

**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

Thank you Honourable Members. Honourable Members I call on Condolences. Are there any Condolences? No Condolences

**Condolences**

DEPUTY SPEAKER No Condolences. I call then on the Presentation of Petitions. Are there any Petitions?

**Petitions**

DEPUTY SPEAKER No Petitions. I call then on the Giving of Notices. Are there any Notices.

**Notices**

DEPUTY SPEAKER Notices? I call then on Questions without Notice.

**Questions without Notice**

DEPUTY SPEAKER Are there any Questions without notice? Mr Smith.

MR SMITH Thank you Madam Deputy Speaker. Question I think this goes to the Minister for Tourism. Is he aware that residents are being asked to pay a noise tax?

MR KING No Madam Deputy Speaker, I have absolutely no idea if a noise tax is ...

MR SMITH Supplementary, I might have to reword that and try and make it a question. Its people that are flying out of here into Sydney are being asked to pay a noise tax of, as I understand, of \$3.90. Is he aware of that, and can he make any representations to save residents being under this burden of such a large tax?

MR KING Again Madam Deputy Speaker, I haven't the foggiest notion what Mr Smith is talking about, but I'll talk to him a little bit later on and I'll make some enquiries. Happy to

MRS SAMPSON Thank you Madam Deputy Speaker. I have some questions here for the Minister for Health. Is it true that the Physiotherapist employed at the Hospital resigned her position last week and is leaving the Island because of differences of opinion by certain Hospital staff and pressure from the Board to create more business?

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. I am certainly aware that the Physiotherapist hired by the Hospital has resigned and is leaving the Island. I believe she intends to leave tomorrow. I do not really believe that she was put under any pressure to create more business. I understand that in a free discussion in a meeting that she had with the Board she was asked if she had any ideas about increasing the use being made of the

Physiotherapy Unit, but I believe that it was just very much at that level that the discussion took place. There was certainly no pressure put on the Physiotherapist as I understand from Members from the Board.

MRS SAMPSON A further two questions on the same subject wish I'll put together. Is it true that a second Physiotherapist resigned her part time position last week and separately the full time Physiotherapist, and when will a new Physiotherapist be employed and at what cost to the Island budget and what are patients to do in the meantime for such services?

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. Yes I do believe they, I don't whether you call it, a part-time Physiotherapist, as she did some sessions on a casual basis with the Hospital. I believe she has indicated she does not wish to do any further sessions for the Hospital and does not wish to be employed by the Hospital in any way. As for the hiring of a new Physiotherapy is a matter for the Board, which has the running of the Hospital as part of it's responsibility. I certainly would not want to pre-empt whatever decision the Board wishes to make in regard to that position or any other aspect of managing the Hospital. As to the cost that this will be involved, again it will be worked out when the Board makes the decision in this respect. In the meantime, if there are urgent cases, well perhaps we will have to look at either flying the person to where the services are available or bringing a casual Physiotherapist in. But all of those decisions are within the responsibility of the Board of Management of the Hospital.

MR BATES Thank you Madam Deputy Speaker. My first question is to Mr King, Minister of Finance. Due to the reliance by the Government on profits or dividends paid to the revenue fund by most Government Business Enterprises. Does the Government have policies regarding each of it's enterprises as to whether it is a profit centre of just self-funding service to the community?

MR KING Thank you Madam Deputy Speaker. I'm not aware that the Government has an expressed policy in relation to the matters that Mr Bates alludes, but I suspect that there is probably a need to make a very clear statement in relation to those matters. I'm of the same belief has Mr Bates that one or two of the business undertakings are the providers of essential services and shouldn't be looked upon as milk cows, if you like. But certainly in respect of some of the other business undertakings their sole existence is for the extraction of revenue and dividends to the public account. There can be no doubt about that at all, and I can talk there about telecommunications and the monopoly that the Government conducts on liquor etc. But certainly in relation to matters like electricity and maybe one or two others, there is probably more a need to look upon them as providing as essential services rather than milk cows. But if Mr Bates feels it's essential, I can give that some priority or some attention in the near future; work towards making some clear statement.

MR BATES I did have a supplementary question to that, and I guess it's partly been answered but I'll ask anyway, and that is, what brief is been given to the recently appointed Commercial Director regarding Government Business Enterprise, with regard to concepts to profit centres or simply self-funding business enterprises set up to serve a need?

MR KING Look I think I could probably summarise that by saying

his brief is to attend to the bottom line. And in attending to the bottom line obviously he's got to look at turnover sales and of course expenditure items. So I mean that's a basic brief. We're hopeful that the attention of the Commercial Director to those things will have a quite beneficial effect on the bottom line most of the business areas. I mean that's his basic brief in respect of the business undertakings.

MR BATES A question for Mr Christian responsible for Roads. Has the Minister received any complaints about the addition of the road into the picnic area at Bumboras. And if so has he been able to do anything about it?

MR CHRISTIAN Thank you Madam Deputy Speaker. Yes I have received representation about the state of the road leading into the Bumboras area. At this time there are no funds or in fact time slots left in the timetable for the remainder of this financial year. I will however endeavour to include the repair works required at Bumboras into the Roads Programme for the next financial year. Budget submissions are being prepared at this time and no doubt Members will have an opportunity to look at that over the course of the next two months or so.

MR BATES Thank you Madam Deputy Speaker. Question for Mr King responsibility for Airlines, I guess. Recently discussions were held with a group interested establishing another airline to operate between Norfolk Island and certain Australian capital cities. Could the Minister inform the House if this proposal is still proceeding?

MR KING I'm not aware, Madam Deputy Speaker, whether the proposal is proceeding. We have received advice from those intended financiers who attended the Island here with the local proponents and that advice from them is that they won't be participating in any proposal. But whether the proponents are going to proceed with the assistance of some other parties, I simply don't know the answer to that at the moment.

MR BATES Thank you Madam Deputy Speaker. Question for Mrs Lozzi-Cuthbertson responsible for Immigration. Has the Minister received the final report from the Chamber of Commerce regarding proposals to amend Immigration Policy and are any of their proposals reflected in the proposed motion which appears on the notice paper for debate later this morning.

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. No I have not received the report, the final or otherwise report, from the Chamber of Commerce and I really do not know what their recommendations will entail.

MRS SAMPSON Thank you a question directed to Mr King. Is the Minister aware of the problems being experienced in the uplift of airmail from Australia and has he any idea as to what could be done to rectify them?

MR KING Well I am aware Madam Deputy Speaker, of some problems in recent times and problems with the uplift of mail appears to be directly related to the influx of tourist coming to the Island. So the more tourist you fit on the plane the less mail you can carry. I don't quite know what the answer is to that is. Perhaps we could throw off a few tourist and put on the bags of mail. No I don't know what the answer to it is and maybe it is deserving of some more attention and I can look at that over the next few

days perhaps. See how wide the problem extends.

MRS SAMPSON Thank you and another question. Has the Minister a Head of the Government issued invitations to the Members of the Federal Government responsible for Norfolk Island to visit Norfolk in the near future?

MR KING No, but I had intended in the very near future to extend invitations to the Honourable Warwick Smith, at least the Honourable Warwick Smith, to attend for Bounty Day.

MRS SAMPSON Thank you, a question to Mrs Cuthbertson. As a white paper on compulsory third party on motor vehicles was introduced into this House as long ago as the third Assembly, which was 1983-86. Would the Minister please explain why so little has been done and what are the prospects of any action in the near future.

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. Actually, a considerable amount of work has been done on working out the cost of such an insurance and what would be involved in establishing it. As I explained at a earlier time when Mrs Sampson brought this matter before the Assembly, one of things that has made me hesitate is the cost that would be entailed on car owners to bring their vehicles up to scratch, if the third party insurance was made compulsory. The further problem at the moment is that there is an enormous agenda of legislation to be drafted by our Legislative Draughtsman and we would have to amend the Traffic Road Act in order to bring in this compulsory insurance for third party. In the work schedule of our Legislative Counsel, I shall endeavour to find a niche for drafting the necessary amendments. I am also waiting on the arrival on the Island of the Risk Consultant, who is due to arrive in the next few weeks to finalise the actual costs involved, the number of extra people that might be required to actually manage this extra legislation, extra piece of administrative work. And I promise to proceed on it as fast as I can.

MRS SAMPSON A final question for Mrs Cuthbertson. Would the Minister please explain why judgements made in the Court of Petty Sessions are not made public through the medium of the Government Gazette as it used to be the case?

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. I've just been advised that a decision has been made to publish those results of appearances before a Court on a periodic basis rather than a month by month or sitting by sitting basis. I'm not quite sure why the decision was made but I shall look into it and let Mrs Sampson know.

MR BATES A question for Mrs Lozzi-Cuthbertson responsible for Public Service. Would the Minister be able to advise if there are any Government proposals to provide the recently appointed Commercial Manager with an assistant and if so would this be a new appointment?

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. No the proposal is completely new to me. I will certainly look into it and find out more about it, but no it hasn't been raised with me.

MR SMITH Thank you Madam Deputy Speaker. A question to the Minister for Finance. Can the Minister tell me or can he bring it to the next meeting the current costs or estimated costs of the electricity shed that

is being built on the Airport?

MR KING Yes, I'm happy to do that at the next meeting, Madam Deputy Speaker, I don't have that information with me at the moment.

MR SMITH Thank you Madam Speaker. In relation to the Airport, will one of the Ministers be making a statement this morning on the Airport Terminal?

DEPUTY SPEAKER Mr King, do you wish to respond to that.

MR KING No I won't be making a statement, Madam Deputy Speaker, in answer to the question.

DEPUTY SPEAKER Thank you. Further questions Mr Smith

MR SMITH In relation to the Airport Terminal. Minister could you tell me and others that are interested, has a Project Manager been appointed for the building of the Airport Terminal?

MR KING Madam Deputy Speaker, a Project Manager has not yet been appointed.

MR SMITH Question to the Minister for Finance in relation to Telecommunications. What steps have been taken, if any, to have the undersea cable between Norfolk Island and the mainland upgraded to allow computer users to be able to tap into DEPUTY and other computer services?

MR KING Madam Deputy Speaker, the proposition contained in that question is that it's our cable and we might take some steps to upgrade it. I would remind Mr Smith that that's certainly not the case. We don't have any part ownership in that cable. I understand though, without going into any great detail because it's a very complex question, that the matter of the life span of the cable and indeed the upgrading of it from, I can't remember the terminology, is it analogue to digital or something or rather, is that the right way, or was it back the other way, analogue to digital. Those considerations are presently before the Telstra people in Australia, and I guess other owners of the cable, but beyond that I can't say anymore it's not our cable. We are trying to keep abreast of it and certainly as information comes to hand I can pass it around to Members.

MR SMITH Just a supplementary question to that then. Are you saying Minister that we are looking into the digitalisation of that cable.

MR KING No we are not looking into it Madam Deputy Speaker, because we don't own the cable, but we are aware that the owner's of the cable are looking into that question. Let me add a little bit further. If the objective of Mr Smith's question is to flush out when the Island, students on the Island or people in the Island generally might be able to avail themselves of the internet etc, that question is being considered by our officers along with the Telstra people who have indicated a desire, indeed a strong desire to assist us or come to some special, as it were, arrangements to enable that introduction or to enable the internet to be available to the Island at a less costly level than present, but beyond that, I don't think I'm at liberty to say anymore because I'd have to regard that as being commercial in-confidence at the moment.

MR SMITH Thank you Madam Deputy Speaker. A question I think to Mr Adams in relation to water bores. I've been asked by a member of the community what the current policy is in relation to deepening a household bore as compared to a commercial bore. Is there a current policy that allows deepening of bores?

MR ADAMS Thank you Madam Deputy Chair, thanks for that question George. My understanding of the present policy is that in view of the prevailing conditions regarding water etc, not the prolonged drought periods the present policy in place that there be no movement in the present situation regarding bores to my understanding no division between whether it's commercial or whether it's domestic used bore. But the over-riding factor is that it is a means of accessing water from the water-table and at this stage there's basically a limit on any movement in that area and that won't be relaxed until further notice.

MRS SAMPSON Thank you Madam Deputy Speaker. All Members have received a letter from a former Minister for Finance to this Government on commenting on the Supplementary Appropriation Bill. Can I address this question to the current Minister for Finance for his comment.

MR KING Madam Deputy Speaker I shall give that letter the attention it deserves.

DEPUTY SPEAKER Thank you Mr King. Further questions Honourable Members? No further Questions Without Notice? We then proceed Honourable Members to Questions on Notice.

#### **Questions on Notice**

MRS SAMPSON Thank you Madam Deputy Speaker. Questions on Notice in my name. The first ones to Mr Adams as Minister for Industry and Forests. Would the Minister please inform the House (a) How much has been spent from the Waste Management Vote, and on what? (b) How does the Minister propose to spend the balance by the end of this financial year? (c) What progress has been made in the return of used car batteries to the mainland? and (d) Are there any concrete plans to upgrade the waste storage facility in Burnt Pine.

And I just make the comment that the Notice Paper said waste storage, I'm sorry, and it is the question is water storage facilities in Burnt Pine.

MR ADAMS Thank you Madam Deputy Chair. Top to bottom (a) How much has been spent from the Waste Management Vote and on what? To this point Madam Deputy Speaker, to my knowledge, nothing has been spent from the Waste Management Vote. That Vote is a budget allocation it was allocated in the last financial year of around \$70,000. As I said to my knowledge nothing's spent from that vote at this stage. (b) How does the Minister propose to spend the balance by the end of this financial year? Madam Deputy Speaker, I don't necessarily intend to spend the balance simply because it's there. I intend to recommend to the House that an amount of money be spent from this vote in the forthcoming budget in association with another area and the spending of a portion of that money will be in the attempt to improve some of the waste disposal facilities that are presently in place. (c) What progress has been made in return of used car batteries to the mainland. Madam Deputy Speaker, the progress to date has been to chase up a firm who's willing to basically buy the batteries and recycle them. Such a firm is

being relocated. The price given was in the area of \$200 per tonne. That price more than covers the back cargo rates. The problem that needs to be addressed in the process so it will allow it to proceed is getting from the wharf in Sydney, the dock in Sydney, to the waste recycling area. That is something that I still need to arrive at a satisfactory means and probably operator to do that. When that is answered the thing can proceed. (d) Are there any concrete plans to upgrade the water storage facilities in Burnt Pine. Madam Deputy Speaker the legislation to require specific water storage for new dwellings and to phase in requirements for accommodation houses, I've placed it as a top priority. However I've not singled out Burnt Pine in this, but I've adopted an Island-wide approach. Thank you.

MRS SAMPSON Thank you. My next question is addressed to the Minister for the Environment. Would the Minister please inform this House of (a) the current status of the Burnt Pine Upgrading Project. (b) How much has been spent on the Project, and (c) How is the balance, if any, remaining in the vote to be spent?

MR CHRISTIAN Thank you Madam Deputy Speaker. In part (a) of the question, the current status of the Burnt Pine Project is that planning is currently underway. Health and Building Section is digitizing or putting all of the design criteria on to electronic medium, overlaying sewerage pipes, electricity cables and whatever, so that a comprehensive plan can be produced, hopefully in the not too distance future. And I would expect that real work on the road would commence fairly early in the next financial year. How much has been spent on the project to date? There was \$50,000 provided in the 95/96 Supply Vote. Two separate expenditure amounts have been made from that vote, one of \$12,000 and one of \$11,650. I can't say which order they were in but one was for the University of Technology in Sydney study and subsequent manufacture of models and I think the other sum may have been for some incidental roadworks carried out in the Burnt Pine area, particularly with regard to drainage. As at 20th March 1996 the balance of funds available in this vote is \$26,348 and I honestly can't see me spending that money in the remainder of this financial year and it will be a matter for the House to either spend it or revoke in the new financial year.

MRS SAMPSON My next question is for the Minister for Tourism and Fiance. As there is increasing interest by the Assembly and the public in a review of the Tourist Accommodation Policies, could the Minister please advise (a) Where homestay fits into the picture, (b) When can we expect the regulations and (c) Whether or not there have been genuine enquiries from interested people.

MR KING Madam Deputy Speaker, homestay accommodation was in fact the forerunner of change, or forerunner of deregulation of the Tourist Accommodation industry, was a direction in which I was pushed or guided by the House some few months ago. It is a facility to extend the existing Tourist Accommodation industry to allow other members of the community to participate in that industry without the requirement for a large outlay of capital. The facility aims to provide the visitor with a social and cultural experience from interaction in the family home. I should mention that the legislative requirements or statutory requirements will be much the same to those that are placed on the existing tourist accommodation complexes. That is in areas of minimum standards, grading requirements etc. As to the second part of the question, I am informed that drafting instructions are at present being prepared and that we have in recent times, I have in recent times allocated a

reasonably high priority, high legislative priority for the regulations or legislation in this area. As to whether or not they've been genuine interests, expressions of interest from people, well I don't personally have any knowledge. I've had no personal approaches or approaches to me as I understand that some other Members may have had some approaches from members.

Officers in the Administration inform me that they have had a number of phone calls from people who have expressed some general interest or general desire to know what's going on in that area. I also understand that members of the Tourist Bureau have had no approaches from people and nor have members of the present industry organisation of the ATA received any approaches from either their members or other members of the community. Thank you.

MRS SAMPSON Thank you, my last question is to the Minister for Health and Education. How many students completed Years 11 and 12 at the Norfolk Island School in 1995, which was left out of the paper, and elected to stay on the Island and have these students found meaningful full-time employment?

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. Twelve students completed Year 12 at the end of 1995 at the Norfolk Island Central School. Of those three are studying at University, two are undertaking apprenticeships, three are undertaking TAFE courses, 1 of these people is doing the TAFE course here on the Island by correspondence, three are working on Norfolk Island and one is planning to leave for work almost any day now to go and find work in New Zealand. I don't know whether she has a job in New Zealand. Quite frankly I cannot tell you that people that are remaining to work here on Norfolk Island have meaningful full-time employment. That is a little difficult to judge, but they are working on the Island at the moment. And did you want to know how many people completed Year 11 last year?

MRS SAMPSON Yes.

MRS LOZZI CUTHBERTSON Eight people completed Year 11 last year and all have gone into Year 12 this year.

MRS SAMPSON Thank you.

DEPUTY SPEAKER That concludes Questions on Notice Honourable Members. We move now to Presentation of Papers.

### **Presentation of Papers**

DEPUTY SPEAKER Presentation of papers. Are there any Papers for presentation? Mr King.

MR KING Thank you Madam Deputy Speaker. I table the Inbound Passengers Statistics for February '96.

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. I table the Legal Aid Guidelines for 1995.

I table the Audited Financial Statements for the Hospital Enterprise for 30th June 1995. As Members will recall I have circulated the accounts, these do not differ in any way from the ones that I have circulated some time ago to everyone.

MR KING I table the Financial Indicators for the month of February 1996.

DEPUTY SPEAKER Thank you Mr King. Are there further Papers to be presented Honourable Members? There being no further Papers, I move to Statements.

### **Welcome**

DEPUTY SPEAKER Honourable Members I'd like to take this opportunity on behalf of this House to extend a warm welcome to all our visitors in the public gallery including Mr and Mrs Farmer, who are holidaying while Mr Farmer who is a journalist for the Sunday Telegraph is doing an article on our Island and I also welcome Mr Ray Gallagher, Chairman of the Land Review Taskforce, Mr Rod Grouse and Mr Keith Burnham, who are undertaking the works of the new Statutory Land Zoning Plan for Norfolk Island.

### **Statements**

DEPUTY SPEAKER Honourable Members do we have further Statements? We move then, Honourable Members to Messages from the Office of the Administrator.

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

DEPUTY SPEAKER I have received the following Message from the office of the Administrator. Message Number 90. On 16th February 1996, pursuant to Section 20(1) of the Norfolk Island Act 1979, I declared my assent to the Lotteries and Fund Raising Amendment Act 1996, Act No 1 of 1996 dated the 16th February 1996, Alan Kerr Administrator. We move now to Reports of Standing and Select Committees.

### **Reports from Standing and Select Committees**

DEPUTY SPEAKER Are there are any Reports from Standing and Select Committees this morning. We proceed therefore Honourable Members to Notices.

### **NOTICES**

#### **NO 1 - CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY**

MR KING Thank you Madam Deputy Speaker. I move that for the purposes of Section 2(b) 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 mentions the goods being two marquees valued for duty at \$3,876. The importer being Paul Morris Finch on behalf of the Returned and Services League of Australia, Norfolk Island Sub-Branch. Thank you Madam Deputy Speaker. A simple motion in accordance with the requirements of the Customs Act, which follows our normal practice of waiving the duty on large marquees that are brought in for temporary purposes and removed or sent back out from the Island after they've been used. I have nothing further to say in that it follows normal practice and would commend the motion.

DEPUTY SPEAKER Thank you Mr King. Debate Honourable Members? There being no debate I put the question.

QUESTION PUT  
QUESTION AGREED

DEPUTY SPEAKER Thank you Honourable Members that is agreed to.  
Notice No 2.

**NO 2 - AMENDMENTS TO THE IMMIGRATION POLICY**

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. I table a paper which details amendments proposed to the Immigration Policy and move that the amendments be considered and dealt with individually by this House. If this motion is agreed to by the House this morning Madam Deputy Speaker it will be my intention to move each of the proposed policy changes to allow Members the opportunity to debate each change and at the conclusion of debate to move for the adjournment of each amendment to allow Members of the community the opportunity to have input into the discussion.

MR KING I'm looking for someone else to take the lead in this debate, and Mrs Cuthbertson knows that fullwell. We're waiting for her. What will I say. Can I ask a question just for some clarification firstly. Are we intending to separate all these today and debate each one, or are we just going to debate generally the entire package in the expectation that it will be adjourned and separated at the next meeting?

DEPUTY SPEAKER My reading Mr King is that the motion before us at the present time is the one just put to us by Mrs Cuthbertson that should we agree to it, each of these amendments will be dealt with individually, and that is the question put before us at the present time. Should we agree that each of the amendments be debated separately then they will be so. That's the question before us at the present time. Mr Smith were you calling for the floor to debate that question?

MR SMITH I was calling for debate, in fact what I wanted to do and it may take into account what Mr King is wanting to do is that I would suggest the Minister goes through each paragraph of which hes's got here, I would like to then resume that and make it a order of the day for the next sitting, rather than debate it today if that satisfies the Minister and also taken into account what Mr King has been saying too.

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. I really do not mind if it's debated today or at the next sitting. Its' entirely for this house. I'm quite happy to be guided by the majority. If you want to go ahead and have the debate today, fine. If not we'll have it at the next.

MR KING Would someone tell me no more than what is the question before the house?

DEPUTY SPEAKER The question before the house is a machinery motion Mr King, which will allows us to debate each item separately.

MR KING What is the question before the house?

DEPUTY SPEAKER The question before the house is that each of the proposed amendments be subsequently.

MR KING I beg your pardon?

DEPUTY SPEAKER That the amendments be considered individually and dealt with individually by this house rather than as a block.

MR KING So any debate on that question has nothing to do with the immigration content of it's just a ...

DEPUTY SPEAKER It's not to do with the content, it's just to do with the splitting up of the various amendments that Mrs Cuthbertson wishes to put before the house.

MR KING How very confusing. Well I want to get in on this act somehow today but I don't know where.

DEPUTY SPEAKER Mr King, are you happy that we debate them one at a time, whether we adjourn them at this the appropriate time, or do you prefer them all be dealt with in a block. I think it's the feeling of the house that we prefer for each one to be looked at as a separate item, and if your in agreement with that I'll put the vote.

MR KING All right. Yes then I'm happy with that so long as the confusion doesn't overtake me and I miss out on the opportunity.

DEPUTY SPEAKER The question before us honourable members is that the amendments proposed by Mrs Cuthbertson be dealt with and considered individually. I put that question. Of that opinion say aye. To the contrary no.

Thank you the ayes have it.

Mrs Cuthbertson may I suggest that you read the amendments one by one, and we can adjourn them individually if that's the wish of the house.

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. I move that as from February 1997 the G.E.P quota be calculated by taking as the base line figure the previous years average population plus the previous years quota. Madam Deputy Speaker this a very minor variation from the present way of calculating the G.E.P quota, but as the quota was set at the end of 1993, it was done so for the purpose of promoting a gradual and controlled increase of the population of Norfolk Island. Reviewing how the quota is worked since that day, we find that the average population of the Island is increased by ten people. We have actually issued 169 G.E.P permits since that time of which, I have the figures here, 96 was issued to special category applications and 68 under the quota. Now since that time after issuing so many G.E.P we have only had an increase of 10 people to the average population of the Island, which very clearly indicates that there is a drain going on of the population from the Island. In spite of our efforts to try and promote a larger number of people to stay on the Island. If this amendment is agreed to, it would allow for perhaps one extra place on the quota per year at this point. Later on it might be a larger number but as you will see from later amendments, I'm proposing that each and every part of the policy, immigration policy should be reviewed on a bi-annual basis so that if the increase that I'm proposing now should get out of kilter, the assembly will have an opportunity to revise this policy, bring it back into line, reduce the number of percentage increases that it wishes to make allowances for, and act in whatever way it seems suitable at that particular time. I think it is essential that Immigration

policy should be flexible, and should be suitable to the economic and other needs of the time in which it applies. It should not be cast in stone, and it should be reviewed regularly. I think that at each and every review, we should be asking ourselves if the policies that have been set are still working, if we are still achieving the objectives we set for them, and if they are not we should be revising them. I'm very much of the opinion that policy has to be flexible, the Immigration policy has to be even more flexible and should be reviewed regularly and it should be brought before this house for this house to make the decisions. So I am now suggesting that we should review the way we are actually calculating the quota so that it becomes accumulative increased and in bad years when our population is not moving and it is not working, there are not sufficient people here to actually support an adequate lifestyle for everyone, perhaps we will not fill our quota places, but those places will not be lost in the future. In good years we can then make up what we have not been able to achieve in previous years and because we have too many people wanting to come and the population grows too quickly, we will have a regular opportunity to review the way the quota is worked, so I commend that particular motion to the house.

DEPUTY SPEAKER                      Thank you Mrs Cuthbertson. Debate? Mr Christian

MR CHRISTIAN                      Thank you Madam Deputy Speaker. It's interesting to listen to what Mrs Lozzi Cuthbertson has said there, and it does ring alarm bells with me. I can understand what she's trying to achieve here, but I do not think it is good enough to review the policies from time to time. I believe we should put some specific safeguards in place from day one. Possibly what should go hand in hand with this revised policy is the indigenous persons protection Act. We sit around the table here today, only two of the eight members present today are in fact indigenous persons. The difficulty I see is if you use what Mrs Cuthbertson has referred to as the cumulative process, within 15 or 16 years time the indigenous population of Norfolk Island, if the existing indigenous population only managed to replace themselves, they will be completely displaced in their own homeland. Numerically you cannot dispute that. I can't sit here and watch that happen. I do understand that we need to have a bit of economic stimulation from time to time, and we do need a system where people can move freely on and off the Island. I do not think that we should be embarking on an open ended population policy and that's what this does, and what it does or what Mrs Cuthbertson attempts to do with this is to have the safeguards put in place at a later date, well you can't shut the gate after the horse has bolted. I can't sit back and see the indigenous people of Norfolk Island lose control of their destiny so I'll be happy to just say that for now; do a bit more research and statistical evaluation and come forward with some projections at the next meeting

MRS LOZZI CUTHBERTSON      Thank you Madam Deputy Speaker. If I could answer those very specific points from Mr Christian immediately because they are important points. There's absolutely no likelihood that the indigenous people of Norfolk Island will be displaced under this system. The controls of that are already included in the Immigration Act and the Immigration Policy will all remain in place. This is a minor change but just to illustrate how unnecessary these concerns are, 96 GEPs were issued under the 'Special' category section of the Act so 96 people with special relationships to Norfolk Island were allowed in over the last two years. 68 permits were issued under the 'outsiders' quota system. People with special relationship to Norfolk Island under the Act and under the Policy will continue to have the right to apply to come to Norfolk Island and to be granted permits outside the quota.

They do not have to wait for places on the quota. If they want to come back they will be granted permits if they have special relationship. There is no intention whatsoever to change that but in the interim whilst this lies on the table I certainly would encourage Mr Christian to look into this and to satisfy himself

MRS SAMPSON Thank you Madam Deputy Speaker I agree with the overall amendments that Mrs Cuthbertson's making but I'm wondering if we are being presumptuous in debating it all today as our Speaker is not with us and he is a former Minister for Immigration. I feel that we are going to have a long session today and we are only going to have to go over it all again in the April meeting. Now is there any mechanism in which we can adjourn the entire notice until the next meeting without having to go into a debate today

MR KING Thank you Madam Deputy Speaker. You can adjourn the debate if you wanted to but I would be a bit upset, let me tell you that, to wait until Mr Buffett to come back before I can get my two bob's worth in

MRS SAMPSON Well I feel that Mr Buffett's views will probably be totally different from mine anyway but I feel that in such an important matter as this the debate should not go ahead without him

MR SMITH Thank you Madam Deputy Speaker. There is something we should take into account here. On Monday in the Committee Meeting we were talking about this paper that Nadia has and the question was asked whether the Immigration Board had had input into it, or output as well. They haven't come back with their input to us at this stage and it was suggested at the meeting that Mrs Cuthbertson table this paper and then we leave it til the next meeting. In fact, I think it was Mr King who actually suggested that. There are some things in here that we need to continue talking about in Committee before we go off on a tangent with these amendments, and I would suggest that after Mr King has had his much wanted say on this paper I would move that all of these amendments be adjourned to the next meeting and made an Order of the Day

DEPUTY SPEAKER I understand that it is Mrs Lozzi Cuthbertson's intention that all these amendments should remain on the table until at least the next meeting, therefore no decisions will be taken today, but I would not want to gag debate on any of these amendments if any of the Members wish to speak of it today

MR KING Yes, I'm inclined to think Madam Deputy Speaker that we should have a general debate on the whole package and then simply adjourn the whole package and separate it on the next occasion because I now feel somewhat hampered in addressing only No 1, and having to refrain from touching on the remainder of the motion, 3, 4, 5 and 6. And to do so would probably be contrary to Standing Orders but I probably will

DEPUTY SPEAKER Well Mr King, at the present time we are debating the first amendment...

MR KING Alright. Well I will try and confine my ...

DEPUTY SPEAKER And if you have nothing to say on that we can adjourn it to the next meeting

MR KING Well I do have some words to say on that, I don't know whether they will be warmly received or not but I will say them anyway but I think the whole thing's a bit premature. I think there's a lot of work to be done on it, a lot of massaging and trimming that should have been done before it came to the House. I mentioned that the other day and I stand by that statement. For example, the first one seems to disregard the fact that two years ago the Assembly set a population policy and set that for two years, to be reviewed in two years and we would have a policy which embraces a 2% growth in the permanent segment of our population but it will be reviewed in two years. That two years expired a couple of months ago so what we ought to be doing now is addressing where we want to go in terms of what percentage population growth, before we start looking at the mechanisms that we can employ in an attempt to reach that target. I agree that the quota is probably the only mechanism short of issuing free contraceptives around the Island, the only mechanisms that we can use to regulate growth on the Island. We don't have control over the other factors, the returning residents, the residents that are going away. We can stimulate economic activity in the hope that people will not go away, that they will stay but in a meaningful sense the only way we can regulate it is through the quota and that was always intended to be its place in the whole scheme of things. So, I believe that firstly we have to talk about what level of population we want to achieve. The population policy of 2% has expired, I think it was this Assembly, it must have been this Assembly, it was acknowledged that the policy existed for a couple of years and that we had undertaken to the community that we would review it in two years time so we put the horse before the cart rather than the other way around. Then I don't care what bundle of words Mrs Cuthbertson uses, as long as it is in pursuit of the objectives that we agreed. You see what I'm saying. I don't understand what these words mean here when you say "recalculated by taking as the base line figure the previous years average population plus the previous years quota". I know you've attempted to explain it to me, but it has just gone right over my head. I don't know what that means nor where it's going, but if you were to say to me that that mechanism, or those words would be in pursuit of a population policy of 2 or 3% or whatever we decide, then I would accept that. I think it's a matter of putting the horse before the cart rather than the other way around. I think this is premature

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. As Mr King has acknowledged, I've endeavoured to explain it to him, to answer his questions. I've circulated this paper some considerable time ago, asked for input, suggestions, recommendations. It is not something that has just appeared all of a sudden today. He may not agree with the method I've set about bringing this before the House, I also asked for suggestions about that method which would be the method to bring it before the House. But putting this motion before the House we certainly have an opportunity to discuss population policy and population targets. What this recommendation sets out to do is not to vary the population policy that was set out in 1993 but to clarify, to fine tune it. It doesn't propose any major changes, it is still 2% as intended, to be the objective by which the population is increased per year. We are obviously not succeeding in increasing the population by 2% per year as was hoped at the end of 1993. I'm hoping that this minor adjustment to the population policy that was decided in 1993 will allow for a minor increase of places on the quota in due course. As I say, in one year it may increase it by one. In two years it may increase it by two or three places. It is not a major change but it does give that kind of leeway within the quota figures that is worked out twice a year that if there are people wanting to take up

the places on the quota, we will be able to take advantage of them, and we will be able to take advantage of them in the same spirit that we plan to take advantage of increasing our population by the people who are waiting to be on the quota. If the people are not there and interested to come and take up the places in the quota the quota places will not be filled. It's as simply as that

MR CHRISTIAN Thank you Madam Deputy Speaker. I think it is too late to take this back behind closed doors and debate it. It's on the Notice Paper, it's widely spoken about in the community now, no decisions will be taken on any of these amendments today so I think Members should have their say and take on board any comments that come in from the community and bring them forward if they care to at the next meeting and bear in mind that the amendments as they appear now may get up, not get up or be amended. I have no difficulty whatsoever with whipping through these six points here now and having a preliminary say on all of them

MR BATES Thank you Madam Deputy Speaker. I want to say something in general about the total concept and I probably will refrain from addressing the individual questions as they come up. But I wonder if the Minister is able to simply explain what the objectives of her motion to amend the various sections of the Immigration Policy really are as this is something that I've tried to come to grips with and failed. Sometimes I conclude that collectively these amendments are removed to assist those who wish to leave and not of any real benefit whatsoever to those who wish to remain. Sometimes like Mr Christian I wonder if it is just not another crude attempt at ethnic cleansing. Sometimes I conclude it is just a move to boost commissions of land agents and conveyancing fees to the Government. I know the Minister thinks it will boost the economy and I can see some short term benefits overshadowed by no real long term benefits, and even possibly harm to some other existing businesses. I think it's been said before, but I do wonder how the Minister intends to cope with the Chamber of Commerce's submission and also the views of the Immigration Committee. There is some mistaken view that these proposals are a child of the Immigration Committee and I want to assure Members that they are not. Since it is proposed to finalise the debate at a future time, I will reserve other comments until such time as I envisage like Mr Christian, that there will be changes as further input comes forward. Again, I would be interested to learn in simple terms just what the Minister hopes to achieve by these proposed amendments

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. As I have said on this subject before my strongest motives for bringing these matters forward is in fact, that used properly Immigration can be an economic stimulus. In the current climate the economy of Norfolk Island needs a stimulus. This Assembly is working on various other projects which might also provide economic stimulus if they do come off, on the other hand Immigration Policy is here at hand. We can do something positive with it very quickly. It is a tool we can and should use. Yes it needs to be managed with adequate controls and if the six sections of this motion are agreed to the twenty pages of controls detailed in the rest of the policy booklet will still be there. The Policy will still be there and the Act will still be there, we are not proposing to change the Act. The Act will remain untouched by any of the Policy changes contained here. As I have said many times before, but I'm certain I will have to say a few more times again today, I realise that Immigration is not a cure to a struggling economy, but it is one of the possible measures available to this Assembly to give economic activity a boost. In fact, it is about the





been misquoted that's all

DEPUTY SPEAKER                    You are correct that we are debating the first amendment but I have allowed open debate over the whole question as Members seem to be wanting to look at the general question of immigration and they don't wish to actually take any decision on any of the amendments today, which is why I let Mr Christian proceed with this. If you feel that he is misquoting your recommendation perhaps you would like to pick him up on that

MRS LOZZI CUTHBERTSON    Madam Deputy Speaker I do not object to general discussions as you have allowed but we are getting to the specifics once again, without looking at the specifics in detail of the others, that's all I'm concerned about

DEPUTY SPEAKER                    Mr Christian, do you wish to resume

MR CHRISTIAN                    Madam Deputy Speaker yes I will resume. I've have broken no Point of Order. I see GEP or the letters GEP appear in every one of those points through the document. I did indicate that I was speaking generally. I had had my say on Amendment 1, Members seem to be of a view that all points should be adjourned and made an Order of the Day for the next Sitting, but I just felt that I would point out the deficiencies that I see in a general sense and leave it at that and that's the quickest way that I can see to shorten the debate. I've expressed my view on the contract of the house for a GEP, I don't think that's strong enough. Point C, on point 2 as well refers to maintaining private health insurance and one would endeavour to think that that requirement be in place for as long as that person intends to reside in Norfolk Island. After they've resided here for five years they are quite able to avail themselves of the Healthcare Levy that exists now, and there again, it impacts on another piece of legislation so that needs careful addressing. It doesn't seem to make any recommendations in here anywhere on whether a persons financial status changes after they've become a resident of the Island or a GEP holder. Whether that GEP can be reviewed, because the intention of all of this is not to have them become a burden upon the population. So these are some of the areas of concern that I see and I'll leave it at that for now

MR KING                            Thank you Madam Deputy Speaker. I think this debate has the potential to fall in a big obscure heap. I've refrained at this point in time from comment on items 2. to 6. or 7. Despite the fact that Mr Smith has dwelt on the past I've merely referred to the undertaking given by this House to the community to review the population policy not the quota policy, but the population policy two years ago. If that is dwelling in the past and skimming over matters which I oughtn't to touch on, well maybe Members can excuse me but I thought we had responsibilities to the community and to those who elected us to do the things that we said we were going to do and I say we put the horse before the cart and review the population policy first before you go looking at the mechanisms and how you might employ the mechanisms to adjust that population level. I'm sorry if that appears to be dwelling in the past George. If I were to dwell in the past I would suggest to Members that they might benefit from some of the experience that I've had and they oughtn't to discard it in any event. I've seen the quota mechanism used purely as a political tool for the first nine years operation. The numbers were never set objectively they were simply numbers which were pulled out of the air to accommodate those who were waiting either on the queue or putting pressure on the door to come in. The political wisdom was to simply ease that pressure by

accommodating those who were making a noise. You can't tell me that has any objective behind it. The only time an objective has been instilled or injected into the quota mechanism was in 1993 when this House sat down and set a population policy. The only time. Now I'm simply saying to the Minister that we ought not lose site of that objectivity. Retain that objectivity. Now since other Members have made some general remarks I'm going to say some general remarks too for fear that the debate is going to fall into a heap and I'm going to miss the opportunity. Again, I stress that this motion is far too premature. I say that with the greatest amount of respect to my executive colleague but this is far too hasty to bring it forward. It needs a wide ranging level of consultation and discussion. We've got to understand that it is a shared function of responsibility, shared with the Commonwealth. We don't have the unilateral authority to do what we want in immigration. We might like to. Maybe if we conduct ourselves properly we will have, but currently we don't. The Seat of the Appeal Authority is in Canberra and as I mentioned previously, it is a function which sits in Schedule 3 of the Norfolk Island Act and therefore any policy or law that we have to change, most particularly a law, needs to be given the green light by the Commonwealth by I think, the Federal Cabinet, or at least the Commonwealth Minister in any event. So we've got to keep sight of those things, so the process that has been followed in the past has been one of saying to the Commonwealth, quite rightly and quite responsibly, look this is what we propose to do, what do you think about it, is it something that you would validly take into account when you address an appeal or is it something that you are not going to take into account or something that you can't take into account. Oversight by the legal people who will tell you it won't stand judicial examination. Policies have got to be supported by the law, some provision in the law somewhere. There are some items set out in this proposal here that is before the House now that in my law view simply are not supported by the legislation. So we are saying to people, we are giving them an expectation that we are going to do something, which somewhere along the track in the not too distant future, someone with a proper professional training who we have ignored to date, is going to say hang on, you can't do that because the law says you can't darn well do it. So let's try and be sensible and reasonable and responsible about it. The law for example, doesn't say anything, doesn't give you a facility to apply one quarter of the yearly quota to persons in a particular category. It just doesn't exist in the law. The law says that you must deal with applications in the order in which they are received. No other way. Not according to any formula. I agree that we can sit here and talk about the principles of these things, and then later on say, well okay we will change the law to accommodate the policy. I do that all the time. But again, I'm saying that there are other parties involved here. It talks about a requirement to place on people who are already here on the Island that if they want to stay in the long term and have a general entry permit that they've got to buy a house. Now I take the view, again I suppose supported only by some experience that I've had and certainly not a professional view, but I would say that that is giving undue weight - undue weight - to that particular factor. I don't think it will survive as a relevant policy. I have a view too that somewhere in this debate which is becoming a little bit messy, we could find the means of adjourning the whole lot, 1. to 6. or 7. and then perhaps the Minister having a rethink of the strategy of the level of consultation that ought to take place before it comes back into this House

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. I really am surprised at some of the comments being made by Mr King. First of all the advice from a legal person, all of these amendments were drafted by the Crown Solicitor.

Unfortunately he is no longer here. I did not draft them, I waited especially for the Crown Solicitor to draft these amendments so I guess that we could say that our ex Crown Solicitor did have some legal training and should have been able to draft things in accordance with what is possible within the law. I do not put myself up as an expert on the law. That's why I turned to him and asked him to draft the amendments. When you talk about application for GEPs to be dealt in order, the proposal here does not in any way upset that requirement of the law. It only allows us to give up to one quarter of GEP places on the quota to people who happen to be retired who do not want to buy a business who want to come here to purchase a house to settle down and to be happy and to just share our life here on Norfolk Island. It allows a category of people that are presently not allowed in, in under the GEP quota. Again, it was drafted by the then Crown Solicitor, I imagine it would stand up to scrutiny to court and in appeals. You talked about wide consultations with regard to the setting of population policy. Certainly by looking at the files of the day I cannot find any great consultations, perhaps they are just not reflected on the files. It doesn't become obvious from reading the files. The matter was brought before the House. There was discussion in the House. I think two months went by and you came back with recommendations. Similarly, I am bringing this matter before his House. I'm giving people an opportunity to make an input, I am preparing to consult with anyone who wishes to consult me about it. I have actually had meetings with the Subcommittee on Population and Immigration of the Chamber of Commerce. I have had some discussions with the Immigration Committee, it has not been finalised but I have had some discussions with them about some of these points. I have circulated my paper to them. I intend to have a meeting as soon as can be arranged now that they are all on the Island and I've already said that all these recommendations will sit on the table. As for objectivity I do not see that this lacks any objectivity. I do not propose to do away with the present system of setting the quota, I'm only proposing that a small adjustment be made to the present system. It will still be a numerical process, I will not have any part in calculating it, I will only announce it to this House and this House will agree or not agree to it, as how this House feels from time to time. You may not agree with my proposal as to the kind of conditions that should be imposed on existing TEPs to achieve a GEP status. Fine. Let's debate it. Let's see if it is a good system, or not a bad system, but let's see what the people feel. Without it being brought forward, without everybody having the opportunity to actually vote on it, it will never be finalised, it will never be decided. But just like Mr Smith has said, the immigration situation of Norfolk Island has changed drastically over the last few years. For the first time we do not have alot of people wanting to come here, but we do have a significant group who are still interested in coming here because of the very many great attractions the Island has on its lifestyle, the people who live here, the quality of the people who live here. The security that this place offers, and that group of people doesn't happen to want to go into business. They want to just come here. Whether we take advantage of this group of people or not is something that has to be decided by the whole Assembly and that is why I've put it forward for discussion and for decision, but be aware of the fact that unless the economy of the Island continues to improve we are not going to have a very large number of people who want to come here to become involved in business. We will continue to have however a reasonable number of people who are here on TEP and will apply to change into GEP status and there are some consequences to that. We also should be aware of, and should be talking about openly and considering, and that is why I have put that matter before you by way of a motion. All of these issues need to be considered and discussed openly and decided. They are all here on this paper,

I'm really quite happy for the matter to be referred to the next sitting of the House when Mr Buffett with his long experience in many areas of the development of this Island will also be able to take part but I had fully intended for that to happen anyway by adjourning this discussion proposing at the beginning that the discussion be adjourned. I'm sorry that the debate really seems to have degenerated a little. Perhaps this will be the best time to adjourn it and to make an order of the day for the next sitting of the House

DEPUTY SPEAKER Mrs Cuthbertson do I take it that you are moving amendment No 1 which is before us at the present time be adjourned and made an Order of the Day for a subsequent day of sitting

MRS LOZZI CUTHBERTSON May I move that all of the amendments be made an Order of the Day

DEPUTY SPEAKER I would take that as a separate motion because there is a motion before the House at the present time

MRS LOZZI CUTHBERTSON I so move that the first amendment be adjourned and made an Order of the Day for the next day of sitting

DEPUTY SPEAKER Any debate Honourable Members. I put the question

QUESTION PUT  
AGREED

Thank you, that matter is adjourned. Mrs Cuthbertson, you may care to move that amendments Nos 2 to 6 be taken as having been moved in the form in which they appear on the Notice Paper and that the debate on those matters be adjourned and resumption of debate be made an Order of the Day for the next Sitting, that is, amendments 2 to 6

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker I so move

DEPUTY SPEAKER Thank you. I put that question Honourable Members

QUESTION PUT  
AGREED

Thank you. Those matters are adjourned to a subsequent Sitting

#### **Leave of the House**

Mr Christian, you seek leave to move a motion

MR CHRISTIAN Yes Madam Deputy Speaker, I seek leave of the House to move a motion to appoint a new Member to the Building Board

DEPUTY SPEAKER Honourable Members is leave granted? Leave is granted Mr Christian

#### **BUILDING ACT 1967 - APPOINTMENT OF MEMBER**

MR CHRISTIAN Thank you Madam Deputy Speaker I move that for the purposes of section 6(2)(a) of the Building Act 1967, this House elects George

Charles Smith, a member of this House, to be a member of the Norfolk Island Building Board for the period from 21 March 1996 to 30 June 1997

DEPUTY SPEAKER                    Thank you Mr Christian.    Debate Honourable Members?  
There being no debate I put the question

QUESTION PUT  
AGREED

The ayes have it thank you

We move to Notice No 3 and Mr Adams, you have the call

**LIGHTERAGE AMENDMENT BILL 1996**

MR ADAMS                            Thank you Madam Deputy Speaker. I would just like to say at the outset regarding the Lighterage Amendment Bill that contrary to the Notice Paper, I will be at the appropriate time seeking the Bills passage through all stages today. Madam Deputy Speaker this Bill effects a minor amendment to the Lighterage Act 1961 by adding a power of delegation. The amendment Bill inserts a new clause into the principle Act which empowers the Executive Member to delegate his powers under the Act to an officer or employee of the Administration. Deputy Speaker this delegation which must be in writing may be specific or broad in the fact that a delegate is exercising a power does not prevent the exercise of the same power by the executive member. It will be my intention Madam Deputy Speaker, should this Bill be passed to delegate certain specific powers to the Manager of the Lighterage Service to improve the efficient operation of the service under the Act

MR ADAMS                            Thank you Madam Deputy Speaker. I move that so much of Standing Orders be set aside as would prevent the Bill passing through all stages today

DEPUTY SPEAKER                    I put that question Honourable Members

QUESTION PUT  
AGREED

The ayes have it thank you. I put the question therefore that the Bill be agreed to in principle Honourable Members

QUESTION PUT  
AGREED

The ayes have it thank you. Is it the wish of the House to dispense with the detail stage. Yes. Therefore Mr Adams I invite you to move the final motion

MR ADAMS                            Thank you Madam Deputy Speaker, I move that the Bill be accepted through all stages at this Sitting

DEPUTY SPEAKER                    I put that question Honourable Members

QUESTION PUT  
AGREED

The ayes have it thank you, the Bill is agreed. We move to Notice No 4

**NO 4 - EMPLOYMENT AMENDMENT BILL 1996**

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker, I present the Employment Amendment Bill 1996 and move that the Bill be agreed to in principle. Madam Deputy Speaker, I am introducing this Bill today because while my colleague Mr Robert Adams has general responsibility for employment matters the Workers Compensation area is in my portfolio because of its welfare component. Accordingly this Bill is limited generally to workers compensation matters plus some minor elements from other parts of the Employment Act which are included here for neatness with Mr Adams concurrence.

Members of the Assembly and those listening will be aware that a public review of the whole of the Employment Act was undertaken last year resulting in the Employment Amendment Bill No 2 of 1995. I understand from Mr Adams that he is further considering specific aspects of last years Bill and so it will not proceed for a period of time. The Bill before us today principally makes amendment to part three of the Employment Act 1988 dealing with compensation for work related accidents and illnesses and part 4 of that Act dealing with safe working practices. In particular the Bill seeks to address the situation where an employer is under insured under the public scheme for workers compensation insurance established under part 3 of the Act. The Bill provides that if the executive member is satisfied that the returns supplied by an employer does not accurately reflect that employers liability to pay compensation, for example, if the employer understates the number of hours worked by his or her employees then the executive member may assess the levy payable by the employer on the basis of other information. Such as information obtained by an inspector. If the employer does not pay the prescribed levy within a reasonable period the executive member may revoke that employers membership of the public scheme and the employer will consequently be in breach of the Act. Madam Deputy Speaker the Bill provides that a person other than the Medical Superintendent of the Norfolk Island Hospital can be appointed by the executive member to assess the incapacity of a person who has suffered an injury. It also provides that the executive member can require an employee to attend an assessment when claiming lump sum compensation. This allows for greater flexibility in assessing what are the reasonable costs of medical treatment for a compensable injury. Madam Deputy Speaker it is essential that sometimes people be referred to specialists in certain fields to assist just what kind of damage they have suffered, and what kind of long term prospects they may have, that is the reason for that amendment. The Bill also includes new clauses relating to safety equipment. Penalties are provided for an employer who does not provide appropriate safety equipment, or comply with the direction of an authorised person under this under this part. On the other side of the coin the Bill equally makes it an offence for an employee to disregard or fail to comply with an employers reasonable direction in regard to safety equipment. Finally the Bill provides that the victim may require a person to direct his or her employees to stop carrying out a task in a particular manner if the inspector believes that the provisions relating to safety in the Act are not being complied with. Madam Deputy Speaker, this Bill could well be labelled an occupational health and safety measure because it is the subject with which it is concerned. While other aspects of employment legislation may be contentious, I'm confident no one would object to steps to reasonably improve the safety regime in the workplace nor took steps to ensure that all employers paid a fair and correct share of levies into our Public Workers Compensation fund. I commend the Bill to the house.

MR KING As I understand it Madam Deputy Speaker, this Bill simply lifts out those particular segments related to the operation of the Workers Compensation Scheme which are in the Bill, which has been on the table now for a couple of months. I take my colleague at her word on that as I haven't looked at the Bill, I don't have any difficulty with that. I'm glad that it has some accent on occupational health and safety. I'm a little sad that the O.H.S codes of practice don't accompany this Bill, but perhaps we'll get to that in the near future.

MRS LOZZI CUTHBERTSON Thank you Madame Deputy Speaker. I move that debate be adjourned and the resumption of debate be made an order of the day for the next sitting.

DEPUTY SPEAKER I put that question honourable members. Those of that opinion say aye, to the contrary no. Any abstentions. Thank you honourable members. Debate is adjourned and made an order of the day for the next sitting.

### **NO 3. TOURIST ACCOMMODATION AMENDMENT BILL 1996**

MR KING Madame Deputy Speaker, I present the Tourist Accommodation Amendment Bill 1996 and move that the Bill be agreed to in principle. Madame Deputy Speaker this Bill arose from my concern that the revenue forecast for the Accommodation levy were not been met, and not only were they not been met but a close examination shows that they are consistently not been met at the end of every levy period, and that increases my concern. What further increases my concern is that the shortfall in revenue that we experience in that regard, as a result of what can be termed shortfalls in our reasonable expectations of remittance levels from some 80% of accommodation operators on the Island. When the basis of the Accommodation Levy was changed a couple of years ago to a basically a "hot bed" tax which it was termed then, it was in my mind never intended that there be a part exclusion of liability on the proprietors for those chosen the accommodation. I was told subsequent to that, that the law was not precise in those terms and that it cannot be said that categorically that any liability attaches to those people staying free of charge. I hesitated in doing anything about it at that time, as I understood it the Industry organisation, the A.T.A had gained some legal advice as to the liability of its members to pay the \$1 fee, and I had expected and indeed hoped that there would be a degree of I guess I could term it as fair play or Industry self regulation. Regretfully that hasn't happened, and the indicated shortfalls as a result of what might be termed as "overuse" of these free of charge provisions has an expected result on revenue of some \$20,000-00 shortfall. So this Bill is an attempt to adjust that to ensure that a Levy is payable by proprietors in respect of in that each person who sleeps under the Registered roof, as it were. It is a matter in which I have had some oral consultation with the Industry organisation, and speaking with the President of the A.T.A, and I understand that as being some considerable, if not stimulating discussion at the recent meetings about this, and I expect that there will be a level of lobbying that will take place over the next few weeks prior to the 2nd reading of this Bill. So I seek the support of members in what is essentially a response to a shortfall in revenue, and essentially a closing of a loophole for which has been used much more widely than I had anticipated, well much more widely that I thought might have been acceptable if it were in smaller forms. In all revenue raising matters or taxing matters there is of course some leverage and some accepted level of tolerance. In this case that level has been well

exceeded and this is response to that. So the Bill will lay on the table for a month. I commend it to members.

MR SMITH Thank you Madam Deputy Speaker. I'd just like to ask the Minister how the Levy is calculated. Can you tell me that?

MR KING How the levy is calculated. It is charged by the proprietor at the rate of \$1 per guest per night.

MR SMITH Do you know what each guest house has in the way of numbers per levy period?

MR KING I think the question is that how do I know that people may be cheating? Or how do I know what may be a ball part figure or expectation at the end of a levy period? We obviously we wouldn't commence a scheme if there weren't certain checks and balances put in place, and there were checks and balances put in place, relating to information supplied by visitors on their arrival, which gives us a reasonable expectation of what revenue might be expected from each establishment, and indeed that is not a 100% reliable mechanism. I've got to say that. It's a simple means of a reasonable check and balance from which you could expect to see some variations up and down from levy period to levy period. When all the variations are down by some 80% of operators, I have to start scratching my head and saying well things aren't working too well. So as a result of constant downward trend in the revenue or the receipts, certain checks were carried out in the computer system, and discussions with the appropriate officers in the Administration. So those are the kind of steps which lead me to this situation.

MR SMITH Thank you Madame Deputy Speaker. Sorry. Is it possible then Minister that if a visitor was leaving and on their Departure card they put in that they had stayed for 8 days which is the standard thing people do write on their arrival; and departure forms, but they actually only stayed 7 nights, you could get a figure that could be down 30,000 nights over a year, working on the average number of visitors we have a year. That is possible.

MR KING No. Well not in my view. Certainly not in my view. I wouldn't conclude that at all. Not from my experience, the incidents of people putting down 8 days when their in only fact staying 7 nights or something similar is very low, and it is much lower than what people seem to think it is. So it would not result in such a wide variation.

MR SMITH Thank you madam Deputy Speaker. I would kind of disagree with that, but you obviously have the facts in front of you Minister, but I would suspect that most people would put down the days they have stayed as opposed to nights they have. In fact that is the question on the card if I remember rightly, is how many days were you on Norfolk Island? If that is a fact. If you have looked into that, and you've found that that what I'm asking is incorrect well it doesn't matter, but I'm a bit worried that we're going to make this amendment just on, not on factual information, in that way. I know you have a view about some of the accommodation places have special deals, that someone may not pay a nights accommodation so therefore they should have the levy exempted, and I think that probably needs to be looked at. I suppose my concern is mainly with the people who come over here, like the agents and writers, and journalists who come to write about Norfolk Island. I think its a





cannot see why we're spending that much time on it. I fail to see that the Accommodation Proprietors, some of them are complaining about it. I would assume that any FOC's that they do within a period of time, or a year and any levies that they have to pay for would be built into their tariffs. I cannot see why the time spent on this Bill is perhaps been wasted when I support it. The \$1 per person per night should be easy payable because no doubt their tariff should accommodate this. Thank you.

MR SMITH I don't want to waste too much more time on it Madam Deputy Speaker, but the reason we're spending time on it is that what it is, is the principle. I mean everybody's right, it's only \$1 a night as we keep talking about, but Mrs Cuthbertson has come up with a brilliant idea of if the Minister is brave, forget about this Bill, if anybody wants an exemption you give them some form they have to fill out and have to say who it's for and when they put that in, that's their exemption.

MR ADAMS Thank you Madam Deputy Speaker. I think, I'm somewhat at odds with George here because I think that the principal being discussed here is tax avoidance, that's the real principal here and I certainly don't support any extension of tax avoidance. I would suggest that Nadia's suggestion having a form to give a clear indication who are having who is on the receiving end of a FOC doesn't really answer the true question, and the true question been put here is that the avoidance of the \$1 per head per day on the basis of FOC is not sustainable by the law, and I don't see the form alleviating that fact, and again I reiterate that I believe from the information that's available to me, that the principal here is tax avoidance.

MR SMITH There are a few things I'd like to say about that. There's actually two principals then if you like Mr Adams that. One about, if your talking about tax avoidance, that's one part of it but the other principal I/ talking about is the, if some accommodation places are willing enough to give FOC accommodation, as is happening with the Country festival, which I know about and I'm sure with the ANZAC thing the same thing, but the principal is they're saying o.k here's \$10,000 worth of accommodation to support the community, and here's the Government sitting down here saying but we want \$1 for everyone of those people that stayed in your accommodation. That's the principal, and that's's wrong. That's why I don't agree with that part of it, but there's other options. The Minister would like to male a commitment to what he suggested he might do, that if the Bureau would like to pick up the \$1 per night charge, if they would like to do that. I'm happy with that, if that's. Now the other thing I was thinking about, or worried about, is that we haven't actual figures that we're working on as I understand from what the Minister was saying. I understand that the levy is based on the number of nights people have stayed here, taken from their departure cards. Is that the way the levy is calculated or does accommodation put in a form that says we had 30,000 bed nights in this period? Maybe the Minister could answer that for me.

DEPUTY SPEAKER Mr King. Do you wish to respond?

MR ADAMS Just one question Madam Deputy Speaker, and hopefully I'm not prolonging this too much, can I just ask George just one question, George do you condone tax avoidance?

MR SMITH No, of course I don't.

MR ADAMS Thank you.

MRS LOZZI CUTHBERTSON I just wish to clarify a couple of points that Mr Adams made. I do not condone tax avoidance, and I certainly favour the Bill, but I would feel more effective if a small amendment was made to allow for in fact the declaration of people who stay FOC, giving the details of their bonafidas as to why they're been given this service, and the tax being waived for particular people.

DEPUTY SPEAKER Thank you. Mr King, would you care to move the adjournment.

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

DEPUTY SPEAKER I put that question honourable members.

QUESTION PUT  
AGREED

The ayes have it thank you. Debate is adjourned and made an order of the day for the next sitting.

#### **HEALTHCARE AMENDMENT BILL 1996**

MRS LOZZI-CUTHBERTSON Thank you Madam Deputy Speaker. I present the Healthcare Amendment Bill 1996 and move that the Bill be agreed to in principal. The purpose of this Bill is to affect some proliferation and remove some doubts relating to the current operation of the Healthcare scheme under the Healthcare Act 1989. The intention under the principal Act has always been that an eligible person will only be reimbursed for charges incurred on free medical services by the person and the members of his or her family to the extent that those charges exceed \$3,000 in the relevant financial year. The operation of the relevant section of the Act was somewhat unclear and this Bill will replace that section with clearer wording. In relation to the amount that can be reimbursed in relation to hospital expenses following a referral under Section 21 of the Principal Act this Bill amends the definition of free medical services to clarify that an eligible person will only be reimbursed for treatment on the same basis as the public ward patient in a public hospital. In other words, the maximum bed rate covered by Healthcare will be that charged by the relevant hospital for a public ward bed, and any expense over and above that incurred by a public patient will not be covered by Healthcare. Madam Deputy Speaker, the Bill provides that the executive member will have the ability to set a different rate in exceptional circumstances. For example, if a particular hospital has no public ward beds available and it is not practical or medically advisable for treatment to be administered at another hospital. Finally the Healthcare Act is to clarify that an executive member can with the approval of the Legislative Assembly can establish a private Healthcare scheme. The current provisions in the Bill were meant to provide for that option ,but they are badly drafted in merit correction. This Bill is a housekeeping measure which comes about at the instigation of Administration offices. Notably the Legislative Counsel and the Healthcare Manager. If enacted it will improve the principal Act and make the legislation easier to understand for the officers responsible for its operation, and for the community. I commend the Bill to the house.

DEPUTY SPEAKER Thank you Mrs Cuthbertson. Debate Honourable members.  
No debate. Mrs Cuthbertson.

MRS CUTHBERTSON Thank you Madam Deputy Speaker. I move that the debate  
be adjourned and the resumption of the debate be made an order of the day for  
the next sitting of the house.

QUESTION PUT  
AGREED

The ayes have it thank you. The debate is adjourned and made an order of the  
day for the next sitting.

#### ORDERS OF THE DAY

#### NO 1 SUPPLEMENTARY APPROPRIATION BILL 1996 -

DEPUTY SPEAKER I have to report that I have received Message No. 91  
from His Honour, the Administrator, recommending to the Legislative Assembly  
the making of an amendment to Supplementary Appropriation Bill 1996, as set  
out in the schedule, this message;

#### Message No 91 Supplementary Appropriation Bill 1996.

In accordance with Section 25 of the Norfolk Island Act 1979, I recommend the  
a king of an amendment to the Supplementary Appropriation Bill 1996, as set  
out in the schedule, this message; dated 19th March 1996. Signed Alan Kerr,  
Administrator.

The Supplementary Appropriation Bill, Mr King you have resumption.

MR KING Thank you, I have nothing further to contribute at this  
stage thank you.

DEPUTY SPEAKER Debate Honourable Members. No further debate.

QUESTION PUT  
AGREED

The ayes have it thank you.

DEPUTY SPEAKER We move now to the detail stage. Mr King you may care  
to move the Amendment foreshadowed and scheduled to the Bill.

MR KING Madam Deputy Speaker, I move that the schedule  
accompanying the Bill on introduction be omitted, and the new schedule bearing  
date 15th March 1996 be agreed to. The detail stage amendment proposes that  
the schedule attached to the Bill I introduced last meeting should be repooled  
and a new schedule substituted. The two new items are proposed in the Bill, in  
the Amendment. The first is \$7,500 as the Norfolk Island Government  
contribution to the Legal Aid Fund for the financial year. This particular  
amount was not accounted for in the budget initially, as the fund had not  
commenced operation until this financial year. It is a contribution that we  
should have made in the beginning of the financial year. The second amendment  
is to add \$13,800 to the KAHVA fund. That's the Kingston Arthursvale  
Historical Area Fund. To correct the Norfolk Island contribution which had

been inadvertently reduced during the last settling of the budget for 1995/96. Both the Legal Aid Fund and the KAHVA Fund are joint Norfolk Island Commonwealth entities which operate under memoranda of understanding, which stipulate the financial contribution of each party. We are therefore obliged to correct the two minor anomalies which together increase the total expenditure by the amount of \$21,300. I commend the replacement schedule and the Supplementary Budget Bill 1996, as amended to the House.

DEPUTY SPEAKER                    Thank you Mr King. Debate Honourable Members. Mr Smith.

MR SMITH                            Madam Deputy Speaker. Where is the money coming from Minister? That extra \$21,000.

MR KING                            Madam Deputy Speaker, when I first introduced this Bill, I went through quite a comprehensive introductory statement, in fact a comprehensive process of discussion with all members, in camera. During that process I highlighted the sources of revenue for the financial year. I did not specifically point to where various areas of funding were coming from. I did say in the that after all the savings in the financial year and the vehemence that were taking place, that there would be a shortfall, an expected shortfall of \$100 to \$150,000 in expenditure over income, and that of course will be funded from the reserve situation. I think that's the kind of answer George is looking for although, he's probably eluding to some criticism that has been made in recent times that I've performed what has been called the P thimble trick and done some creative accounting to hide the fact that there was going to be a deficit budget this year. Let me stress once again that during the course of my debate, on the introduction of this Bill I made it very very clear that recurrent expenditure was going to exceed recurrent income for this year. At the same time in the introductory statement, I made the point that I was taking the opportunity to amalgamate what I saw as being surplus funds, what I saw as being the reserve funds of the Island, what I saw as being slush funds tucked around the place, my objective was to put them all back into the revenue fund where they can be properly identified by the community of Norfolk Island. And I think on that occasion I spoke about repayment of loans from two of the Business undertakings which amount to somewhere around \$400,000, \$388,000 or something. Something in that order. So I wanted to make it very clear Madame Deputy Speaker that there's no question of my, as a result of the repayment of those loans, funds, back to the revenue fund that I was declaring them a surplus budget. I was not. I make no bones about the fact that the budget this year is likely to have a deficit outcome. At this stage I expect that there will probably be a deficit of around about \$100,000. Hopefully, hopefully I could effect some certain savings, and I will effect certain savings between now and the end of the year. With a bit of luck, the deficit will maybe be a lot closer to maybe \$10,000 or \$20,000. That in itself is not a great concern to me. I Don't consider it a great difficulty and I have to point out that the majority of budgets and budget outcomes in the past 15 years have been deficit outcomes, so I'm not going to accept any of this garbage that because King's arrived on the scene and taken over the financial reigns that I'm about to embark on a process of deficit budgeting every year. I'm not going to do that. What I was lumbered with I was lumbered with. What I was lumbered with at the half yearly mark were arose from basically inadequate examinations at the time of putting the budget together at the beginning of the year. Inadequate forecasting and inadequate putting lines through things at the end of at the eleventh hour, it's for the purposes of coming into this house with what might appear to the public to be a balanced Bill, and of course the suggestion, the suggestion that when I took over the finance

Ministry that I ought to be continuing with the philosophy of the former Finance Minister, to me is repugnant. If people expected that I ought to do that, then you put the wrong man in the job. The suggestion has also been made in recent times that the manner in which I approach the Budget Review this time was a process which was not open to scrutiny and debate. I mean that's a whole heap of nonsense, absolute nonsense. I highlighted very clearly the items of further expenditure. I highlighted what I was doing in terms of amalgamating the public account, so it gives a proper presentation to the community of Norfolk Island, and I highlighted that I expect there to be a surplus recurrent expenditure over income situations at the end of the year. So I may of gone a little bit further in answering Mr Smith's question Madame Deputy Speaker, but I felt I needed to say those extra words.

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. I wish to express support for the idea of amalgamating the various-excess funds that have been shown in the various accounts particularly of the Government Business Enterprises. They are appropriately the funds created by the central administration of the Island by setting out various ways of creating financial revenue for the Island by entering into business enterprises and they should be consolidated into one place to give a clear situation of exactly what the Island is. I've mentioned this several times in this house to the previous Minister for Finance. I think it is essential that we have correct picture, a consolidated picture of exactly what the situation is. This does not make my concern about a deficit budget, this one or previous year any less but it is important to know that we have certain reserves, and we can call upon them, but and we also need to know exactly the size of those reserves, and if they continue to diminish it certainly is going to be important for this house to take action.

MR SMITH Thank you Madam Deputy Speaker. I don't know whether Mike has actually answered my question about where this \$21,000 is coming from, but he's raised some other issues which I hadn't considered. If he's talking about going into the end of this financial year with a \$150,000 deficit budget well I'm really a bit concerned we're approving here the total of \$366,000. I mean obviously some of those figures have to be picked up. There has been some suggestion that the budget wasn't done properly at the end of the previous financial year well I would like to say that there should have been nine members sitting around that table going through that budget. I'm a bit surprised that existing members didn't pick that up. I mean if your talking about, I think you came out of the last budget with \$380,000 surplus, and if we're going into if we're going to spend \$366,000 now and end up with a deficit, I mean there's something wrong. However, members may be happy with that but there is a point with this using savings to pay for things just because we have to pay for them out of I mean in case like we've got now I mean just because we've got the money there doesn't mean we need to go round and scrape it all in a heap and see if we can spend it. That concerns me a bit. Quite a lot. Thank you Madame Deputy Speaker.

DEPUTY SPEAKER Mr Christian has the call.

MR CHRISTIAN Thank you Madame Deputy Speaker. I don't think the situation is as grave as George would paint. In fact Mr King is right In a number of past occasions budgets have run on a deficit situations. Deficit may not become apparent until some time after that financial year. Mr King has highlighted that at this stage it would look as though he would run a deficit budget in the order of \$100,000, but already this morning two Ministers have



you are lucky enough for the revenue to exceed your estimates then of course the deficit reduces considerably. I don't have a big problem with a \$150,000 deficit because as the Minister has already said, that could really end up in a surplus or certainly a much smaller deficit than what we have on paper, so I certainly support this Bill

DEPUTY SPEAKER Any further participation. No further debate. We have before us the question that the amendment be agreed to. I put that question

QUESTION PUT  
AGREED

The amendment is agreed to. The question now is that the remainder of the Bill be agreed to

QUESTION PUT  
AGREED

I seek a motion that the Bill as amended be agreed to

MR KING I so move Madam Deputy Speaker

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

QUESTION PUT  
AGREED

The ayes have it, thank you Honourable Members.

We move now to licensing of additional tourist accommodation, resumption of debate, Mr King

#### **NO 5 - TOURIST ACCOMMODATION - Licensing of additional accommodation**

MR KING Thank you Madam Deputy Speaker. As Members are aware we have had some informal discussions about this motion of Mr Smiths, and indeed the proposed amendment by Mr Buffett. I don't have any personal difficulties with them but I want to make it adequately clear that my position is that amending legislation is necessary to give effect to the new direction that we want to take. Members spoke during the week and generally agreed on the objectives of the exercise and the objectives of the exercise as generally agreed were to lift the embargo on new accommodation houses, to have continuing limits in respect of the numbers of hotels on the Island, but not necessarily other types of accommodation. Another general objective agreed was to be able to issue a provisional registration or approval in principle subject to certain conditions to enable people to secure a position as it were and to be able to proceed with their plans with some confidence. We also agreed that we needed legislative provision to regulate the periods during which construction of the accommodation houses might take place with a view to spreading any new building or development works over a period of time rather than have lumps as it were in the building industry and we also agreed an objective to realistically determine what we might see as being the dominant market shares in respect of that last objective. Members have not yet come to any agreement on what they might see as being realistic market shares which might have a dominating affect. So having agreed those during the week, that

will then form the basis of some drafting instructions to prepare amendments to the Tourist Accommodation Act which will enable us to basically proceed along the lines of Mr Smiths motion so with those few qualifying comments I say that I am going to support both the amendment and the motion

DEPUTY SPEAKER Thank you Mr King. The question before us at the present time is the amendment as moved by Mr Buffett in the last Sitting. We have yet to vote on that amendment. Further debate

MRS SAMPSON Thank you Madam Deputy Speaker, I thought when we discussed this in Committee that the words "sewage connection and" were going to be deleted from that amendment

DEPUTY SPEAKER Do you so move Mrs Sampson

MRS SAMPSON I would so move that it is

DEPUTY SPEAKER Mrs Sampson has moved an amendment to Mr Buffett's amendment that the words "sewage connection and" be deleted from him amendment. The amendment would therefore read, "subject especially but not exclusively to stringent requirements of rainwater collection and storage, waste disposal and electricity use", that would be the amended amendment. Debate on that amendment Honourable Members

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker I support Mrs Sampson's amendment as it will require any new establishment to be connected to the existing sewage scheme but restrict it considerably and I think that any new establishment should be looked at on its merits requiring high standards as far as rainwater collection, waste disposal and electricity etc, but at the same time it should not be come impossible for a new establishment to be built, simply because they cannot find land that is suitable which allows the connection to the existing sewage scheme

MR CHRISTIAN Thank you Madam Deputy Speaker. Mrs Sampson's proposed amendment would effectively delete all reference to sewerage

MRS SAMPSON If I may Madam Deputy Speaker. To my mind "waste disposal" would take in sewerage

MR CHRISTIAN I disagree Madam Deputy Speaker and I think the motion if amended should read as follows "sewerage and waste disposal" and just delete the word "connection". Sewerage and waste are two totally different things

MRS SAMPSON Thank you Madam Deputy Speaker. I'm quite happy to put it in as Mr Christian says, but I think as I say, that he is splitting hairs. Waste disposal to me means waste per se

DEPUTY SPEAKER Which way to do wish to move Mrs Sampson. Do you wish to delete sewage connection or just sewerage

MRS SAMPSON Well if no other members want to comment on it, we could have it "subject especially but not exclusively to stringent requirements of rainwater collection and storage, sewerage and waste disposal and electricity use", I'm quite happy for it to stay at that

DEPUTY SPEAKER           The proposal then Honourable Members is that only the word "connection" be deleted, do we have debate on that? I put the question that that specific word be deleted from Mr Buffett's amendment

QUESTION PUT  
AGREED

Thank you, we are now debating Mr Buffett's amendment as amended. Do we have debate on that Honourable Members? I put the question that the amendment as amended be put

QUESTION PUT  
AGREED

The ayes have it thank you. Finally I put the question that the motion as amended be agreed to. Do we have debate on that?

MR ADAMS                   Thank you Madam Deputy Speaker. I just wanted to debate one particular point, or have some clarification on Point 1. of this motion. I'm looking at this motion Madam Deputy Speaker, in Point 1. There appears to be three parts. Suppose for arguments sake we do not wish to support a particular part of parts of that. How is that achievable within the framework of what we are looking at

MR CHRISTIAN           Vote against the motion or move an amendment

DEPUTY SPEAKER       We can move an amendment to the motion as it is before the House if you wish to do that, delete a particular portion or amend a particular portion

MR ADAMS                   Possibly, in a view to ascertaining the House's view Madam Deputy Speaker I mention which part of those three parts that I have concern with and if other members don't share the same concern it would seem a little superfluous to actually split them up. I have sufficient concern considering Point 1.a., construction of the new national standard first class hotel. I muted my concerns at the previous Sitting and I don't see alot to have allayed by fears in that area. Over the years Madam Deputy Chair, one of the fears in regards to the Norfolk accommodation or tourist accommodation industry has been the fact that there is a group of three hotels operating as one. That situation is no longer in place Madam Deputy Chair. We now have a situation where the three larger present hotels, are now in private ownership by local individuals. Madam Deputy Chair I have sufficient concern that another hotel may simply water down the returns of those establishments and they effectively don't have money to proceed with upgradings that people have insisted over the years are quite necessary. Coupled with that Madam Deputy Chair is my concern on the impact that a new hotel would have on the environment particularly as regards resource impacts and the most important of those is water. Madam Deputy Chair, I don't see that the amendment moved by Mr Buffett essentially answers the impact on the water resource area, it simply says rainwater collection and the question which then arises, what happens after that point when you run out of rainwater yourself. I mean, the preliminary work done by the relevant sections of the Administration have indicated that a given establishment of a hotel size simply will not be able to catch, given our rainfall limits, enough water to be regarded as self sufficient. Therein begs the question as I mentioned last time, of whether or not that goes directly against our intent of our water policies at the moment,



DEPUTY SPEAKER Further debate. The question before us is that this motion as amended be agreed to

QUESTION PUT  
AGREED

The ayes have it thank you. We move to the next Order of the Day

**NO 3 - AIRPORT AMENDMENT NO. 2 BILL 1995**

MR KING Thank you Madam Deputy Speaker. At the February meeting of the Assembly, some concerns were raised about aspects of the Bill.

In particular a suggestion was made that the Bill could in some way be inconsistent with the Commonwealth Crimes Aviation Act. In the recess between then and now, I had those concerns checked to satisfy my mind that the Bill is correctly conceived. One Member in February intimated that seizure of an aircraft under the Airport Act as amended would be a crime under the Commonwealth law, or alternatively that our legislation would be inconsistent with the Crimes Aviation Act. I've just received advise in recent days that the Members concerns are not justified as the Commonwealth Act only relates to unlawful acts in relation to aircraft and the seizure under the Airport Act as amended cannot be called an unlawful act. The Norfolk Island legislature clearly has the plenary power and competence to pass this amendment Bill and if kit becomes law a seizure of an aircraft is lawfully done, if the procedure is laid out and the laws are adhered to and there is no inconsistency in that with the Commonwealth Act. Madam Deputy Speaker the same Member also suggested in debate that all that needs to be done if the person didn't pay landing fees is to stop the offending aircraft using the airport. It is strongly arguable that this is not possible under the transfer deed from the Commonwealth and would put Norfolk Island in breach of international obligations in relation to Norfolk Island's status as an international airport. It was also suggested in debate that the passage of the Bill would preclude other forms of debt collection such as proceedings in court. This is also not the case. The Bill would give the executive member an extra discretionary power in relation to collection of outstanding landing fees. It does not limit other methods of enforcement of debts. One or two Members additionally, in the House, indicated that they thought that the Bill was too harsh. I would remind Members Madam Deputy Speaker of my detailed explanation of each clause and that the Bill allows the executive member to totally or partially forgive a debt of landing fees. The seizure provisions, which I emphasise are modelled on the existing legislation, allow a full three months following demand for a debt before any action is taken to seize the debtors aircraft and then, a further three months before action is commenced to sell the aircraft. I consider Madam Deputy Speaker that six months is a very generous period if a person is unable to pay his landing fees for reasons of financial hardship. I'll allow my contribution to remain at that for the moment Madam Deputy Speaker. A little bit later on I will be contributing some further words in respect to some amendments

MR CHRISTIAN Thank you Madam Deputy Speaker. Firstly, I must declare that I am an aircraft owner and that from time to time I do use the airport up there and I did raise some concerns at the last meeting that I thought were relevant to the debate and the Minister told me that I was coming forward with a whole heap of furchies They weren't furchies They were an alternative view. I must also say at the outset Madam Deputy Speaker, that I too support debt recovery in the best way possible. I don't think anybody

should be able to walk away from a debt owed to the Administration, particularly when the service has been provided. What does worry me with the amendments as foreshadowed is the effect that it would have in an unintentional sense. The things that we haven't filtered out and the concerns were even raised further, earlier today when Mr King criticised the wording of the motion that Mrs Lozzi Cuthbertson brought forward in regard to immigration. It terrifies me now that I think back, and both pieces of work probably have the same author. The way that the recovery procedure would work as Mr King has outlined sounds fine. The difficulty that I have with it is that it places the executive member in a position of extreme power. Now if Mr Sanders for instance, happened to be the aircraft owner that had his aeroplane taken and Mike was the executive member he would hardly get a fair hearing. I think you cannot deny a person access to a court if he has a legitimate grievance. I don't think it should rest with the executive member to determine whether there is room for negotiation. In fact the existing Airport Regulations 1992 provide for debt recovery and the act says that a charge payable under subsection 1 of that act but not paid may be sued for by the Administration in a court of competent jurisdiction and I really am not aware of any deficiency or deficiencies that have been exposed in going down that path, I think Mr Bates mentioned at the last meeting that it could be expensive to use the courts to recover the debts, but I would have to disagree with that view slightly because it only costs \$22 to issue a default summons and if a person doesn't front up in court and have his say or doesn't defend the case the court would automatically award in favour of the Administration.

The court then has the power to issue a warrant of execution to seize the property in dispute and then issue an order to dispose of the property and that clearly puts the approval process or the seizing process outside of government. That puts it clearly in the courts where it should be. I don't believe that the Administration when it engages in commercial activity should have any advantage over a private commercial enterprise. That court should be the ultimate arbitrator or decision maker. Mr King went on to say that they couldn't prevent the aircraft leaving or lock it up or lock it up around there in the way that I had alluded to at the last meeting because it may be in contravention to the Deed of Transfer. From memory I don't think that would be the case. I think the Deed of Transfer in loosely worded terms says that a person should have free and unrestricted access to the airport. But the free means unhindered, it doesn't mean at no cost and if you incur a cost then of course the Administration is entitled to recover that debt. One other area of deficiency that I see in the legislation as proposed is that it has the possibility of making a whole heap of work for the Administration that could be unnecessary, if any deficiencies and I'm not sure there are, in the debt recovery procedure that is in place at the moment can't be rectified, and I shall point some of them out. There are a whole heap of scenarios that could be unfolded. For instance, I would assume under the Airport Amendment No 2 Bill, if the amendment were passed today, that at the time of seizure of an aircraft the Administration becomes technically the owner. Now the legislation goes on to say that the Administration should take all reasonable care to inform all people who have an interest in the aircraft, of its seizure. The difficulty there is there is no power to compel the owner of the aircraft, to divulge who has an interest in it and the Administration of itself may not be able to find that information readily. Now if you had a fire at the airport or a hailstorm or something like that and the aircraft's insurance had expired well then the Administration would be open to a legitimate claim for damage. They would have to repair the aircraft before they could sell it or anything like that, because they have I believe assumed ownership through the process of seizure. I consider that to be unacceptable.



an executive authority because it's an essential part of the legislative process. This remains a simple debt recovery provision in the legislation. To rely on a court of competent jurisdiction is simply not adequate. Would you in other circumstances where someone is operating for example a business which consumes electricity month in month out and refuses to pay their bill, would you allow them to continue to consume electricity. Why would you not want to seek some remedy to prevent someone from continuing to use a service for which they are not prepared to pay their fees. It is a simple extension to a debt recovery mechanism

MR CHRISTIAN                    Thank you Madam Deputy Speaker I feel I must respond to some of Mr King's comment there. His first one is that after the last meeting I didn't contact him and run my thoughts past him. There were good reasons for doing that because I have a declared interest in aircraft and it would be improper for me to attempt to lobby Mr King to change his mind behind closed doors or to influence what he would bring to the House. This piece of legislation was introduced into the House as far as I know, with very little exposure to MLA's. Very little exposure if any. No-one had the ability to comment as far as I'm aware at a Committee Meeting, and Committee Meetings have no weight anyway. The proper place for me to air my thoughts on this piece of legislation or proposed piece of legislation is here in the House. Quite properly, and I have declared my interest, and that's where all debate should take place. Mr King has said that the executive member should have some discretion and I agree. The executive member should have the right to say, the debt shall be recovered but he need not have the right to say how the debt shall be recovered. That should be a matter for the courts. Mr King also alluded to another area of difficulty in regard to the Deed of Transfer of the airport where he said that he couldn't prevent the aircraft leaving, or he couldn't go around there and put a wheel clamp or something like that on it until the charge was paid. Well that itself becomes inconsistent with the thrust of this legislation that he is proposing because what he is saying is that after thirty days I think it is, or ninety days, of notice of not paying the debt, then someone would have the aircraft or could have the aircraft seized after a further ninety days. Well the difficulty there becomes quite apparent, if the person has no intention of paying the debt at all he just takes his aircraft and leaves because you can't prevent it leaving the Island, and Mr King has already stated that today which makes the legislation as proposed here totally useless. Now is that what the Administration wants to waste its time doing or is it concerned about getting its money back. I believe the most cost effective and likely successful way of recovering debts owed to the Administration is here in the court. We've got the Court of Petty Sessions as the first step, if it is disputed we have the Supreme Court of Norfolk Island and it can all happen here we don't have to chase anything over the world. Mr King has made one other reference to the electricity charges. With the electricity charge you simply turn the service off if they don't pay. You don't go and take their house. This legislation as proposed is in direct conflict with that principle Telephones the same. You just turn the service off at the exchange. You don't go and rip the phone off the wall and neither should the debt recovery procedure for costs incurred at the airport be any different. I must say Madam Deputy Speaker, just in finishing, I as a Norfolk Islander do not want to live in a police state

DEPUTY SPEAKER                    Further participation?                    There being no further participation we move to the detail stage and the question is that the Bill be agreed to in principle

QUESTION PUT  
AGREED

The ayes have it, we move now to the detail stage. Mr King, you may care to move the amendments foreshadowed to clauses one to five of the Bill

MR KING Thank you Madam Deputy Speaker, I move that the detail stage amendments to clauses one and five be agreed to. Madam Deputy Speaker this morning I'm presenting two minor amendments to the Bill currently before the House, the first amendment is to rename the Bill as the Airport Amendment Bill 1996 to take account of the fact that although it was introduced in December last year the Bill if passed will be enacted in 1996. The second amendment is to expand the Regulation making power under the principle legislation, the Airport Act 1991. The Regulation making power has been extended to enable the Administrator to make regulations relating to security, safety and access at the Norfolk Island Airport as well as commercial activities at the airport. In particular and in response to representations from one of my colleagues the amendments will allow regulations for the waiver of landing fees in special circumstances such as aerobatic display or for the Vintage Aircraft Show. I stress that only special cases will be considered in this regard and there are no plans to vary the landing charge regime for regular public aircraft services. I commend those amendments

MR CHRISTIAN Thank you Madam Deputy Speaker. I have no difficulty with the amendments that Mr King has just foreshadowed in regard to the waiving of landing fees, control of commercial activities, security and whatever at the airport but where does that leave us with the landing charge one? With the debt recovery?

MR KING Is that a question to me?

DEPUTY SPEAKER I'm taking it as such

MR CHRISTIAN Well the problem is Madam Deputy Speaker is that we have two pieces of legislation before us with exactly the same names but different contents

MR KING Well it's not for me to inform the House how to conduct its business Madam Deputy Speaker, but I would have thought that if he wanted to proceed to knock something out he doesn't agree to dispensing with the detail stage and he goes through and knocks it out clause by clause if he wants to knock out the other parts. He's an old member of the House, he shouldn't have to be told that

DEPUTY SPEAKER As I see it Mr King, we haven't dispensed with the detail stage, we are actually in the detail stage

MR CHRISTIAN Exactly

DEPUTY SPEAKER And you are moving the amendment

MR KING What have we done

MR CHRISTIAN We are in the detail stage and you are moving your amendments

MR KING Well I seek the guidance of the House on the question, I'm not chairing the meeting

DEPUTY SPEAKER The question before us is your amendments Mr King

MR KING Indeed Madam Deputy Speaker

DEPUTY SPEAKER I'm seeking debate on the amendments

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. I have no problem with the amendments. I think they are absolutely necessary to ensure that the airshow that is being planned for later in April goes ahead and there are no difficulties with that. I think it is essential that we move forward with those amendments today and I see no reason why we should move forward with the rest of the Bill as well

MR CHRISTIAN Thank you Madam Deputy Speaker. I'm not sure whether there are any others who share my concerns about the aircraft seizure provisions. It may be appropriate if we get that out of the way first

DEPUTY SPEAKER We have the amendments before us. They have been moved but they haven't been voted on as yet

MRS LOZZI CUTHBERTSON If I may suggest, why don't we deal with the amendments and then deal with the whole Bill as amended

MR CHRISTIAN You mean with the amendments individually

MRS LOZZI CUTHBERTSON These amendments now, the amendments moved by the Minister for Tourism on the 8th February, the two amendments then we look at the whole Bill as amended

DEPUTY SPEAKER We have to vote at the present time on whether or not those amendments as put by Mr King are agreed to, that is the motion before us at the present time

MR CHRISTIAN Well what have we done with the first amendment, the one that was sitting on the table from the last month

DEPUTY SPEAKER That's the Bill before the House but the amendments that we now are voting on are detail stage amendments which Mr King has just moved and when we have dealt with those amendments that were put today, we will then be able to deal with the amendments as a whole

MR CHRISTIAN Okay. Well I have no difficulty with the amendments to the amended Bill that Mr King is talking about now

DEPUTY SPEAKER The amendment that you are moving at the present time is to the amendment which you moved at the last Sitting of the House and the two have to go hand in hand. I seek the guidance of our Legal Draftsman here in case I'm leading the House astray on this. I seek your indulgence for a moment Honourable Members. We resume Honourable Members. I thank you for your indulgence. The question before us now is the amendments as put by Mr King this morning and I'm seeking your opinion on those amendments. The question before us is that those amendments as moved by Mr King this morning be agreed to

QUESTION PUT  
AGREED

The ayes have it thank you. Those amendments are agreed to.

Before us now is the amendment as moved at last sitting of the House. We will now go through the Bill clause by clause. Clause one as amended which is referring to the short title, is that clause agreed to

QUESTION PUT  
AGREED

Clause two referring to the commencement of the Act is agreed to thank you.

Clause three which states that in this Act the Airport Act 1991 is referred to as the principle Act

QUESTION PUT  
AGREED

Clause three is agreed to

Clause four, definitions, is that agreed to

QUESTION PUT  
AGREED

MR CHRISTIAN NO

Mr Christian do you require the House to be called

MR CHRISTIAN No

DEPUTY SPEAKER One dissenting vote on Clause four Honourable Members

Clause five as amended

QUESTION PUT  
AGREED

MR CHRISTIAN NO

The ayes have it thank you

All the clauses of the Bill have now been voted on

MRS LOZZI CUTHBERTSON Sorry Madam Deputy Speaker, we have not voted on the amendment in the final stage. The amendments that we have just passed as a preliminary stage, we have to vote on those as well

DEPUTY SPEAKER We have agreed to those

MRS LOZZI CUTHBERTSON Right, okay

DEPUTY SPEAKER The question is that the remainder of the bill be

agreed to

QUESTION PUT  
AGREED

MR CHRISTIAN NO

I seek a motion from Mr King that the Bill as amended be agreed to

MR KING I so move Madam Deputy Speaker

DEPUTY SPEAKER The question before us is that the Bill as amended be agreed to

QUESTION PUT

Could the Clerk please call the House

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 seven the noes one, the ayes have it. That Bill is agreed to, thank you Honourable Members

#### **TERRITORIAL WATERS AMENDMENT BILL**

We move now to the Territorial Waters Amendment Bill. We resume on the question that the Bill be agreed to in principle

MR KING No further debate on that question Madam Deputy Speaker

DEPUTY SPEAKER Debate Honourable Members? There being no further debate I put the question that the Bill be agreed to in principle

QUESTION PUT  
AGREED

The ayes have it thank you. We move now to the detail stage. Mr King you may care to move the amendments foreshadowed to Clauses one and three

MR KING Madam Deputy Speaker I move that the detail stage amendments to Clauses one and three be agreed to. Madam Deputy Speaker these detail stage amendments to the Bill which was introduced in December last proposed two changes. The first change is to update the short title to the Bill so that it refers to 1996 and not 1995. The second change is to omit clause three of the Bill and substitute a new clause in its place. This Clause concerns the definition of Territorial Waters under the principle Act of 1926. The definition is recast in order to ensure that our legislation conforms to Norfolk Island's obligations under the International Law of the Sea Convention and at the same time complements the Commonwealth Seas and

Submerged Lands Act 1973. The new clause provides that if a proclamation setting the boundaries of Norfolk Island's territorial waters within twelve nautical miles is made under Commonwealth law, then those boundaries also apply under Norfolk Island law. If however, no Commonwealth proclamation is made, then a twelve nautical mile skirt of territorial waters is established around Norfolk Island from low water mark. The Bill Madam Deputy Speaker is consistent with our obligations and as I said last December, reinforces Norfolk Island's self government by specifying where our legal regime extends in the waters surrounding the Island. I commend the detail stage amendments and the Bill as amended to the House

DEPUTY SPEAKER Thank you Mr King. Debate Honourable Members. There being no debate I put the question that the amendments be agreed to

QUESTION PUT  
AGREED

The ayes have it, the amendments are agreed to. The question now is that clauses one and three as amended be agreed to

QUESTION PUT  
AGREED

The ayes have it thank you. Finally, the question is that the remainder of the bill be agreed to

QUESTION PUT  
AGREED

The ayes have it thank you. I seek a motion therefore that the Bill as amended be agreed to

MR KING I so move Madam Deputy Speaker

DEPUTY SPEAKER Thank you. Further debate Honourable Members. There being no further debate I put the question

QUESTION PUT  
AGREED

The ayes have it thank you, the Bill is agreed to. We move to Fixing of the next Sitting day

#### **FIXING OF THE NEXT DAY OF SITTING**

MR SMITH Thank you Madam Deputy Speaker, I move that this House at its rising adjourn until Wednesday 10 April 1996 at 10.00 am

DEPUTY SPEAKER I seek debate on that Honourable Members. The date was set at the 10th to allow Mrs Cuthbertson to be present at our next meeting because she would not be available on the 17th. It was subsequently notified to me that we would require a meeting on the 17th or could because of the land review, however, in light of what has happened this morning I feel that members are going to want to resume the debate on the Immigration Policies and perhaps we should look at calling an extra meeting if required to handle the Land Review. I see your opinion on that matter

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. I'm sorry that I will not be here on the 17th but I have no objection to allowing the matter to stand until May so that only one meeting will be held in April. I bow to the importance of the Land Review taking precedence. That really is of major importance and having a meeting on the 17th if it cannot be accommodated on the 10th is alright with me

MR KING If the matter is so big that it necessitates us going into a second day in the Sitting then so be it

MRS LOZZI CUTHBERTSON It is not in its second day, it's a week later

MR KING If the Notice Paper on whatever date we propose - all I'm saying is that there is nothing wrong with having a two day sitting. Have I lost the plot?

DEPUTY SPEAKER It's not so much that we would have too much on the agenda to be able to get through it in one day, it's the actual timing of the meeting to be able to accommodate other items

MRS SAMPSON I take your point, but I did point out to you at the Committee Meeting that the 10th is straight after the Easter weekend so we have a four day blank before we get to the 10th. I would be quite happy to see it move to the 17th if perhaps the immigration amendments that you have could be held over til May

DEPUTY SPEAKER Is that alright with you Mrs Cuthbertson

MRS LOZZI CUTHBERTSON That is alright with me

MR SMITH Thank you Madam Deputy Speaker. I think that the 10th could be better while the Minister is still here and we can talk about the things we've talked about this morning which we've put off til the next meeting and have a second meeting with the Land Review Group. There's no problem with that. The week after

MR CHRISTIAN Thank you Madam Deputy Speaker. I don't have any difficulty with voting on the immigration stuff if Nadia's not here so I'm happy to have just one meeting on the 17th April

DEPUTY SPEAKER Would somebody in that case care to move an amendment to Mr Smith's motion. I will put the question Honourable Members. The question is that the House adjourn until the 10th April

QUESTION PUT  
AGREED

MR KING Wait a minute. Wait. Wait. That means that the Land Review would have to be put off

DEPUTY SPEAKER The motion has gone through. We move to Adjournment Debate

**ADJOURNMENT**

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker I move that the House do now adjourn and I seek leave to make a short statement

DEPUTY SPEAKER Is leave granted Honourable Members. Leave is granted

MRS LOZZI CUTHBERTSON Thank you Madam Deputy Speaker. Paragraph 34(2) of the Immigration Act 1980 requires that the executive member report to the Legislative Assembly not later than the 31st March, the number of declarations of residency granted under section 33 during the year ended on the previous 31st December. I now accordingly report that there were 34 declarations of residency granted during that year ending the 31st December 1995

DEPUTY SPEAKER Thank you. Further debate Honourable Members

MR ADAMS Thank you Madam Deputy Speaker. This is debate unconnected with that Statement Madam Deputy Chair. Is this the appropriate time. Thank you. Members I would like to mention something of concern to me.

It's an area in which I also have portfolio responsibility and that area is employment. As members know I inherited EA95 which is the package of amendments that go basically on top of the original Act which is EA88 on acceptance of executive portfolios. By way of background, I have recently been working from a platform of bringing business and government closer together for a host of reasons, breaking down barriers and we could go on and on, but I won't spend the time here illustrating the reasons. However, some of the prime ones was, I intended to commence with a proposed withdrawal, reshuffle and a redrafting of EA95, in other words, I had intended to effect a great deal of movement in the amendments proposed to the Employment Act and perhaps once that was out of the way to commence working on a bigger picture of economic objectives. Recently I've had meetings Madam Deputy Chair with the Chamber of Commerce representatives to discuss these points and I believe that very definite progress has been made. At these meetings I discussed the extent of the degrees possible of self policing for instance among employers as opposed to having volumes of legislation being brought in to play to clamp down on unsavoury employment practices and without pushing my own barrow too much I think that's a very worthwhile aim. One of the prime reasons for that was to attempt as high a level as possible to make the system a self regulating as reasonably possible and again, to lessen the amount of legislation required to make the system operate equitably. Members I have had a recent report in the last few days which may well on thorough substantiation indicate that my basis for such a reduced legislative platform is unrealistic.

At least in the present prevailing climate. Members the reported incident concerns a service club that advertised for a position that entailed bar work and cleaning duties. Nothing particularly surprising in that. What happened next is. There are three regular casual employees undertaking similar associated duties. I correct myself Madam Deputy Chair. There were three local casual regulars. There is now apparently one TEP employee of 35 hours per week. It appears that when the local employees concluded their pay period they were handed a cheque with the accompanying words "that's your last one. We'll give you a call if you're required" When asked why, they were told the TEP needed 35 hours per weeks employment. As Members no doubt know. 35 hours is the period of time looked to to ensure that a TEP is viable. Madam Deputy Chair it appears that three local employees were therefore sacrificed to ensure that a TEP was employed and given 35 hours per week. The bottom line Madam Deputy Speaker is that I intend to enquire into this report both from an immigration angle through the Minister for Immigration Mrs Nadia Lozzi

