected to some sought of discipline or criticism if I were not to proceed fairly quickly in the direction in which might be established by this motion today. I don't know, don't accuse me of pouring cold water on these ideas. I think it's marvellous and I think if it ultimately sets into place and works out for the benefit of those who want to pursue it, wonderful, wonderful, but I'm not sure that it's appropriate to dismiss the experience and knowledge that I've gained over the past three years. I really am interested to know whether if these people in the community who want to pursue this idea are inclined towards acting and marketing in a corporative manner. That is a particularly important element of this whole question. I can count the numbers, I see that I'm not going to get support for an adjournment of this today but I'm going to move it anyway because I want to hear Mr Bennett vote with me.

MR BATES: When I said I was optimistic about this project, I didn't mean that I thought that it was going to be an over night success and a couple of Members here have said that we should be going out there now and seeing who is interested in this and when we find out who is interested in it then we can make a decision as to whether we again think it will work. I can assure works, there will be plenty of people showing interest in it but maybe they won't be, people need change. Those that are interested today and put in the work to get it up and running. All our circumstances change and who knows who will be interested in it in five years time. It will be a different group of people, people get older and their needs change and their lifestyles change and I think it will be ashame if we went out and now we found that there are two or three people who are interested in it and we thought well it's not worth the bother because there's two or three people only when it may be two or three now, but in five years time it might be 23 or 24 people interested in it and that's the way I see it. I see it in the long term and I wouldn't like it to be lost simply because a few people think it's not going to work and they think that there aren't many people interested in it. I certainly intend to support it. I know the Minister will feel he's in a hot spot if this goes through. He'd have been in hot spots before over issues that have gone through the House and I must admit that he's quite capable of slowing this down if he doesn't agree with it. I've seen it in a couple of others occasionally but I certainly intend to support Mr Adams on this.

MR BENNETT: Thank you Mr Speaker. Mr Speaker, Mr Adams referred to

the history of the Homestay and indeed the history is interesting. What he didn't say or didn't go on to say is after the meeting of the 5th Assembly on 19/12/1990 at the meeting at which there was general, a lot of platitudes given to Mr Smith, who was the Minister at the time about the Homestay accommodation prospect. What Mr Adams didn't go on to say is that over eight or nine subsequent Legislative Assembly meetings they debated it. The motion was moved around and moved around and finally in May 1991 the concept of Homestay was split up into three options. Option A Homestay Quota only, Option B Homestay plus flexible, some flexible arrangement and 3 was Homestay plus flexibility plus an increase in numbers. Now that was the last formal time it was dealt with. Option A Homestay Quota only was adjourned. Option B the question was adjourned, Option C was put to the vote and mega tie by 4 all vote. Now if you have to put the whole idea into context, in the 5th Assembly Mr Smith as Minister for Tourism was unconsiderable pressure from some of the other Members of that Assembly who had a fair amount of knowledge about tourism and I think that it is evident by reading this that there was an effort to make sure that Mr Smith got some support as well. So you have to re-live that period of time, that was a momentous feud in the Legislative Assembly. Mr Christian will vouch for that. Now I think that it's quite evident as you go through but as it came to the hard yards of actually making the decision on it, it simply didn't occur and you have to then say why is that so and those little points that I was making at the last meeting was I was saying that there was a reluctance to support the addition of Homestay even though from the 19/12/1990 would say absolutely the opposite and that's quite right because the debate there was in a full of platitude, full of support, full of everything but when it came to the votes it fell over. I think that's important and it's more important to examine why it was so rather than the historical fact that it never got over the final hurdle. Thank you.

MR ADAMS: Thank you Mr Speaker. Obviously, Mr Speaker, Geoff wasn't listening to closely to what I said at the last meeting of the House, Mr Speaker, because I indicated at that time that it had been put up for consideration in the Assembly before and knocked flat because it was connected to a package as Mr Bennett has just indicated. I'm not exactly sure the package but the way it was worked, one went, the lot went and that was precisely what happened. Thank you Mr Speaker, I have nothing further to add at this stage.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. I would just like to comment on this need to make sure that people are interested in this proposal and that they are prepared to work together as is would be highly advisable. Unfortunately if anybody enters into an Enterprise they do retain the control of it. They make the decisions of how they are going to run it as they wish, as they think fit. Now you can give them all the advice under the sun about the importance of working together, that this Enterprise may not be successful unless you do co-operate, unless you do market together etc. But in the final analysis you are not going to be able to make them do that. We have not been able to make some of our small accommodation proprietors co-operate, although that advice apparently has been given over again and over again by the industry and by the Tourist Bureau and by Mr King. Now that is their choice. If they own the accommodation, if they own the Homestay situation that will be offered, they can run it any way they like. If then they are not successful it's entirely their responsibility, so long as we make the advice available. We encourage them to co-operate and we warn them of the pit falls, that's about all that in a reasonably free economic situation we can do as a Government. Going out and finding how many people are interested would certainly not be a static indication. If the thing works more people will want to be involved. If the thing doesn't work people that might have considered it will not go into it. But it will be very much up to the people who take it up and decide to invest into this new venture. We can only give them the option and I think giving them the option is a very positive thing to do and I would like to see this to go forward. Thank you.

MR KING: Mr Speaker, I know where the numbers lie and we've jumped the fence and say lets get on with it and call a vote on this. I'm not going to oppose it. I'm not going to move the motion of adjournment. I think that is superfluous in the circumstances and I'm not going to oppose the motion as it stands. I am going to support it. I won't be endeavouring to slow it down as Mr Bates suggests that I have the ability to do. I will however be calling on Mr Adams to do a great deal of the work in relation to putting legislation since he has not come to this House with a Private Members Bill, but I'm sure that co-operation will be forthcoming from him, indeed he has alot of the information. Yes I would move that the question be put Mr Speaker.

MR SPEAKER: Yes. Are you comfortable to wait Mr King.

MR KING: Yes indeed.

MR ADAMS: Just a few final words Mr Speaker. I'm certain I will be assisting the Minister whichever way I can. I'd like to just at this stage give a former Minister for Tourism a note in gratitude for his assistance in this matter and the provision of some documents from past days of Homestay. Thank you.

MR SPEAKER: Thank you. I'll put the question Honourable Members that the motion be agreed to.

QUESTION PUT
AGREED

MR BENNETT NO

Do you want to call the House Mr Bennett. We'll record yours as a no.

The ayes have it Honourable Members, thank you.

I intend that we pause for lunch. Honourable Members I suggest we resume at 2.15 this afternoon. So we will suspend Honourable Members until that time.

Honourable Members we resume after our luncheon suspension.

ORDER OF THE DAY NO. 2 - LAND REVIEW WORKING GROUP - ENDORSEMENT OF REPORT AND ESTABLISHMENT OF JOINT LAND TASK FORCE

Resuming Debate on the question that that motion maybe amended and agreed to. Mr Christian you have resumption of debate.

MR CHRISTIAN: Thank you Mr Speaker. I just give notice that I'd like to move a small amendment to that motion and seek leave under Standing Order 121 to do so.

MR SPEAKER: Leave is granted.

MR CHRISTIAN: Thank you Mr Speaker. I move that all words after THAT in the original motion to end of the opening paragraph be deleted and the following words substituted. That first paragraph would read then that the Legislative Assembly in principle endorses the Report of the Norfolk Island Land Review Working Group of May 1995 and to facilitate the implementation of a locally based Land Administration Regime. The rest of the motion remains the same. I won't say too much on this. I introduced it at fairly short notice at the last meeting. Members have had some time to consider it. That suggested amendment has come forward and I've taken it aboard and I commend the motion in its amended form.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. I support the motion. I think it's wonderful that this Report has come forward and that this is now about to be implemented.

MR SPEAKER: I will put the question. The question is that the motion be agreed to.

QUESTION PUT
AGREED

The ayes have it thank you. I'm sorry that was the amendment that we were voting on. Now we have motion as amended. I'm sorry I should have made that clear. That does that require any further clarification. I look at the final motion which is a motion as amended be agreed to.

QUESTION PUT
AGREED

The ayes have it thank you.

ORDER OF THE DAY NO. 3 - LEGAL AID BILL 1995

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. If I may I wish to present two detail stage amendments to the Legal Aid Bill 1995 and if I may outline them.

MR SPEAKER: Before we come to that stage Mrs Cuthbertson, I wonder if we could just finalise the debate on the matter that the Bill be agreed to in principle and when we do come to the detail stage, if I could look to you to address those amendments.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. I always get mixed up in this situation. Well if I may move that the Bill be agreed to in principle. We went over it in some detail at the last occasion. I don't see any reason to repeat much of it. I feel it is an important step forward for Norfolk Island to have a legal aid system which will assist people who cannot afford to secure justice by any other means to do so. It is essential that we all be equal before the law and I believe that this Bill goes along way in that direction.

MR SPEAKER: Thank you. Any further debate. Debate on the question that the Bill be agreed to in principle. I'll put that question to the House.

QUESTION PUT
AGREED

The ayes have it thank you. The Bill is agreed to in principle. We now come to the detail stage. Mrs Cuthbertson would you like to address the amendments at this stage and we'll decide upon those.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. If I may outline the first amendment is to clause 2 which is with regards to the commencement of the Bill. It is presently expressed so that the Bill comes into force immediately the Administrator's assent is published in the Gazette. It is desirable, for administrative reasons that the Bill come into force on the first day of the next financial year, that is 1st July 1995. This will give time for the relevant officers in the Administration to have stationery printed and the Legal Aid Fund

commenced. Those matters are essential. The second amendment relates to clause 18 of the Bill and it suggests that subclauses 18(4) and 18(5) be omitted. These clauses limit the ability to apply for legal assistance to residents and holders of GEPs and TEP permits. This amendment will not affect the Executive Member's obligation to take into account the likelihood of success of a legal action for which assistance is sought, nor will it affect the financial test detailed in the main Bill. But Norfolk Island is associated with the International Covenant on civil and Political Rights and therefore is obliged to ensure our legislation does not offend against that treaty, hence the need for these minor amendments. I commend the amendments to the House.

MR SPEAKER: Thank you. Honourable Members subject to your concurrence I will ask you to determine those amendments and then I will ask you to determine the balance of the Bill, unless of course you want to go through every particular clause. Now I will proceed just as I have outlined. Could I now ask you whether you agree the amendments that have just been addressed and proposed by Mrs Cuthbertson. Are the amendments agreed.

AGREED

The amendments are agreed. Thank you. Could I now ask you whether you agree the balance of the Bill in detail. Do you agree the balance of the Bill in detail.

AGREED

The balance of the Bill is agreed in detail. I now ask for a final motion which is that the Bill as amended be agreed to.

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

MR SPEAKER: Thank you. Any conclusive debate, concluding debate. Mr King.

MR KING: Mr Speaker, thank you very much. I want to commend Mrs Lozzi-Cuthbertson for her efforts in bringing this matter to a head. As I indicated on the last occasion it is an access to justice issue and one which has been around for along time and I would want to seek an assurance from the Minister who should be responsible for administering the legislation that it will not be simply a piece of legislation that gathers dust on the shelf. There has to be an education process which takes place in the community so that the community is generally aware of the facilities that are made available by this piece of legislation. Thank you.

MRS SAMPSON: Thank you Mr Speaker. Just going back on a little clarification on the amendment. Mrs Cuthbertson said it removed the restriction on the legal assistance to people not normally resident on Norfolk Island and spoke about TEPs and GEPs. Visitors to Norfolk Island that are Australian citizens that are here for 120 days, does this come under this clause also.

MRS LOZZI CUTHBERTSON: They will now be able to apply, yes.

MRS SAMPSON: We hope not vexatiously.

MRS LOZZI CUTHBERTSON: Well there are restrictions and guidelines within the Bill that avoid that.

MRS SAMPSON: Thank you.

MR SPEAKER: Further debate. Mrs Cuthbertson.

MRS LOZZI CUTHBERTSON: If I may answer Mr King's comments Mr Speaker. I agree with him totally. This is a question that goes to issues of social justice and it certainly cannot just be progressed by the passing of legislation. A great deal of awareness has to be engendered into the community and I hope the way that I have tackled the Domestic Violence issue will demonstrate that I certainly will not let this happen to this Bill as well. I reassure you that there will be quite a lot of talk about it. Thank you Mr Speaker.

MR SPEAKER: Thank you. No further debate. I put the question that the Bill as amended be agreed to.

QUESTION PUT
AGREED

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

ORDER OF THE DAY NO. 4 - FIRE CONTROL BILL 1995

Resuming debate on the question that that Bill be agreed to in principle and Mr King you have resumption of debate on this matter. I'm sorry Mr King, I withdraw that, Mrs Cuthbertson you have resumption of debate. The question that this Bill be agreed to in principle.

MRS LOZZI CUTHBERTSON: Thank you Mr Speaker. A great many excessive things were raised in regards to this Bill at the last sitting, therefore I feel the need to reiterate and clarify a number of points if I may. Try people's patience once more. This Bill establishes a Fire Advisory Board which would make recommendations to the Executive Member on the prevention, control and protection of life and property from fire. This Board is appointed by the Executive Member and consists of a Chief Fire Control Officer, who cannot be the Chairman or Chairperson as one wishes, a representative of the Administrator, ANCA and of the CAO and that person will almost certainly be the Community Services Manager who has responsibility for Emergency Services. The point of establishing that Board is to co-ordinate declarations of fire danger periods, of acute fire danger periods, or total fire bans. At the moment both the Administrator and the National Parks and Wildlife Authority (ANCA), have that authority and do so from time to time as is necessary.

For the rest of the Island the Administration of Norfolk Island does not have that power and hopefully will have so in future. The Bill details the powers and functions of the Chief Fire Control Officer in the event or threat of fire and if I may clarify some fears that were expressed at creating a new title, it is the Public Service Board which determines how much a person will be paid and for what they will be paid. Looking at the effects of this Bill and the duties of the present Co-ordinator of Emergency Services there seems nothing in this Bill that would create extra duties for that person so him having another title should make no difference at all to how much he is paid but it is a matter for the Public Service Board to decide. The Bill itself spells out the kind of things that are normally nailed down at fires and gives the Chief Fire Control Officer the right to have them done. At present our firemen who attend fires do not have the legal right to do a lot of those things and I think it is invidious to place them in that kind of a situation. Lastly, the Bill empowers the executive member in periods of acute fire danger to declare a fire danger period or a total fire ban. During a total fire ban period the lighting of fires in the open is prohibited and only then. During periods of acute fire danger and only then the Chief Fire Control Officer is given the power to direct people to take reasonable measures to prevent or inhibit the spread of fire. A lot of discussion took place about the word "reasonable" and what kind of directions the Chief Fire Control Officer may issue at those times and how they may impinge on individual liberties. Now we can go on

arguing about that, ad infinitum but let me just look at the scenario, at a situation that arises if the Chief Fire Control Officer issues what he considers to be reasonable directions, the person to whom they are issued does not wish to follow them, does not consider them reasonable and eventually the Chief Fire Control Officer and that person finds themselves in Court. Now it is then that our magistracy will decide as to what is reasonable and I would suggest to you that they would certainly want to know what happened after the directions were given and whether a fire occurred, and whether danger was incurred, whether or not in fact that the directions were followed or not made any material difference and I have the greatest faith in our Courts, they have demonstrated over and over again that they are willing to make judgements on sensible, rational, facts, not on how people feel, and what people see, on outcomes of real evidence and I think this would be the most important part of safeguarding people's liberties and rights to make choices. At the same time we do have to have provisions in cases of real danger and somebody who is an expert on that kind of danger, ie fires, should be able to give that kind of advise and directions if necessary. There was also some comments made about the cost of not leaving our rubbish disposal fires unattended at times of acute fire dangers and how that might break the Island's coffers. Well I really doubt that a couple of drums of water near the fires would cost us a great deal of money and after all, acute fire danger periods and periods of which leaving fires unattended in the open occur very seldom on this Island. It would not be a tremendous amount of work, it would only happen once in a while and it would ensure safety and in that respect, I think we have to bear in mind that we owe it to the community of Norfolk Island to protect them and to the officers who try to protect us in those kind of situations to be protected for doing their duty and I commend this Bill to the House

MR CHRISTIAN: Thank you Mr Speaker, I indicated at the last meeting that I accept that some fire controls would be a good thing in Norfolk, but I can't support the Bill in its present form Mr Speaker. At the last meeting I also outlined a number of reasons why I couldn't support it, in the intervening period Mr Speaker I've thought over it at great length and this afternoon Mr Speaker I find myself in a position of still not being able to support this Bill because it is a discriminatory Bill. This Bill discriminates against the indigenous people of Norfolk Island. For centuries Mr Speaker fire has been a handy tool for the indigenous people of Norfolk Island. They know how to handle it, in fact Mr Speaker, back on the early days at Pitcairn we burnt the Bounty so that no-one could run away and do us in and find out where we were. It was a very useful tool then. Mr Speaker, summertime, that is the peak fire risk period, is the main target area for this Bill. Mr Speaker it's a peak fire risk period because there's not much water around and when there's not much water around we can't grow many vegetables so Mr Speaker, the indigenous people of Norfolk Island need to supplement their diets at this time and they do this by catching fish and shellfish around our coastline and Mr Speaker, the only way that you can get maximum dietary benefit from this fish and shellfish is to cook them where you catch them and that means lighting fires. Mr Speaker, most of the coastline that's accessible for fishing by the indigenous people happens to be crown reserves and to introduce a bit of legislation like this would deny them access to this and I totally cannot support that and I would hope that Mrs Cuthbertson would withdraw the Bill

MRS LOZZI CUTHBERTSON I only wish to comment, that this Bill has already been revised considerably to fit in with some of the comments made by Members. I felt that some of them were really very very worthwhile and I am sad that Mr Christian did not come forward with some suggestions at that time. At that time he wanted the total Bill done away with. I am very supportive of the indigenous people of Norfolk Island catching and cooking fish and crayfish as quickly as possible but I really doubt that this Bill will interfere with it in any way. I suggest instead that this Bill might protect their property and their lives

MR BENNETT Mr Speaker I have difficulty with the Bill but for very different reasons to Mr Christians. On the one hand whilst I think that it is desirable to have a means of declaring an acute fire danger and to control people in that period if it is ever declared to breach the provisions of it or the no fire declaration and I also note that the lack of protection for fire officers entering land or injuring people and that's been the way for a little while I guess, but I do think the Bill is a bit of an overkill. I don't like this idea of the Fire Control Board, I can't see why if we have to have another Board why it is not the four executive members, they meet in other board capacities like the Tenders Board anyway. Surely it is a government decision based on advice given to it by the fire officers at the time. I'm aware that there has been around for a while a desire to produce an emergency services piece of legislation and that's the piece of legislation that I think these particular controls if thought necessary at the time should be slotted in because there will be other emergencies for which provisions of a similar nature would need to be addressed and I think it is premature to put this one in when the other one is obviously somewhere in the making. All our emergency services, including fire, should be controlled in that one piece of legislation. Regrettably I can't support it

MRS LOZZI CUTHBERTSON If I could answer a couple of Mr Bennett's comments Mr Speaker. The Board's composition as is suggested is simply to bring together the two organisations that already have the power to declare acute fire danger periods and fire ban periods, that is the National Parks and Wildlife Agency, they already have the power to do so with regard to the National Park and the Administrator with regard to crown lands. It is only the Government of Norfolk Island that doesn't have the power to declare acute fire danger periods and total fire bans at the moment because no legislation exists. Now the composition of that Board brings those people together so that such initiatives can be co-ordinated. That is why it is not made up by just the Members of the Government because it would leave out two groups of people who already have that power. With regard to the Emergency Services legislation Mr Bennett may recall that the Community Services Manager who addressed the people who attended the meeting on this Bill and I can't remember whether Mr Bennett was present, indicated that he really was most in favour of having two separate Bills, one for fire control and one for emergency services because the two issues are quite different and quite different activities and measures had to be taken in respect to those two kinds of situations. He has undertaken that an Emergency Services Bill would come forward towards the end of the year or early next year and I am certain that he will in due course bring it forward, but he has the responsibility to conduct and manage emergency services on the Island and I trust him to know what is best in this regard. Throughout the gestation of this Bill it has been his guidance and his knowledge and the knowledge of other people like him who are expert on the subject who has guided me. I know very little about fire control, I can only go to the experts and be guided by them

MRS SAMPSON Thank you Mr Speaker. We are only a small place and surely there would be somewhere in the system where the executive member could be given the power to consult with the Administrator and the Conservator of National Parks by telephone or whatever on days of high fire risk or total fire ban. I think that's all that is necessary is to have three people in agreement that the day is of an explosive nature where a fire ban can be put down and I don't really feel that the rest of the Bill then has much use. I think commonsense among the members of the community should prevail from that point onwards

MR BATES Thank you Mr Speaker. I certainly agree that those fire officers when they are in attendance at a fire certainly need protection from lawsuits and certainly need the right to enter onto private property to carry out their duty and I tend to see that as a major part of this Bill to have some real meaning to me. Like Mr Bennett, I think if that could be taken up in other emergency legislation because where emergencies are concerned these people need to

be protected in carrying out their duty. On the basis of that can we look at other means, I really think that the rest of it is work for the sake of work or legislation for the sake of legislation and if we really had a problem then I could see the point but other than what I've said about the problem of entry I don't see any great problem

MRS ANDERSON Thank you Mr Speaker. I believe that this Bill has certain points in it that are very valid as Mr Bates' has outlined, the protection of our fire officers, but I believe that it is an overkill and I find it hard to support the Bill in its entirety. If I understand it correctly, Mr Speaker you might correct me on this if I'm wrong, if this Bill is defeated today that then precludes Mrs Cuthbertson from bringing forward another Bill along the same lines. Might it not be better in that case if she were to withdraw this Bill and look at maybe including these provisions in with the Emergency Services Legislation as Mr Bennett has suggested, thank you Mr Speaker

MR SPEAKER Well yes, there are some provisions about that but there may well be some additional provisions which allows the House to take an alternative course and I'll just look at those whilst the debate is continuing

MRS LOZZI CUTHBERTSON I think I may point out to Mrs Anderson, we have actually had meetings about this Bill with the Community Services Manager explaining in some considerable detail that in fact we do have problems and his information in his discussion covered each one of the things covered in this Bill. He gave us chapter and verse of situations that have come up where provisions in the Bill were necessary but if people do not want to pay attention to his expertise well it is certainly their choice, but no I do not intend to withdraw this Bill. I have gone to considerable trouble to cut it down to make it acceptable and I have consulted all of you, and the second time I brought it before you and no substantive reason was given me as to why it should be changed, so if the Bill falls let it fall and the Community Services Manager will perhaps consider incorporating something later on but we shall see if that is a possibility

MR KING Thank you Mr Speaker. I think some Members who appear to be poised to oppose the Bill are overlooking some very very basic things. I mean, no-one wants to apply overkill legislation to the community, no-one wants unnecessary legislation but the simple fact of the matter is that circumstances have arisen and have arisen recently. You can recall the time in the period of the Sixth Legislative Assembly when we sat around the table next door, either as an executive or as an ordinary member and we spoke about our inability to be able to prescribe certain classes of danger in respect to fire risk in the community. We spoke then about the fact that the Administrator had certain areas of authority and the Park Superintendant in respect of ANCA but we were left powerless and we acknowledged that at the time, that we didn't have the power to do these things. Now regretfully, we live in a world where regulation feeds on regulation. People are aware of their rights these days in respect of governments and governments exercise an authority, authority which has no base at law, it's a litigious world and we simply have to come to terms with that. This is not an overkill situation. If we want to act in a responsible manner and provide some meaningful protection for the community then we have to have authority which is equal to the authority in other jurisdictions to prescribe a day or a period as a certain degree of fire danger which enables or empowers, the proper authority to do certain things to provide protection for the community without being hesitant or reluctant to do those things which might otherwise not provide that protection. I don't see any difficulty with this legislation, I too would be disappointed if it were to fail. Mrs Cuthbertson has spent alot of time massaging, accommodating the wishes of certain Members. The political reality is that here we are in the House and this is the final debate and what has happened before in many many circumstances doesn't matter a darn and people will simply forget it and forget undertakings they've given elsewhere,

forget the fact that they've had ample opportunity to raise grievances and that is the political reality of it and one might never know the full reasons why there is certain obstinancy when it comes to the House, but I would be disappointed if it were to fail. I think it is a legitimate measure. It has been toned down considerably and it is a measure which is designed basically to give government, the Administration, reasonable amount of authority to protect the community and protect itself from litigation which is more than normal these days then was previously thank you

MR SPEAKER Mrs Anderson, in response to your query that you posed a while ago, there are provisions in Standing Orders which gives the Speaker some discretion in whether a motion which is of a similar nature comes forward within a period of twelve months to be disallowed, but it's not mandatory. There is room for some mature consideration of the matter

MRS ANDERSON Thank you Mr Speaker

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. If I may add Mr Speaker, this Bill is about providing the legal power to protect the public and the Island, it precludes the Assembly from assuming the responsibility already transferred to Norfolk Island by the Commonwealth. Also, present practice of the Administrator and the Conservator for purporting to impose a fire ban has grave legal doubts so if we continue to allow this situation to continue as it is, we are really failing in our duties in many ways

MR SPEAKER Thank you. Further debate?

MRS ANDERSON Thank you Mr Speaker. I understand that Mrs Cuthbertson has gone to a lot of trouble in preparing this Bill and I can see that it must be very disappointing for her to find that she hasn't got the support in the House that she perhaps expected to get in other discussions. Would it be a proposal for us to adjourn debate on this Bill for another two weeks until the next sitting to allow Mrs Cuthbertson to maybe rediscuss the matter with us and maybe further convince us, or is that not the done thing

MRS LOZZI CUTHBERTSON Mr Speaker if I may, I see very little point. We've gone around and around and around this but when it comes to actually sitting down with a person who really knows about fire, that is the Community Services Manager, really very little was said to him. Very few questions were raised with him, very few objections. He is the one who has been at the fires, he's controlled the situations and he's seen the problems and he is the one who suggested we need all this. As I say, I know nothing about fighting fires but I do respect his opinion and I respect his experience and I'm quite prepared to support it to the ultimate. If the Bill falls down today I certainly am not going to fall down on my responsibility to the Island and not see that it doesn't come up with something to protect the Island in some way in future legislation. I think that would be petty and stupid, but no, I don't see the point of adjourning it today. We've gone around it so many times, so I think we should bite the bullet and make a decision but I really do feel that you should consider your responsibility to protect the people, life and the property of Islanders and this Bill does that. It really doesn't interfere with anybody's rights or anybody's liberty. What it establishes by way of a mechanism is a very maybe high faluting sounding Board, but it just brings expertise together not Members of the House who know nothing about fighting fires, but people who are actually dealing with it all the time. Anyway, that will be all from me thank you

MR SPEAKER Thank you. Have we concluded Honourable Members, all the debate?

MR CHRISTIAN Thank you Mr Speaker. I would like to say a few more words in regard to this Fire Bill and build on what Mr Bennett has said. Fire isn't the only emergency that we have from time to time in Norfolk Island. Wind in itself during cyclone periods can be far more dangerous than fires and at particular times of the year or in windy conditions members of the community and the Administration particularly are required to go out and do particular emergency work, and if the true aim is to protect them from legal action in the event of a landowner or homeowner not being satisfied with the outcome whether it be fire, wind damage or whatever, we need to protect all angles and I certainly support Geoff in that the emergency is where all of these controls and protection should be lodged and if Mrs Cuthbertson wants to hammer the point of responsibility and being responsible about this Bill, then I think recent house fires have been some areas that have been talked about. You may need to consider protecting the Administration in itself because it was the provider of the electricity, it acknowledges that it's a dangerous substance and caused alot of the fires so we need to go a bit wider in all of this. Don't laugh Mrs Cuthbertson, in a recent explosion in Oaklahoma City ICI is being sued now because it manufactured the fertiliser. You are talking about a litigious society, let's cover all aspects. Mr Speaker I cannot support the Bill in its present form, however I will concede that fire controls in a manner relevant to Norfolk, that doesn't discriminate against its indigenous people has a proper place, but I cannot support this one

MR SPEAKER Honourable Members the question is that the Bill be agreed to in principle

QUESTION PUT

MR BUFFETT	NO
MRS ANDERSON	NO
MR BATES	NO
MRS LOZZI CUTHBERTSON	AYE
MR BENNETT	NO
MRS SAMPSON	NO
MR ADAMS	NO
MR KING	AYE
MR CHRISTIAN	NO

The result of voting Honourable Members the ayes two the noes seven, the noes have it thank you

NO 5 - STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 1995

Order of the Day No 5 - Statue Law (Miscellaneous Provisions) Bill 1995. Again, resumption of debate on the question that that Bill be agreed to in principle. On this occasion Mr King, you have the call

MR KING Thank you Mr Speaker, I have nothing further to add to this debate at this point

MR SPEAKER I am aware that you have some amendments Mr King, but they might come at the detail stage

MR KING Yes, that's what I've anticipated Mr Speaker

MR SPEAKER Thank you. Are there any other Members who would care to participate in the initial discussion on the question that the Bill be agreed to in principle? No further debate. There being no further I put the question that the Bill be agreed to in principle

QUESTION PUT
AGREED

MR SPEAKER

ABSTAIN

I will abstain on this matter. We move to the detail stage. Mr King

MR KING Mr Speaker, I seek your leave to move the amendment circulated to Members this morning. They relate to the Environment Act 1990. Mr Speaker I would firstly bring to the attention of the House a typographical error which appears on the front page at clause 2 of the circulated amendment where there is a reference to the Employment Act 1980 it should read "as a reference to the Employment Act 1988". Mr Speaker, the purpose of this detail stage amendment is to amend the Environment Act 1990 to correct an oversight when parts of that Act were brought into operation. On the 28th December 1990 the then Administration executed an instrument fixing the 31st December as the day on which certain specified elements of the Environment Act were to come into operation. All of part 1, including section 5 was expressed to come into operation although only two items in Schedule 1 were expressed to commence. Doubt has arisen Mr Speaker over parts of the instrument and in particular, the preservation of certain other legislation which is intended to be repealed when the main Act comes fully into force. Now accordingly to remove any doubt over the then Administrator's action, this amendment alters the Environment Act to specify that different items in the schedule may commence at different times and to clarify that only those enactments and items in Schedule 1 that is commenced are in fact repealed. To ensure the desired purpose is achieved the main Bill is amended to that the changes to the Environment Act are given a retrospective commencements to the 27th December 1990, the day before the instrument of commencement was executed by the then Administrator, Mr MacDonald, and I commend that Mr Speaker

MR SPEAKER Any debate Honourable Members? I would firstly ask you whether you agree the amendments that have just been proposed by Mr King and then I will ask you whether you agree to the balance of the Bill, so that will be the course. Any discussion in respect of the amendments just proposed? Are the amendments agreed?

QUESTION PUT
AGREED

The amendments are agreed thank you. Is the balance of the Bill agreed?

QUESTION PUT
AGREED

The balance of the Bill is agreed. Could I now seek a motion, which is that the Bill as amended be agreed to

MR KING I so move Mr Speaker

MR SPEAKER Thank you Mr King. Any final debate? I put the question that question

QUESTION PUT
AGREED

MR BUFFETT

ABSTAIN

I will abstain on that. The ayes have it thank you. That Bill is agreed.

NO 5 - JOINT STANDING COMMITTEE INTO FREIGHT AND PASSENGER TRANSPORT - ADOPTION OF COMMITTEE'S RECOMMENDATION FOR THE CONDUCT OF A SURVEY ON CERTAIN MATTERS

Order of the Day No 6 - Joint Standing Committee into freight and passenger transport - Adoption of Committee's Recommendation for the conduct of a survey on certain matters. We are resuming debate on the question that the motion made by Mr Bates be agreed to and Mr Bates, you have resumption of the debate on this matter

MR BATES Thank you Mr Speaker. I have given notice that I intend to move an amendment to this matter but I also believe that Mr King is seeking permission to move an amendment also. I don't mind him doing that so long as I don't lose the opportunity to bring in my amendment if his amendment fails, so I don't know how that could be handled but I'm quite happy to be guided by yourself

MR SPEAKER Well at this stage I have notice of yours and I am happy that you introduce yours, but if you want Mr King to air his, I'm happy that it be aired at this moment. We have heard and understand what Mr Bates' is, maybe if we give you an opportunity to equally put yours on the table Mr King

MR KING Thank you Mr Speaker. I think, do I need to seek leave under Standing Order 121

MR SPEAKER Yes you do, and leave is granted

MR KING Thank you. Well, Mr Speaker I would move an amendment in these terms that all words after "that" first occurring be deleted and the following substituted. "This House requests 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 envisaged by recommendation 21 of the Report of the Joint Standing Committee on the National Capital and External Territories entitled 'Delivering the Goods'".

MR KING Mr Speaker, Mr Bates is aware that I don't have any difficulty at all or in essence with what he is trying to achieve. In fact I don't believe that there is one Member around this table who doesn't accept that data analysis of the type that we are talking about will enable us to be more objective in certain of our decisions. From what I can gather from previous debate, both in the House and elsewhere, opposition to Mr Bates original motion, that is, in its existing form, centred on two aspects of the matter. Firstly the perception that the issue was being driven by the Commonwealth and that Norfolk was simply falling in behind the Commonwealth or if you like, kowtowing to the recommendations of the Joint Standing Committee with which we are at general loggerheads regarding its overall recommendations. Secondly Mr Speaker, as I understand it, some Members raised objections to the idea of seeking income information from the community and suggested that in any event, members of the community were unlikely to provide that kind of information, so those were the two aspects of opposition which I sensed. Mr Speaker, I want to focus my attention on those two just for a short period. It is unfortunate that this matter has been brought to a head by a Joint Standing Committee of the Commonwealth. In fact, there is probably room for us to feel a little embarrassed that we failed to undertake a similar survey much earlier in the life of self government. Nevertheless, Mr Speaker, let's forget for a minute that we have been galvanised into taking some action by the Commonwealth and not lose sight of the fact that the exercise generally is one which is worthwhile even if it is a long way overdue. My amendment Mr Speaker, does not tie us rigidly to the Joint Standing Committee recommendation, nor does it restrict us or limit us to a type of survey which may ultimately be of less value to us than one which has had some professional and experienced oversight. We can of course Mr Speaker wander of and do our own thing, and the Commonwealth wander of and do its own thing and the outcome might very well prove to be satisfactory, however, it appears to me to be perfectly reasonable and sensible for the two Governments to sit down and agree on

an approach to the survey and although not an over-riding consideration of course, the proposal for cost sharing is something which is worthwhile considering as well.

My amendment Mr Speaker provides the flexibility to allow this discussion to take place without tying us rigidly to the precise terms of the Joint Standing Committee recommendation. Basically, my amendment says to the Minister for Health and Education, look Minister, we agree that there should be a survey generally of this type, now would you please get on with it and work out the detail. Mr Speaker, let me turn to the question of income for a minute. I understand, and I share the concerns of Members about prying unnecessarily into peoples private affairs, particularly in relation to income. I would have to emphasise once again that the whole survey exercise will in my view, well not only in my view but in the view of others who have the experience, will lose alot of its value if in the analysis we are unable to relate expenditure to income. I am aware, perfectly aware, that there will be a fairly widespread reluctance to divulge income information in Norfolk Island, just as there is in the census exercise but Mr Speaker, just like the census exercise no-one involved in the survey exercise will be obliged to provide income information. Not everyone does, it it a simple fact of life, and if a person doesn't want to give that information then they simply don't give it but again, as in the census exercise an exercise of this nature, enough people will provide income information to give us a satisfactory representative sample so I suggest Mr Speaker to Members that we can satisfactorily take account of the concerns about the gathering of income information provided that there is no compulsion on the part of people to provide that information. I understand as well that during the various debates we have had here and elsewhere on this matter, that people have said well why can't we use the census information. I say again the census information relates to the income of all people, whether it be wage income or salary income or investment income or business income or whatever. The kinds of surveys we are looking at, undertaken here have a focus on wage and salary income so I mention those words Mr Speaker and hope that Members will find their way clear to supporting my amendment and seeing the motion right through in this form, to provide that flexibility and without locking us into something which has developed, some sort of complications which can be best avoided I would have thought and allows our Minister to go away and work out the detail, the finer detail of pursuing the survey. I would commend my amendment

MR SPEAKER Thank you Mr King. I think if we would allow Mr Bates to speak so that his amendment could equally be on the table and we will basically have simultaneous discussion about all of them and then we will vote upon each of the amendments

MR BATES Thank you Mr Speaker, when I introduced the original motion into the House it was a straight take from the Joint Standing Committee's recommendation and I thought that that may be a way ahead. I was very interested in the debate that took place at the previous meeting and quite truthfully, some of the things that were in the debate and came out of the debate were simply that we know alot of the things that are in this recommendation and there's also the fear that people have if they thought the government was looking at their individual incomes and I'm quite sure if that original motion had gone ahead at that meeting it would have been lost but the real thrust of what I was trying to achieve was not what people's incomes are and not to extend the motion to things that we already knew; we know what it costs for electricity, and we know what parcel post costs are, and we have a fair idea what incomes our social security recipients are receiving, and as I said, there are alot of things there that we already know, and I went away and decided that I would shy away from any reference to the Joint Standing Committee, I would shy away from any reference to income, and I would shy away from any reference to salary and wage earners and I came up with an amended motion which I thought had a better chance of getting some acceptance in the House and still having a fair chance of achieving what I had hoped to achieve. But I don't mind how we go forward, I see wisdom if the Minister is allowed a fairly free

hand and that there can be some consultation with the Commonwealth and we can go forward together to achieve what we jointly want to achieve, especially if it reduces the cost both to ourselves and to the Commonwealth, so I don't have a firm stand on this at all. I'm prepared to support Mr King and if the reasons that his motion doesn't go through are the reasons which I've alluded to, the reference to incomes and the other things then I would still like to go forward with my motion and it might receive the support that I'm looking for. If you wish me to move the amended motion so that it is on the floor I will so do and the amendment is that all the words after "that" be deleted and the following substituted and then reads that "this House requests the Minister for Health and Education to take whatever action is necessary to carry out, and report on, a survey which will identify and analyse -

(a) minimum levels of expenditure for households on Norfolk Island broken down into categories which will include -

(i) single person households

(ii) young families

(iii) mature couples

(iv) social service recipients - single

(v) social service recipients - married; and

(b) prices of items in a selected household basket of goods and services relevant to any given period and the categories of households listed under (a); and

(c) the cost of housing and transport in Norfolk Island including the value of any subsidies or 'other benefits'."

That's the end of the amendment Mr Speaker. I will be interested to hear what the others have to say

MR CHRISTIAN Thank you Mr Speaker. I strongly support what Mr Bates is striving to achieve with this motion. I think it's vital information, however, I also have no difficulty with progressing in the way that Mr King has suggested in that it does give the Minister more flexibility to pursue things as they develop rather than being locked in by the rigid conditions of a motion but I would only support Mr King's amendment if Mr Bates was happy to either have his withdrawn or supported it also so I'll just sit quietly for the time being Mr Speaker and see how things pan out

MRS SAMPSON Thank you Mr Speaker. I can see merit in both motions. I agree with Mr King that on previous discussions to have levels of expenditure categorised is fine but it loses a little bit of its impact unless one has categories of income also. Is there some way perhaps that the two amendments could be married together. As I say, I see merit in both of them

MR BENNETT Mr Speaker I just want to comment on the form of the amendment by Mr King because to me, after reading it and re-reading it is what I might describe as a blank cheque motion and as a consequence I have some difficulty with it. It says that the House requests the Minister for Health and Education to take whatever action is necessary to carry out and report on a survey irrespective of the cost or whatever, that to me is a bit worrisome. Perhaps if he was to consider deleting the words "carry out" and adding "investigate and" and then adding the words "the most appropriate approach to" before the words "a survey" then it would at least come back to us for us to say yes it's going to cost \$20,000 or \$50,000 and do it. But as it stands unamended it gives Mrs Lozzi Cuthbertson an open cheque and who knows what these surveys cost, they are normally fairly expensive things to deal with. The second point I want to make is that it does of course by virtue of making reference to the recommendation 21 of the report of the Joint Standing Committee, reintroduce the question of measuring income and I have a little bit of disquiet about that. It's possible to get a fair result if you were measuring and recording income levels in bands but I think in Norfolk Island you would have a great deal of difficulty getting accurate information about incomes and if we know that ahead of time and yet we prefer not to deal in the band system,

then we possible are wasting alot of money on that side of it. I can see on the other amendment by Mr Bates, what he is driving at. He graciously made amendments to take care of the quite widespread comments made the last time we debated this and I have little difficulty with it. The dilemma I think is that the Commonwealth may well proceed anyway on recommendation 21 and I suppose I have to ask myself whether that should matter to us. There is an opportunity as I think Mr King mentioned, for us to part fund a survey that was put together by the Commonwealth which they might do for Norfolk Island and the other two territories, but whether that will achieve exactly what we want to achieve or whether it will be engineered to suit the terms or the recommendations of the Joint Standing Committee we'll never know. Certainly, the approach that Mr Bates is taking is the least expensive option and if that will satisfy what he is after and what we really think we need then perhaps its the way we ought to go however, if Mr King would amend his motion and take away the blank cheque approach then it could be reconsidered in the light

MRS ANDERSON Thank you Mr Speaker. When Mr Bates first proposed his motion at the last Sitting I was opposed to it on several grounds. One I felt that by using the ABS to undertake the study as was suggested it was going to possibly cost us an arm and a leg for questionable benefit. In his amended motion today I think he has possibly overcome some of the original objections to his motion but possibly he has gone a bit too far in the cutting and he has made the motion as it now stands amended, a little bit too rigid. By the same token I cannot totally agree with Mr King's proposed amendment because as Mr Bennett suggests, there is absolutely no regard to how much undertaking such a survey would cost us. I'm sure Mrs Cuthbertson would be frugal, but even so I think that I would like to see that there is some sort of control by the Assembly on whether we go ahead with making the survey when we know how much it's going to cost us. I think that we have to undertake a survey, I don't question that for a moment, but I think before we rush out and go into one and commission a survey we really need to know how much it's going to cost us and whether it is going to be cost efficient, thank you

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. Unfortunately, both motions say to carry our and report so really there is very little choice, so perhaps I could suggest that in fact, how I would proceed if whichever one of these motions go forward, is that the appropriate wording would be to plan and cost and report on a survey which would identify whatever. Frankly, I would rather act on Mr King's motion simply because I think we should be negotiating with the Commonwealth if at all possible and see if they can carry some of the costs involved and it certainly would be a good idea for us to have a say into how a survey is shaped, that they might conduct so that we would ensure that it is as useful and correct as possible and it gives the kind of information that is unbiased as possible. I've spent alot of time trying to think how we could collect income information, bands or whatever that would be meaningful and likely to be as correct as possible and I really am concerned about the fact that people are reluctant to tell other people that might know them, just how much they earn and I've thought of a couple of possibilities which I certainly would discuss with whoever would eventually be engaged to carry out the survey when it is done. One of them being, that yes, the information that they give back to the survey is put in a sealed envelope without identification on it and then the person is actually asked to place that envelope in a box where there are lots and lots of other envelopes and the person can see for themselves that the other envelopes have no identification marks on them, just as his or her envelopes will have no identification marks. I think that should be reasonably assuring for them, but I'm sure there might be other ways of reassuring the respondents that we are not prying, that we are collecting the information in general terms and that we are going to collate them in general terms, but personally I would favour the changing of the word "carry out" to "plan and cost" and I would like to work on Mr King's recommendation if this motion goes through

MR KING Thank you Mr Speaker. Members I think have forgotten the very brief debate that took place on the allocation of moneys during our budget process, for maintenance of indices and surveys etc. You will recall that there was originally a small allocation of moneys to retain our retail price index and that was increased to I think, about \$14-15,000 in acknowledgement of the fact that we would probably proceed with this survey and that we would probably at the same time again, for the purposes of saving money, review the household expenditure survey for the RPI and it was for those reasons that we allocated a sum of money. Obviously this is not a blank cheque, no motion of this House gives any Minister the authority to go away and spend huge sums of money unchecked and of course, each Minister is limited to the amount of monies that has been appropriated by the Appropriation Bill so there is no suggestion of a blank cheque. I think there has to be some trust to of the Ministers and if you don't trust them and can give them a little bit of flexibility then you sack them. It's as simple as that. I don't think Mrs Cuthbertson's going to run off and spend huge sums of money and do anything silly but I'm happy to move some slight amendment if that's going to help this matter. No blank cheque, limited by the amount of money's that have been appropriated. On the question of measuring income and the use of bands, I would think that after our Minister goes through this stage of working out the detail of this, probably at the end of the day, the expert advise to her will be yes, income bands are satisfactory and of course the processes of maintaining confidentiality have been used here on many many occasions during the census gathering information so those processes of maintaining confidentiality and sealed envelopes etc are not new to Norfolk Island and obviously they would be employed in the exercise of gathering information for this purpose. Those are all the points that I wanted to make Mr Speaker and if someone could remind me of the words of if Mr Bennett still thinks that there needs to be some amendment to minimise or ensure that expenditure is maintained at a reasonable amount then maybe he could tell me those words again and I would move that, but again I stress that the Minister is limited by the amount of funds available in appropriation

MR ADAMS Thank you Mr Speaker. Mrs Cuthbertson mentioned that the wording of these two amendments are pretty much the same but I don't really concur with that because I think Brian's amended motion is quite a focused one. He has cut out alot of the deadwood that present in Recommendation 21 of the JSC and I do believe that the words of the motion of Mr King's in a way is attempting to reinvent the wheel. He is suggesting with his amendment to the motion that we go back and attempt to find out the cost of parcel post etc, fuel, electricity, sales tax free status, value of subsidised housing and if he's not suggesting that Mr Speaker, in other words, why bother. Why don't we just stay with Brian's motion. In that motion he's put in things that appear to be relevant to us. If there is a concern that income is missing, why not have it as part 6. I previously had a number of concerns regarding Brian's motion in its original form as we realise, that was based on one of the JSC's recommendations and I certainly intend to support Brian's amended motion and I commend him for his concern in these areas but I don't believe that the amendment moved by Mr King adds anything to the situation. It just goes back to the original situation that we had concerns with, finding out information that we already knew and enquiring into things that really aren't relevant

MR CHRISTIAN Thank you Mr Speaker. I think Mr King has said most of what I had planned to say. I think Geoff's fears about an open cheque book is a bit unfounded. I mean, at the moment there is no appropriation for this so the Minister basically has to come up with a preliminary plan and come back to the wider membership seeking the funds to do it, and I have absolutely no problems with that but at the end of the day I don't want the words of the motion changed to "cost and planned" because I really want something implemented, not just another one tossed on the heap so whether it's Mikes' amendment that goes ahead or Brian's, I'm happy with either one but for goodness sake let's not sit here talking about

possibilities that may never arise, we want something concrete to come out of all of this

MR BATES Thank you Mr Speaker, I would just like to elaborate on the income side of it a little. Certainly I have no desire to pry into peoples income. My desire is more to find out if people in the lower income bracket are able to sustain a reasonable quality of life and level and if my motion were to go through then I would have no objection if at census time, to banding incomes, to having a section there of incomes banded, but again I see no need to even put those bands higher than what the costs come out on this is motion, by that, I mean that if we were to find that for a mature couple to live on Norfolk Island needed say, \$25,000, I don't know whether that's the figure or not, but assuming that, and I'm not very interested in those mature couple who earn more than say, \$30,000. If they are earning \$130,000 or \$500,000 good luck to them but I'm concerned about those who may be below the \$25,000 if that is the figure that comes out, so the bands as far as I'm concerned don't need to go very high if we do put a question against the bands in any survey that we might do, as long as they go as high as any of these costings, I just want to make that quite clear. I'm not interested in what people earn, I'm interested in those who may be finding it difficult because they are on the lower income bracket, but I want to see a way forward to find out these things and I don't mind how we go as long as we do move forward

MRS SAMPSON Thank you Mr Speaker, I just want to point out that the JSC's clause (a) was "Patterns of income and expenditure for household earning wage and or salary in Norfolk Island broken down to at least three income brackets". Now, breaking it down to three gives you an extremely wide range in each bracket so that even the JSC is not trying to make an income into a very small bracket like \$8,000-9,000 and \$9,000-10,000 so taking it to three gives a very wide range so whatever we wish to do could be a little bit more detailed then just three brackets

MR KING Thank you Mr Speaker. I think the debate is drawing to a close but I would like to make just a few more comments on Mr Adams suggestion that I'm trying to reinvent the wheel. I think he may have overlooked in my opening debate on the amendment that my only desire here is to ensure that there is some flexibility for the Minister to deal with the Commonwealth or people to deal with people who know about these exercises in putting the whole thing together in a meaningful form so that it achieves the desired result. It's not a matter of tying us rigidly to the precise terms of the JSC recommendation, I thought I made that quite clear in my debate. I don't believe that we need all that information and certainly we have alot of it and we don't need to go and gather it all again, but what we can do in the final wash is to analysis it in conjunction with information that we don't have and that's what the exercise is all about, the collection of data and analysis but I want to say also that there is room for us to sit down with the Commonwealth and say what is it that we want to achieve and then look back on what the JSC recommendations are and find out whether the gathering of that information or doing what they say is going to achieve those ends. I would suggest to you that you would find that it doesn't because the JSC took no expert advise from the Australian Bureau of Statistics on this exercise. They are lay people largely, just like ourselves so the kind of detail that is included in recommendation 21 would I suggest, after a period of consultation with the Commonwealth and those who have some relevant experience, be changed quite substantially. Our focus here has got to be on gathering information and analysing it for the purposes of having some base data on which to make some objective decision so it's not reinventing the wheel, what I'm trying to do is to introduce some flexibility rather than tying us rigidly to one formula or another. Mr Speaker, I don't know where the debate is lying at the moment but I don't know where we are in terms of voting or where we are if I were to move that the question be put, what question are we talking about

MR SPEAKER What I would then go through would be a process Mr King. I would firstly put the motion that Mr Bates has given notice of, then I would give yours

MR KING May I comment on that Mr Speaker? I did understand that Mr Bates indicated in his earlier debate that he hasn't any difficulty with my motion going forward first. It's a matter of strategy I suppose

MR SPEAKER If there is mutual agreement to do it that way that's alright with me

MR KING That's as I understood it, but I don't mind

MR SPEAKER Let me just explain to you why I have said what I have said. Mr Bates has firstly entered the lists by giving formal motion in respect of his amendment and that being the case I would give him the courtesy of having his motion voted upon first. Yours came along next and that would happen with yours. If there is mutual agreement to do it another way I would be happy to listen to that

MR BATES Mr Speaker I would prefer Mr King's amendment to go first because if that is lost for any of the reasons we have spoken of then I would like to proceed with mine. If his goes through and is passed then I'm quite happy to withdraw mine because my aims will have been met but I wouldn't like to lose the chance to bring mine forward if that went first and was lost and then we lost Mr Kings

MR SPEAKER On that basis then if Members are comfortable then I would put Mr King's first and see what happens and see what happens as a result of that

MR ADAMS I'm not comfortable with that Mr Speaker, I prefer it in the order that it appears on the Notice Paper

MR SPEAKER I would give first call in the decision making process to the two proposers of the motion, that is, Mr Bates and Mr King, and if you are comfortable on a certain course I will adopt that course. We have agreement from the two proposers and I will adopt that course. If you are all done Members I will put Mr King's motion. The question is that Mr King's amendment to the motion be agreed to

QUESTION PUT

MR BUFFETT	NO
MRS ANDERSON	NO
MR BATES	AYE
MRS LOZZI CUTHBERTSON	AYE
MR BENNETT	NO
MRS SAMPSON	AYE
MR ADAMS	NO
MR KING	AYE
MR CHRISTIAN	AYE

The result of voting Honourable Members, the ayes five the noes four the ayes have it. That amendment is agreed Honourable Members. We now have a motion before us that is amended. Any final debate upon that? I put the question that the motion as amended be agreed to

QUESTION PUT
AGREED

The ayes have it, the motion as amended is agreed. Thank you Honourable Members. We have concluded Orders of the Day and we move to the Fixing of our next sitting day

FIXING OF THE NEXT DAY OF SITTING

MRS SAMPSON Mr Speaker, I move that this House at its rising adjourn until Wednesday 28th June 1995 at 10.00am

MR SPEAKER Thank you Mrs Sampson. This is in a fortnight's time Honourable Members as is customary with out budgetary arrangements, that we do that before the end of this particular month. Any further debate? I put the question

QUESTION PUT
AGREED

The ayes have it, thank you. Adjournment Mr Bennett

ADJOURNMENT

MR BENNETT Mr Speaker, I move that the House do now adjourn.

MR SPEAKER The question is that the House do now adjourn. Any adjournment debate?

MR SPEAKER There being no adjournment debate Honourable Members I put the question that this House do now adjourn

QUESTION PUT
AGREED

The ayes have it Honourable Members, therefore we stand adjourned until Wednesday in a fortnights time the 28th June 1995 at 10 o'clock in the morning.

--ooOoo--