

There are so many people on Norfolk who have enjoyed the friendship and kindness of this quiet achiever, To Bim, and their children, their families and friends, this house conveys its deepest sympathy.

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

Presentation of petitions -No petitions

Notices - No notices

Questions without notice

MR SMITH Thank you Mr Speaker. Firstly a question to the Minister for Finance. Could you tell this house what was the original budget for and what is the current cost of the Electricity shed at the airport?

MR KING Mr Speaker, no I don't have that information. I realise that Mr Smith asked this question on a previous occasion, but our practice has been for those questions to be placed on notice if that information is not readily available. If he cares to see me in a personal sense I can gladly get that information but I don't have it with me at the moment.

MR SPEAKER Further questions without notice, Mr Smith

MR SMITH Thank you Mr Speaker. Question to the Minister for Broadcasting. Minister I've been asking questions about the radio station 2JJJ since late last year, can you update the community on where you are at with that station?

MR CHRISTIAN Thank you Mr Speaker. Some time ago that I did give a detailed and comprehensive answer or response to that question. I've not taken the JJJ matter any further in great depth because the budgetary implications involved and I think I indicated to members that on a previous occasion that when we sat down around the table for the budgetary meetings it would be discussed then. I think from memory that there was a sum required somewhere in the vicinity of \$10,000 to implement the programme.

MR SPEAKER Further questions without notice.

MRS SAMPSON Thank you Mr Speaker. Question to the Minister Mr Adams regarding the Mini-Games. There are two questions here. Is the Minister satisfied with information provided by the Amateur Sports Association reading requested proposed accountability for funds advanced

to them from revenue as this was an agreed essential prerequisite for Government funding over a five year period?

MR ADAMS Thank you Mr Speaker. In short, on receipt of the agreement from the South Pacific Games Counsel that Norfolk will hold the Mini South Pacific Games in 2001 a process has been set in train Mr Speaker. Part of the process is from the point of view of accountability is that a business plan shall be forthcoming from the Amateur Sports Association regarding incurred costs etc, staff and associated costs which are expected to be incurred on the annual basis for the next five years, and as I said on the receipt of the nod basically to hold the South Pacific Mini Games here the ASA will be putting together a business plan and forwarding it to the Government, and also to increase or basically to allay any fears that public accountability is not an importance in this issue. We've also required that the extra budgetary allocation of the movement in the ASA allocation from \$7,000 per year to \$30,000, the extra budgetary allocation will be put into a trust account arrangement and releases from this account will be made by the joint signatures of the association's nominee and the Ministers nominee on that committee. My nominee on that committee is Mr Brian Bates MLA. Brian is at the present internal auditor for the Administration and he has been the past President of the ASA and somebody who is heavily involved in sport in Norfolk Island. In my mind that clears any concern from the point of view of concern about accountability for the money side of it, and as for the information provided by the ASA to date I'm totally happy with the information provided but as I said there's a process been set in train from the granting of the games and as the process develops I shall be keeping members informed every step of the way. Thank you.

MRS SAMPSON I will ask the other question Mr Speaker. You may decide that Mr Adams has already answered it. As noted at the committee meeting of the 5th February a decision by this assembly to host the games would bind successive assemblies and it was agreed that final documentation on the proposal should come before the membership in a formal sense for endorsement. Has that proposal eventuated and if not why not and when?

MR ADAMS I'll have to reiterate part of what I've said in the previous question Mr Speaker. As I said a process has been set in train and those documents shall be forthcoming before the budgetary allocation starts moving in the Mini-games direction. Thank you.

MRS SAMPSON Another question to Mr Adams. Is the Minister now going to review the firearms Act 1958 as he was reluctant to give this any priority when the matter was raised in the April meeting. And if so, has any information that can be acted upon been received from Mr Staniforth Re: the meeting that took place in Canberra last Friday on uniform firearm legislation.

MR ADAMS Thank you Mr Speaker. Mixed area at the moment. The Norfolk Island Government has sought representation at the recent police

ministers meeting which members may be aware of. We received representation at that meeting. We're still awaiting the outcome of a formal reply and an indication of what occurred at the meeting. I might add at this stage Mr Speaker the firearms ordinance is presently in a state of review and I wish to add that review will take its place in the normal legislative priority list. Thank you.

MR BATES Thank you Mr Speaker. My first question is to Mr Christian responsible for quarantine. What action has the Minister taken in light of the fruit fly outbreak in Auckland bearing in mind that the Asian wasp has recently by-passed our quarantine controls?

MR CHRISTIAN Thank you Mr Speaker. It's a difficult one to answer. In short no special programmes have been put in place in regard to the fruit fly. The spraying of aircraft and the surveillance of cargo ships coming into Norfolk will continue as usual. Obviously with the wasp issue some things do slip through the net and in consultation with my fellow Minister Mr Adams, there is a programme currently being worked on to aim towards eradication of the Asian Paper wasp in Norfolk Island. We're probably a little bit late in the season for an effective programme now but the intention is to be geared up for the expected spring outbreak and the Administration at the moment is currently developing various strategies and I will keep members informed when we have something more concrete to work with.

MR BATES Question for Mr King Minister for Finance. Does the Government have any long term plans regarding the future of the airport houses, or will they continue to be available for rent as at present?

MR KING Thank you Mr Speaker. All I can say now is that the Government is actively considering the question of the airport houses and whether ownership ought to be maintained by the Administration or whether they are just cost ineffective to maintain ownership, no decisions have been made, and in fact I'm sure that the Government would not make a decision without consultation of the members. But yes, the question itself is under review.

MR BATES Thank you Mr Speaker. Further question for Mr Christian, also Minister for the Environment. Has the Minister investigated means of controlling the army worm?

MR CHRISTIAN Thank you Mr Speaker. In short, I am awaiting information from a number of sources. I understand that the army worm problem has been eradicated in the north of New Zealand. I'm not sure what control methods were used. No doubt that information will arrive here within the next two to three weeks hopefully. I am also aware that there are a number of options for the control of army worms. Biological controls if you like or on the other hand land management controls where proper management and treatment of your pastures with lime and stuff like that can be effective in reducing the affect of army worms, but I'm not

MRS ANDERSON Thank you Mr Speaker. I have a further question for Mr King. Mr King, can you please advise what the mail backlog situation is at the present time, despite the increased capacity on the Ansett aircraft, there still appears to be a considerable delay in receiving , mail on the Island?

MR KING Thank you Mr Speaker. This is the first I've heard of it in recent months, I have absolutely no idea. We can perhaps examine that after the meeting if Mrs Anderson wishes.

MR SMITH Thank you Mr Speaker. Question to Mr Adams. I understand you recently took a trip to a pacific island. Could you tell us what the reason was for the trip, who went, officially, and what was the cost?

MR ADAMS Thank you Mr Speaker. I shall be making a statement a statement of my recent trip but the specific question this time. My reason for travelling in the previous week Sunday to Sunday trip away was to assist the Amateur Sports Association of Norfolk Island to present its bid present Norfolk Islands bid to hold the 2001 South Pacific Mini Games. That bid was successful. Part 2 of the question I believe was "who went officially? By officially I assume that you mean paid from the public purse. That was myself in the capacity of Minister for Sport and the Secretary of the Norfolk Island Amateur Sports Association. The overall cost at least in my in respect of myself was I believe the airfare and accommodation was \$2,000. There was an element in the America Samoa leg which I paid for myself and that was \$224.50 US. Thank you Mr Speaker.

MR SMITH Thank you Mr Speaker. Similar question to Mr King. Mr King you travelled overseas recently too. Could you please answer the same similar questions. What was the reason for your trip? Who went officially, and what was the cost of that trip?

MR KING Thank you Mr Speaker. As much as I'm able Mr Speaker. Yes indeed I travelled along with the General Manager of Marketing of Norfolk Island Tourism to the Pacific Asia Travel Association annual conference in Bangkok in the latter part of April. The PATA establishment organisation is the biggest organisation of its kind in the world with some 19,000 members but most importantly comprises membership across industry organisations, airlines and governments where members meet and discuss common concerns on the same level. I followed that up on my return through Sydney with a number of days in Sydney on additional Government business which was basically a cost saving exercise in recruitment, rather than bring some short listed applicants to the Island, they were interviewed in Sydney. So that was the latter part of my trip. As to the cost I don't have any precise information on that at the moment but I can get that for Mr Smith if he wishes.

of this House?

MR CHRISTIAN Thank you Mr Speaker. In short I'm waiting for the final invoice to arrive which at that time I shall sit down with the Finance Manager and the Finance Minister and do just what Helen requires.

MR BATES Thank you Mr Speaker. Another Question for Mr Christian, responsible for the Environment. Does the Government have a policy for the acquisition that real estate, which is on the market and which may have future community value?

MR CHRISTIAN Thank you Mr Speaker. No, I don't think there is a hard and fast policy in place. Things of this nature tend to be treated on a ad hoc basis and tossed around at MLA's meetings and taken from there but there's none on the agenda at the moment.

MR BATES Thank you Mr Speaker. Question for Mr King, responsible for quarrying. I refer to future quarrying activities in Cascade cliff and wonder if the Minister is in a position to advise the House of the present situation regarding the availability of crusher products and also the future of the cliff face?

MR KING Thank you Mr Speaker. Well I can't reply in detail and I'm not avoiding replying but there are some sensitive negotiations taking place regarding land ownership or ownership of land in that particular area. It's certainly still on the agenda, it perhaps hasn't received the degree of attention that I should of given it. It deserves a little bit higher priority and it is something which is floating to the surface of my workload for attention in the near future. As I understand it there is no immediate threat regarding crushed rock products for Norfolk Island but I hopefully bring that matter to a head somewhere over the next six months. I mean the cliff has got to go as far as I'm concerned but that's not a decision that I'm going to take unilaterally.

MR BATES Thank you Mr Speaker. Final question for Mr Christian, who is the Governments representative on the KAVHA Board. Has the Kavha Board considered providing a kiosk, tea-room type of building which can also house safety first-aid equipment etc, in Emily Bay?

MR CHRISTIAN Thank you Mr Speaker. Once again Mr Speaker the idea has been tossed around including one suggestion of doing such a thing with the Salt House, but no firm conclusions have been arrived at.

Questions on notice

MR SPEAKER Mrs Cuthbertson, did you want to respond this

morning to your Question on notice?

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. Yes Mr Speaker. This is somewhat difficult question to answer, meaningfully because the responsibilities of police officers and doctors are so very different and the roles in the community are quite different. May I start by saying that Norfolk Island is extremely lucky to have the services of two doctors on a regular ongoing basis, when communities of much larger numbers find it difficult to even recruit one doctor, but in fact our position is even better than that. Not only do we have the benefit of two doctors, but for most of each year, Dr John Duke makes his specialist skills available for six months of each year to the community and for six months of each year we also enjoy the availability of another specialist, Dr Elizabeth Pritchard. Every Monday morning Dr Jenny Sexton is available for consultation at the Norfolk Island Hospital, and for years there has been a programme of visiting medical specialists in place. They come to the Island on a regular basis, and they certainly save many of our local residents the cost and trouble of travelling offshore for specialist treatment. When the full-time medical practitioners go on leave it is relatively easy to obtain the services of an appropriate locum to relieve them, because the profession has been so organised for many many years. On the other hand, obtaining relief for police officers, when they go on leave and if we had fewer than three police officers this would be a problem. Certainly it would not be as straight forward that our local police officers that I know of. Not only we talking about finding relief if police officers are on leave, but also when they are ill or when they have to go away for other situations, other eventualities that we cannot plan ahead for. Like Doctors, police officers are on call 24 hours a day, seven days a week, but their not responsible for criminal matters only. Our police officers are also responsible for the safety of our roads, their called into domestic violence situations, they are on call for emergency search and rescue operations. They give education sessions at the school. They test learner drivers. They are responsible for stray dogs, under the dog Act and the senior officer is also the Bailiff, and the Gaoler for the Island. Another one of their essential roles is that they keep the peace and we can all underestimate the value of that. Importance of the presence of responsible fair and efficient police officers has been demonstrated to have a very effective value to deterring not only the people with criminal bends, but also law abiding citizens who might not break the law, but might be tempted to bend it at times. The higher the likelihood for getting caught for doing something not quite right, the less likely the people will be to run the risk to entail in doing so. For example in the 1920's the police in Melbourne went on strike and incidence of crime and civil disorder sky-rocketed. Not only amongst criminals but amongst people who had never offended previously, but as soon as the police went back on duty, the crime wave and the civil disorder ended. I'm not suggesting we would have a crime wave on Norfolk Island if we had fewer police, but I'm suggesting their presence does contribute to our relatively crime free situation and to the reliable, orderly tenor of our lives, which we all pride and I'm

but I can't isolate them, I'm sorry.

MR SPEAKER Further debate on this matter Honourable Members? No further debate, then I put the question

QUESTION PUT

QUESTION AGREED

The ayes have it thank you

Messages from the Office of the Administrator

MR SPEAKER I have received the following message from the Office of the Administrator.

Message No. 93 On the 19th April 1996 pursuant to Section 21 of the Norfolk Island Act 1979 I declared my assent to the Healthcare Amendment Act 1996 which is Act No 5 of 1996, dated the 19th April 1996, Alan Kerr, Administrator.

Reports from Standing and Select Committees

Notices

Notice No. 1 - The Immigration Act 1990 - Reappointment of Members

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I move that for the purposes of subsection 6 (4) of the Immigration Act 1980, this House recommends to the Minister for Health and Education that Brian George Bates, Joan Marie Kenny, Zilpha Dianne Menghetti and William John Menzies be reappointed as members of the Immigration Committee for a period to 18th May 1998.

MRS LOZZI CUTHBERTSON In moving the reappointment of these members to the Immigration committee I would like to thank them for the work they have done to date, which is quite complex, demanding and certainly often brings controversy on the heads of the people involved in it and not the easiest of situations to perform in. I would like to thank them for the help they have given me in my taking up my duties as Immigration Minister and I hope that we will continue to work together in the same harmony we have worked in to date, and I thank them for agreeing to be nominated again and I commend the nominations to the House.

MR SPEAKER Further debate on this matter Honourable Members? No further debate, then I put the question

QUESTION PUT

QUESTION AGREED

The ayes have it thank you

Notice No 2 - Public Health Bill 1996

MR CHRISTIAN Thank you Mr Speaker. I present the Public Health Bill 1996 and move that the Bill be agreed to in principle.

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

MR CHRISTIAN Thank you Mr Speaker. This Bill provides for a comprehensive regulation of public health issues in Norfolk Island. These include environmental health issues, such as sanitation, water supply, garbage disposal, sale of food licences, hairdressing licences and planning approvals for sewerage drainage, and water related activities. This Bill along with the Public Health code will promote the maintenance of the health of residents of Norfolk Island and sets out the relevant standards. Mr Speaker, I commend the Bill to the House.

MR CHRISTIAN Thank you Mr Speaker. I move that debate be adjourned and the resumption of the debate be made an Order of the Day for the next sitting.

MR SPEAKER Further debate on this matter Honourable Members? No further debate, then I put the question

QUESTION PUT

QUESTION AGREED

The ayes have it thank you.

Notice No 3 - Planning and Public Health Consequential Provisions Bill 1996

MR CHRISTIAN Thank you Mr Speaker. I present the Planning and Public Health Consequential Provisions Bill 1996 and move that the Bill be agreed to in principle.

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

MR CHRISTIAN Thank you Mr Speaker. This Bill is consequential upon the making of the Planning Act 1996, the Building Act 1996, the Subdivision Act 1996 and the Public Health Act 1996. It provides for the repeal of earlier legislation being replaced by the above Acts, and for the necessary consequential measures as a result of those repeals. Thank you Mr Speaker.

MR CHRISTIAN Thank you Mr Speaker. I move that debate be adjourned and the resumption debate be made an Order of the Day for the next sitting.

MR SPEAKER Further debate on this matter Honourable Members? No further debate, then I put the question

QUESTION PUT

QUESTION AGREED

The ayes have it thank you

Notice No 4 - Official Survey Amendment Bill 1996

MR CHRISTIAN Thank you Mr Speaker. I present the Official Survey Amendment Bill 1996 and move that the Bill be agreed to in principle.

MR SPEAKER Question is that the Bill be agreed to in principle.

MR CHRISTIAN Thank you Mr Speaker. This Bill does no than rename the Land Titles Official Plant Act 1978 to the Official Survey and to change the title Registrar of Lands to Registrar Titles. The original purpose of the Act remains the same, and the reason for the change is to distinguish the Official Plan created under the 1978 Act from the Plan to be created under the Planning Act 1996, and I commend the Bill to the House.

MR CHRISTIAN Thank you Mr 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.

MR SPEAKER Further debate on this matter Honourable Members? No further debate, then I put the question

QUESTION PUT

QUESTION AGREED

The ayes have it thank you

Notice No. 5 Land Administration Fees Bill 1996

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

MR SPEAKER Question is that the Bill be agreed to in principle.

MR KING Thank you Mr Speaker. This is a consequential Bill which provides for the imposition and payment of fees in respect of the Registration of Instruments under Land Titles Act , so it's consequent upon Mr Christians Land Legislation package. The Bill provides for a fee for registration of certain instruments calculated on the basis of 2% of the full value of consideration for the transfer that that instrument evidences. That is a replacement provision, a provision which replaces the existing provisions of the Conveyancing Act which extend a fee of 2% for the transfer of land or property from one person to another. There is an attempt made in this Bill to tighten up that mechanism so that there is not the degree of avoidance to which I've referred to on previous occasions. The Bill also provides that certain transactions, including conveyances are exempt from the payment of the fee and that the Executive Member may on application exempt a transaction from the fee where no consideration has passed in relation to the transfer, and would be unjust to charge that fee. We refer there to property that passes among the family, various family groups on the Island as it has over the past 150 odd years. Mr Speaker, the Bill will also provide for a fee regime which requires the drawing up of a set of regulations to give effect to the fees. They will be set at a level which will be realistically set to recover the cost of the Administrative effort and those regulations will be put together over the next month or so. The Bill will remain on the table with the rest of the package for at least a month. I commend the Bill to the House.

MR SPEAKER Debate Honourable Members.

MR SMITH Thank you Mr Speaker. Does that mean currently someone who transfers their land pays a 2% of the value, this Bill will make it a minimum \$500 for any transaction, except those exempted by the Executives discretion?

MR KING I might await for any further questions that might arise from the debate and answer them all at once.

MR BATES Thank you Mr Speaker. I refer to Section 4 (2) of the proposed Bill where it mentions the amount of \$500. Now further down or before we talk about fees and to me the consistency of or the concept of fee is far better than placing a specific amount in legislation because to increase that amount you have to amend the legislation where as if the fee units were used in the correct manner in which they are intended it's a matter of increasing the fee unit and all legislation catches up with fee and I believe the fee at the present time is \$10 and that's ,and it was intended when it was introduced that that keep place with inflation and be increased regularly but it never has and

Speaker, this House decided that we would set a 10 year tourism target and we had nominated and agreed that a reasonable target is activity of 340,000 bed nights by the year 2005. On more than one occasion I emphasised to Members that in agreeing that, carries with it an acknowledgement that there need be an increase in accommodation capacity to cater for that amount of growth. The Bill presently before the House retains the provision for placing numerical limits on the amount of accommodation in the Island. That mechanism is not proposed to be abandoned, so it will remain for future Assemblies or indeed for this Assembly if there's a change of mind somewhere in the near future, that you can immediately impose certain numerical limits. It includes a new provision which will enable the executive member to provisionally approve certain proposals for new accommodation. That is a provision which will enable us to attach certain conditions to for example proposals to construct new accommodation and to link it through those conditions with the codes and the enactments that Mr Christian's been referring to, most particularly the enactment that he introduced today, or the Bill that he introduced today on Public Health and enable us to tie conditions of tourist accommodation to matters of sanitation and other public health matters. It also includes a provision to allow the executive member to cancel a provisional approval. That is an essential requirement as we have discussed in an informal sense, which will enable the executive member to retain control over people who are simply trying to secure a spot on the quota or a position in the scheme of things without coming forward with formal plans and specifications, so that if for example this House decides that there ought to be a limited increase in the amount of accommodation, someone cannot simply secure a position by writing a very scant note saying well they wish to apply for X number of units or a Hotel and beat other people to that position without properly and formerly applying and presenting their plans and specifications in due course. The legislation will include the facility to regulate when construction might commence and that is with a view to spreading any building activity which might result from deregulation of the industry. The legislation requires supporting policy guidelines which need to be developed over the next few months and those guidelines which will be decided by all the Members will cover questions of how to expand the industry in a sustainable manner by how much and over what period of time. Mr Speaker, those are the words I have to say at this point in time and I commend the Bill to the House. It will of course remain on the table for at least a period of a month.

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I commend Mr King in bringing forward this Bill. I think it's very practical to set up a system to regulate the expansion of new tourist accommodation and to ensure that the development that might take place is gradual and benefits the community in a planned and sensible way, rather than producing a boom or bust situation, which have done in the past and they certainly have not been particularly good to Norfolk Island. I recognise also, that to put into force the expressed wishes of the community in trying to improve the tourism industry, we do have to produce or encourage the development more

accommodation and it is important to have a regime in place that allows this to happen in a orderly and well planned way, and I certainly support the Bill.

MRS ANDERSON Thank you Mr Speaker. Mr Speaker I particularly commend Mr King for the introduction of legislation that will allow for an approval in principle of any construction. At the present time it appears to me that someone who wishes to build new accommodation on Norfolk Island would have to present all plans and all details and then run the risk of being told well sorry old chap we don't want you anyway when he's gone to all that trouble. This provision to allow approval in principle without giving a definite approval I think will encourage more people to make the application, but we will continue to have a control on those who might as Mr King suggests want to get a place on the queue without really having any firm proposals to put to Norfolk which would be to our benefit, but I do commend the Bill.

MRS SAMPSON Thank you Mr Speaker. I have always supported a deregulation of the tourist industry. I've considered as the only protectiveness on the Island where tourist accommodations were allowed to expand into other fields, but other people were not allowed to expand into accommodation was a totally unfair business practice and the Bill certainly has my support.

MR ADAMS Thank you Mr Speaker. As I view this accommodation Bill 1996 it's machinery basically degrees the wheels of deregulation. I see the overall question of deregulation as worthwhile to deregulate and it's very much in accord with as the Minister mentioned with our tourism policies. I feel that one of the brightest points in this Bill is the removal of the "sinking lid". The "sinking lid" or was referred to as a "sinking lid" provision, because it had the effect of any accommodation units either deregistering or simply going out of business. Those, the beds simply vanished. They were not recycled in any shape or form and I think really the "sinking lid" did nothing else, it certainly ensured Mr Speaker the Paradise beds simply disappeared. That occurred around 1986 if I remember rightly, and that was 80 to 90 beds which simply disappeared from participating in any economic movement on the Island and I think that one case has cost this Island a lot of a tremendous amount of economic benefit. I certainly participated in economic shrinking from the tourist industry. I also see as mentioned by a number of other members the facility in this Bill for the Minister to basically to revoke an approval in principle because an applicant does not conform with a laid down regime of conformity according to proper public procedures in the public health area, I see that as a very worthwhile thing. It simply it prevents people from simply jumping in early with a proposal that's not properly developed simply on the basis of securing quota chunks and then at a later date not pursuing the issue and in accord with the original intent of the application and I see the

continuation of what I regard as unacceptable practices. One of the alternative remedies suggested to me during the period that this Bill has sat on the table is to impose further requirements on proprietors and public servants to complete and check further forms. My view, and a strong view is that the small amount of the levy does not justify additional administrative effort. The fee presently represents about 3% or less than 3% of gross in the industry. Perhaps Mr Speaker if it were increased to what is the regional average accommodation levy of around 7 or 8% perhaps then we could justify imposing additional administrative effort on the public service. Those are all the words that I intend to say on this Bill. I understand there remains some opposition around the table, and I'm interested to hear the debate. Thank you.

MR SPEAKER Thank you. Debate Honourable Members.

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I'm one of those people who still have some doubts about this Bill. I certainly support the general thrust of what Mr King is trying to achieve by the Bill, but I am uncomfortable at the level of inaccuracies that have been demonstrated and Mr King has omitted to us when we discussed this Bill in another place in how the number of nights the hot bed tax is calculated. It is complex and at times errors creep into the situation of the calculation and the Accommodation and Tourism Association has put up some fairly strong arguments as to why the system needs to be reviewed. I agree the 3% tax is a minute tax, it is far from too demanding and to impose a complex administrative system to ensure that it's calculation is 100% correct would be unnecessarily burdensome on the public purse, but to have situations where there are mistakes of 10% 20% and so on in the way that the different system calculate how the tax what the tax should be from any accommodation place is a little to high to be allowed to disregard it. It is some of the arguments that have been put forward by the accommodation proprietors could be seen as nit-picking but similarly some of the arguments we've put back are not all that different. I'm unhappy also about the question of demanding a tax on the stay of children under 2 years of age to terminate that exemption seems to be wrong. Children under two years of age do not charge for in the accommodation tariffs, so why should we impose a tax on their stay, doesn't seem actually to be the correct and proper thing for us to do. These minor irritation spoil to me what is an essentially correct procedure on the part of Mr King to take. I would like to see those attended to before I could agree to this Bill. Thank you.

MADAME DEPUTY SPEAKER Further debate.

MR BUFFETT Thank you Madame Deputy Speaker. It's been clearly mentioned now that the aim of this particular piece of legislation has been introduced to present a tax leakage, and indeed it has been demonstrated that that has happened and continues to happen and that does need to be remedied, that component needs to be remedied. In

bringing forward this piece of legislation in its present form it has brought with it the highlighting of some other difficulties. Some of them, such as these, internal difficulties in the calculations, that has been mentioned, another view about how the free of charge beds are distributed and suggestions as to how that might be handled, for example mentioning that some are in the context of a donation, but it can be clearly seen that also some may well be in the context of advertising. The present situation doesn't satisfactorily either segment those or address those in their totality, except to say that you've got to pay for the lot. It also brings to notice the prospect of handling collection another way. I'm not saying that there is a firm proposal for that, but obviously with some of the calculation difficulties it does give rise to the prospect of maybe some better computerisation of how incoming and outgoing dates are grasped and signposted and calculated. At present it seems quite clear that one method of calculation is to just take on face value, what the visitor writes on his or her card and we will equally know that with the best intent in the world that isn't always correct, and even if it is correct, on the date of arrival it may change during the course of their stay for various reasons, and that isn't reflected then in the calculations in a proper way. It needs to be said I think that the accommodation industry is one of the few industries that receive the direct taxing attention. There are many others, who participate in the industry and don't necessary receive that. Therefore those that do receive that direct levying arrangement we need to be very careful that in fact we don't just gloss over some of the difficulties and we need to go to a great extent to ensure that they are fairly treated when that is their situation. Now the ATA has written to us all, they've given us some examples, they've written to us on a couple of occasions but the most recent letter is dated 13th May, and that is the letter I think Mrs Cuthbertson referred to when she was quoting some of the percentages of errors that might occur in some of the calculations. My view is that I think we need to seriously address those areas of difficulty and we need to show that we are willing not only to receive funds from this area, but we are to receive them fairly, and I think we need to address those matters before we progress this particular piece of legislation. If in fact people don't want to address it, then my situation is that I'm not prepared to support the Bill, because I think we need to feel that we deal more fairly with people who are making a contribution to the public purse. That's my position with the matter, and so what I am saying is lets sit down and more carefully address those difficulties and I think they can be done in a bit more simplistic way than some people realise. I think people are saying that we will have to put more resources into the project than it's worth. I don't think that's quite true, and at least we should explore it a bit more before we decide on the matter, and see if we can't solve those difficulties in concert with the ATA and then come back with some remedies, they may only be minor remedies, but they are important to that particular industry. Once we've fixed that, then we'll see how this Bill should travel.

MR BATES

Thank you Madame Deputy Mr Speaker. I intend to

Madam Deputy Speaker Mr Buffett, would like to resume the chair please. I would like to speak on this matter.

MRS ANDERSON Thank you Mr Speaker. I fully support Mr King in his desire to close loopholes and stop wroughting of any payment of any levies that are due to the Administration. However, I cannot support the amendments that he's bringing forward at the present time. I agree with Mr Smith that maybe we should look at this again because I don't think that Mr King is in fact achieving with these amendments what he states he's setting out to achieve. For example he has suggested that certain accommodation houses accommodate an inordinate number of relatives and on this basis don't pay their "Hot Bed" tax but the amendments that Mr King is bringing forward would still allow accommodation houses to claim exemptions for relatives. I also agree with Mrs Cuthbertson that as no charge is made for children under two years of age I don't think that the "Hot Bed" tax should be payable, and I would also like to see a situation where genuine FOC's are not charged the "Hot Bed" tax. I believe that a number of accommodation houses on Norfolk Island do give units free of charge genuinely, and generously and therefore I don't think the "Hot Bed" tax should be paid. Where we have the situation that an accommodation owner claims that he hasn't received reward for a unit because he's had an offer three for the price of two, therefore he's not receiving anything for the third person. I don't think that is correct. I think in fact the accommodation proprietor has received payment from all three of those people but at two thirds of the normal rate, and that's a commercial decision has he's made, and he should have taken the bed tax into consideration when setting those rates. I think that to achieve what Mr King wants to achieve with this amendment, he should reword it. Thank you.

MR KING Thank you Mr Speaker. I think that I think I would have had a better chance at getting this up at the last meeting, if I count the numbers correctly, but let me go down fighting, and I will at the appropriate time ask that the question be put. I have no intention of adjourning this. It has become a big enough issue to have Mr Speaker come down from his chair and participate in the debate, so it's reached significant proportions on which I have devoted a great deal of time and expense, far greater than any additional dollars that I might receive I would imagine. Some people have missed the point entirely, absolutely entirely. Some people clearly have not listened to my previous contributions to the debate on two previous occasions, but that doesn't surprise me because people come into this forum with closed minds and they have no intention of being persuaded by reasonable debate in this House. Some people simply go and get cups of coffee when you begin to talk. Clearly they have closed minds, and that's all right too. That's not suggesting that they don't properly consider these things but when of course they don't listen to the points I make, or perhaps when they speak in contrary terms it's as much suggesting that I lied to them on earlier occasions. Let me assure Members that I haven't lied. I have spoken about

for example the tax on children, and I think in an industry where proprietors don't charge children under two years of age would be perfectly unreasonable of us to expect that a levy be paid, but I'm saying here and now again that the practice of non payment, of not charging for children under two years of age across the industry here doesn't exist. There are some who charge for children under two years of age. Now if the industry itself took it upon themselves to properly regulate themselves, perhaps through their industry organisation to ensure that the widespread practice, the normal practice was not to charge children under two years of age then I wouldn't press that point. I've mentioned that previously, I mention it again. Let me mention again also, that the amount of the fee has got absolutely nothing to do with how long a stay a visitor indicates on their card. They can indicate that they're staying 500 days on their card. It doesn't mean that we're going to look for \$500 from them, from the proprietor. What is the key to this is the as Mr Smith suggests, the issue is FOC's. Again I've had letters from people over the past month or two expressing their disappointment that they are going to be touched by this legislation when their practices are honourable and reasonable and indeed one particular establishment makes an annual contribution to a charitable organisation of a week's accommodation and they would be caught up in this legislation. I mean, that happens. It's a fact of legislative life that that happens. You catch up with those people, but the ones that I was looking to place in check, were those who were not paying for things like accommodation which they regarded and widely interpreted interpretive fashion FOC's, when in fact they weren't they were ones for which they got contra deals. They got contra space in advertising. They maintain preferred trading positions with the retailers and the wholesalers. Are those not rewards? There are those who entered into promotional deals where buy four and pay three, or buy three and pay two, and very astutely enough those proprietors didn't pay their accommodation levy for the one that they felt was given FOC. Now that's absolute nonsense, absolute nonsense. It's been suggested that I might deal more fairly with the accommodation proprietors, well I'm sorry if I seem to be dealing with them unfairly. I've been charged with that for four years I must say I've been dealing with them unfairly. I've trotted out a whole history in relation to accommodation proprietors and their activities and conduct. I shan't repeat those things here but a lot of those areas I was sorely, sorely disappointed. I say that a failure to accept this legislation is a condonement of avoiding taxation. I regret very much, that there are some honourable and reasonable people out there who will be touched by the legislation, but the touch will not be great I must say. It will not be great and in areas where they are called upon for example for an FOC for which there is no contra or no preferred trading position, there is perhaps an image thing they are in the view of the person to whom they are giving some free accommodation who might be a retail travel agent for example. Someone over on a familiarisation trip with something in it for the accommodation proprietor. So I'm sorry that there's that residual opposition to the Bill. I'm sorry that it's taken up so much time and effort of people, including myself. If debate is exhausted Mr Speaker I would move that the question be put.

MR SPEAKER Further debate on this matter Honourable Members? No further debate, then I put the question

QUESTION PUT

QUESTION AGREED

The ayes have it thank you.

MR SPEAKER I put the question Honourable Members that the Bill be agreed to in principle.

QUESTION PUT

MR SPEAKER Would the Clerk please call the House.

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

MR SPEAKER The result of voting Honourable Members. The Ayes - 4, the No's 5. It is not agreed.

NO 2 - AMENDMENTS TO THE IMMIGRATION POLICY

MR SPEAKER Resumption of debate, on the question that the amendment proposed to amend No. 6 be agreed to.

MR CHRISTIAN Thank you Mr Speaker. I may need a little bit of guidance here. I had proposed that Amendment 6 include the words "recognise that indigenous people of Norfolk Island must never become an electoral minority in their community". Mr Speaker I wish to change those words and I'm not sure whether I should withdraw that, or move an amendment to the amendment.

MR SPEAKER Yes. Has there been a formal proposed in respect of that, have you formally proposed that?

MR CHRISTIAN Yes.

MR SPEAKER Would you like to just a exhibit to us your alternative words and then I will ask members if they're prepared to insert one in lieu of the other.

MR CHRISTIAN Thank you Mr Speaker. The words that I propose to insert now are consistent with the words in the "Norfolk Island Act" and they are as follows; "recognises a special relationship for the descendants of the settlers from Pitcairn Island with Norfolk Island and their desire to preserve their tradition and culture".

MR SPEAKER Are Members agreeable that those, this is not asking you to agree the words in their final form, it's really asking you whether you are agreeable to those words being put as an amendment, we'll vote upon those in a short space of time, and withdraw those others. We are agreed. Therefore the Amendment is as now read by Mr Christian and that will be the amendment that we're addressing in debate.

MR CHRISTIAN Thank you Mr Speaker. I move that that amendment be agreed.

MR SPEAKER Thank you. Any debate?

MR CHRISTIAN Thank you Mr Speaker. I will just say a few words. As a result of the words I put forward at the last meeting I've been branded as "racist" if you like and I think I need to make it quite clear that racist I'm not, but protective I definitely am. Mr Speaker I've done a little bit of research into other Parliaments within the British Commonwealth and there are at least eight other parliaments that reserve seats for special sections of the community, so what I had proposed to do at the last meeting was not new, it was not something unthought of and it is in fact practised in other areas, and therefor could hardly be called discriminatory, it just recognises that there are more than one parts to a community. Thank you.

MR SPEAKER Debate Honourable Members.

MR ADAMS Thank you Mr Speaker. I certainly support those words Mr Speaker. I don't believe that the Minister is a racist. I believe the Minister is a nationalist, and I think there is a good deal of difference. I believe the Minister's concern is for the culture of the people, his concern is the maintenance of the culture of the peopled who came from Pitcairn and their descendants here today and I fully support the intent of those words and I believe we, one of the greatest dangers for the Norfolk Island people who are descendant from the Pitcairn people is that we become a minority in our own place, and a minority in many forms and fashions and I think it's good to reiterate our concern that it doesn't happen and have such touchstones as those words put into our legislation and our way of doing things, and I fully support the amendment. Thank you.

MRS LOZZI CUTHBERTSON Thank you Mr Speaker. I agree with the need to reiterate such relationships and such historical links between Norfolk Island and the people of Pitcairn descent. It is after all, Norfolk Island is one of the two places on earth where people of Pitcairn descent can live as a people and I think that has to be recognised and kept in Mind. I agree with the new form of the words. I think they should be embodied in the Immigration Act although they are other parts of the Immigration policy booklet that specifically refer to this relationship, but certainly in the objectives of the overall policy they are appropriate to be restated, and I support the new format of the words.

MRS ANDERSON Thank you Mr Speaker. I fully support Mr Christian's aim to have the special relationship of the Pitcairn people to Norfolk Island recognised on in documents such as the Immigration policy. However, I was very uncomfortable with the wording that he proposed at the previous meeting and I would also pick him up on a point that he made this morning. In your previous amendment you indicated that you felt that the people of Norfolk Island should never become an electoral minority in their community. Your now suggesting that maybe places should be reserved on the Legislative Assembly for people of Norfolk Island which is not at all what you suggested before. However, as you have worded the amendment this morning I think that those words are far more appropriate and express what we all feel here and I'm happy to support them. Thank you.

MR SPEAKER Further debate Honourable Members. I think we're at the stage where we put in the amendment. I put the question.

MR SPEAKER Further debate on this matter Honourable Members? No further debate, then I put the question

QUESTION PUT

QUESTION AGREED

The ayes have it thank you. That amendment is agreed to. I think we are now at the stage of finally voting on Clause 6 is that how it's termed? Amendment No 6. The question now before us is that Amendment No 6 as amended be agreed to.

MR SPEAKER Then I put the question

QUESTION PUT

QUESTION AGREED

The ayes have it thank you. That is so agreed Honourable Members, and that disposes of Order of the Day No 2.

FIXING OF THE NEXT SITTING DAY

MR KING Thank you Mr Speaker. I move that the House at its rising adjourn until Wednesday 12th June 1996 at 10 am

MR SPEAKER Thank you. Any debate.

MRS ANDERSON Thank you Mr Speaker. I don't know if this is the appropriate moment but I shall be off the Island on the 12th June and I would seek leave of the House.

MR SPEAKER Is leave granted? Leave is granted. Could I just say that this suggested date the 12th June lines up the sittings in June so that there will be two, one this one the 12th for the introduction of the budgetary process, and for the completion of the budgetary process before the financial year is at an end, and therefore by the 1st July all will be tidy for us to recommence. I put that question.

QUESTION PUT

QUESTION AGREED

The ayes have it thank you

ADJOURNMENT

MR ADAMS Mr Speaker I move that the House do now adjourn

MR SPEAKER The question is that the House do now adjourn.

MR BATES Mr Speaker I would just like to take this opportunity to congratulate all that were involved in the activities during the ANZAC Day week, which includes the Air Show, the visiting entertainment, all the other RSL activities including the parade, and also all the people that billeted various groups. I think there was a real Norfolk Island community effort. I congratulate all involved. Almost unnoticed during the same week, was the successful veterans tennis tournament, conducted by the Cheryl Tennis Club, and sponsored by other local supporters. It was a pity though, in my opinion that a lot of locals were unable to enjoy the spectacular Air Show because of work commitments. I would urge members to keep that in mind whenever major spectacular events take place on Norfolk Island in the future. Thank you Mr Speaker.

MR SPEAKER Thank you. Any further participation? No further participation and I therefore put the question that that motion be agreed to that the House do now adjourn

QUESTION PUT

15.5.96

- 32 -

AGREED

Therefore on that basis Honourable Members this House will stand adjourned until Wednesday 12th June 1996 at 10.00 am.

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