

Good morning Honourable Members. We commence with the Prayer of the Legislative Assembly

Prayer

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

Condolences

MADAM DEPUTY SPEAKER Honourable Members I call on Condolences

MR BUFFETT Madam Deputy Speaker it is with regret that this House records the death of Sue Menghetti who passed away suddenly on 20th December. The mother of four children, Sue and her husband Paul lived at Headstone. Sue came to Norfolk twenty-seven years ago for a weeks holiday, and has been here ever since. She so loved this Island and all its ways that she opted to stay. Sue's pride in her children is evident in the many trophies that adorn the home. Sue took all Norfolk's traditions to heart and taught her children to be proud of their heritage and to be sure to keep Norfolk's traditions. We will always remember Sue and her family on Bounty Day, dressed for the occasion and proud to be part of the Buffett clan. Sue's garden was one of her loves as was evident in the surrounds of the family home. She was a good rider and took part in horse events. She loved old furniture and antiques generally and put a lot of work into achieving the lovely old pieces that grace their home. To Paul, Kurt, Dana, Gemma and Jesse, to all Sue's relatives and friends this House extends its deepest sympathy.

It is also with regret that this House records the death of John Carr on 27th December in Brisbane. John was born on Norfolk Island in 1916. He attended the Norfolk Island Central School and on completion of his education he worked with his adopted mother, becoming in later years one of Norfolk's premier cooks. In March 1942 he joined the Australian Army and saw service until 1946 when he came home. His good cooking led to his taking over and running guest houses among them 'Felecita" which was on the site of the present Colonial Hotel; Oceanside and Hillcrest. John married Mary Jane McCoy in 1964 and they lived in their beautiful home "Wheels" at Rocky Point. They were a happy pair and beautiful dancers. In the mid 80's due to ill health they left the Island to live in Nowra, near Jane's daughter Janice. A year after Janie's death in 1991 John returned home. In his youth John was a great golfer, loved gardening and music. In the last few years John played croquet, Bridge and Jarrah. he enjoyed keeping his garden at constant high standard. John was a constant churchgoer, was always available to accompany hymns and was a member of the Pitcairn singers. Late in 1995 John went to Brisbane, had a successful operation and was recovering well. Unfortunately he suffered a stroke just prior to Christmas and passed away peacefully some two weeks later. John's two brothers and sisters all pre-deceased him. To his niece Patricia Connolly, her husband Peter and their daughter Sashi, to Janie's relatives and to their many friends, this House extends its deepest sympathy.

It is with regret that this House records the death of Cec Bunker, a former resident of Norfolk Island, who passed away after some four years of failing health. Cec died at Glen Innes in New South Wales on the 16th January. He was 76 years of age. He and his wife Nancy came to Norfolk from the Blue Mountains in 1967 and he will be remembered for his business of "Cec's Scooters". During their time on Norfolk Cec and Nancy were very involved in community work. Cec as a Lion

became President and Nancy in her work with the Girl Guides Association became District Commissioner. They had two children, Julio-anne and Noel who attended school in the Island, and both had a family from former marriages. Cec a son Vince and Nancy a son Edward and daughters Lynette and Ruth. Nancy is the sister of Heather Ely of New Cascade Road. After Julie-anne and Noel had left Norfolk to work on the mainland, Cec and Nancy moved back to Australia to live outside Taree and then moved to Glen Innes which they felt was very like Norfolk. A month ago, Cec was given a special award from the Lion Club of Glen Innes for his service to Lionism for over thirty years. To Nancy, Julie-anne and Noel, to their families and friends this House extends its deepest sympathy.

DEPUTY SPEAKER: Thank you Mr Buffett. Honourable Members as a mark of respect to the memory of the late Mr Buffett I would ask us that all Members stand for a period in silence in their places. Thank you Honourable Members

Petitions

MR SPEAKER: Honourable Members 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

MRS SAMPSON: Thank you Mr President. I direct this question to Mr Adams. I've made mention I'll begin. I've made mention in a committee meeting about the lowering of the water table and this question is on the availability of water from the Headstone tank, if I may say, would the Minister please insure there there are some guidelines as to the taking of water from the Headstone tank, and I use that word in what should we say, strictly as the tank because of the damming of the Headstone creek has made a very slow flow down to the concrete tank. The tank is now being used for stock watering, people are finding that the water from the Watermill Dam is not up to there standards as to what they think water is and could the Minister please make some guidelines, if they're not already there, to make sure that the water from the tank is available to the public and for stock.

MR SPEAKER: Yes thank you Mrs Sampson. Mr Adams.

MR ADAMS: Thank you Mr Speaker, I thank Helen for the question. Waters probably one of our major problems at the moment. The supply and the availability of which, in recent times members in the general public maybe aware that a Dams been constructed at Headstone probably 150 to 200 yards up the road from the present bridge. There has been some concern Mr Speaker, that the erection of this dam has slowed the amount of water, or volume of water that's progressing past that point. However, Mr Speaker, it is a fact that there is spring outside that wall, outside the dam wall, for the dam itself is not restricting the water. There is, from the point of view of watering of the stock, there is all the creek area from the dam wall to the bridge, there's a pool the other side of the bridge and there's also the tank which has a float valve operation which enables water to be drawn of at the Burning Tip and also for members of the public to take water. Effectively, Mr Speaker nothings changed in the volume of water available to the public. I regularly visit the area and also take notice of levels of water in the tank that

Mrs Sampson mentioned and at this stage Mr Speaker, I don't believe there's any problem at all with the amount of water being available to either the general public or stock. Thank you.

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

MRS SAMPSON: One other question Mr Speaker, regarding noise pollution. I've got four letters here from people that have lived at or have stayed at Fletcher Christian Apartments, complaining about the noise at the RSL. Now I realise that the club has to do the up-market entertainment and I now direct this question to the Minister for the Environment as to what is in place to allow a noise level to be monitored and to be, shall we say, restricted for residences/visitors that live next door. I realise that the Environment Act probably doesn't take this in, but I direct this question to the Minister of the Environment.

MR SPEAKER: Thank you Mrs Sampson. Mr Christian.

MR CHRISTIAN: Thank you Mr Speaker. I am aware of the problems with regard to the RSL Club and there is some action afoot within the Administration now to determine the level of noise within the Fletcher Christian Apartments that I cannot at this stage advise the house accurately as to the stage, or where we're upto with that. But it is being worked on.

MR SPEAKER: Thank you. Mrs Cuthbertson.

MRS CUTHBERTSON: If I could give some clarification with regard to the Police action when complaints of noise come from the people living near the RSL. The Police regularly are called in, regularly's probably exaggerated but have been called in a number of times when noise continues after a certain point in the evening. They approach the RSL and the report is that immediately the RSL complies, the noise is turned down and everything reverts to how it should be at such an hour at night. Unfortunately though, the RSL is a place of entertainment to a certain hour at night especially on Friday or Saturday night is an expected affair. They do comply with requests to turn down the noise after what could be regarded as acceptable hours, like 11.00, 11.30, 12.00 o'clock at night. But unfortunately it is also true that people coming to holiday on Norfolk Island quite often expect to go to bed earlier than at that time and we have a situation where two conflicting requirements are placed in close proximity. We could amend the Noise Control Act to make it an offence if an establishment or a person is cited more than a number of times, but on the other hand we do have a situation where the club complies as soon as they are requested to comply. So we do have a problem there, that is not easily going to be solved.

MR SPEAKER: Thank you Mrs Cuthbertson. Further Questions without Notice.
Mrs Anderson.

MRS ANDERSON: Thank you Mr Speaker. I have a question for Mr King. Can Mr King please advise why mail sorting on the weekend's was discontinued when the bulk of the Island's mail arrives on the Island on Saturday's and Sunday's?

MR SPEAKER: Mr King.

MR KING: Mr Speaker, thank you very much. Something as I recall was published in the newspaper, I may not be a hundred percent correct about that but I'm sure there was a press release on the particular matter. But its simply a matter of cost-efficiency, which reflects of course the mail handling and mailing practices which are around the world now in terms of electronic mail, and the

reduced incidence packaged mail. So its simply a question of cost-efficiencies Mr Speaker. It represents certain savings which I'm looking to achieve in the Postal area and I hasten to add as a note of conclusion that the maximum anyone has to wait for their mail is one day, I mean that mail is still simply made available on the Monday in any event. Despite the fact that the bulk of it may or may not (I'm not too sure) arrive at the weekend.

MR SPEAKER: Thank you. Questions without Notice. Mr Bates.

MR BATES: Thank you Mr Speaker. My first question is to Mr Adams, the Minister responsible for the shipping. Could the Minister inform the House of the present situation regarding shipping to Norfolk Island, including the proposal to land containerized cargo from the stern loading vessel.

MR ADAMS: Thank you Mr Speaker, the answer to that's quite simple and brief. I have not up to date information regarding the status, Mr Speaker of the SLV operation. I understand that, and this is not necessarily current information, the status of that whole project depends on a report, I understand, from the EPA. I'm unsure at which stage thats at regarding the containers so I can't really add much more to, can't throw much more light on the subject other than what's already known. Thank you.

MR SPEAKER: Thank you. Mr Bates.

MR BATES: Question for Mr Christian, responsible for Waste Management. Has the Minister had time to follow up the provision of shelter for workers at the top rubbish tip?

MR SPEAKER: Mr Christian.

MR CHRISTIAN: Thank you Mr Speaker. I think the question would probably be more correctly directed at Mr Adams. As the Minister responsible for Waste Management I am aware that a question has been raised in regard to housing for the workers in that area, or protection from the elements, mainly. And I had offered at that time that some of the facilities from my area of executive responsibility could be made available.

MR SPEAKER: Thank you. Mr Adams.

MR ADAMS: If I could just add to that, add a few points to that as the relevant Minister Mr Speaker. As Mr Christian indicates there is available I understand a portable facility which would allow them to have some break. There are however some issues to be addressed in this question and I'll be certainly working through those issues with the Public Service in a bid to ascertain as to whether or not it occurs and in what form it will take if it does occur. Thank you.

MR SPEAKER: Thank you. Further Questions without Notice? Mr Bates.

MR BATES: A Question for Mr King, Minister for Finance. It is many years since fees and charges for services have been reviewed, since some services cost more to provide than the fee charged does the Minister intend to carry out a review, and if so when?

MR SPEAKER: Mr King.

MR KING: Mr Speaker the answer to that is yes. I share Mr Bate's concern. Many of these fees that we provide for the services that we conduct simply do not recoup the cost of the Administrative effort. I've spoken in the past about the 50 cent/dollar licensing fees or something it just doesn't justify picking up a pen to charge such ridiculous fees. Yes they do need a review. It's not a matter which I'm giving a high priority at the moment. It's a matter, I think, which the past two Assembly's have shed some concern about. I can't offer a timetable on it, but yes it is my intention to address it.

MR SPEAKER: Thank you. Further questions without notice. Mr Bates.

MR BATES: Question for Mr Adams, responsible for Primary Industry. What is the present situation regarding the proposed Guava Industry?

MR SPEAKER: Mr Adams.

MR ADAMS: Thank you, Mr Speaker. Frankly, the situation is not as promising, not as rosy as it was some time ago. I am, as members are aware, brought a sample batch of red guavas to New Zealand. Those have been processed and there have been some difficulties in extracting the proper products out of that sample batch. Which therefore, dashes a fair few hopes, Mr Speaker, along those lines that we may have been able to do something in that respect. However, work is continuing along those lines with a view to ascertaining of other products can be extracted from similar sample batches. But at this stage Mr Speaker there's not a great deal occurring because of simply we've pulled up short on the research aspect of it. So unfortunately Mr Bates, I can't throw any rays of sunshine in that area at this stage. However, it is a desirable thing that we progress some industry along those lines, because one of the few things in the primary sector that we have great quantities of and particularly given the fact that guavas have very little health problems. Thank you Mr Speaker.

MR SPEAKER: Thank you. Mr Bates.

MR BATES: Question for Mr King responsible for Electricity. Could the Minister bring forward a list of remote dwellings not on the Electricity Grid together with an estimate of the cost of providing power to their nearest boundary.

MR KING: Thank you Mr Speaker. Well its a very interesting question. This one's been the subject of some discussion by members from time to time regarding the policy of connecting electricity to remote dwellings. I undertook at a recent time whether in this house or in camera to undertake a review of that which will include answering these exact questions. Its not going to be easy, and its not going to give us a clear indication of future costs if we were to change our policy. For example then we may be able to qualify and identify and quantify the number of remote dwellings that exist now, but its another question of course to identify the prospective new dwellings on outlying line or remote parcels of land which would also represent a potential new cost, if we were to change our policy. But yes its part of a review which is currently over with the Administration. I can't offer anymore answers than that. When the answers do come, I'm not sure that they will give us precise enough answers.

MR SPEAKER: Yes. Mr Bates one final one then I will move to Mr Smith.

MR BATES: Thank you Mr Speaker. Question for Mrs Cuthbertson, Minister for Health. Since the local Healthcare Scheme does not cover members when they are travelling, would the Minister be prepared to investigate if it is possible to

provide suitable cover for an additional fee?

MR SPEAKER: Mrs Cuthbertson

MRS CUTHBERTSON: Thank you Mr Speaker. Yes, I certainly would be prepared to investigate it. I would be surprised if we can do it competitively, but I'll certainly will look for a figure and submit them to the rest of the Assembly.

MR SPEAKER: Thank you Mrs Cuthbertson. Mr Smith.

MR SMITH: Thank you Mr Speaker. A question to Mr King, I think it is, in relation to Telecom. I understand that we're having some problems in getting the telephone exchange air-conditioned or keeping it air-conditioned. I wonder if the Minister is aware of that, and whether he is aware that we have a service contract that requires that the exchange needs to be at a certain temperature, below a certain temperature and I wonder whether it is being kept in that state and if there is a problem, could the Minister look into resolving that problem.

MR SPEAKER: Mr King.

MR KING: Mr Speaker thank you, I'm not aware that there is a particular problem with keeping the equipment at the proper temperature. I am aware that perhaps the Electricity Manager has identified certain problems with people consuming too much electricity, by turning on too many air-conditioners for their own personal comfort. I think in recent times one of the two air-conditioners was instructed to be turned off up there because it was felt that that was simply for the comfort of the Telecom creatures rather than the equipment. But of course if its having an adverse effect on the air-conditioning well obviously, (on the equipment, I'm sorry), then will obviously have to have a look at it. But I've not heard that its having that effect.

MR SPEAKER: Thank you. Further Questions without Notice? Mrs Anderson.

MRS ANDERSON: Thank you Mr Speaker. A question for Mr King. Last year the Electricity Manager and another member of the service attended a conference dealing with alternative sources of electricity generation. Has a report been received from those people and is it being acted upon?

MR SPEAKER: Mr King

MR KING: Thank you Mr Speaker. Yes, I had anticipated a question on this for one reason or another and I have received the reports, which I would stress, is part of the normal practice for those Public Servants who are travelling on public monies to attend these conferences are required to submit extensive reports and material to the Chief Administrative Officer on their return, and have certainly done so in this case. That was the Renewable Energy Solar '95 Conference in Hobart in the latter part of last year. Where a number alternative or renewable energy sources were considered. The Photovoltaic energy generation which is one, which at least the sixth Assembly was looking at as an alternative supply of electricity to the grid, is in a range of pilot projects around the country-side, and theres a test case presently under consideration in a community of 1,500 households south west of Brisbane. And that's a community which is about twice the size of Norfolk Island, but I have to say there that at this stage the Photovoltaic unit, for each household I think, costs around about \$25,000 each. No, a unit costing \$25,000 supplies a maximum output of 9.6 kilowatt, but there's some suggestion that that would be cost prohibitive in Norfolk Island situation,

but technology is changing fairly rapidly and of course when sunshine fails the system fails, so there has to be continue to be connection to the normal power grid. There's also wind powered energy generation, which was the focus of some attention, at that conference. That appears to be ideally suited as a supplement to the main grid but its subject to substantial fluctuations, subject to winds of course, and again its essential to retain and fully maintain a permanent energy source, that is our current equipment in the power house. So there's no scope for confident reduction in capital equipment at the power house or in the maintenance schedules for the foreseeable future. I do note that the undertaking is monitoring a number of areas where pilot schemes are again being carried out particularly in King Island, Bass Strait which is run with a tourist population of 1600 to 2000. Some parallels or some similarities to the Norfolk Island community. Again I have to say that the approximate cost of a 225 Kilowatt wind generator is 500,000 thus to substitute capacity of one of our Cat Diesel generators of 1,000 kilowatt capacity an investment of 2 million dollars is required so again there's those cost prohibitive factors and there's also of course the question of where one puts these things and there is a noise factor involved in them. But yes, just to summarize Mr Speaker their reports have been received. The trip has said to have been worthwhile. There is alot of monitoring going on, alot of additional information which needs to be examined, and in my view it is an ongoing programme to examine the renewable or alternative energy sources.

MRS ANDERSON: Thank you Mr Speaker. I have a question for Mr Adams with his responsibility for Water Conservation. On the ABC news last night reference was made to a device which can offer economies in the amount of water used when toilets are flushed. Has the Minister investigated similar devices that might be used on Norfolk Island where restrictions and the flow of water in showers and such like could be obtained.

MR ADAMS: Thank you Mr Speaker. I haven't investigated since last night Mr Speaker on these specific issues, but I think its fairly common knowledge there are a number of measures around which will basically reduce the volume of water involved in day to day operations and such things are the half flush facilities on toilets, low volume shower roses etc, and that sort of thing. I'm not aware at this stage Mr Speaker, of anything revolutionary in these areas but if Mrs Anderson has anything further on that subject I'd be happy to listen to it and take note of it. Thank you.

MRS ANDERSON: Mr Speaker. I would ask Mr Adams if he did watch the video that I gave him several months ago on the subject?

MR ADAMS: I did Mr Speaker. Its fair to say that I did watch it and at that stage I didn't believe it offered anything significant to us in our situation. At the moment water is no doubt a very critical thing. We're in, as Mrs Anderson's aware, in the process of putting together a Water Conservation Strategy and it will contain such things as far as, tourist accommodations concerned and it will contain storage catchment ratios. Also for new dwellings the proposal is to have some sort of similar requirement on those. At the moment there's also a restriction on bores being laid down. So Mr Speaker we are aware of the severity of the situation. We are undertaking measures, perhaps more global than the specific ones as Mrs Anderson seems keen on. But we're undertaking looking at a great deal of issues regarding the overall water situation for Norfolk. Thank you.

MR SPEAKER: Thank you Mr Adams. Further Questions without Notice.

MRS SAMPSON: Thank you Mr Speaker. I take note of Mrs Andersons questions and Mr Adams reply. I think that this Government and I'm addressing this to Mrs Anderson should put a time limit on water conservation. Its something that's dear to my heart and I would ask Mr Adams can he please make a time limit on looking at water conservation. Can he please bring forth some strategies within, perhaps, a ten year period, because I think the ten year period is vital. Thank you.

MR ADAMS: The time limit to begin looking into it has already expired, Mr Speaker, because we are already doing that at the moment. We're in a position of putting together a water conversation policy and I would certainly hope, Mr Speaker, that those measures are in place long before ten years. There are, one of the corner stones of the water conservation idea is to basically to decentralize the impact on our water sources available to the public. Until very recent times there's only been one real option for people to obtain water, to readily obtain water from a public source if you want to look at it that way. And that's been the dam up the road here in the KAVHA area. That, as members may realise, has suffered the effects of basically the whole Island who needs water and don't have it available to themselves. It suffered the effects of too much pressure on it. What we're in the process of doing at this stage, Mr Speaker, is opening up two other areas for basically for public consumption of water, a place where the public can go and get water for what ever their needs may be, and one of those, which we're in the process of doing is increasing the wear at the Cockpit area, increasing the wear height by half a metre, that will give a considerably greater capacity in that area. Similarly, Mr Speaker, there's one dam in Headstone. We're proceeding as quickly as possible to have a facility connected to that a stand pipe arrangement to enable people in that area, and from the Island generally, to take the water. So all these things are in the pipeline, they'll certainly be here a long time before the 10 year mark. Again I say, Mr Speaker, we're very much aware of the situation and we're trying to move along these lines as quickly as relatively possible.

MR BATES: Question for Mrs Cuthbertson, responsible for Legal matters. Has the Minister been able to make any progress regarding the introduction of Bankruptcy Legislation. And if so, could she outline the present status of such proposed legislation.

MRS CUTHBERTSON: No, we have no actual legislation being framed at the moment. We are looking at alternatives to actually framing our own legislation. But those are very limited. I have put to the members of the Assembly a couple of papers discussing alternative ways of dealing with the problem. I have been waiting on the Crown Solicitor to prepare another paper to submit to the Members for discussion. Unfortunately, the Crown Solicitor's term finishes today so I shall have to take up the matter with the Deputy Crown Solicitor and see what other alternatives we have. I certainly will not ignore the matter and I will be bringing it forward again to the members for discussions in the very near future. That will be necessary before we proceed to drafting any kind of legislation.

MRS ANDERSON: I'm unsure whether this question is for Mr Christian or Mr King. I understand that the undergrounding of the electricity cabling through Burnt Pine, has now been completed. But that no provision has been made for street lighting, and I would like ask the Minister concerned what provisions he plans to make for future street lighting in the Burnt Pine area?

MR KING: Mr Christian may well add to it in his capacity for oversighting the development of the Burnt Pine beautification programme. I think that among everyone around this table, there will be a clear preference for solar street

lighting. I don't see any doubt about that and there are a number of proposals being looked at, that was a feature of the Renewable Energies Conference as well, looked at various types of solar street lighting. I don't believe there are any concrete decisions have been made in respect of what street lighting will be involved in the Burnt Pine Plan. Maybe Mr Christian can add to that. I think at the appropriate time, obviously we will be looking at solar lighting.

MR CHRISTIAN: All I can add, Mr Speaker, is that the street lighting that is been envisaged for Burnt Pine would be low-level, not intrusive and far as I know no determinations been made yet as to whether it will solar or electricity.

Questions on Notice

MR SPEAKER: Are there any further Questions without Notice this morning Honourable Members? We will move to then Questions that are on Notice and I will ask if there is a response to be made in respect of Question on Notice number 15. That's in your name Mr King as the Minister with responsibility for Finance.

MR KING: Thank you Mr Speaker. I think that question asked of me is will the Minister clarify present policy on Government purchasing and services and advise whether local suppliers are asked to put quotes before Government imports any goods. The Administration has a issued policy on the Procurement of Goods and Services, this policy establishes a procedure which requires goods and services with an estimated value in excess of \$10,000, to be procured by way of a public tender process. Goods and services with an estimated value less than \$10,000 are procured under a written and/or an oral quotation process depending on the circumstances. I'm advised that the Administration's practices that known local suppliers are consulted before seeking to source supplies off-Island, indeed the Administration seeks to the maximum extent anyway, having regard for achieving best value for public monies, to give preference to local suppliers. Now I have to say Mr Speaker, that if those practices do not appear to be adequate or do not appear to be working adequately then obviously they bear some examination.

MR SPEAKER: Thank you. Question number 16. This is directed to Mr Adams, are you prepared this morning Mr Adams?

MR ADAMS: Thank you, Mr Speaker. This question is from Mr Smith to myself, its contained in three parts and the first part is, Is it a fact that raw sewerage was dumped recently into the sea from the sewerage treatment plant and if so, why? Mr Speaker, my information is that no raw sewerage has been dumped, however Mr Speaker, higher than normal sludge flows which have resulted from the periodic de-sludging operations, which have recently been carried out of the treatment plant, were released through the marine outfall over the last couple of weeks. I'm advised Mr Speaker that this cleaning operation is required approximately once in each twelve month period. I'm further advised that the infrastructure and the know how to extract this sludge from the ocean outfall stream will be in place within twelve months. Mr Speaker this will enable the sludge to be extracted, de-watered and then composted into a, I suppose, a saleable soil conditioner. This should reduce the need to use the ocean outfall for sludge disposal to emergencies only. Part 2 of the question Mr Speaker, is: Does anybody maintain the sewer lines in relation to cleaning or any other general maintenance? Mr Speaker, the answer is yes. The sewer lines are monitored and maintained on a regular basis. Cleaning and removal is performed when required. The lines are also treated with a daily dose of Actizyme this helps prevent a build up of fats etc in the line, pumps stations and helps the bacterial activity in the treatment plant. Mr Speaker, part 3 or the question, the last part: Is

revenue for the sewerage scheme still being collected from FIL. And what is the total revenue collected in a 12 month period? Mr Speaker, there is no, to my understanding, no revenue collected from FIL that goes to the sewerage scheme. The total revenue collected under the Water Assurance Scheme for 94/95, was \$215,000. Mr Speaker, that is a gross figure, I'm not exactly sure at this stage, as to what the nett figure is after the costs have been extracted. Thank you.

MR SPEAKER: Thank you. Question number 17. Question on Notice number 17.
Mr Christian.

MR CHRISTIAN: Question 17 has a number of parts to it and part one says: What new re-sealing and reconstruction road works have been carried out so far this financial year? And I shall respond to that: Country Road was reconstructed, and that was 1.2km. Section of Driver Christian Road, adjacent to the Bloody Bridge was reconstructed and that's .265km. Cemetery Road entrance was reconstructed and that's about .1 of a km. Faye Bataille Drive was reconstructed and that's .2 of a kilometre. Stockyard Road reconstruction and that's right out to Simons Water and that was reconstructed and that was 1.6 kilometres. Rooty Hill Road, a section of that was reconstructed and altered to assist water flow, that was about .25 kilometres. Now Mr Speaker, that is part of the work that was budgeted for this financial year but I think missing from this summary here, is work left over from the previous financial year which was physically finished this year and that I think is Quality Row Road and some of the roads around the Emily Bay or Slaughter Bay foreshore and down to the Pier Street. Other works, this is incidental type work, was the sealing of the Norfolk Island Central School driveway and parking area. The repairing of the electrical trenches through Burnt Pine, after the undergrounding of power. There was some work done in Grassy Road, the distance I'm not sure. And a couple of other small jobs. Mr Speaker, part 2 of that question asks how many kilometres? The total kilometres of work in the roads area including reconstruction and sealing is 3.615 kilometres. Part 3 of the question says: How much has it cost? Total cost to date Mr Speaker has been \$176,662.41. Part 4 of the question says: What other resealing and reconstruction works is to be done between now and this financial year? Mr Speaker the outstanding works include the resealing of what I will loosely call Ruth McCoy's Road, a reseal of Stockyard Road, that is from the Rooty Hill, Stockyard Road intersection out to Two Chimneys Road at Steeles Point. There's some reconstruction work to be done at the intersection of Mount Pitt Road and Mission Road. I expect to do a bit of work on the Mount Pitt Summit Road on behalf of ANCA as a private job. There's some small amount of work expected to be done in the Rawson Hall carpark area and I expect to be able to complete a reseal of the driveway within the Lions Park area. Part 5 of that question says: Are you planning to reseal Burnt Pine in the beginning of the next financial year? The answer to that is yes.

MR SPEAKER: Thank you Mr Christian. Question on Notice number 18, Mr King.

MR KING: Thank you Mr Speaker. Its a rather wide ranging question from Mr Smith. The first two parts of which talk about or seek information on what promotions have been undertaken at this time, presumably the Tourist Bureau, operations being undertaken by the Tourist Bureau and what period are they targeted for? To answer those two parts Mr Speaker, let me say firstly that there are different types of promotions taking place in different market places at the present time. In fact I suggest that the Bureau is presently monitoring its most extensive advertising and marketing campaign ever. To be we are more specific, in the Australian market place and undertaking co-operative marketing efforts with our major industry partners with our major carrier Ansett. The Bureau has agreed a

media schedule which saw, Mr Speaker, 13 placements during late December and throughout January in major newspapers in four capital cities. Those efforts were targeted towards travelling February, March and April. Similar placements will appear late March and throughout April. They will target travel in May, June and July. The total spend in that area is around about \$80,000, cooperative dollars, I might add. In Queensland the present media schedule agreed with our major wholesaler has been running since October and is due to expire in June this year.

The total spend is around the \$38,000 and will largely utilize one major newspaper, specialist publications and a small amount of television in March. The program is directed largely at travel from that market place, that is Queensland during December just past, and February through to August this year. Our wholesalers based in Sydney, two major wholesalers have agreed to jointly funded advertising totalling a further \$60,000. Placement will be from the middle of January to the end of March and will utilize major Sydney newspapers and trade publications. Travel is targeted for this half of the calendar year and in one particular case the objective of the program is to restore the Twin Island Product that is the Lord Howe, Norfolk Island product. Which up until the Seaview disaster yielded us some 5 or 6 percent of our business. We are reliably informed that regular services between the two Islands will commence on the 5th of March, and hopefully a RPT (Regular Passenger Transport) licence will be granted during that time in the interim period. In New Zealand, Mr Speaker, our major carrier, Air New Zealand is presently conducting a one million dollar campaign, Now or Never, on TV, radio and press, which includes Norfolk Island. The campaign concludes tomorrow and will hopefully stimulate traffic over the next two or three months. Additionally, a \$25,000 cooperative advertising campaign with two New Zealand wholesalers will commence on the 20th February and run until early April.

The campaign will utilize radio and print media. Negotiations are also underway to do something similar with two other wholesalers out of New Zealand on completion of that campaign. Mr Speaker, on both sides of the Tasman, Bureau assistance has been provided for specific events, for example, the Country Music Festival and the Anzac Week activities. The Bureau also regularly attends Travel Shows, both consumer based and industry based. And to mention a couple of current ones, or in the current period, the New Zealand travel shows 'Islands '96' in Auckland, I think running for three or four days in the last week of February, will be attended by the Bureau's reps and also assisted by Norfolk Island residents who will be in Auckland at the time. They will be utilizing new display material which was provided for in the Bureau's budget for that specific purpose. The Bureau is also presently attending the Talk About Shows in Brisbane and Sydney. I understand although I didn't hear it myself, that the Manager of the Visitors Information Centre, spoke on local radio yesterday morning about those efforts and the Bureau will in the near future attend both the Melbourne and Perth, Talk About Shows. Also in recent times and with some considerable success, I might add, Mr Speaker, the Bureau has again in conjunction with Airlines, hosted many journalist and travel industry professionals. The most recent professional industry group was only last weekend, when the Bureau hosted a team of ten highly professional and successful inbound tour operators and members are also aware of the much enhanced publicity of recent times particularly over the last year, year and a half. And in fact only yesterday I received notification of three further articles which appeared in major newspapers, over the past week, just bear with me for a moment, and I'm talking there of the Medical Observer, which is understood has a readership of almost all Medical Practitioner's throughout Australia, with a handsome photograph of Mr Speaker, distinguished looking. The Sydney Morning Herald in recent times, and the Business Traveller, both those periodicals of course are designed towards stimulating the high yield traffic that was spoken alot about in recent times. The one in the Business Traveller produced again by Chris Pritchard. Chris Pritchard and his wife Suree, who we hosted to the Island, good

heavens it must be about a year and a half ago now, has been producing ever since.

Absolutely astounding. So that's the kind of publicity which has been generated in recent times. The later part of Mr Smith's questions focus on the New Zealand market. Most people in the travel industry know and accept that Norfolk Island's biggest competitor in the New Zealand market is Trans Tasman Travel, particularly travel to the Gold Coast, Sunshine Coast, Brisbane regions. That competition has intensified in more recent times with the introduction of discounted travel, trans-tasman being promoted heavily among discount carriers. Kiwiair comes to mind, and I think Freedom Travel, which is a subsidiary founded by Air New Zealand, has joined the fray and are offering prices as low as \$299 return across the Tasman and the traditional carriers as a result of that stimulated interest in that kind of business have also increased their frequencies by some 25 percent in recent times, so therein according to most commentators anyway, lies our greatest difficulty. The end result is that travel across the Tasman has, as I mentioned, increased dramatically and adversely impacted on travel to Norfolk Island. Mr Speaker, given our small level of promotional dollars it becomes a cost benefit exercise in determining how much money you put into a small market, where competition is strong and the yield is relatively low. We put a proportioned amount of our monies into New Zealand market, it corresponds almost directly with its yield. If there are signs that yield will improve it will receive more monies. But at this time the greater return is obtained by putting the bulk of our funds into the Australian market. But as far as conducting market research in New Zealand is concerned the Bureau has no immediate plans, although the Bureau would of course welcome any marketplace analysis that it can get its hand on and I'm sure that they could look at a exercise but, ultimately and again it will be a matter of cost versus expected yield. I think that covers the questions that were asked of me, Mr Speaker.

MR SPEAKER: Yes, thank you Mr King. Question number 19, Honourable Members. Mr Christian this is in your area. Mr Christian.

MR CHRISTIAN: Thank you Mr Speaker. Mr Smith has asked these questions: Have any further steps been taken to commence transmission of 2JJJ radio? Mr Speaker members will be aware that I gave a fairly comprehensive answer to a similar question, back on the 20th December, and what I provided at that time was an indication that to re-broadcast JJJ would require a capital outlay for equipment of approximately \$9,300. At this stage, Mr Speaker I haven't determined where I can get the \$9,300, as it didn't form part of the mid-year budget review. But I will include it in the budget papers for the next financial year that is June forthcoming. I have had three or four phone calls all wanting JJJ to be re-broadcast and I have also have had phone calls from a couple of people that are prepared to raise the money to buy the equipment. I think what I need to do Mr Speaker, is to prepare a paper for discussion by all MLA's to further the matter.

I have no inprinciple objection to the re-broadcast of 2JJJ its just a matter of getting the means together to buy the equipment.

MR SPEAKER: Thank you. The final Question on Notice, this morning number 20. Honourable Members. Mr King.

MR KING: Thank you, Mr Speaker. I am asked what Government funding has been or is to be provided to assist the Air Show next April. \$20,000 has been included in the 96/96 revenue fund budget to assist in staging of the Air Show, this year. The second part of the question. What Government funding has been or is to be provided to assist the Return Servicemens League for their Anzac week activity next April? The answer to that is, no funds have allocated for that purpose.

Presentation of Papers

MR SPEAKER: Thank you Mr King. We have concluded Questions on Notice, Honourable Members, thank you for that. Presentation of papers, are there any papers to present this morning, Honourable Members. Mr King.

MR KING: Mr Speaker, I table under section 15 of the Norfolk Island Government Tourist Bureau Act a direction issued by me on the 16th January 1996.

MR SPEAKER: Thank you Mr King. Further papers to present, Honourable Members. Mr Christian.

MR CHRISTIAN: Thank you Mr Speaker, in accordance with section 9(5) of the Museums Trust Act 1987, I table the 8th Annual Report of the Trust for the year ended 30th June 1994 and the 9th Annual Report for the year ended 30th June 1995.

MR SPEAKER: Thank you Mr Christian. Further papers to present this morning? Mr King.

MR KING: Thank you in accordance with the Public Monies Act, Mr Speaker, I table the Virement of Funds, which have been viremented by me since the 5th December 1995.

MR SPEAKER: Thank you. Further papers to present? Honourable Members. Mr King.

MR KING: Thank you Mr Speaker. I want to table the Visitor Arrivals Statistics for December 95 and January 96. And as part of my debate on that I will table the draft Marketing Strategy of the Norfolk Island Tourist Bureau. And move that that be noted.

MR SPEAKER: The question is that, that paper be noted. Mr King.

MR KING: Thank you Mr Speaker. Obviously I want to talk very briefly about the Visitor Arrivals Statistics but I thought it was an appropriate time for me during that debate to also table that draft Marketing Strategy which is in its final stages, as an opportunity for members to say a few words if they so wish on that strategy. Mr Speaker, members will be well aware by now that the December '95 visitor figures compared favourably to December '94, 12 months prior. Its more important at this late stage to reflect on the January 96 figures. The tabled papers reveal, Mr Speaker that we simply maintained our figures when compared to January 1995. That in itself is not an unsatisfactory position however, Mr Speaker I concede that it would have been nice to see a little increase during that period. An increase greater than 3 persons I think. January does continue to be a difficult month to address in tourism terms. We may have learned again by this year, to simulate a little more advertising perhaps, a little earlier. No doubt the Bureau will discuss that. However, Mr Speaker, the bottom line is that we are running at approximately 97% of last years tourism figures. Mr Speaker, my purpose in tabling the draft Marketing Strategy as part of this debate as I mentioned earlier to allow members the opportunity to discuss in an open forum the contents of that document if they so wish. It's not yet in its final form and will likely undergo some grammatical type changes at the very least before final publication. The Chairman of the Bureau is presently undertaking a process of consultation with industry organisations, so although I table that document in the house at the moment it will not be publicly available until it's in

its final form; although I do understand there's been considerable exposure at the level of industry organisations. Mr Speaker, the document is in the final step of the process which began with extensive community consultation in April 95. And lead in turn to extensive debate in this house during the latter part of last year, which led to this house adopting a tourism plan in October '95. The strategy embraces the plan adopted by this House, as of course it should, Mr Speaker and it employs a format which identifies each of the objectives set by the House and then sets out a course of action designed to achieve those objectives. That Mr Speaker is a common modern format used by many tourist destinations. Mr Speaker, the strategies and actions contained in the document are not necessarily new, they've all been talked about before, they are not exhaustive and they will be modified from time to time. In the most part, they have been used for some success for some few years. Most particularly the last couple of years. The document is an attempt to bring together in a public document the modis operanti of the Tourist Bureau, to let the community know what they are thinking, what they are doing and why they are doing it. The important thing to remember Mr Speaker, with the document is that it is simply a part of the accountability process. Monitoring is a vital part of the process and so will include progress reports setting out not only the achievements but also the failings. As I recall, those progress reports will be on a six monthly basis and I look forward to receiving and tabling that first six monthly progress report, six months from now. I'll let my contribution go at that at this point in time, Mr Speaker.

MR SPEAKER: Thank you Mr King. The question is that the papers be noted, that is the Visitor Annual Statistics and the Draft Marketing Strategy. Debate, Honourable Members. Mrs Sampson.

MRS SAMPSON: Thank you, Mr Speaker. I have read the Marketing Strategy on Tourism and I have some problem and I think that there is no teeth in it. It still becomes four or five pages that yes, we can all agree to. Its still rather airy fairy. Mr Adams, whose just left at this moment, said okay when we came to the tabling of our tourism policy in the house in, I think it was December, perhaps November, that, that was plan A. We're now looking for plan B and when Mr King has put forward this Marketing Strategy the only teeth that I can still see is the number of bed nights by a certain date. Now to me that's still a long way in the future. I would like to see so many tourist, by certain time putting a time frame on them and I was just wondering if something can be, perhaps, nailed down we can all sort of feel warm and comfortable inside when we've got a Marketing Strategy and unless we've got a time frame to work to, the time frame can stretch on forever. So I just perhaps throw that comment back to, if anybody else can feel they can enter that debate.

MR SPEAKER: Thank you Mrs Sampson. Any other contributions Honourable Members. Mrs Cuthbertson.

MRS CUTHBERTSON: Thank you Mr Speaker. I feel much more positive about this Marketing Strategy than Mrs Sampson. I think it brings together quite alot of clearly defined and clearly outlined objectives that have to be carried out in order to implement the Strategy. They're very concrete most of them and the kind of things and sound and feel logical to be done to promote the Island. For example the urging of the upgrading of the Airport Terminal to facilitate such a standard that will be commensurate with the modern handling methods required etc, etc, in other places. The beautification of Burnt Pine, develop and implement a strategy to have Norfolk Island road and scenic heritage attraction properly signed posted in a uniform style and whether clarity or directions etc, these are all very practical ideas and if there implemented properly they will all make tremendous

difference to how people feel and move around the Island, what they see, what there impression will be when they arrive, what there impression will be when they move around the centre of Burnt Pine, or where they go to the reserves or where they try to find there way and so on. The objectives and the plan of actions are very detailed its almost impossible to go through them one by one now. I urge people to read them. The important contribution will be if we have left something out for people who actually work in the tourist service area, maybe able to think of other things we should be including and that would be very helpful. The most important aspect of this plan, I think, will come in six months when there is a review of what has been achieved, will begin to trickle back and we can start actually looking at where the concrete things have been done or not been done and this I think is going to be the most important part that this Assembly can play in implementing and monitoring that these things are actually being done. Because I see alot of concrete proposals here, they all make good sense. I can not focus on anything that should not be done but, how we do them and if we actually follow up on them is going to be crucial. The only restriction, has I see it, is the amount of money we have to advertise the Island, to counter some of the negative images that are being created in the mind of potential tourist by such articles has the one that appeared in the bulletin called Norfolk Whinge, about the accommodation quality. That certainly would not do us much good. If we could devote far more money, as simple as that, to advertising in creating a different image, certainly the industry would probably be prepared to invest more money in upgrading the accommodation that is available and that is going to be another aspect that we will really have to focus on in the next year or so unless we do continue to upgrade and maintain the quality of accommodation available more articles like that Norfolk Whinge in the Bulletin are going to repeat themselves, and that's going to continue to do us damage. But of the whole, I urge people in the tourist industry to read this plan, to make suggestions and to be on our backs to make sure its implemented.

Thank you Mr Speaker.

MR SPEAKER: Thank you Mrs Cuthbertson. Mrs Sampson.

MRS SAMPON: Mr Speaker, I don't disagree with Mrs Cuthbertson on this particular point. I support her but I do feel one can say yes let us sign post the roads and upgrade it but don't say do it. Lets say by 1997, by 1990 by 2000 and what have you. I think one must have a time frame, otherwise as I said it will make you feel warm and happy inside to agree with it but you must put a time limit, however small your improvement is, yes have it within this year next year, but not forever. Thank you.

MR SPEAKER: Thank you. Mr Smith.

MR SMITH: Thank you Mr Speaker. I think there's a point that Mrs Sampson might be missing here that this is for in the next twelve months, I imagine, with the Marketing Strategy that its intended to start today or if it has not already started. The Marketing Strategy is not only just for us down here, its also for the airline people wholesalers and anybody else that is interested. It gives them an idea of what were looking for.

MRS SAMPSON: Does it say that, though?

MR SMITH: It doesn't say that, but I would be very surprised if it hasn't already started.

MRS SAMPSON: That's my point.

MR SMITH: But it is a draft as Michael said but there's a couple of concerns I got. One is, I should say the whole report is quite well done, there's a part here which says therein objective number 4, page 13 if anybodies interested its focused marketing on visitors from Australia and New Zealand and on developing new segments such as the stress executive etc, and the paragraph reads "There are advantages should we target and achieve visitation from a percentage of high yield visitors," and goes on from there. I think that really needs to be made clear that our policy states that, its not a matter of should we target, we will be targeting that area of people. A Couple of things like that not important at this stage, but I think when members say there's not much teeth in it. If you read through the action things they are things that come out of our tourism policies and I imagine they'll happen with the encouragement of the Minister. We'll maybe Mrs Sampson would like to put a time limit on it, maybe a twelve month time limit.

Thank you, Mr Speaker.

MR SPEAKER: Thank you. Mrs Anderson.

MRS ANDERSON: Thank you, Mr Speaker. Mr Speaker I would like to commend the Norfolk Island Government Tourist Bureau for the preparation of this document I think it's very well prepared. I agree with alot of the things that they outline in here, such as the upgrading of tourist accommodation and perhaps the licensing of additional accommodation, the encouragement of greater per diem expenditure from our visitors. All these things we agree with. I believe as Mr Smith has suggested that this is only a marketing strategy, this is a general plan. I too am looking for the next stage in this marketing strategy and that is the implementation of these different actions which, the Board suggest they're going to undertake and I commend them and I encourage them for all the actions that they have listed and I hope that they can all be achieved.

MR SPEAKER: Thank you. Mr Adams.

MR ADAMS: Thank you Mr Speaker. I believe Mr Speaker, there is a lay down parameter for most of things contained on page 15. The plan itselfes been given a name unity 2006, and I think the general intent of the strategy, that most of the things in here be not only implemented but virtually be in a position where you can have a look at your success rates etc, problems and the effects of continual adjustment. Overall, Mr Speaker, I think this is a very good strategy its, I think, basically a good common sense document, its a good base to go forward on this, Mr Speaker. One of the things I see in this is very encouraging and its along the lines of increasing the podium expenditure and targeting special interest groups is, I won't call it an awakening but perhaps Mr Speaker, a further highlight to the fact that sports people and sports tourist fit exactly into that group, and I don't really think that in the pass its been given due consideration. And I notice Mr Speaker in here there's a great push toward networking between the various groups in the Island. I think that's a very important factor Mr Speaker and its something that's not done enough now. Basically the whole industry, or a great deal of the industry is very much operates in their own little sphere and they don't perhaps interact as much as they could. And also as I mentioned Mr Speaker, one of the things I now believe is quite encouraging is the ship or perhaps the increasing focus put on activity based tourism. I think Mr Speaker over the years its been one of the areas where we haven't probably highlighted and encouraged it has much as we could. And I look on that point that's raised in here, in other words the shift to activity based tourism is a very worthwhile thing. So at this stage Mr Speaker my view of this, its a very worthwhile document and compliments to the Norfolk Island Government Tourist Board who put it together and thanks Mr Speaker.

MR SPEAKER: Thank you, further debate, Honourable Members. Mr Smith.

MR SMITH: Thank you, Mr Speaker. I don't want to prolong this because it is as Michael says a draft. But seeing we're discussing it, there's one very important part in this document to which I think is really important and its called Unity 2006, not only does it give Mrs Sampson a year.

MRS SAMPSON: Ten years.

MR SMITH: Ten years. But it also spells out one of the problems we do have in tourism on Norfolk Island and that is the lack of Unity amongst the people who are involved in the industry, even amongst ourselves, at times. And I think that's a very important part of this strategy and I'd compliment the Bureau for putting that in and I would like to think that we may even add to some of the recommendations that are in that. Thank you.

MR SPEAKER: Thank you. Mrs Sampson.

MRS SAMPSON: Thank you, Mr Speaker. I am not in any way being critical of the Management Strategy, I think it is a very worthwhile document. I'm probably a little more impatient than the other people, and I just think ten years down the track is a long time. I think we should move to a two or a three year goal for some of the Marketing Strategies that come out and I am, shall I say, I won't be here in ten years, and probably some of the Members around this table won't be here in then, but I feel that a two to three year goal would be probably a little bit harder to achieve, but would be worthwhile target, rather than ten years. And I think that ten years is, as I have said, along way down the track. Thank you.

MR SPEAKER: Thank you, Mrs Sampson, further debate, Honourable Members. No further debate, Mr King.

MR KING: I'll just make some closing remarks, if I may. I'm heartened actually to hear the words of commendation in support for the Bureau's efforts, because it's well deserved and it is, as far as I can gather in any event, the most comprehensive and most professionally presented tourism strategy that I have seen, here for Norfolk Island. And there may be others that are hiding somewhere on the shelf or being hidden from public view for years, but I certainly haven't seen it. So their efforts are deserving of some acknowledgement. I'm certainly glad to hear that. A couple of Members mentioned that there wasn't any teeth in it. George muttered abit when he said it, but I did hear it. Not much teeth in it. Well I mean look, it's a marketing strategy. Perhaps if I can extend that analogy a little bit and say the teeth in it is the expectation by the Members and the community, that the Bureau achieves what they set out to achieve. And if you don't you kick the Minister in the butt and put another Minister in. That's the scrutiny process and the most important part of it and that will come with the six monthly progress reports, as a couple of people mentioned, Mrs Nadia Cuthbertson emphasized that and it is quite true that is the most important part of the process. As far as the timetable or the length of the strategy, well its not a one year strategy or ten year or twenty year or six months. If it works its a all time strategy which you modify from time to time having regard to your achievements and you failings and whether you've reached your goals. So it can be thrown out, unlikey that it will. But its likely that it will be thrown out, perhaps in a couple of years time when personalities change and portfolios change, Minister's get thrown out. But if it works its in place forever. It is not the Bureau which sets timetables to achieve these things. This House, the Parliament, has

set a ten year plan in respect of achieving certain target growth in tourism. These are simply the actions that the Bureau sees as being necessary to endeavour to achieve that. And with a six monthly reporting facility or provision you will be able to see how the strategies are working -hopefully. And I expect that that as well will be a professional presentation. A time frame for completing the various actions or endeavours which is set out in there. Well we need to understand that it is not the Bureau which completes a common style of sign posting around the Island; it is not the Bureau which builds an international airport; it is not the Bureau which Legislates for minimum standards of accommodation. It's this House. But it is the Bureau's job and they've taken it on Board as their job to encourage and urge the Minister and the rest of the Assembly to get on and do those things. And I expect that they should be very vocal, if we don't get on and do those things. And they ought to go public. And they ought to be critical of our progress in those things and they've taken that role on board and I think that's an important role for them to take on board. So it does have some teeth in it. We can't, like alot of other destinations, because of lack of funds, we can't be specific and say that in a given year, we will spend X dollars in such, and such a market place in co-operation with such and such a wholesaler. Because we don't have the money for a start and we don't know, its very difficult to know what the effects of current campaigns are and when to begin your next campaign. So you spend your monies in campaigns like I outlined earlier on in answer to a question.

You monitor the results by watching your load factors out of both market places and you decide having major regard to that factor when you are going to throw the rest of your money into the market place. So you can't given, maybe the two or three hundred thousand dollars bottom line, after you take out all the operating expenses, monies that we have to spend on promotional. You cannot put it in any document and lock it in to a schedule of spending or a market place spend. So the most important factor lies in the scrutiny, the six month scrutiny and how quick we take up the Bureau's challenges to do certain things which require Legislative change. But again I thank the Members for their support of the Bureau's efforts and I say its well deserved. One final comment, two members raised the question of unity and networking. Networking of course is the single most important thing in tourism marketing in my view, and in the view of others. It works overseas and it should work locally. It is not an unusual thing or peculiar thing to Norfolk Island to have a perceived lack of cohesion among industry operators on the ground.

It happens in other small destinations. But other small destinations have realised that they are not going to survive unless they operate in a cooperative and cohesive fashion. And they've started to come together and join hands in their tourism effort and I urge like other members have urged, those industry operators here in Norfolk Island to do exactly the same things. Not only hold hands but lock arms and walk towards to achieving the year 2006 goals, that this Assembly and the Bureau have set. Thank you.

MR SPEAKER: Thank you Mr King. Honourable Members I'll put the question, which is that those papers be noted.

QUESTION PUT.

QUESTION AGREED.

MR SPEAKER: Those papers are noted. Are there any further papers to present this morning, Honourable Members. Statements, are there any Statements this morning. Mrs Cuthbertson.

Statements

MRS CUTHBERTSON: Thank you Mr Speaker. I have a brief statement about the completion or almost completion of stage 2, refurbishment of the Bean Shed. As the Headmaster, Mr Dennis O'Neill mentioned in last weeks Norfolk Islander the refurbishment Bean Shed is almost complete. Infact, the Bean Shed is being utilized quite extensively all ready for teaching purposes. Over the past year the Norfolk Island Government has spent about \$100,000 turning a little used building into a multi-purpose facility which is already proving its worth. The refurbishment has given Norfolk Island Central School two new senior classrooms, a large assembly room, which can be used for physical education classes as well as for holding examination. There are also facilities for holding wet art classes, such as painting and plastic arts and there is a safe storage area for musical instruments which the school did not have before and some musical instruments are really quite expensive. There's another area for storing art materials and a new dark room for students taking photography as a subject. For when the assembly room is used as a gym, there are toilet and shower facilities as well. I would like to thank the Parents and Citizens Association for already donating some equipment to the wet arts section and to the dark room. I urge parents to take up the invitation of the P & C and attend the meeting tomorrow evening and see for themselves the new revamped Bean Shed. In the course of 1996 the third and final stage of the refurbishment of the Bean Shed will be undertaken and this will entail extending the fence around the school to include the Bean Shed itself as well as some landscaping to beautify and unify the area and perhaps some redesignation of parking facilities will be considered and a effort will also be made to ensure that, when parents pick up children after school there will be better flow traffic which will relieve some of the dangerous situations that can ensue when traffic seems to be going in all directions and children seem to be going in all direction.

So we certainly want to eliminate the potential dangers there or reduce it even further. I've also asked the new Headmaster Mr O'Neill to put together a three year plan for the ongoing improvement of the school. So that the children and the staff of the Norfolk Island Central School, will have an environment which will go on helping them to achieve the best potential. School in Norfolk Island is an important asset for the community. It has to be maintained and we have to keep in mind what is required by the children and the staff in the present and changing requirements of education. Thank you Mr President.

MRS SPEAKER: Thank you Mrs Cuthbertson. Are there any further Statements this morning. Mr King.

MR KING: Thank you Mr Speaker. For the purposes of enabling some discussion, I make a brief statement about progress on the new Airport Passenger Terminal Building. I mentioned on the last meeting of this House in December, that the next significant date in the progression of this thing would be early March, by which time Members will have received a number of concepts to consider and to make a decision on. Nevertheless since that time the principle issues occupying the Project Management Group has been reviewing applications for a Project Manager which attracted a response from four Norfolk Island residences and three off-shore applicants. On Island applicants have been narrowed to one and the Project Management Group is now liaising with off-Island applicants to look more closely at fee structure and their suggested management strategy. On the concept side of things the group has received eight comprehensive responses, seven of which include preliminary drawings, design briefs, terms of reference and preliminary costing and one further submission which drawings is expected shortly, it's apparently delayed in the post. The only expenditure incurred to date apart from staff time Mr Speaker, has been general incidental fax, telephone, postal communications. So that's quite an achievement to receive that response from some very talented and experienced groups architects. The issues that the Project

Management Group needs to consider and the timing include, firstly the recommendation to the Norfolk Island Government and Members generally, of a short list of four, with preliminary briefing documents. Hopefully by the 23rd of February. Secondly, the selection of a design by the 28th of February in order that the successful architectural practice maybe notified as quickly as possible thereafter. Thirdly, the selection of the Project Manager by Friday 15th March and the further examination of the options available for the various contracts for the Project Managers or Architects the building, matters of options of a lumped sum contract for supply of building or a construction management contract with the Norfolk Island Government as the main contractor through a Project Manager various options like that. So that's where that is at the moment, Mr Speaker and Members can, I won't safely, but reasonably expect those dates to be observed.

MR SPEAKER: Thank you Mr King. Mr Smith.

MR SMITH: Is the statement noted, Michael. Did you.....

MR SPEAKER: It hasn't been you may move that.

MR SMITH: I move that it be noted.

MR SPEAKER: Thank you, the question is that the statement be noted. Mr Smith.

MR SMITH: I'm very please to hear that this project is now starting to take shape, I'm very pleased to hear that we are still looking at a local Project Manager, as opposed to a off-shore Project Manager. And I hope that anything gets built in this Airport Terminal uses local labour, local materials as much as possible. I look forward to the suggested date I think of finishing this terminal is about December this year. It sounds like it might be on track for that and I'm very pleased to hear that. Thank you Mr Speaker.

MR SPEAKER: Thank you. Further contributions Honourable Members. No further contributions? The question is that the statement be noted.

QUESTION PUT.
QUESTION AGREED.

The ayes have it, the Statement is noted.

MR SPEAKER: Any further Statements this morning? No further Statements, we have concluded with Statements.

Messages from the Office of the Administrator

MR SPEAKER: I have received the following message from the office of the Administrator. Its message number 88. On the 22nd December 1995 pursuant to section 21 of the Norfolk Island Act 1979, I declared my assent to the Trees Preservation Amendment Act 1995 which was Act number 19 of 1995. Dated 22nd December 1995. Alan Kerr, Administrator.

Reports from Standing and Select Committees

There are no Reports from Standing and Select Committees

NOTICES

MR PRESIDENT: Thank you. We are at Notices Honourable Members

NO 1 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

MR KING: Thank you Mr Speaker. I move that for the purposes of section 2B of the Customs Act 1913, this House recommends to the Administrator that the goods specified in the Schedule imported by the importer there specified be exempted from Duty. The Schedule includes an import of David John Rodgers on behalf of the Norfolk Island Country Music Association Incorporated, goods being a marquee valued for duty at \$4,600. Also in the Schedule an importer Lewis William Herbert Quintal, on behalf of the Norfolk Island Fishing Club Incorporated, goods imported being galvanised wharf derricks, being valued for duty at \$21,854.68.

MR SPEAKER: Thank you, Mr King.

MR KING: Thank you, Mr Speaker. These recommendations conform with normal practice over the years in respect of seeking exemptions from duty. The first one refers to the cost of hiring a marquee, a marquee which will be returned to its supplier on the completion of its use by the Country Music Festival. The second matter of wharf derricks are some piece of equipment to replace the existing wharf derricks on both piers, Cascade and Kingston, which although purchased by the Fishing Club are installed on public lands and they have an aspect of emergency use attached to them so I commend that motion to the House

MR ADAMS Thank you Mr Speaker. I think it is fair to say that both of these things are basically for the public benefit. They are both public facilities, one into perpetuity in the case of the crane and the other one for a finite period as regards the marquee, and as Mr King has rightly mentioned, in the case of the cranes there's an aspect of emergency use. As a backstop in the event of the government crane not being available to drop boats in the water in the event of their being a requirement for them and has been alluded as well Mr Speaker, once the crane in particular has been put into position and in effect nailed up, the Crown becomes the controlling authority. I think Mr Speaker it is fair to say that we really are bound to push through the customs exemptions on both these matters, thank you Mr Speaker

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I certainly support this motion. It is important that the crane be kept safe and in working order and it is excellent to see the Amateur Fishing Association undertaking this work so we should certainly facilitate it and support it and the Country Music Festival has already become an important feature of the activities of Norfolk Island and it is good to see that the Government is supporting it to this extent. I support the motion

MR SPEAKER Final debate Honourable Members. I put the question, the question before us is that this motion be agreed to

QUESTION PUT
AGREED

The ayes have it, the motion is agreed to thank you

NO 2 - REVIEW OF IMMIGRATION POLICIES

MRS ANDERSON Thank you Mr Speaker. I move that this House requests the Minister with responsibility for Immigration to undertake a comprehensive review of

Immigration Policies with a view to making them more relevant to the current needs and aspirations of the Island and its residents and to report her findings to the House at its April Sitting. Mr Speaker, in 1974 Professor Butland recommended that the maximum permanent population should be 2000 by the year 1983 with a growth rate of 2% thereafter. In January 1995 according to figures provided by the Immigration Department the permanent population was 1,651 but it decreased and rallied slightly throughout the year to reach an average for 1995 of 1524. This is a far cry from 2000. In December 1993 this House recognised that there was a decline in the Island's population and established a policy aimed at achieving a 2% growth in the permanent population and quotas have been determined since that time based on this aim. When this policy was established there had been a considerable backlog of applications for General Entry Permits and several applicants had been languishing on the quota queue for a distressing length of time. Equally, those who wished to dispose of businesses or property and leave the Island for whatever reason were finding it difficult to do so because local buyers were few and far between and potential off island buyers were discouraged by the thought that they might have to wait a year or more before they could come to the Island. For all these reasons an increase in the quota was welcomed. The Minister with responsibility for Immigration will be proposing later in this sitting that an additional quota of 34 general entry permits be set for the next twelve months, however, there are still three quota positions unfilled from 1995. Something is not working. Mr Speaker the increase in the quota has not been the panacea it might have appeared in the first instance and has not achieved the desired aim of increasing our permanent population from its 1993 level. Applications for general entry permits have been received, processed and in many instances, granted. In the past two years a number of the general entry permits granted have been issued to people holding temporary entry permits so although the number of permanent residents may have increased it does not necessarily follow that the number of people living on the Island has done so. We have discussed in this House in earlier times the depressed level of population and opinions vary on how many people do in fact live here. I do not wish to argue figures today but rather to state what many within the community feel, that our permanent population must be increased and be increased with the right kind of people. People who will make a social and financial commitment to Norfolk Island. General Entry Permit applicants with skills experience and a strong financial base have been rejected on what appear to me to be unreasonable grounds because their application did not fit in with existing policies. In making an application to purchase a business the applicant is required to provide evidence that the business is both solvent and currently profitable. This is then assessed to determine whether it will return him or her an adequate living. Mr Speaker, while I agree that an application should only be granted to purchase a legitimate business, it is not up to the Committee or anyone else for that matter, to decide whether the business is profitable or whether it will generate sufficient income to constitute the sole support of the applicant and its family. That is for the purchaser to determine. Only he can assess the viability of the business and his capacity to successfully operate and improve it. Only he can assess whether it will constitute sufficient return on his capital investment. Of equal importance in the assessment to my mind, are the applicants enthusiasm to revive a flagging business or entrepreneurial skill to improve it. At the same time, people living on the Island on Temporary entry permit are able to apply for and be granted General Entry Permits on the basis that they are in employment and that they will continue to hold down that job. They are not subject to the same stringent screening as those from outside, nor are they required to purchase a business or home. I do not wish in any way to denigrate the contribution made to the Island by Temporary entry permit holders but rather I am pointing to inconsistencies in the existing policies. It is essential that the rules should be the same for all. Mr Speaker, people are living longer these days and many are retiring earlier so they

still have many productive years ahead of them in which they might pursue a hobby or interest and involve themselves in community projects. On the condition that the applicant is in good health, is of good character, makes a financial commitment to Norfolk Island by purchasing a home and property and maintains full medical coverage so as not to become a burden on our social services, I see every advantage in allowing a limited number of retirees or passive investors to come to the Island. I also recommend the establishment of a new form of entry permit to cover the employment of contracted or seconded officers such as doctors, teachers or the Chief Administrative Officer employed by the Administration. This permit would recognise the special skills and expertise which such people bring to the Island rather than just classing them as itinerant workers. The permit would also be renewable thereby making it possible to retain a good officer who is of benefit to the Island rather than going to the trouble and expense of replacing him or her just because the mandatory three years were up. The permit would carry much the same restrictions as a TEP and would not lead to any rights of residency. Should the officer wish to become a permanent resident then he or she would have to go through the usual channels of applying for a GEP. Mr Speaker it was suggested to me that rather than move the motion that I have, I should bring in a motion to change the policies to include one of the suggestions that I have made, however, I believe that a number of our current policies need looking at and it is for this reason that I have asked the Minister to undertake this review of all our policies.

Mr Speaker I urge the Minister to undertake this review as soon as possible. Norfolk needs a transfusion of new energy, new capital and new enthusiasm. I am advised that applicants who meet these criteria are waiting to come here but cannot do so under the present policies. Mr Speaker I commend the motion

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I commend Mrs Anderson on her motion and I certainly agree with a great many of the points she has made. As it happens a discussion paper reviewing Immigration policy along some of the lines of Mrs Anderson's comments were circulated to Members on the 9th February which was last Friday and I hope it will be discussed at the regular meeting of MLA'S on Monday morning. I have sent a copy to the Immigration Officer and have asked him to distribute it to members of the Immigration Committee and I look forward to their comments, suggestions and input in due course. Once all this discussion, consultation etc takes place I hope in fact to bring forward some recommendations to the next meeting of this House which will be March and to leave those recommendations before this House for input from other people in the community because I think that input will be very important as well. Certainly the quota system that was reached as a method of increasing the population that was debated by this House in December 1993 and agreed to doesn't seem to have worked as expected, but I don't think that was any fault of the calculation or of the method in itself. I think the problem has been that a steady and regular outflow that was noted during that debate by Members, that had taken place over the previous ten years from Norfolk Island, which is a normal outflow from any community and normal changeabout of people, has increased over the last few years and one of the other things I am going to propose to Members is that I should write to all of the people who have left this Island since say, December 1993 and ask them why they have left.

Ask them to co-operate in letting us know, what kind of forces have pushed them to relocate somewhere else. What their intentions are as to returning to Norfolk Island in the near or distant future. The kind of matters that influenced their decision so that we can perhaps have something objective on which to change our policies in the future. I suspect that a great many of the reasons will revolve around economic conditions. Unfortunately the economy of Norfolk Island has not been so flourishing over the last few years and families have to take that into consideration when planning for the future of their children. Where are the better possibilities, the better options, the better opportunities. Although you may be

their fault, it's because we haven't kept up with the times. Some businesses do have a management problem but you cannot say, I mean, if you took a walk down Burnt Pine today - well you can't today because it closes this afternoon, but tomorrow - I would be really surprised if every person in business down the main street, or any person, would say come in, you are very welcome to come in, look how well we are doing. I would be really surprised if that's a management fault if they aren't doing like they should be. I really do think that we have to take into account the emotional side of immigration. Of course it's important. Lets not get so emotional that it ends up that we are the only nine left on Norfolk Island, because the people that pay the money for wages, comes through the business. We have to realise that, whether we like it or not, whether we hate Burnt Pine people or whether we like them, whatever, that's where the money channels through for everything. All the tourism dollars come in through business. Whatever we think of it and there's alot of people out in the community who realise that, the working people obviously realise it more than some of us do, that that's where our money is coming from. We have to look at stimulating things and I think the recommendations that Nadia has coming up in here are good recommendations, maybe they need some changes, but it is time to do something and I commend the motion

MRS SAMPSON Thank you Mr Speaker. Thank you George for your comments. You've probably said it more succinctly then I could have said it and I commend Mrs Anderson for her notice there. I also used to toss out this old chestnut about people being a burden on the community when they got older, but being on the Social Services Committee and looking at the people who are a burden on the community, the people who are left on the Social Services prop up shall we say are Norfolk Islanders, they aren't people who have come in and bought a business. When they have got to that stage where they have reached an age that they cannot either manage their own business or their health has failed they go back to the mainland

MR CHRISTIAN Order. I don't appreciate Mrs Sampson saying that Norfolk Islanders are becoming a burden on the social services system if in fact all they are doing is taking advantage of what the law entitles them to

MR SPEAKER There is no technical point of order in respect of that Mr Christian, but I will give you the next call so that you may make your point equally to the Members

MRS SAMPSON Thank you Mr Speaker. If I may just clarify that, the people that have come from Australia or New Zealand, as they have got older, their families live in Australia or New Zealand, their health has declined, you will find that they have moved back to Australia or New Zealand, they don't ten to stay on the Island. Perhaps that might clarify my remarks there. I feel that immigration must be opened up. I've had lots of discussions over this over the last two or three months. The Chamber of Commerce has got to me shall we say, but I haven't changed from my attitude that the immigration should be opened up to have people that are perhaps my age, which is early '60's to come in and live on the Island. They are still viable people, they are still alive, active, they are not geriatrics if I may put it that way, so I do feel that the motion that Mrs Anderson is putting forward and the next one that Mrs Cuthbertson is putting forward are related together, the two of them should be looked at in tandem and I can only commend Mrs Cuthbertson and Mr Smith for his comments on that

MR CHRISTIAN I've made the point thank you Mr Speaker

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. As someone remarked already, immigration is a very emotional topic and I'm really surprised at Mr King's

emotional language. Talking about the tearing down of cornerstones, and the huns being let into the Island. Anyway. Let me make a couple of things clear. First and foremost a process that was referred to earlier, reviewing some immigration laws rather than policies, will certainly be followed through. At the moment the Legislative Counsel is rather overburdened with other work but as soon as we work out a system of priorities which the CAO has got under review the following up of the changes to the Immigration Act which were initiated last year, will certainly go forward. The proposals that I have circulated in the draft paper that I've mentioned do not touch any of those proposed changes. I believe Mr King referred to population figures and people utilising them incorrectly, certainly they may have been utilised incorrectly of which he is not guilty of, he certainly has utilised population figures incorrectly as well. (Yes I have actually given you a piece of paper where I showed you that all your figures were wrong, but never mind, shall we leave that out). I want to set people to rest about this question of the right type of person. I don't think that it is a very happy expression. We have settled guidelines for selecting people who will settle in Norfolk Island well, that will make a contribution to the community, be it economic or personal, and I think both of those kinds of contributions are important and in fact essential. I think the point that Mrs Anderson has made is that at present the guidelines favour people who are already here to change from a TEP to a GEP is a very valid point. The standard of test that is adopted to such a change is a much lower standard of test than anybody wanting to come from overseas and wanting to settle here and get a GEP. Such discrimination should not continue especially as it does discriminate to the disadvantage of Norfolk Island. All other conditions and selection criteria being equal, the economic contribution of somebody wanting to come here, buy a business and commit themselves financially to contribute to the Island is valuable, and at this point when the economy is fairly slow, economic contributions cannot be neglected or ignored. We have to try and take every advantage that we can to make things better for the people who live on the Island. As I said earlier the number of people who have been leaving the Island to relocate somewhere else over the last three years has increased. Our permanent population as made up of GEPs and residents has gone down, it is now approximately 1524 people for the last year. That is a very low number. Now that's not something I made up, it is from statistics available from the immigration computer. Add to that some 280 GEPs and we have a figure of about 1830 which is lower than has been before. The TEPs themselves are a floating population and that number has gone down too, anyway, we shall discuss all of these things, hopefully next year. One of the points that Mr King made is who picks up the tab for GEPs or people who come here with a large amount of money and buy up things and are unable to maintain themselves. This is one of the criteria that we have to look at. We really have to assure ourselves, but all of the evidence as indicated by Mrs Sampson is that indeed, very very few people who come from overseas to buy a business to settle here actually eventually become a burden, and that is a bad word too I agree, but become dependant on social security. Social security is a necessary and important component of any society. It is something that every developed and responsible society should have within its system but at the same time, a small economy like Norfolk Island cannot afford to add to that side of the budget expenditure therefore, in selecting people we have to keep that in mind but the evidence to date, contrary to Mr King's emotional words, is that people who come to buy into business do not become a burden. Only a very small number do. Unfortunately, however, some of the TEPs who have been allowed to become GEPs over the last few years could quite easily become a burden in the future. I do not know but it is a possibility - no, no, the evidence is all there Mr King. The evidence is all there. Well in terms of what they have purchased since they have been here, how they've become permanent or how they've settled themselves. In fact, by allowing many more TEPs to become GEPs we are allowing onto the Island permanent people who will be competitors for jobs in the

expressed before. Everyone wants it but as long as it doesn't effect them; their businesses, their ability to employ etc, etc. I've become a cynic because I've seen some of the information put before committees and authorized persons by business operators with a view to disposing of their business to a immigrant. I've seen lies, I've seen cheating, I've seen false information, I've seen people prosecuted for it. So forgive me for my cynicism. But I am not a person who should say no to a review. I would like to have a review. Some, however, appear to have overlooked that part of the problem may well be in administering the existing law and policy. Now I wouldn't want to automatically exclude a prospective immigrant because a particular business wasn't viable. If they had particular relevant experience and particular level of funds or capital in the bank to prop them up, then you would give certain weight to those particular factors, ahead of the fact that the business was only marginally viable, and therefore grant the permit. Though that has happened on a number of occasions, it certainly happened during my time, on a number of occasions, so the simple fact that a business is not viable does not of itself preclude someone from coming in. If there are other out weighing considerations, relevant expertise, capital backup etc, etc. So there is provision in the existing law to accommodate businesses which are only marginal, but I do take exception to the prospect of simply allowing someone to come in when a business is not viable and they don't have relevant expertise and they don't have sufficient capital backup. Those are relevant considerations for the statutory committee without any doubt. And I'm sorry I'm seen has expressing emotional language. I guess I do become abit emotional from time to time. Infact sometimes I cry. But its not because I don't get my way, I just kick my feet, when I don't get my own way. But I don't cry. I cry through frustration. I don't want to talk about population levels either, but I hear the relevant Minister sit in the House and say the permanent population has gone down categorically, suggesting to us and to those that are listening that that is an ingrained trend. I simply don't accept it. It may have gone down, I don't know, four or five or ten maybe in the last year. There has not been a sustained drop in the permanent population levels. Watch my lips, there has not been a sustained drop in the permanent population levels. Now, no one could be more emotional than the person who said there has been and call on the emotions of legislators around this table to take certain steps because it has when it hasn't. I mean look at the figures yourself, you know that fourteen years ago for example the permanent population was about 1,300 you know now that its about 1,550 if that's not an increase well I guess I failed in mathematics somewhere along the line. But nor do I want to get into continued arguments about population levels but if we're going to deliver up contributions to debate to us and the public lets confine ourselves to facts. So forgive me for getting a little bit emotional about that.

I have to say coming from a person who is very much aware of social difficulties on the Island, some of the comments regarding the aspirations of temporary entry permit holders and the likelihood that they will be people that would become drains on the welfare system ahead of those who might come through another door and to purchase a business. I think that's a shocking thing to say. I think that if we had a policy which only delivered some comfort or facilitated the entry of older people and for the purposes of purchasing businesses only, we have made grave mistakes. Mistakes that wouldn't be perpetrated anywhere else in the western democratic world. I think its horrible. I think there ought to be adequate room for people on temporary entry permits ranks to move up to the more permanent ranks.

Alot of them have made good citizens and as I say, they'd make greater contributions in terms of the future then the sections that have been more readily accommodated by the Immigration system in the past. So maybe when we conduct this review, maybe we ought to look back a little bit on how the present law and policy is administered and in fact look very closely at the means by which the committee and the Minister weight the for relevant factors. Therein might lie your answer.

Thank you Mr Speaker.

MR SPEAKER: Thank you, Mr Bates.

MR BATES: Thank you, Mr Speaker. I've been trying to come to grips with how some of these suggested amendments to policies is really going drive the economy on Norfolk Island. I can see that if somebody wants to get out and somebody comes in with some off-shore funds to boost up a ailing business or somebody that creates employment, probably creates employment for trades persons, that creates employment in certain ways. But that's a very short term situation, once they've spent that initial injection of funds then they are back again competing within the same economy, and the same economy is really our tourist industry. I think its not hard to say that the economy driven by 27,000 tourist is better shared amongst 1200 then it is amongst 2,000. If that 2,000 can get those 27,000 tourist to open their wallet a little bit more by something in the vicinity of, I don't know, 60%, 70% open their wallets abit more than perhaps that economy can support this magical figure of 2,000. This is why I feel that some of these things are not simply the answer, I think George was saying, its the Government's fault that some of these businesses are not doing well. Well, perhaps it is perhaps the Government hasn't been looking at some of it's policies.

But the economy is just not driven by immigration, I cannot see that, I'm sorry.

We must be looking at other things. I've got no difficulty with a population increase. If that population increase has some real benefit to the economy. We've spoken about quarantine stations making employment for a few people. The public didn't want that. We've been looking at things like Off-Shore Finance Centres, and if Off-Shore Finance Centres meant an increase of a couple of hundred people in the population, fine. At least that's money coming from off-shore that is additional money coming into the community from off-shore which will certainly benefit. And those extra two hundred people will certainly spend their money within the community and you have the mushroom of the effect. But while our economy is driven by 27,000 tourists, I fail to get quite the point of these changes in Immigration policy which is going to make those dollars have to be shared amongst a greater population. Now I recognise the fact that the business sector plays an important part in the economy and it does need a stimulus. But I think the stimulus is got to come from other actions of this house. Not just making it easier for those that want to get out to get out. No, that what's the policy seems to be doing, rather than benefiting those who are staying. The things that I talk about is that I believe with some more work things like the GST or things like that can possibly boost that area of the economy and if more employment is created through things like that, then that's fine. But to simply say to make it easier for people to come in here is going to drive our economy better when we have the same number of tourists, I just can't quite see the point.

If we can increase our tourist numbers to those proposed in our new strategy and new things well then perhaps these things can come afterwards. But I don't know which comes first, the cart or the horse, but it seems to me that we're trying to put the cart in front of the horse with allowing people in before we get our economy in shape. Thank you, Mr Speaker.

MR SPEAKER: Thank you. Debate, Mrs Cuthbertson.

MRS CUTHBERTSON: Thank you, Mr Speaker. I really don't know how many times, I have to say, that I do not think that immigration drives the economy, as it only has a marginal effect. Of course, tourism drives the economy, but unfortunately I'm not responsible for tourism, I'm responsible for Immigration, so I'm trying to do my bit to the bit that I'm responsible for, so lets get that straight. With reference to Mr Adams's comments, its important to know why people leave and I

agree with him. It is essential that we find out from, particularly, permanent residence who have left, why they've left. That's why I propose to send out a letter and a questionnaire and try to get some objective information together. With regard to property value and the point again Mr Adams made. What is of serious concern is that your house, my house, every residence on this Island's house and you know the essential large item that we all process has been devalued over the last few years. Because property sales have been depressed.

MR BATES: So what.

MRS CUTHBERTSON: So what. People, young people in particular who want to raise a mortgage to do various things are having more trouble in raising that mortgage. I'm not just saying this, talk to the Bank Manager find out, because the equity that people own in their homes, the one big asset has been devalued. Their ability to raise funds for other things has been diminished. In fact the comment of the two Bank Managers has been, that in some cases they are holding mortgages that are more than the value of the equity of the property. Now that is a serious problem. Not something we should be walking away from. And unless there is some sale of property going on, the value of existing property is not going to regain its true replacement value. And all I'm talking is replacement value, not as something inflated thing caused by speculation. What the paper that I have circulated to you proposes is some minor changes to deal with sticking points in the way the policy functions. Now let us leave it until we actually discuss that paper, please. I agree with Mr King, that people effected by a law, any law, not just Immigration law, will try to find ways around it. That is human nature. I'm sure he has tried to find ways around various laws and various times. I certainly have. At times I've been picked up for speeding for once on the mainland, I certainly to find a way around it if I could. It is human nature. I admit it. I also have a human nature. As to the population figures. Of course the further back you go into history of Norfolk Island the smaller the population was, so certainly we're not going to prove that the population at the moment is lower than it was 20, 15 years ago. But in the last ten years there certainly has been drop in population. Now, I really think we've debated Monica's questions far too much, let us leave some of the other discussion to the time when we actually debate the motion of how the policy could be changed. So may I Mr Speaker, move that the question be put.

MR SPEAKER: The question, Honourable Members, which I'll put forthwith, is that the question be put.

QUESTION PUT.
QUESTION AGREED.

The ayes have it, and so I will put the question.

The questions is that the motion be agreed.

The ayes have it, the motion is agreed.

NO 3 - IMMIGRATION ACT 1980 - DECLARATION OF GENERAL ENTRY PERMIT QUOTA FOR THE PERIOD SPECIFIED ON THE NOTICE PAPER

MRS CUTHBERTSON: Thank you Mr Speaker. I move that for the purpose of subsection 21(1) of the Immigration Act 1980 this House resolves that it be declared instrument in writing that 17 general entry permits be granted during the period of 14th February 1996 to 13 February 1997.

MR SPEAKER: Thank you. Mrs Cuthbertson.

MRS CUTHBERTSON: Thank you Mr Speaker. So much as already been said about this, that I will only be very brief. Mrs Anderson a little while ago mentioned 34 general entry permits will be the required quota for this year. That is the total quota as calculated as per the approved formula. But it is also customary to declare half of the quota in February and the remainder of the quota after a review of any changes that might have occurred to the population levels in August, ie. in six months time. Therefore only general entry permits are being requested at this point. Thank you Mr Speaker.

MR SPEAKER: Thank you Mrs Cuthbertson. Debate, Mrs Sampson.

MRS SAMPSON: Thank you Mr Speaker. May I ask if its not out of order for Mrs Cuthbertson. Out of those 17 general entry permits, how many were general entry permits which had been switched over from temporary permits and how many were new entrants.

MR SMITH: These are not filled.

MRS CUTHBERTSON: Mrs Sampson, these are for the future.

MRS SAMPSON: I'm sorry. I thought these were ones that were being granted.

MRS CUTHBERTSON: No, we are asking for 17 to be made available.

MRS SAMPSON: Sorry I've misread it. I withdraw that Mr Speaker.

MR SPEAKER: Right, thank you Mrs Sampson. Further debate Honourable Members? No further debate Honourable Members, then I'll put the question. The question is that the motion be agreed.

QUESTION PUT.
QUESTION AGREED.

The motion is agreed.

NO 4 - LICENSING OF ADDITIONAL TOURIST ACCOMMODATION

MR SMITH: Mr Speaker, there maybe some debate on this. I'm wondering if we might go and have some lunch. In case this takes 2 or 3 hours.

MR SPEAKER: Well I'll be guided by you Honourable Members. I was thinking of trying to dispose of this matter, say about the 1 o'clock mark and then breaking then. No I don't whether I'm rather ambitious about that or not. If you think that that's not achievable well we'll take some other suggestions. You made the suggestion to me about breaking now are you comfortable that we try for that Mr Smith.

MR SMITH: For 1 o'clock?

MR SPEAKER: Around the 1 o'clock mark.

MR SMITH: We can have a go and we can always stop I suppose anyway. I don't mind.

MR SPEAKER: Well lets try and see how we can progress with this matter. If it becomes longer than we are thinking at this moment then we might need to just pause for a moment for lunch. Mr Smith I give you the call to pursue this matter at this moment.

MR SMITH: Thank you, Mr Speaker and I hope that it won't take very long actually, this motion, but we'll see. Mr Speaker, I've brought this motion on because its a motion that should have been done about ten years ago. It should have been done in 1986 when the Paradise Hotel closed down. It didn't happen then, but I think its a matter of having to do it now, because it wasn't done in 1986. And I say that because if you imagine a current hotel of a Paradise size, was to close down today we'd be scrambling to have another one built or to replace the closed down hotel as quick as we could. That didn't happen in 1986 and its.

MR KING: Have you moved this motion?

MR SMITH: Whether I moved it or not. Maybe I didn't Michael.

MR KING: You've launched straight into your debate.

MR SMITH: Alright then, your right too. Mr Speaker I move that this House agrees to the construction of an international standard first class hotel. B - Licensing of other new tourist accommodation houses, in addition to 1, above. And C - the introduction of amending legislation to achieve this. And part 2 of the motion, Mr Speaker - request the Executive Member to invite those persons who have expressed interest in new accommodation, to submit firm and comprehensive proposals including details of proposed site, water storage capacity, number of beds required, proposed water disposal, financing and their proposed use of local content, both in construction and running of the accommodation houses.

MR SPEAKER: Thank you. Mr Smith.

MR SMITH: Thank you, Mr Speaker. You don't want me to repeat what I said before, though do you? Good. I think we've actually covered some of the ground of this motion in talking about Immigration, just previously. If we go back to 1986, Members might remember that Norfolk was really flourishing in those years, in the mid '80's. People were able to buy cars and were able to build their houses, buy land. There was alot of change that took place at that time. There was the Immigration Select Committee report came out, and it was implemented in that year, same with the Tourism Select Committee. I think we've started to feel the effects of those things over the last ten years. And there's little been done in looking at ways that we can fund the Island. And Fund the Island in a way that it was from up to 1986. We closed off tourist accommodation, actually earlier than '96, but we closed off immigration, in alot of ways. We still have the same amount of people we had ten years ago, we still have the same amount of visitors we had ten years ago, I won't mention the population size at this stage. But if the population is still the same it doesn't stop the bills of this Government going up each year. We have to spend more money each year, whether we want to or not. So we need some where to fund that, and the tourist industry is what does it, whether we like it or not, it really does. We've been static in our tourist numbers for ten years and its time to make a change. I started to make similar moves in the 5th Assembly but we never really quite achieved it. So this motion is 5 years late in that respect. 10 years late in respect to the Paradise Hotel closing down and I think its time for us to make a move along the lines of this motion. Mr Speaker, I'll leave the debate there to let other members have

their say.

MR SPEAKER: Thank you. Debate Honourable Members? Mr King.

MR KING: Thank you, Mr Speaker. Look, essentially I support the direction in which George wants to head with this question. I had foreshadowed that I am a little bit perplexed about a number of aspects of the motion and where it might ultimately head, for example licensing of other new accommodation houses, how many, what type, where, etc, etc. Members know that I am a supporter of deregulation of the accommodation industry. I and alot of other people involved in the industry, both on shore and off-shore know that we are limited in growing tourism. We are limited by the moratorium on tourist accommodation, airlines, major wholesalers, say that we need more planning. I personally don't believe that we can aspire to anymore than maybe 32, 33 thousand tourist a year, with the current configuration of accommodation. So yes, I agree. I also agree that the closure of the Paradise Hotel in '86 was a turning point. I mean that corresponds precisely with the zenith in tourism. From then it was down-hill, 14% reduction over the following six years, seven years 14% reduction. So maybe it was a material factor in that decline, I believe it was one of the number of factors. I believe that there is a need for another hotel on the Island. I'm not quite sure of what size, at the moment, nor where. I believe that the essential matters of waste minimisation, water conservation, electricity consumption, power consumption all need to be adequately addressed. And that goes without saying, as far as I'm concerned that I mentioned the other day, George, Mr Smith that I see this motion more as an opportunity for Members to make an expression of how they feel generally about the question of more accommodation. At the end of that debate, as I had foreshadowed, I would like to move that it be adjourned and made an order of the day for the next sitting, so that certain questions which we spoke about earlier on in the week can be addressed adequately, those were questions of market domination, what share of the industry would represent a dominate market share to us and in what categories. There were questions relating to the adequacy of the tourist accommodation act. And as I indicated earlier this week, a need to obtain legal advice on certain questions relating to the Accommodation Act. So there are those matters which I feel need to be considered a little bit more before I would feel comfortable in agreeing to a motion like this, but as I've mentioned Madam Deputy Speaker, that at the appropriate time I would be moving adjournment in this debate, but I recognise that people might like to make one expression or another in debate in the meantime.

MADAM DEPUTY SPEAKER: Thank you Mr King. Further participation, Mr Buffett.

MR BUFFETT: Madam Deputy Speaker, thank you. In general terms, Madam Deputy Speaker, I think that the general direction of this motion is one that, in which we should travel. I certainly think that we do need to have a considered a hotel of a superior standard. One of the things that I keep harping on, almost, is that we need to attract people to the Island with a greater disposal income, its our principal industry and its our principal method to import dollars into Norfolk Island. And therefore we should be directing our efforts in that way. And to have a hotel of a superior international standard, whatever terminology you like to use, is something that will be beneficial in the totality of the community. That's the first part of this motion. The second part of this motion makes a bid to allow a broader participation by the community members in the industry itself. In other words, to use the words, licensing of other new tourist accommodation houses, in addition to the ones described. And I support that. It will give people who live here another opportunity to be direct participates in the industry and I think that is good. But I think, I've got to say that I consider the people

who enter the industry there, also need to aspire to providing accommodation that attracts people in the categories already mentioned. I think that's as important component of our industry. The third component here says, asks people to express their interest and give us certain detail. I think that's desirable. Now whether that's the time to pursue all of that in the context of what Mr King the appropriate Minister has said, I will listen to that too and I don't have any difficulty if Members want to adjourn it for some further consideration. But there is one component that I want to propose to you that I consider to be absolutely essential and it relates to the matter of rain water collection, storage, sewerage connection, waste disposal and electricity use. Now Members will already know that in various ways and in various places we have amongst ourselves discussed these components and we all know that they are important. My point is that if we are going to consider a motion, that they are of such importance that they should be within that motion. Mr Kings, just a moment ago, says that he too thought that they were worthy of consideration. And he used the words, "that that goes without saying". Now I've got to disagree and say that it must be said and it must be emphasized, we have just gone through three years of difficulty with water in this Island, we're not through it yet. And it really emphasises that, these are the things that must be said up-front. And we should do these things in conjunction with all the others and we should equally be emphasising them as we get along the track. So to that end, without trying to pre-empt which direction this motion is going to end up in, in respect of the minds of Members voting on the matter, I want to propose an amendment. By proposing that we add D. It says 1 A, B, C at present. And I want to propose 1D, which would have these words, "subject especially, but not exclusively, to stringent requirements of water collection and storage, sewerage connection and waste disposal and electricity use". So that we're up-front, we're emphasizing it and we're making it clear to all of those A) listening to this debate, who will B) look at this motion, maybe if their interested in putting forward proposals, that we are serious about this area that is one of difficulty, especially in these, not only economically difficult times, but environmentally difficult for Norfolk Island. And I seek your leave, Madam Deputy Speaker, to bring that forward as an amendment.

MADAM DEPUTY SPEAKER: The leave is granted, Mr Buffett.

MR BUFFETT: I make that proposal, so that it is amongst the things that we will consider with this motion. I've said my bit about that Madam Deputy Speaker, its merely to emphasize it and if we are at the stage of wanting to pursue Mr King's adjournment, it lies equally on the table for the substance of the motion.

MADAM DEPUTY SPEAKER: Madam Clerk is circulating copies of the proposed amendment. Honourable Members, the question before us now is that the amendment as proposed be agreed to. Debate on that question. Mr Bates, I think you have the call.

MR BATES: Thank you, Madam Deputy Speaker. I certainly support what George is trying to do with this motion. It has my support, on the contents of it. I think it is wise to point out these additional amendments of Mr Buffett, because there items which I'm very adamant about. These things should be in place, people should know what we require in those areas before they make their proposals. I'm not 100% certain that this is the way to handle it, but certainly the sediments behind the motion I fully support. Thank you.

MADAM DEPUTY SPEAKER: Further participation, Mrs Sampson. Mrs Sampson.

MRS SAMPSON: Thank you Madam Deputy Speaker. Mr Buffet has pre-empted me

with his clause D. I won't go into it, because you've me ad-nausea on this particular subject, but I certainly support clause D to be added to the original motion, thank you.

MADAM DEPUTY SPEAKER: Mr Adams.

MR ADAMS: Thank you, Madam Deputy Speaker. In general, I support the general thrust of the way this is going. I think deregulation has sufficient merit it to enable us to go down this road with confidence that we are doing the right thing. In some ways Madam Deputy Speaker, we've already agreed to deregulation through agreeing to the recent change in the tourism policies and one of the perimeters of that was, the increase to 340,000 bed nights from what we are presently have on board. And we are simply, I believe, unable to do that without some measure at least of deregulation. Earlier in this Assembly, I saw significant merit in a first class hotel, however, since that time the game has changed regarding the hotel front. The Norfolk Resorts which is primarily one organisation, and it had its, basically, the three camps the same organisation, I mean that is no longer the case, Madam Deputy Speaker, its now been split into three distinct and separate units and I think by and large this is the closes to local ownership that has occurred in those areas for X number of years. With the flow-on effect, well there will be competition between the three, unlike in past years. And I think there are significant factors there now, which are better, in the area of tourist accommodation then have been for some years. Part A of George's motion is the construction of the international standard first class hotel, and as I said, I did originally support that, but at this stage I must confess my misgivings, Madam Deputy Speaker, because of the situation regarding our water situation. At the present time, as Members realise, our Draft Water Policy contains a number of corner stones and one of which is changing how the use of the watertable is viewed from a day to day basis, from the mindset of viewing the watertable as a day to day resource, which you regularly take for your usage and consumption to a position where it is looked on as a reserve. Now if we go through the motions of approving the building of a first class hotel, and somebody duly does that, certainly Madam Deputy Speaker, there will be storage to catchment requirements in place. That legislation is not far away from the draftsman and hence not far away from the House. At the end of the day though, the hotel does need a reserve. Now to build the hotel have those storage to catchment ratios in place and then have to go and dig a bore, I think in alot of ways we are imposing a load on the environment, that we can't be sure about the ramifications of. So I don't think Madam Deputy Speaker, at this time that the hotel, or a hotel fits in with the scheme of things, particularly along the lines of the conservation of water. I believe, Madam Deputy Speaker, that this ineffect cuts completely across the whole intent of our progress on the water conservation front. And I certainly believe at this stage that there will be rising from that significant doubts about a hotel being sustainable in todays scenario and I'm pleased to see that already an amendments been moved to this from Mr Buffett that given factor I don't believe that the hotel, unless there's some mechanism put in place where they agree to being totally self-sustainable in at least water sense, from the watertable I think its basically, your playing russian roulette with our water situation. Madam Deputy Speaker its fair to say that the Norfolk situation tourist accommodation wise is being more difficult and alot of money basically lost from the economy by the closing of Paradise. I think the old Paradise things been bashed over the head and people now realise that it definitely was a factor of those, and I think there was 90 units that disappeared in '86 with the closure. Members will have to take on board the fact that if Paradise was in operation today, it almost certainly would be unviable. And that is because again the water situation. The creek from which Paradise used to pump out of no longer exists in the format it was, its

simply not there anymore. And there's a garden that's now been planted further up the course of the stream and where water used to run. Now water has to be brought in and put on that garden. The Paradise in itself would no longer be viable if it was still on that site or unlikely to be. I also seem to recall somewhere along the line, Madam Deputy Speaker, that Mr Bob Doyle has recommended against the five star operation on the Island. I believe that appeared in the newspaper of some time ago. I could be wrong on that one, but I think that was the content and intent of his words. Madam Deputy Speaker, part B of the motion I think contained a great deal more merit than the first part. And a great deal more safety, I might add, than the point of view of resources. I think it's a better area for us to de-regulate. It spreads the income across the industry much wider, which I believe one of the key problems with our industry is that the income from it is way to localised. In other words it's streaming into a particular area then everyone else, who aren't directly connected there are basically playing catch up and picking up what they can. I see deregulation in a form other than perhaps a hotel, as a significant benefit of spreading the income and therefore the benefits from the tourism industry considerably wider, there also will be Madam Deputy Speaker, a great deal of a lessened impact on the environment through decentralization. It simply won't put such a burden on the environment. Nor such an obvious impost on the environment and also allow one of the things that hasn't happened in recent years, it allows an input from small investors into the tourist accommodation area. That's all I can say at this stage, thank you Madam Deputy Chair.

MADAM DEPUTY SPEAKER: Thank you, Mr Adams. Further participation? Mr Smith.

MR SMITH: Thank you. Madam Deputy Speaker. Just in relation to something Mr Adams said there was, we're looking at five star hotel, that's not the motion, the motion is for a international standard first class hotel, which is deemed to be different. Five star has the five star rating and that has to have all the applicable things to keep it five star rating. I mean there's somethings that we may not be able to achieve with a five star hotel here, as opposed to first class. I mean its like first class flying in aeroplanes. Its abit different. But if we can discuss that if you like and we'll find out exactly what it, what the five star means as opposed to others, if you like. Just in relation to Mr Buffett's amendment, which I think is extremely important that it goes in. I'm wondering whether though, it should also refer, not only refer to rain water and I say that because in a couple of the proposals that have been put forward or the expressions of interest that have been put forward there has been talk of these places wanting to use a de-salination plant which they are readily prepared to put in and operate the water system from that. Which is one of the main reasons I'm going along with this motion, otherwise if that hadn't been thought about I couldn't support a motion that will run off bore water, a hotel that will run of bore water. I don't know Mr Buffett, maybe, do you think that's important to put that in there?

MR BUFFETT: I'm quite comfortable to make adjustments in those words. I think you make a valid point. Maybe, instead of saying rain water you can say, requirements of non underground water collection or something like that or fresh water. I understand the point that you make that the further you get along the track in looking at proposals, you may get whole host of suggestions that may not fit neatly into the description there. I'm very happy to make some adjustments there. I'm adamant about those components, in general terms, being in the motion. But I'm quite comfortable about talking about how they should be framed.

MADAM DEPUTY SPEAKER: Mr Buffett, Mr King did suggest earlier that he would be

moving an adjournment on this motion, would you prefer if the amendment to your amendment be held over, if the motions to be adjourned?

MR BUFFETT: Well, firstly I have no difficulty about an amendment either. And I think I mentioned that when I was talking to this motion. And I'm quite comfortable just as Mr King and others may want to look at various aspects during the time frame of now and when we bring it forward again. I'm quite happy to look at some adjusting words in that context.

MADAM DEPUTY SPEAKER: Thank you Mr Buffett. Mr Adams.

MR ADAMS: I'd just like to pick up on a point that George just mentioned there. George indicates that he can't support a hotel based on bore water, water access, if you like, based on bore water. The fact is we can put in place these requirements for rain water collection or water collection. The fact is they won't be enough. There will not be enough. So if we can only support a hotel that's not based on bore water collection, what happens, so that therefore Mr Smith has indicated de-salinations an option and we're aware that it is. That also means that its a requirement or will be a requirement in proposals for a hotel. In other words, it will be totally self sufficient of its own water without impost on the water table am I able to draw that conclusion.

MR SMITH: Thank you. Yes. And as far as I'm concerned Mr Adams if somebody wanted to build a hotel and put a bore down to supply its water I wouldn't support it, at this stage, unless things dramatically change in the water situation. But that, in my mind, at the moment is not what its about. I think if somebody's going to build a hotel that they should provide de-salinated water or catch enough rain water so that they can supply that hotel. I mean Members may have different views on that, that's fine, but that's how I feel about it. Its very important.

MADAM DEPUTY SPEAKER: Thank you Mr Smith. Honourable Members the question before us at the moment is the amendment as put by Mr Buffett. Its now gone 1 o'clock, there was an indication that we which to suspend for lunch at 1 o'clock. Mr King.

MR KING: That's sort of exhausted debate on this, and I would move adjournment of that question and then as necessary also move adjournment of the substantial question. So moved.

MADAM DEPUTY SPEAKER: The question is that debate be adjourned and be made an order of the day for a subsequent day of sitting.

QUESTION PUT.
QUESTION AGREED.

The ayes have it.

MADAM DEPUTY SPEAKER: Its now 1.02 pm, I propose that we suspend for lunch for an hour. Is that agreed. Thank you Honourable Members we will return at 2 o'clock

MR SPEAKER We reconvene after lunch. We are at Notices and Mrs Cuthbertson, you are seeking Leave to move a motion

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I seek Leave of the House to move the motion copied this morning to members concerning the appointment of a Member to the Hospital Board of Management

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

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I move that in accordance with Section 12(1) of the Norfolk Island Hospital Act 1985 the Legislative Assembly recommends the executive member the appointment of Leslie Julius Quintal as a Member of the Board of Management for the period 16 February 1996 to 16 May 1998.

I wish to advise the House that sadly because of other commitments, particularly work commitments Mr David Evans who has been a Member of the Board of Management of the Norfolk Island Hospital since its establishment and before that, of the Norfolk Island Hospital Advisory Council has had to resign. He tried to avoid this and he really made a very strong effort to try to continue to be a Member but at a certain point he had to place business commitments and commitments of maintaining his family above other commitments and unfortunately therefore I have had to accept his resignation but have looked around to find somebody who reflected some of the qualities that Mr Evans brought to the Board of Management and I also sought to maintain a kind of balance that the membership of Mr Evans to the Board brought about and have been fortunate enough to have Mr Leslie Julius Quintal's agreement to also serve on the Board. Therefore, I commend this nomination to this House

MR SPEAKER Thank you Mrs Cuthbertson. Any further debate? No further debate? Then I will put the question Honourable Members which is that this motion be agreed

QUESTION PUT
AGREED

The ayes have it, the motion is agreed thank you

NO 5 - SUPPLEMENTARY APPROPRIATION BILL 1996

Message from the Office of the Administrator

I have to report Honourable Members that I have received messages No 89 from His Honour the Administrator recommending to the 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 the 30th June 1996" and I will read that message, Message No 89. Supplementary Appropriation Bill 1996. 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 30th June 1996" dated the 9th February 1996 signed Alan Kerr, Administrator

MR KING Thank you Mr Speaker. I present the Supplementary Appropriation Bill 1996 and move that the Bill be agreed to in principle

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

MR KING Thank you Mr Speaker. Before I go into the detail of the Appropriation Bill might I observe the appropriateness of introducing a Supplementary Appropriation Bill today since it is the 30th anniversary of decimal currency day. It is also of course St Valentine's Day, not that I would suggest there is any relationship between love and money but Mr Speaker the Bill seeks additional supply of \$345,100 for this financial year and it will be apparent to Members that the majority of additional supplies for areas of health education and welfare. Members will recognise that those areas are among the fastest growing

expenditure items in the public account, and that basically they are areas where there can be no penny pinching. Areas where Government has basic responsibility and obligations. Mr Speaker in the health area we are called upon to find additional subsidy to the hospital of \$100,000 or an increase of 39% over original supply. This is an increase which has been anticipated by Members for some few months following an indication by the relevant Minister that an error had occurred in the preparation of budget estimates at the beginning of the financial year. I'm confident and I ask other members to be confident that the Minister, Mrs Lozzi Cuthbertson has in consultation with her Hospital Director adequately addressed the financial position of the hospital generally in order that additional funding from the public purse is kept to a minimum. No doubt Mrs Lozzi Cuthbertson will offer us that assurance during her contribution to the debate. Mr Speaker, additional welfare funding of \$187,000 or an increase of 29% is also sought and Members are aware but in fact the listening public may not be, that welfare expenditure is broken down into two separate areas. Social service benefits or pensions and hospital medical assistance for approved pensioners. It is the latter area Mr Speaker which has experienced the major cost increase, a blowout in the order of 50% or \$150,000. Again, I wish to remind members that we have a very basic obligation to look after our aged and infirm folk and also those of our people who are experiencing severe financial hardship and I hasten to say that it would be foolish for any of us to think that there are not a number of those in the community. It is fair to say that although clear expenditure trends exist in relation to hospital and medical costs, the total expense can vary greatly from month to month and without focussing on specific instances there have been some extraordinary expenditure items in recent times which may or may not be repeated over the coming months or years. Pension expenditure Mr Speaker has not itself increased proportionate to the hospital medical payments but nevertheless requires replenishment of \$37,000 or an additional 11%. Again, I stress that we are duty bound to care for the needy. The majority of additional funding in the education area is in capital works, and that is an anticipated increase related to the conversion of the beanshed into classrooms and I'm sure that Members will agree that that has been a worthwhile project. A further item of significant additional expenditure is an increase of some 100% in costs relating largely to the conduct of the household expenditure survey, an exercise which is not only a maintenance process for the retail price index but an exercise in gathering basic economic data to assist government and Assembly decision making. Mr Speaker there are several other items of proposed additional expenditure which in the scheme of things are relatively minor and I won't mention them here but Members should not feel any way about mentioning them in their contribution. In addition to the proposed expenditure increases there's been a process of identifying areas where savings can be achieved. This has been a worthwhile exercise which has resulted in savings at the half year mark of some \$25,000. As I indicated at the last meeting of this House I've been very mindful when cutting expenditure of avoiding cuts which might have an adverse effect on the local economy. Employment levels have been maintained and projects which have an element of local labour and other local resources will be completed. On the other side of the ledger, although not the subject of this supply bill Mr Speaker, is the question of revenue or more precisely, where is the additional money going to come from. Well Mr Speaker, the process of budget review also includes the process of examining the revenue sources and questioning whether expected levels are going to be achieved. That process has flushed out some good news and some bad news and without asking Members which one they would like first, let me trot out the bad news so that we can put that behind us. Some individual tax earners have not performed as well as expected. Let me confess first that the Tourist Accommodation Levy is expected to come in at approximately 13% below or \$30,000 under the original estimates and that's not to suggest Mr Speaker that the rate of receipt of the levy is any less than last year,

it is more a reflection of the fact that the estimate was badly based having intended to reflect no change from the previous year but not receiving close enough attention at the time. Other tax earners and charges are performing more or less satisfactory. Mr Speaker in addition to those shortfalls already mentioned, there has been some examination of the business undertakings and some adjustment to their expected contributions to the revenue fund. On the negative side the following reductions have been made. Expected earnings of the postal and philatelic service have been reduced by \$110,000 to \$150,000. The Liquor Service reduced by \$18,000 to \$688,000 and finally the Lighterage Service from \$51,600 to \$26,600 a reduction of \$25,000. I pointed out to Members in meetings over the past fortnight that I do not necessarily share the pessimism which is reflected in the adjustment in the postal and philatelic earnings. I have essentially deferred to what is a straight line projection based on half yearly income. The real situation is I hope much more positive and the reversal in sales trends particularly in Australia is clearly in evidence. I've asked for and expect to receive shortly an in depth analysis of expected sales and income for this coming last six months of the financial year. In respect of the liquor service I've agreed to a reduction in payments to the revenue fund, only after close consultation with those who manages the various aspects of the service. There is no evidence of reduced sales in the service, but the ability of the service to produce the estimated net earnings has been impaired by a reduction of three points in the gross profit margin. I have not accepted what was originally put to me as a proposed reduction and have asked for various analysis to be done to pinpoint the reasons for a reduction in gross margins. I have also set certain targets in relation to costs and general performance for the remainder of the year. It has been decided also Mr Speaker to take no dividend at all from the Lighterage Undertaking. Its funds position is somewhat depleted through capital works in it has not traded to expected levels through the period. On the otherside of the ledger Mr Speaker, some positive things are happening. FIL (Financial Institution Levy) receipts are currently over estimate, but I need to point out that this is only due to some extraordinary receipts early in the year. As a tax earner FIL, continues to lose effectiveness. Conveyancing fees are performing above expectations, as are timber royalties, tanalith plant charges and miscellaneous revenue. As far as the business undertakings are concerned, Mr Speaker, Norfolk Telecom continues to perform better than anticipated and as a result I'm able to comfortably increase its contribution by 150,000. An amount which reflects, in part, improved traffic under the Audio-tex agreement, which we entered into with Telstra some 18 months ago. Telecom continues to perform satisfactory in other areas of trade and continues to negotiate new business deals concerning telecommunications which might considerably improve trade and profit levels. Those considerations have not formed part of this budget exercise. In other words, I have not taken into account any likely improvement in income from other sources within Telecom. Mr Speaker, the bottom line for this budget review is, that budgeted expenditure for the year will be just short of 9 million dollars. Normal expenditure will exceed normal income by 100 to 150 thousand dollars, however I see no reason to adjust expenditure any further. Proposed capital works and purchases of some 630,000 will be maintained. I confirm also Mr Speaker, that I am taking the opportunity of this review to consolidate the review fund position, by returning to it some 483,000 of funds which were invested in the businesses as establishment capital many years ago. The businesses are now comfortably able to repay these funds without adversely effecting their own funds, or their trading position. And the end result as far as the public is concerned will be a clearer picture of our savings. Mr Speaker, I have nothing further to add, this point in time. The Bill will remain on the table for a month and I commend it to the House.

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

MR BATES: Thank you, Mr Speaker. I support this Bill especially in those areas of health and welfare, which are the real nuts and bolts of it. One thing does concern me a little bit in the total revised budget concept, and that is that if it were not for the transfer of capital back, have been invested in the undertakings back into the revenue fund of a tune of 482,000 and in reality we really do have a deficit budget of about 150,00 dollars. Part of that 482,000 transfer back is being used to cover that deficit, plus to increase our revenue fund by the balance of \$334,000. That indicates to me that the transfers of that, or just changing capital round from one area to another are sound business practices. But when you use them in the budget concept and really say we're budgeting for a surplus of \$334,000 in this, I say just a moment, really we are really budgeting for \$150,000 deficit. I just point that out at this point in time because, it further indicates to me, while we are as an Assembly or future Assembly's continue to balance our books by increasing things like customs duty and putting in levy's like, a levy on a can beer and levy's on petrol and fuel and that. We really do have our heads in the sand and if we're going to continue on this path towards internal self-government, we do have to have some really hard look at our revenue over the areas. I know there are some exiting things in the wind, but they have to happen. We really do have to come to grips with the fact that while we continue just to try to fund the Island on main profit out of telephone calls and selling liquor and putting up customs duty, when necessary, and taxing levy's on fuel and things like that, well we'll eventually going to go down hill. Thank you.

MR SPEAKER: Thank you. Further debate Honourable Members? Mrs Cuthbertson.

MRS CUTHBERTSON. Thank you Mr Speaker. I just wish to commit on a few items that have had to be increased in this budget review. With regard to the extra hundred thousand dollars subsidy to the Norfolk Island Hospital Enterprise, I wish to make it clear that the mistake that occurred in calculation of budget was infact an addition mistake made by, strangely enough, the computer. It probably was not programmed properly. But when I picked it up it was still before the finalisation of the previous budget and we well new that this 100,000 would have to be found. Hand in hand, with that mistake there as also been, unfortunately, or fortunately, depending on your point of view, a decline in the revenue's of the hospital. There are many reasons why that might be happening. But probably, hopefully, some of our population are healthier. Certainly, the number of people attending the hospital for consultation is down. The number of bed nights is down significantly and that has resulted in a lower revenue stream for the hospital. Hand in hand, with that, unfortunately, a number of people, and it has been mainly some of the elderly in the community, have had to have treatment overseas. Quite expensive treatment overseas and that has necessitated the extra funds to be found for the welfare item of medical and hospital expenses for approved people. As Mr Kings as said, it's an essential responsibility of any government to look after people who need such care and it is essential that we should provide this extra funds for this service. Again, its going to be very difficult to estimate whether this current level of expenditure will occur in future year. It will fluctuate depending on situations, but let us not delude ourselves, it is likely to continue to increase.

The kind of service that the people that had to go overseas to have treatment required was just not available on the Island. It was specialised service and we will continue to have to look out for that kind of service to be performed overseas. With regard to the increase in the education budget, as Mr King has explained, the main part of it is to complete the second stage of the Bean Shed

refurbishment. I also wish to note that some over \$12,000 provided for other items is off-set against the saving of \$13,000. So not all of this extra money had to be added to education. And with regard to the extra funds to be found for the updating of the RPI index and the questionnaire on income and expenditure that was circulated during October and November. When the budget was framed we had no intention to go that way. The decision was made by this House somewhat later than when the budget was finalised. The decision was based on a motion from Mr Bates, who very properly wanted some actual accurate figures as to the situation of people in the community and that entailed considerably more expense than what was set aside in the budget for the purpose. Thank you Mr Speaker.

MR SPEAKER: Further debate Honourable Members? No further debate? No.
Mr King.

MR KING: To move that debate be adjourned and made an order of the day for the next sitting.

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

QUESTION PUT.
QUESTION AGREED.

The ayes have it.

NO 6 - LOTTERIES AND FUND RAISING AMENDMENT BILL 1996

MR SPEAKER: The next matter Honourable Members, I have to advise that the Business Committee has met and under Standing Order 158 declared the Lotteries and Fund Raising Amendment Bill 1996 to be an urgent Bill. On that basis I call on Notice No. 6 Lotteries and Fund Raising Amendment Bill 1996. Mr King.

MR KING: Mr Speaker, I present Lotteries and Fund Raising Amendment Bill 1996 and move that the Bill be agreed to in principle.

MR SPEAKER: The question is that the Bill be agreed to in principle. Mr King.

MR KING: And I table the explanatory memorandum.

MR SPEAKER: Thank you.

MR KING: Mr Speaker, the purpose of this Bill is to effect minor amendments to the existing Lotteries and Fund Raising Act 1987 to allow for the possibility of licensing a new form of gaming, namely Telephonic Digit Prediction.

The Act currently prohibits the conduct of lotteries other than those approved by the Executive Member. The Bill I am introducing Mr Speaker, today, will insert a new part 3b into the Act, dealing with the authorisation of Telephonic Digit Prediction Schemes. The Bill empowers the Executive Member to authorise such schemes, subject to conditions determined by the Executive Member, the Minister, as well as those already set out in the Act itself or prescribed already in the regulations. A breach of a condition may lead to suspension or revocation of that authorisation. One condition that is inserted into the Act by this Bill, is that a person or association, if authorised to conduct such a scheme must allow regular inspection and monitoring by a prescribed regulatory authority. If that authority furnishes a significant adverse report in respect of the scheme the authorisation

will be revoked. The Bill explicitly defines a significant adverse report as a report that, in the opinion of the Executive Member, discloses matters that may affect the continued viability or probity of the scheme. Mr Speaker the Bill also requires a scheme operator to allow an authorised regulatory body complete access to operator's accounts and records. Further more clauses provide that the Executive Member may suspend an authorisation for up to six months, if a condition of that authorisation is breached. Or indeed, the Executive Member may revoke the authority to conduct the scheme. The final safeguard inserted by this Bill is a fine of \$4,000 or imprisonment for six months or both if a person conducting the scheme knowingly contravenes a condition or requirement of the authorisation. Mr Speaker, this bill therefore slightly expands our current legislation to include provisions relating to a specific form of telephone gaming. As I have outlined it establishes rigorous checks and balances to ensure any such schemes are properly and fairly administered, monitored and supervised. In addition the Bill allows the Executive Member to include further requirements in any licence issued. Mr Speaker I must emphasize in this chamber, as I have emphasized in other areas, the passage of this amendment today and its subsequent assent into law, does nothing more than enable the responsible Minister to consider a licence in the future. The Bill does not contain any explicit or implicit authorisation or licence and it is very cautious and responsible measure in keeping with the principal Act and consistent with our obligations as legislators. I remind the House of my commitment to bring any future planned authorisation to the notice of Members before any licence is issued. I am confident Mr Speaker this Bill continues the strict regulatory regime of gaming in Norfolk Island consistent with other jurisdictions. It will enable the Norfolk Island Government and the Assembly to participate in business opportunities that it might otherwise be not able to do. I commend the Bill to the House.

MR SPEAKER: Thank you Mr King. Debate Honourable Members. No further debate? If there is no further debate, Honourable Members, I will put the question that the Bill be agreed to in principle. I put the question.

QUESTION PUT.
QUESTION AGREED.

The ayes have it.

MR SPEAKER: Is it the wish of the House to dispense with the details stage.

QUESTION PUT.
QUESTION AGREED.

House dispenses with the details stage. And I seek a final motion on that basis, Mr King.

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

MR SPEAKER: Thank you, the final motion is that the Bill be agreed to. Is there any final debate? No concluding debate? There being no concluding debate, I put the question.

QUESTION PUT.
QUESTION AGREED.

The ayes have it.

The Bill is agreed to.

ORDERS OF THE DAY

NO 1 - EMPLOYMENT ACT 1988 - ANNUAL REVIEW

MR SPEAKER: We are now at Orders of the Day. Order of the day Number 1. We resume on the question, resumption of the debate on the question that the House take note of the paper. Mr King you moved adjournment of that matter, therefore you have call to recommence the debate.

MR KING: I moved adjournment to enable myself the opportunity to read the review and I've done so. It's comprehensive, well presented report. I have nothing further to say except to emphasize my concerns about the codes of practice which should be operating in the work-place. Again I note, the increased incidence of work-place injury and time lost as result of injuries. Those things are of concern to me. I believe that those concerns can be eased somewhat by an increased inspectorate and an enhanced education process in the work-place. And my additional concern was the fact that there appears to be a level of avoidance of payment of Workers Compensation Levy, which concerns me certainly, as Finance Minister, because it's the only source of income for the fund. But I have nothing further to say on that. Thank you.

MR SPEAKER: Thank you Mr King. Further debate? No further debate? The final question therefore Honourable Members is the House take note of the paper.

QUESTION PUT.
QUESTION AGREED.

The ayes have it. And that paper is noted, we move to Order of the Day Number 2.

NO 2 - AIRPORT AMENDMENT NO. 2 BILL 1995

MR SPEAKER: We are resuming debate on the question that that Bill be agreed to in principle. I'm not to sure if it's Mr King or Mr Adams has the call. Yes, thank you Mr King.

MR KING: I have little further to say, I exhausted my debate on the first occasion Mr Speaker. I await further contributions from Members.

MR SPEAKER: Okay, thank you. Are there any further contributions? Mr Christian.

MR CHRISTIAN: Mr Speaker. Firstly, let me say that I own and operate a aircraft and that I may from time to time use the service provided by the Norfolk Island Airport. Mr Speaker, I agree that there should be a method of recovering outstanding debts in regard to landing fees or for that matter any debt owed to the Administration from any area. But I don't know whether the Airport Amendment No. 2 Bill is the way to go about it. In this I shall raise some of my areas of concerns for the consideration of Members. Mr Speaker, I have consistently maintained that this House should not waste it's time and money and therefore the public's time and money in attempting to introduce and pass legislation that can at best be described as useless and a blatant waste and abuse of Administration resources. Mr Speaker, this is such a piece of legislation. The airport operation is a major commercial enterprise, it achieves enviable operating profits and no financial statements or budgetary papers that I have had the opportunity to

peruse indicate that those profits are under threat. The architects of this proposed legislation must have been suffering delusions of grandeur on a massive scale. It would appear that the proposed legislation has been modelled on the Federal Civil Aviation Act. As far as I'm aware, that Act allows CASA and Air Services Australia both who are Commonwealth instrumentalities, to place liens on Australian registered aircraft to facilitate debt recovery in regard to outstanding airspace charges. It does not facilitate the recovery of outstanding landing fees, nor does it apply to foreign registered aircraft. In fact the Federal Airports Corporation which happens to be the largest airport operator in Australia does not have the benefit of this type of legislation. It must pursue debt recovery for outstanding landing fees in a competent court of jurisdiction. And so should the Norfolk Island Airport Enterprise. Mr Speaker, I will now comment on some of the proposed amendments to the Airport Bill and detail their deficiencies. Section 3a determines, this is the new section, the date upon which an aircraft may be seized. Section 3b allows the Executive Member to remit all or part of the charge, however, if the Executive Member cannot be persuaded to remit the charge and the charge is in dispute, the section 3a determines that upon a certain day an aircraft may be seized without the agreed party or parties having the day in court. Mr Speaker, without an independent administrative appeals mechanism the Executive Member becomes judge, jury and executioner and I find this quite unacceptable. Section 3c allows an authorised officer to seize an aircraft and retain that aircraft until the debt is paid or the aircraft sold and the proceeds distributed. As the proposed legislation has effect only in Norfolk Island the aircraft that incurred the charge must be in Norfolk Island to be seized. If the aircraft operator has a fleet of aircraft, this could be difficult. In the case of RPG aircraft it is the passenger that incurs the landing fee and not the aircraft. This opens another can of worms. As Norfolk Island does not conduct an aircraft register of it's own, any attempt to seize or seizure of an aircraft may also violate the Commonwealth Crimes Aviation Act of 1991. It would also, be almost impossible to seize a foreign registered aircraft as that aircraft is an extension of the country of registration and may provoke an international incident. Mr Speaker, section 3d deals with the sale of a seized aircraft if the debt remains unpaid. It requires notice of the sale to be given to all interested parties prior to the sale. But does not detail how this will be done. In fact, I fail to see how the relevant authorised officer can gather the information that's necessary. Section 3d requires the aircraft to be sold by public auction or tender, but makes no consideration of the amount owing in regard to the aircraft value. It makes no provision for the setting of a reserve and could therefore allow the Executive Member to sell an aircraft worth many millions of dollars to satisfy a debt of one dollar. I consider this to be also unacceptable. Section 3e, determines the order of priority for the distribution of the sale proceeds. It seeks to recover the outstanding landing fees prior to distribution of the balance to any interested party or parties. Although this section is well intentioned it would almost certainly be subjected to legal challenge with the prospect of that challenge being successful rated high. Mr Speaker section 3f seeks to protect the Executive Member, the Administration and its agents or employees from legal action that may arise in regard to the seizure of an aircraft. If the process of seizure is flawed and subsequently shown to be unlawful, then the Administration could be on a receiving end of a substantial compensation claim. This is also unacceptable to me. And any Member that doubts the benefit of the words that I have said, or the wisdom of the words that I've just said, just needs to cast their minds back to recent legal advice that was given to Members of this House in regard to debt recovery and the subsequent necessity to pursue the recovery of that debt in an Australian court of jurisdiction where bankruptcy laws applied. However it was soon obvious, to

Members of this House, that it was better to accept a commercial arrangement with the debtor, rather than to pursue someone into bankruptcy when you then lined up behind every other creditor or with every other creditor and we would have in fact recovered less than 4 cents in the dollar. It would have been a hollow victory. Mr Speaker, in closing I must say that this Bill really has nothing to do with the airport, nothing at all. It is an attempt to facilitate the collection of debts owed to the Administration. The landing fee debt recovery process should not be different from that used to recover any other debt owed to the Administration. Mr Speaker, I'm also concerned that this is the thin edge of the wedge. What next. Seizing of a persons home because they have not paid for the tanalising of the timber used the construction of that home. And I could go on and on and on. So I do not intend to support this piece of legislation.

MR SPEAKER: Thank you. Further debate? Mr King.

MR KING: I think Minister Lopyy's abit upset. This has been sitting on the table for about 2 month's this Bill and my Executive Colleague has not come and voiced his concerns with me, although I must concede at one particular time he did indicate a desire to come and see me. I would have to suggest that I'm very freely available in these precincts on a fairly regular basis, but I've not heard these concerns. What I have heard during the past few minutes is a whole heap of, I must say, typical fuffies. A waste of money, a waste of time and effort. I don't know, I don't believe so. I think better expressed to say that it was born out of necessity. One particular person, who operates a airplane into the airport had outstanding landing fees of in excess of \$5,000. All the other tax payers in the Island make regular and responsible and reasonable contributions in payment of their debts and in payment of the services that Admin provides. But that particular operator wanted to make no such contribution. Unlike areas of other services of course telephone or electricity, where those services get discontinued if you don't pay your bills, no such facility exists in relation to operating an airplane out of an airport and refusing to pay your fees there. You simply keep on doing it and thumbing your nose at the authority. This, as I mentioned, is a matter born simply out of necessity. It is part of a process, as a mentioned on the last occasion, of enhancing the Administration's ability to enforce recovery of debts. Indeed, it's specifically relates to the airport, the fees charged to airplanes and the seizure of the aircraft at the airport, such as other proposals to enhance debt recovery procedures in absentee landowners levy, which is receiving very close attention, Conveyancing Act, and we've spoken about our displeasure at the current practices in relation to collection of conveyancing fees, and I've expressed my desire to amend those difficulties or address those difficulties. So this is but one of a number of measures that have been taken to tighten up debt recovery procedures. I don't know, as I'm sure Mr Christian, doesn't know about the legal implications of the violation of the Crimes Aviation Act in Australia. My advice given to me in the past few moments, admittedly considered only at short notice, is that in the circumstances that Act simply doesn't apply. Whether we might be subject to a legal challenge and that person have a high chance of success, well, I mean the same can be said about any piece of legislation. Any piece of legislation is subject to challenge. Any Administrative decision is subject to challenge at one level or another. Whether we might be subject to a compensation claim, well I mean you tackle those things as you come. Our job is to address measures, legislative measures to enhance prospects of us being able to do our job. That's what we do here. Governments face challenge from time to time. I doubt very much that there would be any challenge arising out of this. Indeed the Bill hasn't got anything to do with the airport at all. As I've mentioned, it is about debt recovery. Thin end of the wedge and the seizure of

the homes because there's a non payment of the tanalising charges? Well I leave that to your imagination to decide whether that's a relevant consideration. To me that's probably the biggest furfy of all. Thank you, I intend to proceed with the Bill at this stage.

MR SPEAKER: Further debate Honourable Members. Mr Bates.

MR BATES: I think that the number one rule in debt collection, I believe, is that it is easy to collect it if you don't allow the debt to take place in the first place. That's not always practical but it can be seen in the Administration where services are not provided and people require them they very quickly pay those accounts. And that happens in the areas of electricity and telephones, you do have the ability to remove the credit, disconnect the service for unpaid bills or unpaid debts. I see no difficulty in the Government taking some action to facilitate payment of debts of this nature. If they have to revert to the courts and fight it through the courts, through the normal channels, that's a costly exercise and if there can be some other hold over of a parties to pay these debts I have no difficulty with that. I don't really envisage that this piece of legislation will ever be used, but it is a little bit of a threat, I suppose, to those that feel that they don't have to actually pay their accounts. Everybody else pays them, but not them. A debt owing to, whether it be the airport or the Administration, is a debt owing to the community. It's not a debt owing to the Executive Member or anyone of us round this table. It is a debt owing to the community, and those who responsibility it is to collect those debts, are accountable to the community to collect them. So I have no difficulty with this piece of legislation and I will give it my support.

MR SPEAKER: Thank you Mr Bates. Further debate? No further debate around the table, Honourable Members. Mr King, did you want to wind up.

MR KING: No

MR SPEAKER: The question, Honourable Members, is the Bill be agreed to in principle. I'm sorry, did you seek my call? My apologies.

MRS ANDERSON: Thank you Mr Speaker. I will try and be objective on my comments on this Airport Amendment Bill. While I agree with what Mr Bates says about recovering debts owed to the community, I rather feel that this piece of legislation is taking a steam hammer to smash a Hihi, if I can say so. I would rather see something along the lines of a Denver Shoe approach to the aircraft, rather than, a seizure and a sale of an aircraft for a debt that Mr King estimates might be in the area of \$5,000. Mr Speaker, I cannot support this legislation.

MR SPEAKER: Thank you. Further debate Honourable Members? Mr Christian.

MR CHRISTIAN: Mr King has said earlier that he is considering tightening up debt collection in general in the Administration, or in the area of debts owed to the Administration. What Mrs Anderson said is completely true. As far as I'm aware, there is no large debt owed to the Administration in regard to the Airport.

I think the last large debt owed to the Administration in relation to the Airport was after Oxley Airlines collapsed. With an income in excess of a million dollars or around a million dollars I don't think the loss of probably \$13,000 or \$18,000 may have adversely affected the airport. Norfolk certainly benefitted from the people that airline delivered into Norfolk Island and it certainly benefitted from the Department Tax which was collected when the people left. So the net result Mr Speaker is that although we dipped out on a bit of landing charges overall we

have that ability to put something into the legislation where landing fees are payable in cash at the point of time, and a provision to exempt a larger operator like Ansett or Air New Zealand. I don't have any great push for this piece of legislation other than what I've said that it is there as a threat and it is there as a method of debt collection which is something that we must face up to but as I said earlier, the surest way to not have to collect a debt is not to have one in the first place and that's just another approach that could be used

MR CHRISTIAN Thank you Mr Speaker. Firstly what I would like to say is that a couple of Members have used the words, they call it great Furphy's or I've told a few Furfphys. But I've told no Furphy's today. What I have highlighted is an alternative view. And that view may well turn out to be the correct view. I think there is some wisdom in what Mrs Lozzi Cuthbertson has suggested because if an aircraft has incurred, whether it be me or anybody else, gets to the Administration here in regards to landing aeroplanes, and I must say at this stage Mr Speaker, I have no outstanding debts to the Administration in regards to aircraft landing fees, and the aircraft is removed from the Island prior to seizure well then this legislation is as useless as tits on a bull because it is only effective in Norfolk Island, as I have said and then you need to go and pursue it through a Court of jurisdiction where-ever the person who incurred the debt happened to be and that could well be either in a Norfolk Island court or in an Australian court or in a court in New Zealand, Fiji or anywhere else and I think that landing fees or debts for landing fees shouldn't be treated differently to any other in the Administration and that is, they should be dealt with by way of summons and front up to the Court of Petty Sessions and have your day in Court. If the Minister sees fit but he wants to put a set of clamps on a wheel of an aircraft to prevent it from being removed well I see no problems with that at all, it's legitimate, that's the same as disconnecting the telephone but I notice that we don't go and take the telephone out of somebody's house when they haven't paid their bill, and sell the telephone. We leave it disconnected until they pay their bill and then we reconnect it and to me that is the logical thing to do with aeroplanes rather than potentially bring a ton of unnecessary problems onto the heads of those in the Assembly and the Administration. I'll leave it at that Mr Speaker

MR KING Thank you Mr Speaker. I think this is one of the most disjointed debates I have heard here for a long time. I don't resile from the fact that what Mr Christian says is alot of poppycock and furfies, absolutely and uncategorically. I'd like a month to work on him. I'm happy to move the adjournment of this debate. There's a few Members around who seems to think there are a few areas where there is room to talk. I don't think there is. I think that's a load of nonsense. You are deferring to a great argument from the greatest Furphy deliverer that God ever put breath into and I so move adjournment Mr Speaker

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

QUESTION PUT
AGREED

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

NO 2 - SELECT COMMITTEE ON ELECTORAL AND CONSTITUTIONAL MATTERS

Mrs Anderson you have a motion appearing on the Notice Paper in your name in respect of this matter

MRS ANDERSON Thank you Mr Speaker. Mr Speaker I move that the recommendations contained in the Report of the Select Committee on Electoral and Constitutional Matters tabled in this house on 18 October 1995 be considered and dealt with individually and each one either be agreed to, or amended and agreed to as amended, or rejected, or adjourned to allow further consideration, as the case may be. Thank you Mr Speaker. The Report of the Select Committee on the Electoral and Constitutional matters was submitted to this House at its October Sitting. Copies of the Report have been available to the public through the Accounts Branch or at the local library. The Report's recommendations were precised in the local paper. There has therefore been ample time for public scrutiny and I seek today to have each of the recommendations presented to this House for comment. Mr Speaker the Select Committee comprised Mrs Helen Sampson, Mr Robert Adams and myself, assisted by officers of the Administration. The report was compiled from submissions received by the Committee and from research undertaken from appropriate reports and publications and from talking to the members of the public. The recommendations contained in the report are therefore the culmination of these investigations and seek to convey the majority feeling of those who expressed opinion. The recommendations do not necessarily reflect the personal views of one or more of the Committee Members as will no doubt become clear during the debate. Mr Speaker I commend the motion

MR KING Thank you Mr Acting Deputy Speaker. How do we intend to deal with this if I may ask? Do I just launch into recommendation No 1

ACTING DEPUTY SPEAKER The debate Honourable Members is on the motion before us. If that is agreed then I intend to proceed along the lines of the motion and that is to discuss the points

MR KING Well I don't have any difficulty agreeing with that motion

ACTING DEPUTY SPEAKER Any debate?

MR BUFFETT Thank you Mr Acting Deputy Speaker. Do I interpret that at this stage you would like any sort of general comments in respect of the totality of the report and then we might address the specifics of each recommendation as we go through them one to twentyseven?

ACTING DEPUTY SPEAKER Yes Mr Buffett, that is correct

MR BUFFETT Thank you Mr Acting Deputy Speaker. Then I would like to make some points in respect to the totality of the report before coming to each individual item. Can I firstly say Mr Acting Deputy Speaker, some words of compliments to the members of the Select Committee, that is Mrs Anderson, Mrs Sampson and Mr Adams. They really have given diligent application to this particular tasks. There have been some challenging subjects to tackle in this report and I think they've done that well and as a Member of the Legislature I would like to thank them. In the Report itself, I see two general areas that are identified and addressed by the Report. One really addresses matters of considerable substance or matters of say constitutional standing. Examples of these might be entitlements for enrolments, a system of voting, the number of Members in the Legislature. That's the first general and wide area within the Report. The second area covers what you might term administrative, procedural or more machinery matters. For example, the number of days you might have between nomination day and polling day. Another example is the time of day you might close nomination and the time of day that you might read them at the court house.

understand correctly then, that if this motion that we are talking about now was voted down then that obviates a necessity to go through these things item by item but it doesn't preclude bills or measures coming through at a later time to adjust the procedural type recommendations that have been made. Is that a correct interpretation on my part

ACTING DEPUTY SPEAKER My understanding is that if the motion is lost then there would be no consideration of the points one to eighteen or the recommendations one to twentyseven at this point in time

MR KING Thank you Mr Acting Deputy Speaker. Well if I could say a few more words on that. Maybe I'm moving towards moving against this motion if that is going to be the outcome, not that I want to avoid talking individually about each of the recommendations. I'm quite happy to do that but if we are just belabouring the point and if we are of the view that perhaps justification is lacking in certain areas then maybe we ought to be thinking perhaps about voting in that fashion. I also commend the committee on its efforts. It is obviously not a very easy task to do and it took some time and a number of extensions. When things get drawn out it becomes even worse to continue to apply yourself to them to try and bring some conclusion and I know it wasn't easy. It certainly is hard to encourage people in the community to respond and I think you receive some 28 persons or something or other which is a very very low percentage. 2.3% of the electoral roll responding to basically a call, which was in some respects a clamour prior to the election, for someone to have a look at the voting systems, enrolment qualifications and all that. Well, clearly those appear to be a minority of persons who happened to be making a bit of noise at the time. It certainly didn't manifest itself into submissions to the committee so I have a great difficulty in finding justification for a number of the major constitutional type recommendations in here. To a great extent the Committee appears to have relied on the scant number of submissions by making reference to them, in fact, quite regularly. Two submissions said this, one said that, one said something else and drawing from that some conclusion or recommendation. I have great difficulty with that. There is every facility for people like the Returning Officer to take an initiative and bring forward proposals for legislative change in his area. Frankly it doesn't happen as often as it should out of the Public Service but that facility exists on almost day to day basis and no reason why those initiatives shouldn't come forward at any time and indeed, there is no reason why initiatives for the procedural type change shouldn't come forward but I had in my mind formed the conclusion that I wouldn't agree to any changes in the voting system; the qualifications for enrolment or qualifications for the House because there had not been enough expression by the electorate, nor it appears to me enough exercising of the Committee's own mind, at least manifest in the report so I hadn't felt that I was in a position to vote for any changes in those areas. In the area of the voting system I would have to say that I was a touch disappointed that the Committee in its report made certainly no reference to an in depth analysis which was done of the results of voting under the present voting system over a number of elections since, I think, the day it was introduced. I am a little embarrassed to say that I hope that wasn't because I was the one who did the analysis, because it was open to the Committee to do those analysis themselves, nevertheless, I did put the time in, I did make the submission. No reference was made to those submissions at all, nor to the findings. Now one can't ignore the findings that 98.4% of people under the present voting system are successful in gaining representation in the Parliament. I think that sort of system must be the envy of the world almost. If I could refer to this just for a minute, I think that some 75% of votes of cast votes. I understand, (each one has nine votes), and 70% of them are votes which count towards successful candidates. Again, that is an incredible statistic which can't

be ignored so on that basis I simply wouldn't agree to any change in the voting system. I just couldn't accept that the change was necessary when you have that amount of people who are successful in gaining representation in the House so I would be interested to hear Mr Acting Deputy Speaker, the comments at this stage of other Members. I would be of a view if there was sufficient support to vote this motion down if it was going to obviate the need to carry on, on an item by item basis for a constitutional change which I'm not going to support in any event

MR ADAMS Thank you Mr Acting Deputy Speaker. I think it is quite incredible that we have to basically have a roll call before we consider any piece of legislation that comes before the House. Mr King has made reference to the fact that there have been 34 people who made a submission. Well let's cast our mind back to something that occurred in recent times, and that was the tourism review policies. There were only 60 odd there, if that figure so it's quite ridiculous I would suggest to say okay, we've only had 30, we'll just throw all that out the window, there's nothing of any use in there. It really begs the question of why somebody is in such haste to move aside and not even consider the recommendations in there, because frankly Mr Acting Deputy Speaker its been a total waste of everybody's time. Let's not forget the fact of who moved the motion in the early days. It was none other Mr King himself. Now it appears that he may or may not like some of the recommendations in there and maybe the easiest way of avoiding something passing that you don't like is to chip the whole lot out the door in the first instance. I certainly don't think Mr Acting Deputy Speaker that there is any merit in voting down the motion. I think there is all the merit in working through the points. It might be laborious, we might not agree, we might throw some out. So be it. Thank you

MRS ANDERSON Thank you Mr Acting Deputy Speaker. It was my understanding that the other Members wished this report to be treated in this manner so that they could debate each of the recommendations in it however, if my motion on the paper today is defeated I on behalf of the other Committee Members will reserve the right to bring any of the recommendations in the report to the House at a future date, thank you

MRS LOZZI CUTHBERTSON Thank you Mr Acting Deputy Speaker. I must admit that I find it a little concerning that after all this work and after all this time, that this report may not be debated item by item. I think alot of work has gone into it and just because the number of submissions has been minor by percentage to the people in the population, doesn't really indicate that those submissions do or do not represent any formed or interested much larger group of people. In other places you always get very small reactions to any exercise like this. Probably much smaller that we have received here. Yes, the lines of communication are much shorter and it is much more accessible to people here to make input but it is quite daunting for the average person to begin to think about making an input about anything as technical as the items covered by this report. I think 34 submissions, no matter how hard the Committee has to work to get them, is not a bad contribution for a community that doesn't have yet, only after fifteen years of self government, organisations that are used to encourage people to make this kind of contribution as yet. I think in fifteen, twenty years time perhaps the number of contributions will go up considerably. I've found that some of the suggestions in the report, be they technical or on matters of procedural changes are worth discussing. If nothing else, for people out there to think a little more about them and perhaps to let us know more in future. They are issues that people make comment about but perhaps are reluctant to going to paper or come forward at the appropriate time and make suggestions about in a formal way simply because they might be embarrassed about not being sufficiently informed or because they might require an effort for

would go through to consider them and if that's what we do then that's the way we will go through it. I think probably I too have been remiss in not acknowledging that the 34 people who did make a contribution, indeed should be congratulated and complimented on the work that they did in coming forward and appearing before the Committee. That doesn't change my view however that the number remains reasonably small and indicates that there is not a great groundswell within the community for significant changes and I stick to that view. There we are for the moment

MR ACTING DEPUTY SPEAKER If there is no further debate then I put the question that the motion be agreed to. We will turn the hour glass and wait for Mr Smith

MRS LOZZI CUTHBERTSON Could you reread the mottion so that everyone is clear about it

MR ACTING DEPUTY SPEAKER Certainly. The motion is that the recommendations contained in the Report of the Select Committee on Electoral and Constitutional Matters tabled in this house on 18 October 1995 be considered and dealt with individually and each one either be agreed to, or amended and agreed to as amended, or rejected, or adjourned to allow further consideration, as the case may be. I notice that Mr Smith has returned so the question is that the motion be agreed to

QUESTION PUT
AGREED

The ayes have it. Mrs Anderson, do you wish to lead off with recommendation Number 1

MRS ANDERSON Thank you Mr Acting Deputy Speaker. Recommendation No 1 from the Committee is that a new Electoral Act be set up to cover all procedures and regulations for the conduct of elections to the Legislative Assembly including eligibility to vote and eligibility to stand as a candidate for election. I might also point out that there is a recommendation No 14 that a new Legilative Assembly Act be set up to cover the operation and domestic management of the Legislative Assembly to provide for the office of Clerk and other Parliamentary Officers and to enhance the independance of the Assembly. What these two recommendations are proposing is that the existing Act should be split into two, one to cover elections and matters relating to elections and the other to cover the conduct of the Legislative Assembly building and proceedings and the Office of Clerk which it is felt should be better split into two seperate documents

MR BUFFETT Mr Acting Deputy Speaker I don't see any great difficulty in this particular recommendation, it's what follows that might be more contentious. The matter of whether you have one piece of legislation or two pieces of legislation, there is not a great deal in that, they are more procedural matters. Machinery matters as to how you handle it. The content which is recommendation 2 onwards, is more important than that situation. I support the machinery matter of dividing the two pieces of legislation. I don't see any difficulty in that and if that is how that runs I don't have any great difficulty there

MRS LOZZI CUTHBERTSON Thank you Mr Acting Deputy Speaker. Like Mr Buffett I do not consider this recommendation of No 14 essential or hard to accept. If indeed it turns out that separating the two functions will produce a clearer, better system, certainly I will support it but at this point I would like to be guided by a person with a technical knowledge of the law that will guide me and tell me, yes it would be better or not better. So I really do not think that this is an

essential recommendation at this point

MRS SAMPSON Thank you Mr Acting Deputy Speaker, these two recommendations, 1 and 14, the Committee received a submission in his private capacity from the Secretary to Government and I feel that his submission was useful, it covered the Electoral Act and the Legislative Assembly Act in detail and I felt as somebody who knew more than I did about these two Acts we were quite happy to accept his recommendation as being worthwhile and this is how recommendation 1 and 14 got there and I thank the Secretary to Government for his contribution

MR KING Thank you Mr Acting Deputy Speaker. I don't have any difficulty either. It just occurs to me that it will call upon us to go away and get new Acts drawn up and that, I think it needs to be a bit more specific in relation to what detail we want in that Act other than simply to say cover all procedures and regulations, other than simply to break up one piece of legislation into another. It's not a matter that I would devote too many resources to as a matter of priority. I'm happy to go along with the recommendation

ACTING DEPUTY SPEAKER The motion is that recommendation No 1 of the Select Committee's Report be agreed, is there any further debate? If there is no further debate then I put the question

QUESTION PUT
AGREED

MRS LOZZI CUTHBERTSON NO

Do you wish the House to be called Mrs Lozzi Cuthbertson? No, well it will be recorded. The motion is passed. Mrs Anderson do you wish to proceed with recommendation No 14 since we have dispensed with that at this stage

MRS ANDERSON I think that would be a wise move and would certainly tidy things up. Recommendation 14, as I foreshadowed, is that a new Legislative Assembly Act be set up to cover the operation and domestic management of the Legislative Assembly to provide for the Office of Clerk and other parliamentary officers and to enhance the independence of the Assembly. Obviously if the new Electoral Act is to be set up which does not cover these matters then the second Act is compulsory so I would move that recommendation No 14 be accepted

MR BUFFETT Mr Acting Deputy Speaker I think in effect that what that means is if recommendation No 1 is agreed which it has at this moment, that the electoral provisions which are presently in the Legislative Assembly Act would be extracted from it and what you would have is the balance. It's almost automatic and so I therefore don't have any difficulty in recommendation 14, it goes hand in hand with the other. I don't envisage that it would carry any more weight or any less weight, it is a matter of just a division of the particular functions

ACTING DEPUTY SPEAKER Thank you Mr Buffett, is there any further debate? Then I put the question that recommendation No 14 of the Select Committee Report be agreed

QUESTION PUT
AGREED

MRS LOZZI CUTHBERTSON NO

Do you wish the House to be called Mrs Lozzi Cuthbertson? The ayes have it.
Mrs Anderson, recommendation No 2

MRS ANDERSON Thank you. Recommendation No 2 perhaps will cause greater difficulty amongst Members because it calls for alot more thought and greater change to the existing legislation. The Committee felt that legislation as it currently stands can disenfranchise returning native born Norfolk Islanders who although they've been living away from the Island for some years could be expected to have kept close ties with family remaining in the Island and therefore to be abreast of local issues and to still feel themselves part of the Norfolk Island community. Under the current legislation they have to wait as long as somebody newly arrived in Norfolk Island to be able to exercise their right to vote and this was felt by a number of submissions that we received and a number of the people that we've talked to. We have made recommendation No 2 that the new Electoral Act as set up by recommendation No 1 provide that the qualifications for enrolment should be as follows: that a person is entitled to enrolment if the person (a) has attained 18 years of age, and (b) is a resident of Norfolk Island by virtue of having been born or deemed to have been born on Norfolk Island and has been present in Norfolk Island for a total of 90 days immediately preceeding the date of the persons application for enrolment or, (c) is a resident of Norfolk Island within the meaning of the Immigration Act 1980 and has been resident in Norfolk Island for a total of 90 days immediately preceeding the date of the persons application for enrolment, or (d) has been present in Norfolk Island for a total of 900 days during the period of four years immediately preceeding the persons application for enrolment which is the current requirement

MR KING Thank you Mr Acting Deputy Speaker. I was under a bit of confusion about this particular recommendation earlier on because I thought that it was an attempt to exclude temporary entry permit holders and in fact general entry permit holders from the right to vote in the Island. Now on reading that again it is clear to me that that is not the case. I think it is now clear to me that what is proposed is this. That those residents on the Island, people who are residents, not necessarily native born residents but residents within the meaning of the Immigration Act can vote after being here for 90 days and all the rest can wait 900 days including general entry permit holders whom you have assessed for permanent entry and invited into the community. I don't like the discrimination element of that, putting other people on a different footing. I think I made the point somewhere along the line that firstly general entry permit holders should be treated as members of the permanenet community, you assess them for entry on that basis to come into your permanent community and temporary entry permit holders who invariably represent somebody between maybe 15-25% of our ordinarily resident population, they should also have representation if they wish. I think all of those people ought to be on the same footing and at an appropriate time I would move an amendment to that. I don't have any difficulty in people joining the electoral roll after a period of 90 days residence. Most particularly, people who are native born or residents. As far as the other people are concerned, General Entry Permit holders would most certainly want to join the roll of the permanent community as quickly as they possibly can and should clearly be entitled to. Temporary entry permit holders should also have the right to join the roll as quickly as others can as well but it is most unlikely that they will because of their short period of stay so I would agree to a change in that at the appropriate time although I am interested to hear what other people might have to say and at the appropriate time I might move an amendment to embrace what I've just said and on that basis I would then go ahead and agree with the recommendation No 3 that enrolment shall not be compulsory. I think quite clearly the community is a very politically aware community and would take up the right to enrol but I wouldn't

want to make it compulsory for a Temporary entry permit holder for example to join the roll just because they've been here for three months or 90 days. I'll wait now and listen to what others have to say thank you

MR ADAMS Thank you Mr Acting Deputy Speaker. Some of the comments that have been put forward, or the points of view that has been put forward by Mr King, to summarise I think where he is coming from regarding the fact that tep's or itinerant workers should be able to vote after 90 days as well as a resident person or somebody deemed to be of resident status is in effect putting him on the same plane. I think that is quite clearly wrong because I believe franchise is a privilege. It is something you've earned and for a Temporary entry permit holder or an itinerant worker who has been here after 90 days, the fact of whether or not he has actually earned his franchise is extremely questionable. I think the provision at present of a returning resident having to wait 900 days out of the four year period to vote is extremely onerous. I certainly would suggest that it is probably one of the only places in the western world in recent times where you are in effect disenfranchised due to the fact that you have had a period away. I would also suggest that probably South Africa in recent times would have been the only place where that sort of disenfranchisement would have been in place. As for people being politically aware, I doubt very much Mr Acting Deputy Speaker if we can honestly assess an itinerant worker as being politically aware of Norfolk Island's issues and facts after being here 90 days. I think that's really stretching the imagination. That's all I have to say at this time on that point

MRS ANDERSON Thank you Mr Acting Deputy Speaker. I was just seeking clarification from Mr King. You are suggesting that anybody who is here on a general entry permit should be allowed to vote after 90 days. Am I correct in that assumption?

MR KING General Entry Permit holders and Temporary entry permit holders. I'm suggesting that the only qualification which should change is that of the qualifying period of residency which should be reduced from 900 days to 90 days immediately preceeding application

MRS LOZZI CUTHBERTSON Thank you Mr Acting Deputy Speaker. I certainly share some of Mr King's concerns about not discriminating against people but I'm also aware that Norfolk Island, in order to be eligible to vote, it is not a question of citizenship like it is in most other places, it is a question of residence. In other places you are certainly required to serve a period of time if you are newly arrived in order to become a citizen. Two years in Australia, varies in other places. We provide for 900 days which is pretty close to three years. I certainly support the reduction in the amount of time that residents are required to wait. I find even waiting for 90 days as being a long period of time and when an Australian has been travelling overseas and returns to Australia he or she doesn't have to wait 90 days in order to become eligible to vote once again. I see the problem here as to Norfolk Island only having residents qualification rather than a citizenship qualification before you are allowed to vote. I also wonder whether extending the vote to TEP's who can be influenced by their employers somewhat, could certainly unbalance the voting pattern of the island. Certainly when the employment situation was different on the Island I wonder what effect it would have had. Because we have people of all nationalities, able to come in on GEP's after going through due process and because we do not have a Citizenship qualification the only alternative is a residents qualification. Therefore on balance I am in favour of Recommendation No 2 as its put but I wonder whether 90 days should be reduced in terms of residents returning to the Island

ACTING DEPUTY SPEAKER Thank you Mrs Cuthbertson. Mr Adams

MR ADAMS Thank you Mr Acting Deputy Speaker. I certainly support the tail end of what Nadia suggested there. That nine days is perhaps too long. Member of the House may realise that there was a Committee of three involved in this and not all of these things were unanimous or maybe the recommendation didn't go as far as some of the Members would have liked to have seen them go and this is certainly the case for this one. My views on this matter regarding the 90 days for residents or people deemed to have been born on the Island Mr Acting Deputy Speaker is that there should in fact be no time limit. I'm aware in other jurisdictions Mr Acting Deputy Speaker, particularly in the UK scenario where we look to alot for our Westminster principles etc and ways of doing things and one sees in the English context that a person or somebody on the electoral roll can be out of the country and not return for one day for up to and including twenty years and still be able to come back and vote or indeed put in a postal vote. In Australia the qualifying period is a month. Now over the years the qualification for a returning resident having to wait 900 days is clearly a wrong one and an out of step one and I support Nadia's contention that 90 days in this respect is too long a period. I would certainly like to see that shortened to at least a month

MRS SAMPSON Thank you Mr Acting Deputy Speaker. I was amazed to hear Mrs Cuthbertson say that the TEP could be influenced by his her employer. I mean, it's not a union vote with a show of hands its a secret ballot. Nobody tells me how to vote, even my husband doesn't tell me how to vote so I feel that your comment there was perhaps a little bit naive, as regarding how somebody should vote. TEP if they get a vote have as much right to exercise a vote whichever way they see possible

MRS LOZZI CUTHBERTSON The problem as I see it is that the information about political process and political policies and performance on Norfolk Island is very scant. We do not have a investigatory press, we do not have much by way of written information that is circulated amongst the community on a regular basis. So much of the information we depend on in forming our opinions about Members of Parliament comes from experience. Listening to them, and hearing what other people have to say. Now a TEP who has only been here 90 days is going to associate with a fairly limited number of people in that 90 days or are very likely to. They certainly are not going to have a chance to form an informed opinion about what is going on and about who is doing what and who can be relied upon etc. That's my only hesitation. I have no doubts about the secrecy of the vote and all that kind of thing

ACTING DEPUTY SPEAKER Perhaps before I call on Mr King I could just remind Members that the original motion does allow adjournment of any of these points if anyone so wishes. It also allows for them to be amended. Mr King did you wish to speak

MR KING Yes thank you, you've just added another dimension to my debate Mr Acting Deputy Speaker. So I might go for an adjournment of this one. I just have difficulty with putting people in different slots. I was quite surprised to hear Nadia say what she did as well and even seek to explain herself. The fact of the matter is thatvery few of these people, Temporary entry permit holders that is, would seek the right to vote in any event, let alone would they do it in sufficient numbers as to sway the balance of power in the Norfolk Island Parliament but it would appear to overlook that they already have the right to vote on equal terms as GEP holders and residents and what we are doing is slipping them down, and GEP holders incredibly, or more incredibly, into a different category. Maybe

Members are not disposed to being as kind as I am toward Temporary entry permit holders but you may like to give further consideration to the question of General Entry Permit holders and the fact that you have tested them and assessed them and invited them into your permanent community and now you are saying to them that you can wait two and a half to three years, whatever it is, before you have the right to vote. Before you are really as good as one of us, and on that score maybe there might be room for an adjournment on this just to refine it up and rethink the question of GEP's and not prepared to even question the TEPs

MR ADAMS Thank you Mr Acting Deputy Speaker. Without attempting to labour this to the nth degree, already Mr King must take on board the fact that there are already at least two classes of GEP. One is the one who moves to the Island and purchases a business, hopefully we won't resurrect that debate again, purchases a business, they are here, forthwith as a GEP and therefore what you would understand as a regular or a longish term or somebody with an interest in the long term aspects of the community. We have to keep in mind the fact that although this person is a GEP he is only recently arrived and you could hardly say that he has earned the right of franchise, knowing little or nothing of issues, having been here a short time. The other class is the person who has come here as a TEP, served their time, put in for a GEP and have been accepted. Those people are generally well over the two year mark anyway so I'm not suggesting that they are being disadvantaged in any way, shape or form. I don't think, Mr Acting Deputy Chair, there'll be anything to be gained by postponing this and I would like to see us vote on the motion as put

ACTING DEPUTY SPEAKER You are moving that the question be put are you

MR ADAMS Yes

ACTING DEPUTY SPEAKER Mr King earlier in the piece indicated that he had an amendment. You're not going to deny him that opportunity are you

MR ADAMS No I'm not actually

ACTING DEPUTY SPEAKER Did you have an amendment Mr King

MR KING I did, but it's not going to be of use moving it I wouldn't think but I did indicate that I would seek adjournment

ACTING DEPUTY SPEAKER Well the question before us is that recommendation No 2 of the Select Committee's Report be agreed. Do you wish to move an amendment Mr King?

MR KING No but I would move an adjournment Mr Acting Deputy Speaker and so move

ACTING DEPUTY SPEAKER Is there any further debate? The question is that recommendation No 2 of the Select Committee's Report be adjourned and made an Order of the Day for another Sitting

QUESTION PUT

Could the Clerk please call the House

MR BUFFETT	NO
MRS ANDERSON	NO

MR BATES	AYE
MRS LOZZI CUTHBERTSON	AYE
MR SMITH	NO
MRS SAMPSON	NO
MR ADAMS	NO
MR KING	AYE
MR CHRISTIAN	NO

The ayes three the noes six. The motion is lost. I put the motion that recommendation No 2 of the Select Committee's Report be agreed

QUESTION PUT

Do you wish the House to be called Mr King

MR KING Yes Please

ACTING DEPUTY SPEAKER Could the Clerk please call the House

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

The ayes eight the noes one. The ayes have it the motion is passed. Mrs Anderson, Recommendation No 3

MRS ANDERSON Thank you Mr Acting Deputy Speaker. Recommendation 3 is that enrolment shall not be compulsory. As Mr King has foreshadowed that certain TEPs might not wish to exercise the right to vote even if they've ... I think that anybody wish an interest in the affairs of the Island will want to vote and will enrol but I feel that in certain instances if people don't want to vote then enrolment shouldn't be compulsory but Recommendation No 4 will follow on from that

ACTING DEPUTY SPEAKER The question is that Recommendation No 3 of the Select Committee Report be agreed. Is there further debate?

MR KING Well I would be interested to hear some justification before we vote on it. Surely to heaven someone has some justification for what they are about to do

ACTING DEPUTY SPEAKER Further debate? No further debate then I put.... sorry Mr Adams

MR ADAMS One of the prime things in response to Mr King's question, one of the prime things behind this recommendation is basically the democratic process. The Committee decided or arrived at a conclusion that it would be more democratic Mr Acting Deputy Speaker if they had the choice rather than being forced into the voting process thank you

ACTING DEPUTY SPEAKER Further debate? No further debate then I put the

question that recommendation No 3 of the Select Committee's Report be agreed

QUESTION PUT

Could the Clerk please call the House

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

The ayes five the noes four, the motion is carried. Mrs Anderson, Recommendation No 4

MRS ANDERSON Recommendation No 4 follows on from Recommendation No 3, that has just passed. Voting shall be compulsory for all persons on the Electoral Roll and physically present on the Island on the day of the election. There is a feeling that anybody who is on the electoral roll, who has chosen to be on the electoral roll should by compulsion vote. At the present time, voting is compulsory but we have recommended a provision for postal voting and absentee voting which would allow anybody who is not on the Island to vote should they so wish but the thought was that to make it compulsory for a person to vote if he was not physically present on the Island on the day of the election was perhaps too harsh, thank you Mr Bates

MR KING I may stand corrected but this is what I gleaned from this, that if you are on the roll and if you go away, you don't even have to make an attempt to vote

MRS ANDERSON As it's worded, yes that's correct

MR KING I'm sorry, I can't understand why that ought to be so and there is nothing in the report to tell me why that ought to be so. Why shouldn't people if they are on the roll, make an attempt to vote

MR CHRISTIAN It should be compulsory if you're on the roll, whether you are on the Island or off

MR BUFFETT I move an amendment Mr Acting Deputy Speaker. All words after "and" which occurs after "electoral roll" be deleted and therefore that would read "voting shall be compulsory for all persons on the electoral roll"

MRS LOZZI CUTHBERTSON Well I think it might require more of an amendment to that because Recommendation No 7 is just not consistent even with the amended version of Recommendation No 4. I have the feeling that Recommendation No 4 and No 7 will have to be re-combined, written together as one

MR BUFFETT That's simple. I'll adjust the amendment. Delete the words that I've referred to and add the words "except as provided in Recommendation No 7". Of course that assumes that No 7 may well be accepted and it may not be. In a sense I don't think that is contradictory. It provides that you have to vote

if you are enrolled. Now there are various reasons why people may not be able to meet that requirement and if the law provides that you in certain circumstances may be handled in that way, then so be it. Recommendation No 7 is one of them

MRS LOZZI CUTHBERTSON Thank you Mr Acting Deputy Speaker. I hear what Mr Buffett said, under the circumstances, yes that could be the situation. It is just as you read them here, the recommendations seem to be contradictory. I also am concerned about a person who does not express a desire to vote. I would really be concerned when the actual legislation is drawn up, how that is expressed. What kind of reasons to support that are put forward

MR BUFFETT So really what you are saying there is that voting should not be compulsory

MRS LOZZI CUTHBERTSON If a person expresses a desire not to vote... this is why I find it inconsistent in so far as you are forced to vote, well you can simply vote informal if you feel so strongly about it, but to actually build it in to a reason why you don't have to vote is certainly negating Recommendation No 4

MR CHRISTIAN Then you just need to amend No 7 to take everything out after "vote"

MR BUFFETT Well I've got to say that that's my main thrust, I don't see any reason for change and by voting in the way that I've recommended maintains the status quo. I'm not proposing anything new in respect of this matter, I'm really moving to maintain the status quo, we're just trying to find the words to accommodate this

MRS LOZZI CUTHBERTSON With Recommendation No 4, yes

MR CHRISTIAN No, but the amended Recommendation No 4, because if you don't amend it, if you are not here you can't vote

ACTING DEPUTY SPEAKER Mr Buffett has proposed an amendment Mrs Anderson

MRS ANDERSON I just wanted to point out that the Recommendation that voting not be compulsory for those not physically present on the Island on the day of the election was in fact a recommendation of the Returning Officer

MR KING So what

MR BUFFETT Mr Acting Deputy Speaker I know that there are some technical difficulties that have been experienced by people who were not physically on the Island and it relates mostly to the time frame that you have got and how the machinery handles the procedures. You've got to apply and forms have to be sent, you've got to give them and they've all got to be back in by polling day. Some of that if accepted in this Report, may well be alleviated because there is a time frame to extend by a week or something like that, this area of difficulty so it gives people a greater capacity if they are away to be able to record a vote. I'm not saying it will solve it, I'm just saying that I've noted in this report that there is a particular recommendation which is a machinery one, not a basic constitutional one, that may alleviate that difficulty

MR CHRISTIAN Are you suggesting that they have a week after polling day

MR BUFFETT No. It lengthens the time between nomination day and

polling day. Twentyone days to twentyeight days if I remember the details correctly

MR CHRISTIAN It's just that that could be quite a handy facility

MR BUFFETT I bet. I make the proposal Mr Acting Deputy Speaker that the words including "and physically" etc be deleted

ACTING DEPUTY SPEAKER So the proposed amendment is that the motion reads "that voting shall be compulsory for all persons on the electoral roll"

MR BUFFETT That's it thank you

ACTING DEPUTY SPEAKER Is there any further debate on the proposed amendment? Then I put the question that the Recommendation No 4 amendment be agreed

QUESTION PUT
AGREED

The ayes have it. I put the question that Recommendation No 4 as amended be agreed

QUESTION PUT
AGREED

It is passed. Mrs Anderson, Recommendation No 5

MRS ANDERSON Thank you Mr Acting Deputy Speaker. Recommendation No 5 is again at the suggestion of the Returning Officer that an absentee voting system be set up which would allow a voter who (a) intends to be absent from the Island on polling day or (b) for reasons of illness is unable to attend a polling booth to cast his/her vote on the Island. The thrust of this is to set up a separate postal voting system from an absentee voting system which at the present time are one and the same thing and Recommendation No 6 will set up the postal voting system. Recommendation No 5 is just to accommodate people who are present on the Island after the election is called but will be away at the time of polling day so therefore are able to cast their vote in advance and leave it with the Returning Officer or those people who are on the Island on the day of the election but for reasons of illness are unable to attend a polling booth to cast their vote

MR CHRISTIAN Doesn't that facility already exist. I seem to recall tootling down to the Returning Officer's Office and putting your vote in the little box if you were going to be off the Island on polling day

MRS ANDERSON That facility is currently available but it also forms part of the postal voting system and the idea here is to try and separate the two and have two separate systems, one for voting physically on the Island and one for voting through the mail

MR BUFFETT Mr Acting Deputy Speaker this again is a machinery matter. It's the matter of the machine that you go through to actually receive, record and put in a box the polling papers and it's correct that it exists at present but it is the same system whether you are actually doing it on the spot or whether you are doing it by mail and as you will realise, you can simplify it if you are doing it on the spot and it needs to be a bit more complex if you are doing it by mail and so in essence, if you split the two you can have one more simplified then exists at present and you can have another one which provides for postal arrangements, in

other words, to travel through the post. It really comes back to still a machinery matter

MR KING I think I agree with it all that Mr Buffett says. I'm not quite sure of the full gist of it but if he is saying what I'm about to say I agree with him. I think the present system is adequate and there's nothing in these papers to convince me otherwise I'm sorry and I couldn't vote for it, but if as a result of later considerations and if I can be offered some justification well at the time that legislation is put together that is going to change all these things, I'll go for it but at the moment I'm not voting for either 5 or 6 on the basis of lack of justification

MR CHRISTIAN Thank you Mr Acting Deputy Speaker. I'm satisfied with the explanation that's been given. I would suggest now that we vote on Recommendations 5 and 6 together as they go hand in hand

ACTING DEPUTY SPEAKER Is there any further debate

MRS ANDERSON Thank you Mr Acting Deputy Speaker I would point out as Mr Buffett has said, that alot of these Recommendations in this section are only suggestions if you like for things that can or may be incorporated in a new Electoral Act and we felt that it was important for them to be lifted in our report because they had merit. Whether we vote on them today or not is not that essential, they are just recommendations for things that the Legislative Draftsperson can look at when the new Act is being drafted

ACTING DEPUTY SPEAKER Thank you Mrs Anderson. Is there any further debate on Recommendation No 5? Then I put the question that Recommendation No 5 of the Select Committee Report be agreed

QUESTION PUT
AGREED

MR KING NO

The ayes have it. We move to Recommendation No 6. Mrs Anderson

MRS ANDERSON Thank you Mr Acting Deputy Speaker. I think we've already spoken on the Recommendation No 6, that a system of postal voting be set up which would allow an elector who is eligible to vote and who is not on the Island on polling day to cast his or her vote

ACTING DEPUTY SPEAKER Is there any further debate on Recommendation No 6. There being no further debate... Mr King

MR KING I just wanted to say that there is nothing to suggest that provision doesn't exist for these people now. That's the point I was trying to make in respect of No 5 and I make it again in respect of No 6. These Recommendations coming forward appear to suggest that there is no system that provides for these people to cast their votes now and there is. There is no justification. I won't be voting for it

ACTING DEPUTY SPEAKER Thank you Mr King. Is there any further debate? The question is that Recommendation No 6 of the Select Committee's report be agreed

QUESTION PUT

Could the Clerk please call the House

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

The ayes seven the noes two. The motion is passed. Recommendation No 7 Mrs Anderson

MRS ANDERSON Thank you Mr Acting Deputy Speaker. Recommendation No 7 is that any person who in the opinion of the Returning Officer is incapable of exercising a valid vote and who does not express the desire to vote be excluded from the requirement to vote. The Returning Officer suggested that it would be useful for him to have the discretion to have the opinion that a person who may be very elderly or very sick is not in a position to vote. This in the Committee's opinion removed all rights of franchise from that person and the person may be very sick and may be very old and the Returning Officer may feel that that person is not capable of voting but we thought that this recommendation should, however, contain the proviso that if that person does expressly state that they wish to vote, however elderly or infirm they may be then they should be allowed to vote and that is the reason for that addition to that recommendation

ACTING DEPUTY SPEAKER Further debate? If there is no further debate then I put the question that Recommendation No 7 of the Select Committee's report be agreed

QUESTION PUT

Could the Clerk please call the House

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

The ayes eight the noes one. Recommendation 7 is agreed

MRS ANDERSON Thank you Mr Acting Deputy Speaker. Recommendation No 8 is that an elector who is departing or has departed the Island permanently may request the Returning Officer to cause his or her name to be removed from the roll. This is just for the sake of convenience. If somebody is leaving the Island and knows that they are not planning to return, if they advise the Returning Officer that they wish to be removed from the Roll, their name can be struck forthwith and the Returning Officer doesn't have to follow them up at a later date

MR KING Thank you Mr Acting Deputy Speaker. Once again I have to say that it is somewhat strange to me that we are recommending change to existing systems without justification. I'm sorry. There is a facility which exists now which enables a person's name to be ultimately removed from the Roll. I'm not sure, and I may be wrong, but I'm not sure that it requires following up by the Returning Officer. I think that from one election to another, if a person hasn't voted and upon investigation is found to be absent from the Island for a period of time, his name is then struck off before closure the next occasion

MRS SAMPSON That's Recommendation No 9 then

MR BUFFETT That's a mandatory removal

MR CHRISTIAN Why have someone's name on the Roll if they have no intention of having their right to vote and if they come back and they hold residency they've only got to wait 30 days to qualify anyway

MRS SAMPSON 90 days

MR CHRISTIAN That's going to be amended when the legislation comes forward

MR SMITH I see this as being in relation to Recommendation No 4. It is compulsory to be on the Roll and you leave the Island for whatever reasons, if you are not intending to come back, you'll have to vote forever

MR CHRISTIAN That's right, until No 9 cuts in

MRS LOZZI CUTHBERTSON Thank you Mr Acting Deputy Speaker. I'm in favour of somebody having the choice of being removed from the Roll. It is something simple. People exercise their democratic right and say, look I'm leaving, going for good, I wish to be removed. There is no compulsion or anything. It gives people the freedom to choose something

MR CHRISTIAN Thank you Mr Acting Deputy Speaker. Thinking about it now, Recommendation No 8 does go hand in hand with No 3. It appears we now support a system where enrollment is not compulsory, we're told that is a democratic principle, so if you are on the Roll and you no longer wish to support the people who are standing you can take yourself off the Roll

MRS LOZZI CUTHBERTSON Not quite. Only if you are leaving

MR BUFFETT Nevertheless an interesting question has been raised. We've not actually talked about that, we've talked about coming off the Roll when you actually do something else - it goes hand in hand with leaving the Island in this instance, but Item 3 that has been agreed with, which is enrolment shall not be compulsory. Well what say that you do exercise the option and then you wanted to come off. Of your own volition. Are you going to allow that

MRS LOZZI CUTHBERTSON I would want to think about this

MR CHRISTIAN Well you must otherwise enrolments should be compulsory

ACTING DEPUTY SPEAKER Further debate on Recommendation No 8. If there is no further debate then I put the question that Recommendation No 8 of the Select Committee's Report be agreed

QUESTION PUT
AGREED

MR CHRISTIAN NO

MR KING ABSTAIN

The ayes have it. Recommendation No 9 Mrs Anderson

MRS ANDERSON Recommendation No 9 is that the Returning Officer be empowered to remove an electors name from the Roll where that elector has been absent from Norfolk Island for 900 days

MR BUFFETT Continuously? 900 days Continuously

MRS ANDERSON Yes

MR CHRISTIAN 900 days in a given period?

MR BUFFETT The piece to be enrolled was 900 days in a given period, of four years. This is 900 days. Now does that mean 900 days or 900 days in a given period the same as the enrollment bit

MRS ANDERSON I'm recommending 900 continuous days

MR SMITH What it is now

MR ADAMS The way it is now is 150 days in a total of 240, that is my understanding of the situation now

MRS LOZZI CUTHBERTSON I move we adjourn discussion on this until we understand exactly what the situation is now

ACTING DEPUTY SPEAKER Well the question is that Recommendation No 9 be adjourned and made an Order of the Day for a future Sitting. Any further debate?

QUESTION PUT
AGREED

The matter is adjourned

MRS ANDERSON Recommendation No 10 is that the Act should stipulate that alone the Returning Officer shall determine the removal from the Roll and eligibility for enrolment or re-enrolment, and we put a proviso that it is essential that the wording of the Act gives strict criteria on which the Returning Officer can base his decisions. At the present time the determination of who is to be removed from the Roll and eligibility for enrolment is split between the Administrator up to a certain date and then the Returning Officer from that date, and that does cause a little confusion at times

MR CHRISTIAN Thank you Mr Acting Deputy Speaker. I wonder if Mrs Anderson could just clear up one point for me. This has happened in the past when someone is inadvertently removed from the Roll for no reason. Not by the Returning Officer or by anybody else and the scenario that I'm thinking of now is the computer doing a printout, makes an error, leaves someone's name off it and it's

not picked up until he turns up at the Polling Booth to exercise his right to vote and hello, his name's not there. Now how do you accommodate such a person when the Returning Officer hasn't struck him off but nevertheless his name is not on the Roll

MRS ANDERSON I am unable to answer that question

MR ADAMS Thank you Mr Acting Deputy Speaker. I think a fair way of looking at that, as to what would happen next would simply by the person, in other words the elector, with the problem would simply raise it with somebody at the station because I understand there are scrutineers and what not and it would be dealt with prior to the actual polling closing and it would certainly be sorted out because I mean the figures for when the person was here and the eligibility to enrol would be able to be recalled and examined at a moments notice so I don't think that would be any problem whatsoever

MR CHRISTIAN Well with respect Mr Acting Deputy Speaker I think it could be significant. We know in the last Bi-election that four votes only separated the successful and the next candidate and if this person was to walk into the Polling Booth at two minutes to five to exercise his vote and couldn't vote it could influence the result. Now I'm not saying that it's a stumbling block but it happens

MR BUFFETT The fact is, if that happens now the person would not be allowed to vote fullstop. If they are on the Roll they are on the Roll. It has happened. I'm not saying that that is a good answer but that is how it stands at this minute

ACTING DEPUTY SPEAKER The question before us is that Recommendation No 10 of the Select Committee Report be agreed to. Is there any further debate? Then I put the question

QUESTION PUT
AGREED

The ayes have it. We move to Recommendation No 11

MRS ANDERSON Recommendation No 11 is that nomination day shall be the twenty eighth day before polling day. This is as Mr Buffett's earlier mentioned, to allow more time for postal votes to get in and to allow adequate time for the lodgement of appeals to the Court of Petty Sessions

MR CHRISTIAN Is this nomination to the Assembly or...

MRS ANDERSON This will be within the election of the new Electoral Act and its nomination day call for election to the Assembly, that's correct

ACTING DEPUTY SPEAKER The question before us is that Recommendation No 11 of the Select Committee Report be agreed to. Is there any further debate? Then I put the question

QUESTION PUT
AGREED

The ayes have it. We move to Recommendation No 12

MRS ANDERSON Recommendation No 12 is that the closing time for lodgement of nomination papers shall be 11.00 am to allow the Returning Officer sufficient time to attend the Courthouse for the declaration of the names of the candidates. At the present time closing of time for nomination papers is 12 noon and that is also the time at which the Returning Officer has to read the names from the steps of the Courthouse and he points out that it is physically impossible for him to be in two places at the one time therefore this recommendation is that closing time should be one hour before the time at which he has to attend the Courthouse

MR CHRISTIAN Once again Mr Acting Deputy Speaker this is a procedural thing if you like and I wonder if to give candidates that aren't quite sure the maximum time, we are used to the 12.00 closure, wouldn't it be more appropriate to defer the time that the Returning Officer has to stand at the Courthouse steps and make the proclamation, one hour later rather than cutting short the time for nomination

MRS ANDERSON That wouldn't certainly be feasible

MR CHRISTIAN I mean, people are used to a 12.00 o'clock system as the cut off time

MRS ANDERSON They are also used to being at the Courthouse at 12.00 o'clock to hear the officer read out the names

MR CHRISTIAN I'm not fussed one way or the other but I wouldn't want to....

ACTING DEPUTY SPEAKER Do you wish to adjourn the motion or amend it?

MR CHRISTIAN I'm not fussed

ACTING DEPUTY SPEAKER Then the question is that Recommendation No 12 of the Select Committee Report be agreed

QUESTION PUT
AGREED

The ayes have it. We move to Recommendation No 13

MRS ANDERSON Recommendation No 13 is that under the new Act the Returning Officer shall appoint a presiding officer in respect of each polling place. This is to allow the Returning Officer the flexibility to visit the different polling places, assuming that there are more than one as is usually the case on Norfolk Island, rather than having to be physically present at any one of the polling stations. He can nominate somebody to act in his stead which gives him the flexibility to visit the different stations as he sees fit

ACTING DEPUTY SPEAKER Is there further debate on Recommendation No 13. Then I put the question

QUESTION PUT
AGREED

The ayes have it. We move to Recommendation No 14 has already been agreed, we move to Recommendation No 15

MRS ANDERSON Thank you. Recommendation No 15 is that the term of the Legislative Assembly should remain at three years. Mr Acting Deputy Speaker there were a number of responses to this question. Some people advocated a two year term, some a four year term and some even a five year term for various reasons but the Committee felt that the argument that three years is insufficient for a Member of the Assembly and more specifically an executive member to fully come to grips with the complexities of Government has merit, but where a Member has been seen to be effective he or she will more than likely be re-elected to continue that work. Likewise, where a Member is perceived to be ineffective the electorate has the opportunity to remove him or her from office more rapidly. The Committee found no compelling argument for this provision of three years to be changed

ACTING DEPUTY SPEAKER Further debate on Recommendation No 15

MR BUFFETT Mr Acting Deputy Speaker this starts to address some of the more constitutional matters and I express my general view that I would be guided by, not dictated to but guided by, when considering these. Now this of course makes a recommendation for no change in this particular situation therefore I support it. It is not really changing the status quo in the constitutional sense

ACTING DEPUTY SPEAKER Further debate? There being no further debate I put the question

QUESTION PUT
AGREED

The ayes have it. We move to Recommendation No 16

MRS ANDERSON Thank you Mr Acting Deputy Speaker. Recommendation No 16 is that a person who is (a) entitled or qualified to become entitled to vote at elections of Members of the Legislative Assembly and (b) who was born or is deemed to have been born on Norfolk Island or (c) who is a resident of Norfolk Island within the meaning of the Immigration Act 1980 shall be eligible to stand for election however, this opportunity should be available to any resident regardless of nationality or citizenship as at present. All other conditions of qualification of a candidate for election should remain. Mr Acting Deputy Speaker this recommendation takes on board the situation of a returning resident and enables a young Norfolk Islander or a Norfolk Islander returning to the Island to take part in constitutional matters more readily than he can at present

MR CHRISTIAN Thank you Mr Acting Deputy Speaker. I support the general thrust of Recommendation 16 but I wonder whether point (b) of that recommendation is not at odds with the rest of it. Because point (b) doesn't require you to be on the roll

MR ADAMS Yes it does if you were to tie (a) and (b) together

MR CHRISTIAN No it doesn't. It doesn't tie it together at all. What that says is that if I were to take my democratic right as in point 3. that you are not to be on the roll, I can still stand for election to the Assembly but I can't vote for myself

MR ADAMS Thank you Mr Acting Deputy Chair. The way I read Recommendation No 16 and certainly the intent of it, is "(a) entitled or qualified to become entitled to vote at elections of Members of the Legislative Assembly and

(b)" ; clearly the word "and" between (a) and (b) ties the two together. Those two things, certainly (b), does not stand in isolation away from (a)

MR CHRISTIAN Well you could take (b) out then totally

MR ADAMS Well that would be a different scenario but the way it is there, it is certainly not a stand alone item

MR KING Thank you Mr Acting Deputy Speaker, I don't want to be too pendantic about the words here but the words are terribly confusing all around. I understand the intent and I guess that's what the important thing is. I mean if you look at the construction of the words and put the various meanings on them, the person who was born in Norfolk Island can be a Temporary entry permit holder, he doesn't necessarily have to be a resident and a person who is deemed to have been borne on Norfolk Island is within the meaning of the Immigration Ordinance a resident in any event so there needn't be the distinction between (b) and (c) but I think the ultimate thrust of this is, again, that you want to exclude Temporary entry permit holders and General Entry Permit holders from standing for election. That's what it means and I say that's inappropriate. Totally inappropriate. Even under present day circumstances, you can have a person who might have been here for three, four, five or six years and not yet be a resident under the Act but be entitled to vote but not yet be a resident under the Immigration Act and not be eligible to stand for election. I think that's highly inappropriate. I think, and indeed, let me reflect for a moment on days of old when there were various moratoriums on the issue of long term permits and people came in on the basis of temporary entry permits and stayed here in the community for good heavens, nearly up to ten or twelve years before progressing to more permanent security or tenure and then having to wait a number of years before they achieve resident status within the meaning of the Immigration Act. Would you really want to exclude those people who have put their roots deep into the Island from standing for election. I wouldn't have thought so. In the final wash I believe it is the choice of the electors who they vote for and if it is a Temporary entry permit holder who stands up and offers himself for election, which is highly unlikely, or a General Entry Permit holder I believe it is the final choice of the electors not of us. I won't be voting for this recommendation

MR ADAMS Thank you Mr Acting Deputy Speaker. Without again labouring the point too long I would suggest Mr Acting Deputy Chair if we still have six year TEP's in the mill who are going to be affected by this I would suggest there is something radically wrong with the system. The other point I wish to make, has probably been made in various forms prior, but I will spell it out this time. I certainly hold a different view to Mr King in that we should be, or are obliged to encourage large scale voting if you like, and therefore nominations for candidacy to the Legislative Assembly by TEP, if that scenario comes about it will be a serious politically destabilising episode I think for Norfolk Island because with the numbers even at the present low TEP level, there's probably give or take, maybe 200 odd people from that group who are able to vote. They are also capable therefore, if they have the franchise, of putting at least two Members into the Assembly. Now I would suggest, based on the Assembly's short term, that is quite a destabilising factor and I don't think it should be entertained. I see no good reason why these people should be allowed to vote basically after short periods of time

MR KING It's starting to sound like a military barracks in downtown Fiji

MRS LOZZI CUTHBERTSON Thank you Mr Acting Deputy Speaker. I see a few problems with Recommendation No 16. The first one was raised by Mr Christian, which has not been addressed, that in fact do not have to be on the electoral roll to stand as a candidate. You can qualify but you don't have to be on the electoral roll so that's a real problem. The second problem is that a person is entitled to enrol under Recommendation 2(d), who has been present on the Island 900 days during the period of four years immediately... There is no qualification there, whether you're a TEP or GEP and so on. Here such a person is not allowed to stand. You are either a resident or you are deemed to have been born here and you are entitled to vote in the election. It seems to leave out number (d). I think we should pay attention to the way Recommendation 16 and 2 are linked together and perhaps adjourn discussion on this to look at the fact you don't have to be enrolled and whether 2(d) is properly covered

MR SMITH Thank you Mr Acting Deputy Speaker. Down the bottom it says all other conditions of qualification over candidate for election should remain and under the Norfolk Island Act Section 38 if you read through that further down, on page 18, there are things there that impact too. You have to be on the Island five years etc

MRS LOZZI CUTHBERTSON This is pretty important, who is allowed to stand and I think it should be adjourned

ACTING DEPUTY SPEAKER You wish to move an adjournment Mrs Cuthbertson

MRS LOZZI CUTHBERTSON Yes please

ACTING DEPUTY SPEAKER Then I put the question that Recommendation No 16 be adjourned and made an Order of the Day for a future Sitting. Any further debate?

QUESTION PUT
AGREED

The question stands adjourned. We move to Recommendation No 17 which deals with Membership of the Legislative Assembly

MRS ANDERSON Thank you Mr Acting Deputy Speaker. No 17 is the number of Members of the Legislative Assembly should be reduced to seven. There were a number of submissions on this subject, some would like the number reduced to two, some to five, some would like the number of executives reduced, some would like the number of executives increased but by and large, the general feeling was that the Assembly would be better if it were smaller and therefore Recommendation No 17 was put forward that the number of Members of the Legislative Assembly should be reduced to seven. The Committee felt that it was not suitable for it to make any recommendation as to how many of those Members should be executive members because that is a matter for the House to decide

MR BUFFETT Well this certainly is one of the major constitutional things Mr Acting Deputy President. Without a doubt I think you could get opinions of some people who would like it reduced to nil. The fact is that the Assembly plays a number of roles. Certainly it is to provide the core product from which you draw the executive members to administer the Government. One of its specific tasks and that number can be quite small at time, but there is another very very important role and that is to make legislation for the Island and it would be not appropriate for example to reduce the Assembly to two if it had that particular role to perform. It would not be that realistic for two people to represent the

actually promote such a change. If you are looking at it from a financial viewpoint alone, I mean, you would simply save yourself \$16,000 for the difficulty of the remaining seven members, the extra pressure on them and the slowness of developing legislation etc, in other words the product of the House will be, the impost I would suggest will be a great deal harder on the system than your nett saving of \$16,000 so I don't support the change, thank you

MRS LOZZI CUTHBERTSON Thank you Mr Acting Deputy Speaker. I also would be reluctant to make that major constitutional change on such a small sample however, if the committee could let us know just what proportion of this submission actually were in favour of reduction maybe we should be considering whether such a proposal should be put to referendum because that is something, if there was a strong or large number of the thirtyfour submissions who argued for a smaller Assembly they would certainly give a fairly strong straw in the wind and perhaps should be referred back to the community

MR BUFFETT I'm not sure that we should be initiating referendums in that context. I mean even if all of the thirtyfour, then that's not a very large sample in itself and if you wanted to initiate a referendum on every thirtyfour people who reasonably came forward you could be doing that perpetually. If you bear in mind that for people to petition a referendum, I think you need to have something like at least one third of those who are enrolled to initiate it, to even start the processes. I'm not too sure that we should be starting the processes with a smaller number of something like thirty odd. You see, once you start this process it absorbs resources and it goes on and I think we need to be convinced that there is a real need for such things before we commence the process and it's not demonstrated to me that there is such a need at this moment

MRS LOZZI CUTHBERTSON Thank you Mr Acting Deputy Speaker. I certainly support some of the things that Mr Buffett has said. It is a small group of people. Just how large a proportion the group of people who responded said this I think would be significant. I certainly do not envisage a referendum to come forward on its own accord, but if it is all considered necessary it would be part of the next election process, something the people could debate and discuss in the context of that. If it is a large proportion of those people who did make submissions that were in favour of this then I think we should give it further consideration that's all

MRS ANDERSON Thank you Mr Acting Deputy Speaker, I don't have the precise numbers of the responses that we received to that question but I think that it would be fair to say that there weren't two who advocated the same thing so you couldn't say that a significant number of the respondents plumped for seven or any other number, it was just that the general thrust was that the numbers should be lower than it is at present, therefore the Committee made the recommendation that the number of Members of the Legislative Assembly should be reduced to seven. If the Members present don't agree with that, that is perfectly alright. That was just a recommendation made by the Committee

MR BUFFETT Well, I don't agree with it at this time

MR CHRISTIAN Thank you Mr Acting Deputy Speaker. I don't support reducing the number of Members in the Assembly and in fact the explanation that Mrs Anderson has just given to the House is quite frightening. If the Select Committee can actually come up with such a recommendation in the absence of any demonstrated support for it. I'm certainly not going to sit here and commit suicide and in fact Mr Acting Deputy Speaker, I think political representation on Norfolk has worked very well. I think we must be the most accessible Parliament anywhere in this part

The ayes two the noes seven Recommendation 17 is lost. We move to Recommendation No 18

MRS ANDERSON Thank you Mr Acting Deputy Speaker. Recommendation No 18 is that the Public Service Ordinance be amended to provide that if a public servant is elected to Membership of the Legislative Assembly he is deemed to be on leave without pay from the public service with the option to return to the public service at a similar level when he ceases to be a Member of the Legislative Assembly. Mr Deputy Speaker in other jurisdictions there is a clear separation of powers between the executive and the legislature. Where a public servant nominates for a position in Government he is automatically suspended from his position, but should he not be elected he is entitled to resume his former position. It is not possible for even an intending politician, let alone a serving politician, to hold a position in the public service because of the conflict of interest. A public servant has access in the course of his employment to information which should not necessarily be available to a Member of the Legislative Assembly. Under the Norfolk Island Public Service Ordinance, if a public servant resigns his position he has no guarantee of re-employment so most would be currently loath to accept an executive position on the Assembly. The Committee found that it would be unacceptable for Members of the Public Service to be disadvantaged if they chose to serve in public office and this would result in a significant proportion of the population being so affected hence the recommendation of the possibility to return to the service after public office at a similar level

MR KING Thank you Mr Acting Deputy Speaker. I'll say something although I don't know what I'm going to say. This is basically as it was in the early days of self government as I recall, the provision which was in the Public Service Ordinance which was lobbied furiously against by the Second Assembly. Not the same. I see Mr Buffett nodding his head. I might wait for Mr Buffett's contribution. I thought that the situation in the early days of self government was that a public servant could resign his office in the public service and take on executive office

MR BUFFETT Yes. That is not what this is

MR KING Isn't it. I should read it again. I'm sorry. I've misread this Mr Acting Deputy Speaker. I should have taken more notice, I'm sorry. It's talking about membership of the Legislative Assembly. Well I'm afraid that's too far reaching for me. I wouldn't be agreeing with that. I can understand the difficulties

MR CHRISTIAN Thank you Mr Acting Deputy Speaker. I've listened to what Mrs Anderson has had to say, and I believe the comparison with other jurisdictions or whatever is one that can't be paralleled with Norfolk. The Norfolk Island Act when it was set up recognised the difficulties that we would have with public servants being Members of the Assembly and it also recognised the additional difficulties if they happened to be successful in becoming an executive or a minister. At the moment you cannot be in the Assembly, and a public servant and a Minister. You have to resign your job in the public service, so safeguards are already there. In a community as small as ours, with approximately 190 full time public servants in a population of 2000, 1,100 on the roll, I don't know if you can really afford to disenfranchise such a significant proportion of the community. I've heard people say from time to time you can't serve two masters. But I've served on two Assembly's now with Members who happened to be public servants and I can honestly say that I haven't struck any problems that couldn't be handled within the existing

system. I haven't seen any abuse of power or authority or anything like that and I think the system works quite well. The other thing to bear in mind is long term job security in Norfolk Island. I think it is hard to say that if you are prepared to serve your country in its government, you've got to give up your long term security. I think that's a big ask. I think it would be also fair to say for the benefit of the people out there who say you can't serve two masters that the experience that I've had is that coming to serve on the Assembly is a very eye opening experience. It is probably something that every resident, whether you are a public servant or not, should experience as some time. For members sitting around the table it is quite apparent that you cannot abuse the system. You cannot look after your mates down the road because there's eight others around the table keeping an eye on you so Mr Acting Deputy Speaker, I think the system that we have in place today has served us well, and I see no reason to change it

MRS LOZZI CUTHBERTSON Thank you Mr Acting Deputy Speaker. I do not support the recommendation as it is either. Although I must admit that in many conversations outside of this place, one of the fairly common remarks that is made is that people are against the idea of having public servants as members of the Assembly and I know this is to be an opinion held by many more than thirtyfour people however, it also has become obvious to me that a great many people who are against public servants serving on the Assembly do not realise that a public servant who does serve on the Assembly is actually on leave without pay when doing work for the Assembly so that's an important piece of information that should be kept before the community so that they are not under the impression that they are getting double pay or something to that effect. Reports have to be filled in, time sheets have to be filled in, time accounted for etc. Certainly in the time that I've been here, I've been grateful as an ordinary citizen for members who happened to be on the Assembly to also have been public servants. Only because of the quality of their input and the quality of the probity and those things are essential. I think there are aspects of this recommendation that should be reworded, certainly to allow for example, for a public servant who is prepared to take on executive office to resign and to be able to go back to his or her job at the end of being an executive. At present, that is not possible. I would recommend that this recommendation be adjourned, discussion of this recommendation be adjourned for us to debate it further and perhaps for amendments to come forward at the next meeting

ACTING DEPUTY PRESIDENT Do you so move

MRS LOZZI CUTHBERTSON Yes I so move

ACTING DEPUTY SPEAKER The question is that Recommendation No 18 of the Select Committee's report be adjourned and made an Order of the Day for a future Sitting

QUESTION PUT

Could the Clerk please call the House

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

The ayes five the noes two, one abstention, Recommendation 18 of the Select Committee's report is adjourned and made an Order of the Day for a future Sitting.

We move to Recommendation No 19

MRS ANDERSON Thank you Mr Acting Deputy Speaker. Recommendation No 19 is that increased use should be made of committees to spread the workload amongst members and allow members of the community to participate in the consideration of matters of importance to the community as a whole. Mr Acting Deputy Speaker I believe that the Committee system is already working very well within the community. We have for example your own GST committee Mr Bates, we have several other committees such as the Social Services Committee, the Immigration Committee but the more we can use committees and the more we can get people to feel that they are being involved and are being consulted I think the better it would be for us on the Legislative Assembly

MR BUFFETT Mr Acting Deputy Speaker we are doing this now. The Waste Management Committee with Mrs Sampson. There are a number of others. I mean, really this is a no change situation and each Legislative Assembly would do it to the extent that it is of comfort to those nine who are gathered around the table and that would vary from time to time as in the past and I am sure, in the future

ACTING DEPUTY SPEAKER Thank you Mr Buffett. Further debate? Then I put the question that Recommendation No 19 of the Select Committee Report be agreed

QUESTION PUT
AGREED

The ayes have it. We move to Recommendation No 20

MRS ANDERSON Recommendation No 20 is that the workload placed on all Members of the Legislative Assembly should be recognised and that an application should be made to the Remuneration Tribunal that the rates of remuneration to Members and executive members should be aligned with those of appropriate classifications within the Norfolk Island Public Service and should include cost of living wage adjustments made from time to time in respect of officers of the public servant by the Public Sector Remuneration Tribunal. Mr Acting Deputy speaker the Remuneration Tribunal in its determination of November 1993 stated that the Tribunal is satisfied that the position of an executive member is now effectively full time however, although at that time the remuneration of the executive member was equated to an appropriate level of the public service there was no provision made for indexation so, when the most recent across the board wage increase was granted in the public servant that did not apply to members of the Legislative Assembly and any other increases of that nature would not be applied to the Assembly unless a specific request were made to the Remuneration Tribunal. What this recommendation seeks to do is to have the Remuneration of the Members linked to the public service and that flow on should automatically go on to the Assembly Members as well as the Public Service without them having to make a specific request

MR KING Thank you Mr Acting Deputy Speaker. I thought this went a little bit beyond the terms of reference of the Committee quite frankly. I didn't want to get into a discussion about Remuneration at this level. It's probably a good idea, what is mentioned here but I don't think it's an appropriate recommendation for the committee to be making, I think it is quite beyond its terms

of reference. It's not a matter which warrents further consideration in this forum at this time

MRS LOZZI CUTHBERTSON Thank you Mr Acting Deputy Speaker. I agree with Mr King, I really don't think it is appropriate to consider this recommendation in the context of the others. It is not a constitutional or electoral matter and I certainly do not support it to be considered in this package

MR BUFFETT I agree

MR CHRISTIAN I move to amend it, that all the words after Recommendation 20 be deleted

ACTING DEPUTY SPEAKER I put it to you that all you have to do is vote against the Recommendation Mr Christian. It might be simpler. If Members are happy to do that then there is no further debate. I put the question that Recommendation No 20 of the Select Committee Report be agreed to

QUESTION PUT

MR BUFFETT Point of Order Mr Acting Deputy Speaker I thought there was a proposal for an amendment to Recommendation No 20

MR CHRISTIAN What I figured that Members were saying Mr Acting Deputy Speaker is that the contents of Recommendation No 20 may well have merits but this is not the appropriate place to be dealing with it

MR BUFFETT ... and therefore is to be deleted from consideration, not for and not against

MRS ANDERSON Point of Order Mr Acting Deputy Speaker. Is it within the brief of the Assembly to remove a Recommendation from the Report. It might be more appropriate that I withdraw my motion which is that Recommendation No 20 be agreed to

MR CHRISTIAN I can amend the motion any way I like if I have the numbers

ACTING DEPUTY SPEAKER We are dealing with the original motion which gave us the options of considering all the recommendations and I'll just remind you of the original motion which said considered and dealt with individually and each one either to be agreed to, or amended and agreed to as amended or rejected or adjourned to allow further consideration as the case may be

MRS ANDERSON I didn't hear deletion in that Mr Acting Deputy Speaker

MR CHRISTIAN Well that's my amendment. Remove all the words

MR BUFFETT If I could just make this point Mr Acting Deputy Speaker. We are not endeavouring in fact to change the report as it is presented to us. We are in fact commenting on how we want to consider it once we have it. We are not trying to adjust what the people who are presenting to us want to say to us, but then having said it to us, we are at liberty to process it in whatever manner the House determines. In this particular case, we are saying that we don't want to consider this particular Recommendation in the context that it is presented to us and we wish to have it deleted from our consideration. I know you don't require a

seconder for these sort of things but I second it

ACTING DEPUTY SPEAKER There is provision within the original motion to reject any of the Recommendations. Is that what the House is talking about

MRS ANDERSON Thank you Mr Acting Deputy Speaker as I see it, they are asking me to withdraw my motion that Recommendation No 20 be discussed because they don't think it is correct for it to be discussed in this forum and I would see that as being the correct way to handle this

MR KING Thank you Mr Acting Deputy Speaker. Might I say that you have already put the question and the House voted on it

ACTING DEPUTY SPEAKER Well I might be wrong on this but I feel that I'm bound by the words of the original motion which we passed earlier today. That gives us the option of amending it, agreeing it as amended, rejecting it or adjourning it

MR BUFFETT Well let not my participation be the cause for further concern. Whatever you want to do, let's get on with it

MRS SAMPSON Thank you Mr Acting Deputy Speaker. I haven't got the words in front of me but if I can through you ask Mrs Anderson to read us the brief of the Select Committee it would have said, and any other matters which it sees fit. Now the Committee saw fit to put this in, I don't think it's the place of the Members to pull it out

MRS ANDERSON Thank you Mr Acting Deputy Speaker. Item No 6 of our brief was that we look at any other matters relevant to our enquiry including the criteria for eligibility to vote

MRS LOZZI CUTHBERTSON May I make a quite different proposal Mr Acting Deputy Speaker. It must be about 35 degrees in this room, I have ceased to think rationally some considerable time ago and I have the feeling that perhaps this might be affecting other people. May I suggest that this House be adjourned until tomorrow where we can all devote much more attention and much more... I really don't think we are giving each Recommendation the kind of attention we should be giving it and its partly because of the length of the day and the heat

MR CHRISTIAN I object Mr Acting Deputy Speaker, I'm on a winning streak

ACTING DEPUTY SPEAKER Is there any further support for suspension of the Sitting, otherwise we'll continue

MR CHRISTIAN We are nearly finished for goodness sake

ACTING DEPUTY SPEAKER We continue with the question that Recommendation No 20 of the Select Committee Report be agreed and if anybody wishes to make an amendment to that would they please do so. You may move that it be rejected, adjourned or amended and agreed

MR CHRISTIAN Thank you Mr Acting Deputy Speaker. I have read the words of the motion and I interpret the words rejected to mean voted down, so I will be happy to vote no

MR KING I move that the question be put again

ACTING DEPUTY SPEAKER The question is that the question be put

QUESTION PUT
AGREED

I put the question that Recommendation No 20 of the Select Committees Report be agreed

QUESTION PUT

Could the Clerk please call the House

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

The ayes two the noes seven. Recommendation 20 is lost and we move to Recommendation No 21

MRS ANDERSON Thank you Mr Acting Deputy Speaker. Recommendation No 21 is that the Speaker of the House should continue to be chosen from amongst the elected Members. Thank you Mr Acting Deputy Speaker. There were several submissions received on the subject of the position of Speaker, some suggested that the Administrator should Chair our meetings, some suggested that we should have an independantly elected Speaker. We undertook considerable research on the subject of the position of Speaker and as time is perhaps of the essence, I won't go into the rather lengthy opinions that we received on this subject but suffice to say that we couldn't find any reason why we are to change the current system which is that the Speaker be elected from amongst the elected Members

MR KING Thank you Mr Acting Deputy Speaker. I'm not quite suffering from heat stroke just yet. I thought this was the Grand-daddy of all recommendations. It was like reading a piece of Revel's Bolero music sheet. it built up such a case against the present scenario that as I was reading it and the tempo increased and it reached a crescendo where it said that in the current scenario the present office holder is both senior as Speaker as a Member of the House and subordinate in his role as Administrative Services Manager, that similarly as an executive officer, a public servant was not allowed to hold executive office and perhaps a similar requirement should be placed on a public servant except in the position of Speaker that I was very much surprised to find that the recommendation lost all tempo and recommended no change. I'm not unhappy about it let me say but again, in reading the report such a remarkable case was put up for change that it appeared to me inevitable that it should come to pass but it has not. I believe the situation does bear some examination. I believe there are some similarities in the offices of the executive member and the Speaker, I believe that there are some difficulties which do present themselves in the fact that a public servant, being a senior public servant holds the office of Speaker of this Assembly, we should not hide from the fact that those difficulties exist, I believe the matter ought to be examined a bit more closely. I believe that Recommendation 21 ought to be adjourned for further consideration and I will so move at an

appropriate time

ACTING DEPUTY SPEAKER Is there any further debate? Mr King do you wish to move the adjournment

MR KING I would so move

ACTING DEPUTY SPEAKER The question is that Recommendation No 21 be adjourned and made an Order of the Day for a future Sitting

QUESTION PUT

Could the Clerk please call the House

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

The ayes four the noes five. The adjournment is lost, therefore I put the question Recommendation 21 of the Select Committee Report be agreed

QUESTION PUT

Could the Clerk please call the House

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

The ayes seven the noes two. Recommendation 21 is agreed, we move to Recommendation 22

MRS ANDERSON Recommendation No 22 is that a new voting system representing a modified voting of the first past the post system be introduced in which each elector is allocated a number of votes equal to the number of positions to be filled currently nine, to be distributed one vote per candidate but that the elector be only obliged to vote for a minimum of candidates being the next whole number higher than one half of the number of vacancies to be filled up to a maximum number of votes cast. For the benefit of those who are not able to understand that, that means that in the last election where there were nine positions to be filled each voter would have had nine votes but would not have been obliged to cast all of the nine votes should he not wish, but would have been obliged to vote for more than half the places. Well half the places was four and a half, the next whole number above four and a half is five so therefore, would have been obliged to

cast a minimum of five votes. The overwhelming desire of the submissions received and the people we spoke to was that we should return to the first past the post system which served us well in the Council days and shouldn't have been changed in the first place. However, there was a feeling that although we had 27 candidates in the last election, most people felt that they would have been flat out finding nine that they would have been willing to vote for therefore, didn't like the idea of the first past the post where they had to vote for nine people because they weren't prepared to vote for somebody they didn't like, however if there are nine slots to be filled and a voter only votes for say one or two and doesn't use eight or nine of his available votes that to my mind is more like informal voting and that vote really wouldn't count, therefore bringing in a minimum of having to vote for at least half the spots to be filled, the Committee felt would give some validation to the system hence, the recommendation that the first past the post be reintroduced but with a minimum number of compulsory votes to be cast

MRS LOZZI CUTHBERTSON Thank you Mr Acting Deputy Speaker. First of all thank you for the fare. Secondly, I think the system has great potential for increasing the number of informal votes out of all proportion. It has all sorts of taps in it and I also note that the Governor General did not give his assent to the system when it was first proposed. I very very strongly do not support this recommendation

MR KING Thank you Mr Acting Deputy Speaker. I have absolutely no idea whether this would increase the number of informal votes or whether it would be an adequate system for us here in Norfolk Island or not. My argument is against change. If indeed we were to move towards a new system I think we need further professional consideration as to whether it fits our needs rather than we, as lay politicians sitting around deciding on the voting system but my argument is simply against change. In the body of the report at page 33 the Committee says that many in the electorate would prefer a return to the first past the post system. Well I don't see how the Committee can reasonably conclude that given that they only received representation from 34 submissions. It must then be relying on anecdotal evidence or hearsay as it were and I don't think that's a satisfactory basis for being able to say "many in the electorate would prefer". The committee goes on again to say that however a great many electors have voiced an objection to being obliged to cast a total of nine votes in an election. I make the same point in respect of that and ask myself how the committee could possibly conclude a great many electors from such a small number of submissions. It is interesting to note that if there is a difficulty with voting for nine candidates, there's only about 3% or something or other who choose to do so. I made the point earlier on I think in the opening discussions on this report that even though there is no compulsion for people to find more than three candidates who they would like to vote for under the present system, 70% choose to do so. I think that's an important and telling statistic when people start arguing that they don't want to vote for any more than x number of people. I think that is a reasonably telling statistic. 70% choose to vote when they don't have to. Again, I can't make the point strong enough that the system results in, on average, 98.4% of electors gaining some representation in the House. On that very simple analysis and basis I object to change and I would not be voting for Recommendation No 22, nor would I vote on No 23 either if it came to that, thank you

MR CHRISTIAN Thank you Mr Acting Deputy Speaker. It took a bit of understanding this, when you first read it and I can't support Recommendation No 22. I could be persuaded to support No 23, and what I've always thought would be a good idea is if voters had to vote for a majority of the Assembly, say the existing system we had, if it was modified to require people to vote for five rather than

three, I could support such a system but I can't support Recommendation No 22

MR BUFFETT Mr Acting Deputy Speaker, I don't support this Recommendation. I don't support the next two, both about the voting system. For this reason. That whilst it is clear, the specification here is clear as to how you would ask the voter to mark his or her paper, it is not clear at all to me as to what combinations of results that brings and really you need to have a technical expert on electoral methods to tell you all of that and if the Members of the Committee have access to that I would welcome that being said, but it is not apparent that that has happened and we need to assess the range of results and from that we can make some assessments as to whether that sort of system suits the Norfolk Island community or not. I mean, in a general sense we know what proportional representation system brings, we know what a first past the post in their purity brings. These in fact are adjustments on those and really I am unable to assess just as a lay man just what differences are contained within that process and we need to know that before we decide on anything like that and indeed because it is a significant constitutional change I don't think we have a mandate to change it at this moment anyhow, but we are not even at first base of really being able to assess it soundly. I wouldn't progress in that direction at this moment

MRS SAMPSON Thank you Mr Acting Deputy Speaker. I look around this table and apart from George here, I presume we were all at that meeting on the night before the election, when we were at a public meeting when there was a call and a very strong call from the body of that public meeting to change the voting system. Now we know why there was a call for a change, the electors didn't want to see certain people re-elected that they felt might get in. Well that is the whole reason as to why this Committee was set up, this electoral committee was to look at the voting system. There was nothing else that was called for from the body of the meeting except changed voting systems. Now we've got the one thing here that's changing it and you are all going to say leave it alone. I just make my point

MR BUFFETT Well I think you need to ask yourself the first question as to whether the existing one didn't achieve the result that the basic gathering wanted anyhow

MRS SAMPSON Thank you Mr Acting Deputy Speaker. Yes, it did achieve the result but Mr King, I think it was, set up this electoral committee and that was the call, to change the voting system. Yes the voting system did achieve what the electors were hoping

MR KING ... wasn't to change the voting system, it was to investigate and have a look at matters relating to the voting system, complications of enrollment etc. Not necessarily to change

MR BUFFETT Mr Acting Deputy Speaker there may well have been a request to change the system and I'm not saying that that was yes or no. I think really the group of people wanted a particular electoral result more than the change of system and they were seeking maybe that the change of system might seek to assist that. Now whether that would be the case or not I don't know. But the point I'm really coming to is this. Even if the community did ask us to change the voting system, they didn't give us a specification as to what they wanted that to be and we can't claim that really this is what therefore, they have asked for, if you are referring to that earlier group or that earlier gathering. This is a particular system that has been devised in the Select Committee process and done it conscientiously and well, please let me quickly say that, very much so, but I'm not too sure that an argument could be used that this is what the community had asked

MRS LOZZI CUTHBERTSON Thank you Mr Acting Deputy Speaker. I think Mr Smith mentioned that debate should be adjourned on Recommendation No 22. I certainly favour that and on Recommendation No 23. We really need to look at the statistics, perhaps prepare a discussion paper, circulate it in the community, get some reasonable feedback on this one point before anything is decided one way or the other. This is really quite essential and it's not a decision that should be made lightly, without the community understanding what are the consequences of the different systems

MRS ANDERSON I just wanted to make the point, we have been asked on several of these recommendations that we have made, how many people actually advocated doing this that or the next, does 34 constitute a reasonable number of the community, is that a reasonable example of the community's feelings. Unfortunately alot of the information that we have had to put in this report was anecdotal, it was not from written reports. That unfortunately is the Norfolk way.

People bale you up in the supermarket to give you their impression. They phone you up at night when you are just sitting down to dinner. That is the Norfolk way and they expect that their verbal views will be taken into consideration just the same as their written opinions and I think that people who bale you up in the supermarket have just as much right to be listened to as those who go to the trouble of writing or addressing the committee personally. We do have to take those views into consideration. No, I agree 34 out of an electorate of nearly 1200 is not a reasonable proportion but we either had to listen to what we were told in the street to make our report or we could quite easily have said, look nobody gives a damn, there's no point in us wasting hours and hours doing this report, let's forget about it. But we weren't prepared to do that. We listened to the people who wanted to speak to us. We prepared the report on the basis of the information that we could gather and I'm sorry that we were able to canvass a wider proportion of the electorate but that's as it stands

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I totally support the dilemma that the Committee found it self it. It really was impossible for them to make up people's minds, but a actually a change in the technical system such as the voting system has much wider implications. Right, we did get a feeling from the community on that debating night that yes, a lot of people wanted some change. A large number of the people who put in a submission expressed a desire for some change. Now let us put together a technical paper that says to the community, to the voters, look if you change it this way you have the likely statistical results. If you change it this other way this will be the results, and give them a few options.

Canvass opinions specifically on what they see would be an advantage. Do you want the system changed considering all these options, or are you in favour of one, two, three or four options. With something as technical as this the next step is to explain and to give definite options. And whatever the community wants, why not

ACTING DEPUTY SPEAKER Do you wish to move an adjournment

MRS LOZZI CUTHBERTSON Yes, if I could move an adjournment for a paper to be prepared to consult the community on the technical matters that changing the voting system might entail and the consequences of the changes

ACTING DEPUTY SPEAKER The question is that Recommendation No 22 of the Select Committees Report be adjourned and made an Order of the Day for a future Sitting

QUESTION PUT
AGREED

Recommendation No 22 stands adjourned and made an Order of the Day for a future Sitting

MRS ANDERSON I move that Recommendation No 23 be adjourned and made an Order of the Day for a subsequent day of Sitting

MR SPEAKER The question before us is that Recommendation No 23 be adjourned and made an Order of the Day for a subsequent day of Sitting

QUESTION PUT
AGREED

Recommendation No 23 is also adjourned. We move to Recommendation No 24

MR BUFFETT I would propose to you Mr Acting Deputy Speaker that we take No 24 and 25 together

ACTING DEPUTY SPEAKER Mrs Anderson do you wish to...

MRS ANDERSON I'm quite happy to do that. Recommendation No 24 is that a programme of civic education be introduced into years 11 and 12 at the Norfolk Island Central School to acquaint pupils with their rights and obligations as electors and Recommendation No 25 is that similar information be made available to the general public. Mr Acting Deputy Speaker, in a small community such as Norfolk all electors feel personally involved and affected by the conduct of elections, but it is perceived that a great number are ill informed about the current electoral process, therefore the Committee has made the suggestion that children in years 11 and 12 be educated in what being an elector means, what their rights and responsibilities are and we would also like those members of the public who are no longer at school to have the same information, hence Recommendations Nos 24 and 25

MR SMITH I think its a good idea

MR KING I would be very much surprised if those sort of things are not already taught to Years 11 and 12 children in the even that they are not well I'm happy to agree with these things

ACTING DEPUTY SPEAKER No further debate. Then the question us is that Recommendation Nos 24 and 25 of the Select Committees report be agreed

QUESTION PUT
AGREED

Recommendation Nos 24 and 25 of the Select Committees report are agreed. We move to Recommendation No 26

MRS ANDERSON No 26 is that the Legislative Assembly investigate the ramifications of the proposed Republic of Australia, the consequent breaking of ties with the crown and the affect of these upon Norfolk Island and possible options available to the Island. Mr Acting Deputy Speaker subsequent to the setting up of the Select Committee, considerable attention was given in the media to the move to have Australia declared a Republic. Norfolk Islanders feel a unique relationship with the Crown and have a deep seated allegiance to the monarchy which dates back to the original grants of land by Queen Victoria, and this constitutional issue is of special interest to the local community, however the

subject was not canvassed when we originally started our investigations and although reference was made to it in some of the submissions we received we felt that it hadn't been sufficiently canvassed and therefore the Committee were not in a position to make any recommendations along these lines except that we recommend that the subject is of sufficient importance that it should be investigated by the Legislative Assembly, thank you Mr Acting Deputy Speaker

ACTING DEPUTY SPEAKER No further debate on Recommendation No 26. If there is no further debate then I put the question that Recommendation No 26 of the Select Committees report be agreed

QUESTION PUT
AGREED

Recommendation No 26 is agreed. We move to the final Recommendation No 27 regarding a Norfolk Island constitution

MRS ANDERSON Thank you Mr Acting Deputy Speaker. The subject of a constitution for Norfolk Island was alluded to by some of the people to whom we spoke and was a matter that the Committee considered of importance, however it was not within our terms of reference. We did however receive one submission, a well documented submission that was obviously based on considerable research into the question, some of which has been copied in our report, however, we felt that we hadn't been given the brief to look at this subject and we hadn't canvassed the public on the subject so therefore we didn't want to make any recommendations within the report other than to recommend that the Legislative Assembly look into the need for and desirability of a seperate and distinct Norfolk Island Constitution and seek the views of the electorate in this regard

MR KING This could be a humdinger too. Particularly when it's based on statements like page 35 which says "however the Committee noted that no constitution exists for Norfolk Island and that because it is not part of Australia but a Territory under the Authority of the Commonwealth of Australia, Norfolk Island is not covered by the constitution of Australia". Well, I just don't wear that in any way, shape or form. I believe very firmly that we are part of Australia and I firmly believe that we are covered by the constitution of Australia and that's the basis of recommendation I don't agree

ACTING DEPUTY SPEAKER Thank you Mr King. Is there any further debate? If there is no further debate then I put the question that Recommendation No 27 of the Select Committee's report be agreed

QUESTION PUT

Clerk could you please call the House

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

The ayes seven the noes two. Recommendation 27 is agreed

FIXING OF THE NEXT DAY OF SITTING

We move to the next Sitting day. Mr Adams

MR ADAMS Thank you Mr Acting Deputy Speaker, I move that this House at is rising adjourn until Wednesday 20th March 1996 at 10.00am

ACTING DEPUTY SPEAKER Thank you. that this House at is rising adjourn until Wednesday 20th March 1996 at 10.00am. Any debate? Then I put the question

QUESTION PUT
AGREED

The ayes have it, that is agreed thank you. We move to adjournment

LEAVE

MR BUFFETT Before you just go to that point Mr Acting Deputy Speaker. I will be absent on the 20th March next month and I seek leave of the House for that date

ACTING DEPUTY SPEAKER Thank you Mr Buffett. Is leave granted.

AGREED

Leave is granted Mr Buffett. We move to the Adjournment

ADJOURNMENT

MRS SAMPSON Mr Acting Deputy Speaker I move that the House do now adjourn

ACTING DEPUTY SPEAKER Any debate? Everybody's had enough. There being no further debate I put the question

QUESTION PUT
AGREED

The ayes have it. This House stands adjourned until Wednesday the 20th March in 1996 at 10.00 am.

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