

MR SPEAKER Good afternoon Honourable Members the sitting of the House is now resumed from yesterday and before I call on Petitions, if anybody would like to take their jackets off, being a warm sort of day please do so. Are there any Petitions this morning. No Petitions. The giving of Notices, are there any Notices.

QUESTIONS WITHOUT NOTICE

Are there any Questions Without Notice this morning.

MR BUFFETT Mr Speaker I have a question that is really directed to the Chief Minister.

MR SPEAKER Right. Brian would you like to take the Chair while I answer the question.

MR BATES Questions Without Notice.

MR BUFFETT Mr Acting Deputy Speaker I have a question of the Chief Minister. Chief Minister I hear that there is a blow out in the annual budget of something like \$600,000. It may well be that this is related to Welfare Services or Healthcare. Could we have a situation report on that matter please.

MR SMITH Thank you Mr Acting Deputy Speaker. As a result of a meeting I had with the Program Manger and the CAO which was designed to bring forward all the projects and things that the Assembly is dealing with into one document that we could see just where we're going. As a result of that it was pointed out to me that on present trends up until, or for the first 6 months of this year all of the Social Services vote which I can't remember the exact figure, somewhere around \$300,000 will be used up. Also the Healthcare Fund appears to have, heading in the same direction. There is a bit of a paper around which indicates that but I've been waiting for some further advice to just see, or waiting for the actual figures on that situation.

MR BUFFETT Supplementary question. Chief Minister when was this apparent or this difficulty first apparent.

MR SMITH Thank you Mr Acting Deputy Speaker. It would have been, I can't give you an exact date Mr Buffett but I think it would have been about 6 weeks ago.

MR BUFFETT Yes, a further question if I may Mr Acting Deputy Speaker. That's 6 weeks ago, really how long do we as Members of the Assembly need to pause to know where exactly we are in respect of this prospective \$600,000, a significant figure in our annual budget.

MR SMITH Mr Acting Deputy Speaker I don't think we can pause very much longer. What I didn't say earlier on was we're leading up to budget review which I want to start dealing with in December and we certainly need to know and probably need to know by the end of this week actually just where we stand with that situation because if it turns out that we do have that sort of a blow out, that will have a large effect on all of the budget review and the current 98/99 budget.

MR BUFFETT A final question on this particular matter Mr Acting Deputy Speaker. Chief Minister can you give Members an assurance that you will let us know where we stand, that is as Members at least by the end of this week.

MR SMITH Mr Acting Deputy Speaker I will try and, I would like to say yes I will assure and I'll do my best to make sure that you get whatever we can by the end of the week.

ACTING DEPUTY SPEAKER Further Questions Without Notice.

MR BUFFETT Thank you Mr Acting Deputy Speaker. A question this time to the Minister for Health. Minister Members have received a copy of a letter from the Norfolk Island Medical Support Foundation. The letter is dated the 2nd of November 1998 and it advises us as members and yourself particularly as Minister of its establishment. It gives us to understand that this results from insufficiencies in the island's Healthcare Scheme. Are you Minister moving to remedy some or all of those difficulties, and if so would you be kind enough to let us know how your tackling this problem. By way of some elaboration I mention that some of the issues mentioned in this letter are not new and they have had earlier indicators of difficulty and there was some indication that some of them might be addressed.

MR BROWN Indeed I received a letter and I was aware that the letter had been sent to all MLA's. I was also aware that in the current year there is considerable pressure on the Healthcare Scheme and on HMA. It's very easy for all of us to take a view that we would like to please everyone in the community and to provide absolutely everything that anyone might desire but the consequence of doing that is that there's a bill that someone has to pay. I don't accept that the Healthcare Scheme is failing to meet the community's needs but I have responded to that letter by inviting detailed comment as to the areas in which it is suggested that the Healthcare Fund is falling short, an estimate of the cost of the additional services which it is suggested the Healthcare Fund should pay for and a suggestion as to how the cost of those additional services should be funded. I don't yet have a response to that.

ACTING DEPUTY SPEAKER Further Questions Without Notice.

MR ADAMS Thank you Mr Acting Deputy Speaker. A question to the Minister for Finance. Minister what progress has been made in regard to the Norfolk Island Liquor Bond Store against in particular commercial customer concerns relating to Liquor Bond Store operations.

MR SMITH Would that be more appropriate for Mr Robertson to answer. Is that the context your asking Robert.

MR ADAMS I wonder if then Mr Acting Deputy Speaker the Minister for Finance would prefer it to be referred to Gary, is that

ACTING DEPUTY SPEAKER Could you repeat the question please.

MR ADAMS The question is what progress has been made in regard to the Norfolk Island Liquor Bond Store against in particular commercial customer concerns relating to Liquor Bond Store operations.

MR ROBERTSON I can answer it without any problems Mr Acting Deputy Speaker. The Liquor Bond was passed across to me a month or 2 back. There was a public meeting held some months ago and it was bought about by the Hospitality Association of Norfolk Island at which they expressed a number of concerns with the retailing and the method by which there was distribution and purchasing of liquor through the Bond Store. I attended that meeting and following that there was a

situation to get worse during the course of the year. On the 20th of October the Acting Program Manager, Community Services provided a paper to the Chief Minister indicating that the Healthcare Fund may require an additional subsidy of \$400,000 for the current financial year and that Social Services for the purpose of HMA expenditure might require an additional \$240,000. It's my understanding that those figures would include all expenses likely to be incurred up until the 30th of June rather than all expenses that would be paid up until the 30th of June and so my initial comment to the Chief Minister was that we needed to get to the bottom of what would actually need to be paid by the 30th of June and we needed to then make a policy decision as to whether we are going to fund the difference which we won't actually pay in the period or whether we're going to adopt the practice that was adopted in earlier years and has been the practice until now of allowing an amount to flow over until next year. I've received a report today from the Healthcare Manager in which she has brought a number of things to my attention and in it she has given me an updated figure as at approximately today of what she believes to have been the total claims made on the Healthcare Fund for the 1997/98 year and that total stands at \$586,820-00. The likelihood is that if claims continue at that level in the present year we will indeed have a shortfall before the 30th of June and we were aware of the possibility of that when we passed the budget, because in order to balance the budget Members might recall we reduced the amount which was provided by way of subsidy to the Healthcare Fund and we reduced the amount which was provided to HMA with the considered intention of reviewing that situation half way through the year, and we knew that it was quite possible that we would have to put extra money in. If I turn to the HMA situation first we have had significant growth in recent years in our numbers of senior citizens and that's a wonderful thing but it does reflect in health costs. People today are living for longer, people today have higher expectations in terms of healthcare treatment and in the case of HMA not only do we pick up all of the things that would normally be picked up by the Healthcare Fund but we contribute to transportation costs, airfares and the like. If we look at the statistics of offshore referrals at the local Hospital there is no doubt that during the last 18 months there has been what I would call significant growth in the number of people who have been referred offshore. That's a clinical decision to be made by the Doctors at the Hospital. The decision as to whether someone should or should not be referred offshore is not a decision that should be made by the Executive Member and apart from the initial setting of guidelines the Executive Member does not have a role in that decision. Nevertheless as I said it is a case that there are far more offshore referrals now than there has ever been in the past, and that contributes significantly to the HMA cost. It also contributes significantly to the Healthcare Fund costs. I turn briefly to the Healthcare Fund, a major change in that area has been that during the last few years this as I understand it dates back into the life of the last Assembly HMA used to cover the whole of a Social Welfare recipients medical and health expenditure for the year, or at least the whole of that part which it does cover. But during the life of the last Assembly a decision was made that once a HMA recipient goes above the Healthcare threshold, presently \$2,500 the healthcare Fund should pick up the remainder of their expenditure and that has met in the estimate of the Healthcare Manager about an extra \$100,000 a year of claims going into the area of the Healthcare Fund rather than HMA, so to such extent as we've seen growth in HMA cost, that growth would have been even larger without that policy change. In the Healthcare Fund area again we have increased expectations, we have constant pressures of the type that Mr Buffett has referred to earlier today, we have a growing cost of services when we do send people away to the Mainland and we have a Hospital which is much costlier to operate now than it was 4 or 5 years ago, and in particular that is due to Hospital wages having been brought somewhat in line with Administration wages. For a long long time the Hospital was able to operate with the staff being paid considerably less than similar staff within the Administration would be paid. On many occasions I have suggested to Members that if we don't do something about localising Teachers salaries, if we don't do something about ensuring that we pay no more than we should be paying for public sector salaries generally then places such as the Hospital are going to be wanting to have their pay brought up in line with what's being paid to other public sector people on the island. So the Hospital is more expensive to operate in the case of the Healthcare Scheme, there are far more offshore referrals just as is

the case in relation to the HMA expenditure. We knew at the start of the year that it was possible that we were going to have to provide additional funds and although one cannot be certain until a few months after the year has ended as to what healthcare costs for the year will be, because it's no different to gambling, the present likelihood is that we will need to be looking at funding in one way or another \$4-600,000, now that can be funded simply by additional subsidy if that's what we want to do, it can be funded by increasing Hospital charges so that the Hospital requires less subsidy, it can be funded by increasing the Healthcare levy so that the Healthcare Fund requires less subsidy, it can be funded by reducing the range of coverage that we presently provide, for example it may be cheaper for us to come to a bulk provider arrangement with say Southern Cross Hospitals in New Zealand so that anyone who has to be sent away for hospitalisation would go to Auckland, Southern Cross. There's no doubt that would save us a lot of money. I greatly doubt that it would be acceptable within the community because I expect that people will want to be able to retain the ability to go wherever they wish, but there certainly is a problem and it's simply a question of how we resolve the problem or whether we come to the conclusion that the Healthcare Scheme has reached the end of its day and that it should simply be disbanded.

ACTING DEPUTY SPEAKER Thank you Mr Brown. Mr Nobbs are you wanting a supplementary or just a question.

MR NOBBS No

NR ADAMS Thank you Mr Acting Deputy Speaker. My next question is to the Minister with responsibility for Education. Minister would you be able to give the House a brief outline on progress that has been made relating to the introduction of the structural teaching of the Norfolk Island language at the School.

MR SMITH Yes Mr Acting Deputy Speaker. That's been an ongoing process since the last meeting where I first said that we would be doing that. I was just speaking to the Headmaster about it yesterday about it and they are developing the structure of how it's going to be done. It sounds like its quite easy to fit in with the structure that the School already has in the teaching area and it's not going to be any drama to do it, so we're working along that way and still looking at doing something at the beginning of the first term of next year.

MR ADAMS Thank you Mr Acting Deputy Speaker. Supplementary to that one Minister. Which format will be looked at for the text book as it were, for the Norfolk Island language to be taught from.

MR SMITH Yes the, we've actually discussed it around the table here I think that we would probably look to, if this is what your looking for in the answer, we'd be looking Alice Buffett's writings as a way of teaching method, of teaching the Norfolk language.

MR ADAMS Thank you Mr Acting Deputy Speaker. Again another one to the Minister with responsibility for Education. Will the Minister on behalf of this House be wishing all the students at NICS who have commenced their examinations all the best for the forthcoming period which they have commenced.

MR SMITH I would always wish that for our students Mr Acting Deputy Speaker and I think Robert's done it as well.

ACTING DEPUTY SPEAKER Thank you Mr Smith. Further Questions Without Notice.

MR NOBBS Thank you Mr Acting Deputy Speaker. Just one for either Mr Smith or Mr Robertson, I'm not too sure who's in charge of purchases. Admin has purchased quite a deal of replacement or new vehicles and plant this financial year. Were Tenders called for the purchase of these.

MR SMITH Mr Acting Deputy Speaker I can answer that. Tenders should have been called for all of the vehicles.

MR NOBBS Can I put on notice the question now. Would you please provide details of how each vehicle and piece of plant was purchased, what is the policy in relation to the vehicles and plant replaced by such purchase and what has happened to vehicles and plant replaced since this Assembly took office.

MR SMITH Mr Acting Deputy Speaker I'd welcome Mr Nobbs to put that on notice.

MR NOBBS Just one for Mr Robertson. Is it the intention Gary to utilise the proposed carpark opposite Telecom as a carpark and if so why is there no encouraging signs displayed and why is the Government lodging applications in the Gazette such as last week, to construct large sheds etc in the proposed carpark.

MR ROBERTSON Thank you Mr Acting Deputy Speaker. That's another 2 way hit that one. The carpark is to be used as far as the planning part of its concerned and as far as the roadworks are concerned to be the carpark area for the Burnt Pine and yes there are some signs which are in blue with a "P" on them which is the international designated sign to say that it's a parking area. One of the things that did happen was that early in the peace before we started the Burnt Pine Project we had prices given as to whether or not we would first seal that area into a total carpark area. The costs for that were, and the tenders that came, or the tender prices that came in would have taken out the \$400,000 budget that we'd allowed for that first section so it was decided that we'd rather continue on with the road itself and leave the carpark until later. There was some amendments made or adjustments made to that and there was some poles and sort of indicators put in so that those town people that were using the carpark they would have some sort of direction in which to park. As far as the buildings in the application that then stems into the communication part of it where it's been decided that that would be an area to be used for the communications satellite and I think that then falls into Mr Smiths area who's looking at me and nodding and I will pass that across to him.

MR SMITH Yes I can pick up that side of it Mr Bates, Mr Acting Deputy Speaker for Mr Nobbs' question. There is an application in to build sheds, storage sheds which was an issue that we actually all talked about around the table here when we revised the GBE budgets. The reason that area is being looked at is for the satellite, future satellite communications because if we, as we've understood all along if you put up an earth station for satellite communications for telecommunications, you need it to be as close to the telecom exchange as possible, Although I've heard just recently that that may not be the case, that is the reason the application was made to put it there because there is nowhere else really that it can go around the area of telecom.

MR NOBBS Can I have a supplementary to Mr Robertson, it's just a suggestion really. What I'm talking about is encouraging signs there's nothing out the front of the shops which suggests that they park round the back because long term tourist users are parking there that was all. Can I have another one Mr.Speaker Another one I think it falls in your area Gary, it's only one question

actually. Is there any requirement to ensure that the selling of a product is as advertised like for instance the sale of cooked fish, when advertised as trumpeter or even plain local fish is there a requirement that the fish sold is in fact trumpeter or even local fish.

MR ROBERTSON Thank you Mr Nobbs. Mr Acting Deputy Speaker I too have heard those very words been spoken at different fish fry's that are occurring around the Island at different times, when a tourist is asked as to whether it's local fish and they've been assured although it's still pretty frozen and the either New Zealand or Australia is still on the packet. The Trade Practices, some of that does apply here, I'd take that little bit on notice and I can check it through for you if you like or Mr Brown as he's the legal man he may have some better idea.

MR BROWN Mr Acting Deputy Speaker there is a Norfolk Island Fair Trading Act which contains provisions similar to those in Section 52 of the Commonwealth Trade Practices Act and it is a section which is aimed at ensuring that people receive what they are told they are going to receive so it would be with little doubt a breach of our Fair Trading Act if someone was serving trumpeter having represented, with serving some other fish having represented to people that they would be receiving trumpeter.

ACTING DEPUTY SPEAKER Thank you Mr Brown.

MR NOBBS Just another question for Mr Robinson. Is it correct that the cranes located at both jetties were constructed and are maintained by our local community group comprising fishermen but the Australian Government being in control of the area makes decisions as to the usage of these cranes.

MR RIC ION-ROBINSON Thank you Mr Acting Deputy Speaker. The cranes are actually situated on Crown land and that's where the problem has been for the longest time. I've tried to excise the piece of land that they are standing on, in other words the jetty to see if we can find some way around but I haven't basically got anywhere because of the complications involved so yeah that's about all I can tell you at this stage. It's classed as a fixture to the jetty so it makes it difficult. I haven't given up I've just sort of retreated on the issue for a while.

MR RIC ION-ROBINSON Just a supplementary. Minister this is just another example of the somewhat difficult self-government arrangements, we pay and Australia seems to have all the say. Would you please progress the issue.

MR RIC ION-ROBINSON Yes I'll do what I can.

ACTING DEPUTY SPEAKER Further Questions Without Notice.

MR GARDNER Thank you Mr Acting Deputy Speaker. My question is to Mr Robertson the Minister with responsibility for Roads. Minister I understand that the Administration Works stockpile of chip material for road maintenance is now exhausted. It has been noted that there remains large wash-outs, pot holes etc island wide that are unable to be repaired due to the unavailability of road repair resources. These areas are deteriorating some are unsafe. Minister what steps are being taken to rectify this situation falling short of closing some portions of road to public access.

GARY ROBERTSON Thank you Mr Deputy Acting Speaker. Following the very heavy rainfalls that occurred in October which indeed caused a number of wash-outs on the roads and edges of roads and many other areas and properties I asked the Works Superintendent, Works Foreman to do an

assessment of the amount of rock that would be required to do the necessary repairs. As you are well aware the crusher ceased operation on the 15th of October that's the licence that was crushing under had expired. Prior to the crusher ceasing operation the Administration, or at least the Works Depot I'd asked them to do an assessment of the rock that would be required under normal circumstances to complete the necessary works within this current budget/financial year and that was done. The rock that was ordered was delivered other than one small section of it of which there was a rejection of a couple of hundred tonne of rock which was the wrong specification. During the last week or two there was a fair bit of operation at the crusher as orders were to be fulfilled from not only the Administration of course but from the community in general and there was a difficulty with the crusher at that stage where the screens that were used to get the fine rock had in fact broken down but because of the large number of orders it would have taken 3 or 4 days to complete and repair they continued to crush the bulk of the orders that were being asked for. So yes indeed the Administration did have some tonne. I asked the Works Superintendent to come forward with the report as to what was available and as at the beginning of November there was no 5ml rock, there was 230 tonne of 10ml and there was 300 tonne of 14ml rock, dust was nil and road base was 330 tonnes. When they did an assessment of the amount of rock that would be required to repair the roads they needed 200 tonnes of 5ml, 10ml was 400 tonne, 14ml was 200 tonne and the ? was 345 tonne of base. There was also a 1200 tonne or it could be 1750 tonnes we're not quite sure on that one which was base that would be required for the Young's Road which is the access road into the top of the Cascade Cliff and that obviously would have to have road metal put down on it prior to that commencement and that would have been taken place in about February and we had the Airport terminal, they needed a further 8 tonne of 10ml to be able to complete. So because of that I had discussions with the Administrator and asked if it would be possible that we could reopen the crusher to which he said "under no circumstances could that be done". So I then wrote a letter to all of the people surrounding, the reason that it couldn't be done he said was because there was a litigation letter had been received by the Administrator and I understand by Island Industries saying that there was some sort of threat there. So I wrote a letter of the 11th of November to all of those people surrounding the crusher who had complained about the noise and dust and that type of thing, over the last period of time as to whether they would be agreeable if we made an application for the crusher to be re-opened and we had made an assessment of 16 days crushing. This morning I attended a meeting with all of those people including the Administrator at which my letter was discussed along with many other issues. The result of that meeting was that the people involved decided pretty well unanimously that they would not be happy to have the crusher re-opened for 16 days and they based that on the past performance of Island Industries who they said hadn't lived up to the things that were supposed to have been done and that's what they based that on and so the Administrator of course will not open because of the threat of litigation will not allow that to happen. So at this stage there is no likelihood of the crusher being re-opened to do a specific quantity of rock. The request was for 16 days crushing. Next week, on Thursday the 26th there are 2 applicants that have put in sites for crushing of rock and there will be a public meeting under a Category 3 under the Planning Act at which will be an open forum at 5.30 next Thursday and those people wishing to crush will be putting forward their applications and submissions and the Planning Board will be listening to those that are for and against from the community. So until that stage, at this point we can't do anymore but the 16 days of not crushing, so yes indeed there is a difficulty. At the moment we're using around about 8 tonne of 10ml per day and 6 drums of molume just in the repairing the worst of the damages that are done to some of the roads. The 10ml itself is going straight into the pothole is not ideal because it needs to have 5ml on the top to smooth it off, that is being done where possible and the 330 tonne that we have in stock is fast depleting. So they will keep going, they've been doing it now for 2 weeks and they'll keep going until such time as the last of that rock is used up and repairing the worst of the damage. If we keep on getting what's happening at the moment on a continued basis well yes we will indeed have some real problems further down the track.

ACTING DEPUTY SPEAKER Thank you Mr Robertson. The time for Questions Without Notice has expired, now I have a couple of questions myself can I have a Motion for an extension.

MR NOBBS I move that it be extended for 30 minutes.

ACTING DEPUTY SPEAKER The question is that Questions Without Notice be extended for 30 minutes. Any debate.

QUESTION PUT
QUESTION AGREED

MR ION-ROBINSON NO

ACTING DEPUTY SPEAKER Do you wish the House to be called..

MR ION-ROBINSON I don't think it's necessary thank you Mr Deputy Speaker.

ACTING DEPUTY SPEAKER The ayes have it. Question time is extended for 30 minutes. Mr Buffett could you take the Chair.

MR GARDNER Thank you Mr Deputy Speaker. A supplementary to that previous question on the availability of chip material again directed to Gary as Minister responsible for Roads. Gary are you able to inform the House as to what our legal responsibilities are in the event of these damaged roads causing accidents, maybe Minister I may be best to direct that question to the Minister responsible for legal matters.

DEPUTY SPEAKER May I remind you Mr Gardner that you are not at liberty to seek a legal opinion in your Questions Without Notice.

MR ROBERTSON Thank you Mr Deputy Speaker I take that advice.

MR GARDNER I'm happy with that Mr Deputy Speaker I just would have imagined it would have been on a public document somewhere as to our responsibilities in a legal way to do with roads.

DEPUTY SPEAKER I'm quite happy if you frame the question in any way you think appropriate but may I remind you of that particular part that...

MR GARDNER That's fine Mr Buffett I'll withdraw the question.

MR BATES Thank you Mr Deputy Speaker. My first question is to Mr Ion-Robinson. Could you inform the House if your most recent visit to Australia was private or Government, and if it were Government what business was discussed.

MR ION-ROBINSON Thank you Mr Deputy Speaker. What I endeavored to do was to go over for some personal business and while I was there I was able to speak to a gentlemen in reference to the constitutional position of Norfolk Island. Nothing was decided upon at that meeting and I hope to brief the Members on exactly what happened at the earliest time.

MR BATES Yes further question just on Mr Smith's response to the airport. On a number of occasions I have sought information on rental charges for the use of airport facilities and

bearing in mind the increased maintenance, security and cleaning costs associated with the new building could the Minister inform the House where we are at with this review.

MR SMITH Mr Deputy Speaker yes we should have the results of recommendations by the end of next week.

MR BATES Further question for Mr Smith Minister for Finance. Whereas monthly financial indicators are regularly tabled it was put to me that very little is said about them in the House. Could the Minister consider giving a brief verbal report for the benefit of listeners whenever he tables such indicators.

MR SMITH Yes I certainly can do that Mr Bates.

MR NOBBS Just some for Mr Robinson. Ric at the last meeting you agreed to write to KAVHA Board expressing your support for a change in policy from what is now totally maintenance to one which will provide the restoration of buildings now currently in ruins. Has this been done and what is the response from KAVHA

MR ION-ROBINSON You've got me there Ron. I will have to check, I'm sorry about that.

MR NOBBS That's all right. Just another one. At the last meeting I questioned you on the impact on the whalebirds of a helicopter flying shuttle delivery flights to Phillip Island for Parks and Wildlife I understand. You were to see if an assessment of impact had been completed. Is the information available.

MR ION-ROBINSON Not yet unfortunately.

MR NOBBS This is another one for Mr Robinson. I asked several months ago when the Headstone Dam which is in danger of total collapse would be repaired, you brushed it off at the time saying it's obviously too wet to do the repairs and whilst it might be too wet today it hasn't been in the last couple of months really. What's been done about it.

MR ION-ROBINSON Thank you Mr Deputy Speaker. Every time we, the weather clears up the contractors are sort of not available unfortunately, so and of course now it's raining yet again so as soon as we can get to it we'll do it.

MR NOBBS Down at the Mission pool is also in danger of collapse, when will urgent repairs be made to this facility.

MR ION-ROBINSON I wasn't aware it was in urgent need of repairs.

MR NOBBS Well it is. Another on just for Mr Robinson. Are there any requirements regarding the formal construction of driveways leading from designated roads, for instance is there a requirement related to such things as clear vision or other safety requirements. Who actually approves these.

MR ION-ROBINSON Thank you Mr Deputy Speaker. Yes that's one of our anomalies here on Norfolk that Ron was alluding to before. In fact we have to ask the Administrator for permission to put a driveway onto a public road.

MR NOBBS Thank you Mr Acting Deputy Speaker. Just one for Mr Smith. George it's mid November and several months since the end of the 97/98 financial year. When will the 97/98 Annual Report for Norfolk Island be available.

MR SMITH I reckon in about two weeks time Ron, it's nearly finished.

MR NOBBS That's fine. I was a bit concerned we might end up with 3 on the trot like last year.

MR GARDNER Thank you Mr Buffett. My next question is for the Minister of Health. Minister concerns have been raised in the community in relation to a quantity of medicinal drugs that were found washed up on the beach in Slaughter Bay. These drugs included tetanus injections, calcipirine and scholine, the latter 2 I am led to believe are used in anesthetics and the other a blood thinning agent. Can the Minister provide an explanation for the appearance of these drugs on our beaches where they are from etc. I have received in the past from you at MLA meetings an answer to this question but in light of the recent discovery of a used syringe in the same area I'm seeking a public response to the question.

MR BROWN Mr Deputy Speaker I have retained a report from the Director of the Hospital, a copy of that report has been circulated to members, I'm not sure whether everyone has actually received it as yet. That was done before I became aware of the discovery of a syringe. I only became aware of that through Mr Gardner having raised it at a Members meeting in the course of the last week or so. The Director is presently away from Norfolk Island and I have been unable to contact her by telephone but in the day or so prior to her departure I did send a note to her asking her to confirm to me the procedures that are followed in disposing of syringes. My understanding is that they are incinerated and then being disposed of appropriately but I've asked for detailed confirmation of precisely what happens with them, thank you

MR GARDNER Supplementary to that Mr Deputy Speaker I'm really wishing to try and determine exactly where the drugs came from and how they happened to turn up on the beach. Is the Minister able to give me an answer to that?

MR BROWN Mr Deputy Speaker all I can do is convey to Members what has been conveyed to me and that is that the drugs do appear to have come from the Hospital. The Director believes that they have come from a store which was in the Outpatients area of the Hospital. That store is no longer maintained in that location. It is possible that the drugs were taken by a person unknown and dumped but really there is a degree of speculation in that and the only thing we can be certain about is that at one end the drugs originally arrived at the Hospital and that at another end they were found at Slaughter Bay, however, the matter is being taken most seriously by the Hospital and by the Board at the Hospital and if we can get further information it will certainly be conveyed to Members. If we can't get any further information then we will certainly be doing our best to ensure that it can never happen again

MR GARDNER Thank you Mr Deputy Speaker, a supplementary. Minister, are you in a position or is it possible to provide a list of all the drugs that have been lost from the Hospital Enterprises' stock in recent months

MR BROWN Mr Deputy Speaker I am not aware of there being a list available disclosing the disappearance of any stock. What I can say to Members is that all stock is received by the Pharmacy and my understanding is that the Pharmacy records the transfer of that stock to the

purchased at the opening of the year, how many have been charged to patients during the year and at the end of the day, be able to accurately put their finger on the number of vials of tetanus injections that would be sitting on the shelf. Is that not correct

MR BROWN Mr Deputy Speaker I have no idea. I would need to take the question on notice and make enquires. As I've just said outside of Dangerous Drugs, I greatly doubt that that would be the case but in the case of dangerous drugs it would most certainly be the case

MR NOBBS A couple for Mr Smith actually. George in relation to travel by Norfolk Island Government Ministers, is there an approval mechanism which requires a Minister to comply before they undertake official travel or undertake official business off Island

MR SMITH There is in effect. Normally when any Member of the Assembly wants to travel on official business and use official funds, normally they would approach me as the Speaker to advise that and then we would normally arrange for their travel, but it is also dependent on funds being available. Apart from that if the Minister wants to travel, I don't have to approve that of course, it is up to that Minister or for Members travelling, well they don't usually do it anyway

MR NOBBS I have some questions on the role of the Administrator and I just want to make it known that the questions refer to the role equally of the present Administrator as it does of the last, Mr Alan Kerr or to any other since self government so I'll just put that in

DEPUTY SPEAKER Yes. Before you commence just let me have a quick look at my book Mr Nobbs. Let me just quote this to you. "No Member may use the name of Her Majesty, Her Representative in Australia or the Administrator, disrespectfully in debate nor for the purpose of influencing the House in its deliberations". Could I just draw that to your attention so that in framing your questions you will be aware of it

MR NOBBS Okay. That's fine. I just want some answers, I don't want to influence the House. Is it correct that the Administrator is the nominal head of the Norfolk Island Government

MR SMITH Ron, there's different views about that. I might say at this point of your question I think you may have quite a few in relation to this. This is something that we the Government is going to clarify alot of the issues in relation to the Administrator's role with the Executive Government. Some of those questions do come up often. Mr Deputy Speaker what I'm asking Mr Nobbs is that if he goes through his questions I'll take them on notice and give you accurate responses to it if that is the tone of what Mr Nobbs is asking

MR NOBBS Given his role, in arranging travel off the Island does the Administrator consult the Norfolk Island Government or seek any approval for such travel

MR SMITH No

MR NOBBS Given the Administrator's role, does His Honour advise you as Chief Minister or your predecessors of all official business he will be conducting on his travels and the results of such discussions

MR SMITH No

MR NOBBS Is it correct that the current Administrator met with the new Minister for Territories last week during his visit to Australia and if he did, given his role, will the Government be privileged to the contents of such official discussions

MR SMITH That's a good question

MR NOBBS The arrangements that have been in place since self government relating to the role of the Administrator aren't satisfactory and I ask you what specific plans are in place to rectify this

MR SMITH Mr Deputy Speaker I can't given an accurate answer to that today

MR NOBBS Has any Norfolk Island Minister had discussions with the new Minister for Territories and if not, are there any definite plans for any Assembly Member or Members to meet with the new Minister and if not, why not

MR SMITH Okay. There's a few questions in there. Yes. Certainly Mr Nobbs, I've spoken to the new Minister, a week or so ago. I understand that Ric has also had a private conversation with the Minister at some stage. There is definitely a plan for myself and maybe Mr Robinson to meet with the Minister next week, which is what we are trying to arrange, not as an intergovernmental meeting as such in the structure that we normally have but in getting to know what each others views are. We are hoping to do that in the middle of next week

MR NOBBS I think these couple of questions come into Gary's area. Comments and correspondence from industry sources circulated to Members suggest the notion of a need to limit tourism as, and I quote "an out of date point of view". Does this mean that the tourism industry here sees itself as being one of open slather and yourself as Minister and other Ministers support this proposal

MR ROBERTSON Thank you Mr Deputy Speaker. The Tourism Industry is an interesting beast. Norfolk Island is totally under the direction of tourism in the degree that it is our cash cow in totality. We do have some minor bits and pieces but without tourism we would cease to exist. In saying that, if we have too many tourists we would cease to exist so there's a difficult figure coming into this. There has been difficulties with the airlines flying to Norfolk. The numbers have been controlled basically by the number of aircraft seats available and the flight schedules that have been put in place. In previous years we were under the fairly tight control of Ansett who would have up to seven flights per week with a 737 then they reduced that down until they were down to four and then three and then they pulled out altogether. That effectively reduced the number of tourists that could get here anyway. Then we have on the withdrawal of Ansett, two airlines coming into the place. The first one Norfolk Jet and the second one Flight West and at that stage it was decided that it was great because now there was competition it would keep the flight prices down and we would have a better service to the Island. Indeed we have, the aircraft is smaller, the flight schedules have been basically one or in some cases two or even three flights per day and I'm not taking New Zealand into this equation, they've been flying basically two flights per week over the past five years and they continue to do so. So we now have a situation where we have 35,000 tourists odd coming in last year in numbers, I guess this year we'll probably get about 36-37,000 and we have aircraft scheduled which have a capacity for around about 64,000 if all seats were full. If we turn around and reduced the number of airlines down to one then you would effectively reduce the number of seats available and you might have a viable airline I suppose. Once you have a viable airline, who controls the price? You don't have any competition and the price goes up. Maybe that will control the number of people coming in. There are a huge number of issues

that come into this. We've got a number of accommodation proprietors on the Island or people who currently own accommodation and those who have applied for more. We have a number of small units being requested on the Island and depending if they pass through the Planning Board and the specifications that are required in that area, if they pass all that sort of stuff then they'll get up and running. Each of those use a little more of the infrastructure around the Island, or you can reduce it down to increasing the number of main larger establishments who already have a lot of infrastructure in place and put extra units on them so there's no real extra need or extra land used up in that equation so it is a fairly extensive question and one which is currently being looked at. I have the meetings looking at putting in minimum standards for accommodation to ensure that those that do proceed with whatever they are doing, that they conform to what we feel in reasonable accommodation minimum standards. They have to conform with the catchment of water which hasn't basically been in place before to ensure that the natural resources from the Island's groundwater is not used up but they have to catch a lot more than what has been done in the past. There is a meeting on Friday with the executive of the APA who have replied to the minimum standards requirement paper that we sent to them. Their members have looked at it and they have come back with a number of suggestions. We've had another look at that from a legal perspective and on Friday meeting I am meeting with the executives to discuss both sides of the story and once we get that we'll redo the paper and put it back into the House, but with all of this it just means that it is something which is being looked at as to just what the magic figure is. I don't know what it is. As I said to you before, without tourism then George's budget blowout would be something horrific. With too much tourism then we have problems within our infrastructure in the community and the Island. What the nice balanced figure is I'm not sure. We've spoken about the young ones leaving the Island because there's nothing here for them. They've got to. There's no industry that they can do there's nothing to perform with and our industry at the moment is tourism and that at least is keeping some of them here and in fact bringing some back in some cases so all in all, all of those things are being looked at and whilst there is pressure coming in from one area there is pressure coming in from another and I guess we have to take a balanced view at the end

MR NOBBS Just another one. You're in charge of liquor aren't you. Is it correct that the Brewery Bar is not licenced under the provisions of the Liquor Act and if this is so, how is the bar allowed to operate and what controls apply to the operation of the bar

MR ROBERTSON Thank you Mr Deputy Speaker. The Brewery is a totally separate issue to most other things within the liquor side of things. When it was first applied to brew the liquor a number of years ago, it was sort of in one of those too hard baskets and I refer to the question earlier one from Mr Adams when he asked what was happening within the liquor selling and so forth, and I said that we had started a review looking into all facets of the industry including the licencing. I understand that the Brewery currently works under a special licence which is issued every six months. They are not allowed to bottle and they are not allowed to sell take away and in fact I think they were recently doing some of those sorts of things and were stopped. Under the licence they currently operate it's certainly not conducive to increasing the business. You may recall that there was sometime ago, a Business Plan circulated to all Members which came in from the Brewery in which they put down a number of things as to what they intended to do and what their plans were and what their restrictions were and what current restrictions would apply to them, and licencing applied to them was having an effect. I think the Government was asked at that stage whether or not it would support a new business, whether we supported local industry and all of those issues came up. I have spoken with the Brewery, probably about two months ago and since then Anna Evans was managing, she has now left and it's been taken over by another group. They, I understand, have rung George on a couple of occasions in recent times, asking about the licence again and I have taken that up definitely with the review of licences, to get the whole lot sorted out because it's not just them. There are other licences involved

DEPUTY SPEAKER
expired.

Honourable Members, time for Questions Without Notice has

QUESTIONS ON NOTICE

We will move to Questions on Notice. There are three Questions on Notice this afternoon. Is there an intent to tackle those

MR SMITH

Mr Deputy Speaker I do have an answer to a Question that was put on Notice by Mr Adams. At the October Sitting of the House the following question was on Notice. Mr Adams asked a series of questions. Could the Minister please inform the House as to the total number of ride-on lawn mowers including tractor mounted or drawn mowers (not including slashers) listed on the Public Sector Asset Register, including the three mowers recently approved by the Tenders Board for purchase, in addition to providing the following information:- 1) The make and size of cut of each lawn mower 2) The cumulative purchase cost of ALL such lawn mowers 3) Table the information provided in response to these questions after so informing the House 4) Provide to the House an explanation of the overall agreed policy in the area of lawn mower best use, global efficiency and utilisation that the Norfolk Island Administration is required to work to 5) Provide an explanation to the House as to how this Policy ensures efficient expenditure of tax revenue 6) Table a copy of the abovementioned policy document after its reading. Mr Deputy Speaker I'll table the make and size of cut of each lawn mower now. In response to the detail as to the total number of ride-on lawn mowers including tractor mounted or drawn mowers listed on the Public Sector Asset Register and also provide a summary of those details. In the cutting width of mowers we have two that are 24 inch, one that is 30 inch, one 38 inch, two 40 inch, four 48 inch, one 54 inch and two at 72 inch. The cumulative cost of all such lawn mowers is \$160,929 and I go on to say that at present there is no overall agreed policy in the area of lawn mower best use, global efficiency and utilisation that the Norfolk Island Administration is required to work to. As the Administration is under the control of the CAO and his officers it would be expected that the people in the Administration would ensure that those who manage their sections where these resources are utilised, they would do so in a manner that ensures efficiency of operation and utilisation. It has raised a question that was raised by a previous CAO to review the overall ground maintenance requirements in that area, but I understand that this has never been taken up. Therefore there is no policy that I can actually table for you Robert but I can give you the details on the mowers and the advise that I've received. The only thing I can add is that after talking to people who work in the areas where the mowers are used is that if you have a gang of people going around and mowing lawns, what do you do with them if its raining. The other side of that is if you have people actively employed in the workforce in the areas where there's lawn mowing done, there are other things that they already do and I think that's where the efficiency question may be coming from with Robert. Take the airport for example, which is a high priority mowing area where it has to be mowed regularly and you never know when its going to be mown, that of course depends on the weather, but when those people aren't mowing there's plenty of other things for them to do, like looking after the runways and things. However, if Robert is not happy with what we've been able to provide today I will certainly welcome him putting some more points to me or some more questions along those lines. I'm happy to do that thank you

MR ADAMS

Thank you Mr Deputy Speaker supplementary to the Minister on that one. Minister is it a fact that the situation really is that in spite of the fact that the Administration of Norfolk Island is the Islands biggest employer at around 200 people, it has a wage bill of \$4.5m per annum, it owns roughly \$160,000 worth of lawn mowers, there's no policy around anywhere to ensure global efficiency and better utilisation of those mowers

MR SMITH To put it simply, I don't think so as I understand it, in that context Robert but I think what I was saying before is that the efficiencies in how these areas are managed, one would expect that they are managed in the most efficient manner when it comes to the services that are provided by the Administration

MR ADAMS Thank you Mr Deputy Speaker. A supplementary. Minister could you assure the community that that is the absolute best that the senior management of the public service and the ministry of this Assembly can do on behalf of the tax payers of Norfolk Island

MR SMITH That's an interesting question to ask me because of course I have to assure you that that is right to show that there is confidence in the people who work in the public service under the Government. However there may be deficiencies and I think that's where you may be coming from Robert and if there is well we may need to look seriously at it and maybe we need to review the whole think

MR ADAMS Thank you Mr Deputy Speaker. A final supplementary. Will the Minister undertake to do that

MR SMITH Absolutely

DEPUTY SPEAKER Further responses to Questions that are on Notice this morning

MR ROBERTSON Thank you Mr Deputy Speaker. I have Question No 33 in my name. The question is that for the quarter 1 July 1998 to 30 September 1998 would the Minister please supply details, including date, name of person, reason exemption given and airline involved, in respect of those persons who were granted exemption from payment of the airport landing fee. Mr Acting Deputy Speaker I table this document. For the record the summary took one member three and a half hours, thank you

MR NOBBS Could the Minister please tell me how approval is given for these sorts of things

MR ROBERTSON Thank you Mr Deputy Speaker. The Members will recall that some time ago, at the beginning of July I think it was, June or July, there was some confusion within the applications and requests for exemptions from landing fees. The document was circulated to all Members in which there was basically an application form which was to be used by each of the airlines that wished to use this facility and that prior to the travel they would write down the name and address, the reason and so forth of persons putting in the application. That then goes to the Bureau and the Bureau checks to make sure where it is by either press or television or personnel from an airline or whatever the criteria area and which criteria it falls into, checks and makes sure that that is indeed so and they in turn fax that down to the Accounts Department. The Accounts Department then takes note of that at the end of each month and as it is on record it is able to be viewed and checked out by the Auditors on their periodic checks should they wish to do so, and that's how it is arrived at

MR NOBBS So you spoke of audits. That was my next question, how these things are audited because I would have thought that there would have been a compiled list and three and a half hours each quarter wouldn't be a very long time would it

MR ROBERTSON Mr Nobbs these lists have been done by hand from the Accounts Department. They have a complete list but as far back but it would mean that we would have something like 3-400 sheets of paper sitting in front of you. You wanted it all in one list, you've got it in one list

MR NOBBS On this sort of thing, I'm not having a go at you Gary but the thing is, can't this sort of stuff be put on a computer and a list taken every quarter and supplied to the Assembly and that would shut me up

MR ROBERTSON Thank you Mr Deputy Speaker, we've gone one stage further than that. This is going to be supplied once per month

DEPUTY SPEAKER That has concluded Questions that are on Notice this morning Honourable Members

MR SMITH Thank you. I refer to Question No 32. A question from Mr Nobbs. Would the Minister please table details of travel funded by the Norfolk Island Government (that is, travel by Members of the Assembly, Administration employees, Norfolk Island Government contractors and employees of statutory authorities) for the quarter 1 July 1998 to 30 September 1998 and include for each person actual details of travel including means, destination(s), reasons, cost (itemising actual transport and travel allowance) and advise if a report on each trip is available. Mr Deputy Speaker I subsequently instructed the Public Service to present travel details of the Assembly and other revenue funded entities, Government Business Enterprises, statutory bodies for example the Hospital and Tourist Bureau and other agencies. That information has now been provided and I advise as follows, that the summary of all the travel expenditure for the period 1 July to 30 September 1998 is as follows. The total of \$37, 468.22 and that is made up from GBE's and the Airport, \$3232, Economic Services \$1702, Telecom \$2452 and the Revenue Fund the Accounts Section \$1754, Corporate Services \$4989 the Legislative Assembly \$15,221, Policy and Projects \$1901.95, Norfolk Island Hospital \$3916, Norfolk Island Government Tourist Bureau \$4002.27 which gives that total of \$37,468.22. Mr Deputy Speaker, in accordance with Mr Nobbs wishes I table a copy of the detail that make up the travel, showing details of who travelled, where they went and for what purposes

MR NOBBS Is that detail possible to be supplied, I don't know about monthly, but at least quarterly

MR SMITH I think that is probably a reasonably good idea because you are going to ask for it anyway if we don't. Maybe we can put it on a regular basis, but certainly Mr Nobbs' I'll take that up

MR ADAMS Thank you Mr Deputy Speaker, a further supplementary to that question and answer. Minister did any of those people who travelled on taxpayers money, did they accrue frequent flyer points or other benefits to themselves after say, travelling on taxpayers money

MR SMITH I am unable to give you an answer to that as it wasn't part of the question and I don't know, but do you want me to check that

MR ADAMS A further supplementary Mr Deputy Speaker. Minister are you concerned about whether or not people are accruing benefits for themselves out of this travel process on behalf of the public purse

MR SMITH I'm not sure really. Because if somebody is in a frequent flyer scheme which is what you are referring to, they would have to pay for that themselves as I understand it. That's not correct? Mr Brown is shaking his head. I assume that if they were in a scheme themselves then. I'll need to take it on notice

PRESENTATION OF PAPERS

Are there any Papers to present?

MR BROWN Mr Deputy Speaker I have spent a few days of this week on the mainland and the whole of that time has been spent on Assembly business. One of the meetings which I attended was a meeting with Bronwyn Paddick who is a lawyer who has been assisting us with the review of our immigration system. I table a document entitled Overview of Norfolk Island's Migration Law Initiative which is intended to provide a simple explanation of what has been done to date and this document will enable Members to make sense of the large volume of pages which I've distributed in recent times

Mr Deputy Speaker I table the audited Financial Statements for the Norfolk Island Hospital Enterprise for the year ended 30 June 1998

MR SMITH Thank you Mr Deputy Speaker. I also table the audited Financial Statement for the Administration of Norfolk Island to 30 June 1998. The Auditors Report is inside that.

I would like to table the Financial Indicators for the month of September and also October. I take Brian's point that he asked me this morning as to whether I should talk more about those and I promise I will do that from now on when I table the Financial Indicators

MR NOBBS May I ask that they be noted, the Financial Indicators

DEPUTY SPEAKER The question is that the Financial Indicators be noted

MR NOBBS Mr Smith are you concerned that for the four months to this year that issues like the capital works and purchases is \$422,000 and the budget is \$256,000 and for last year in that particular time, we spent \$63,000

MR SMITH Thank you Mr Deputy Speaker. No. The way that the Indicators work, I will just go through it with you. Customs Duty for example, at this time of the year it can be up or it can be down. Mostly it depends on the time of the year. The same with capital purchases. A lot of vehicles and things were purchased in the early time of this financial year as opposed to last year which would show up in that area there. There is also Burnt Pine type expenses wherein we may have purchased piles of metal at the time so no I don't have a concern about those types of things

MR NOBBS Supplementary to that, so that means you'll be selling something George to get your money back to budget level

MR SMITH In which area are you talking about Ron

MR NOBBS I don't know. I might have it wrong but if the budget... Oh. Sorry. For the four months of the financial year. Sorry. Yes I see that

MR BATES

Thank you Mr Deputy Speaker. I was a little bit disappointed that the Finance Minister tabled the completed audited Annual Financial Statements without commenting on them. I think that is a little bit of a disservice to people out in the public who might like to find out how we have gone. I guess it's a bit late for that as we didn't move that they be noted but on that basis I haven't got mine with me but I was a little bit interested in the Workers Compensation Scheme where we repeatedly pay out about \$70-80000 in reinsuring ourselves against what in the last couple of years has been about an \$8-9000 claim against that money and also that fund has accumulated cash reserves in excess of \$200,000. The amount of money collected from employers as opposed to the benefits to employees is quite a large margin if you look at it carefully. Some of the money goes into administrative costs and that's fair enough, somebody has to administer it in the Administration. Some of it was going to consultants, I'm not too sure if that's still happening but a big chunk of it is going straight offshore by way of reinsurance. I just think that it is time that we reviewed some of these things. It may be prudent to drop the insurance. We now have a history of that fund over a number of years. It is building up reserves but there are a few matters I believe is within the total financial area that does need some review. I've constantly talked to Barry about a review of fees and charges and I've spoken about that to three consecutive Ministers for Finance and nothing has happened and I think even to look at the revenue fund figures for the last financial year you will see that the revenue from taxes have increased, the revenue from profits from our undertakings or Administrative Services Fund has increased but the revenue from our services, our straight out services which we charge a fee for service, has decreased and I think that speaks for itself. I know it's a small part of our overall revenue stream but even if it is a small part I'm fairly certain that the Administration is carrying out a number of services that should be self funding, at a loss and I think it is time that we really rather than just tabling our performance that we discussed it in a bit more depth and looked at some of these issues. Thank you Mr Deputy Speaker

DEPUTY SPEAKER
Statement on Financial Indicators

The question before us is that that Statement be noted. That is the

QUESTION PUT
AGREED

The ayes have it thank you. Are there any further papers to present this afternoon

MR ROBERTSON

Thank you Mr Deputy Speaker. I table the Inbound Passenger Statistics for October 1998 and move that the paper be noted

DEPUTY SPEAKER

The question is that the Paper be noted

MR ROBERTSON

Thank you Mr Deputy Speaker. Ron made mention ago regarding the exemptions as to why it can't be put into computer. If you look at the Inbound Passenger Statistics for the month we have 3910 and in actual fact there should be a reduction of 168 people on that because they are the day trippers. The figure is 3742. We have looked at the possibility of having those day trippers put into computer so that we can get some figures spat out and that is currently being looked at to see if the programme can be changed so that those people can be taken in because in actual fact on a twenty four hour basis they don't really come into the equation of the number of visitors touring the Island. The benefits we get from that is the \$25 departure fee is not there but they do have to pay us a landing fee so that is where the landing fee comes in on that one. But they are obviously leaving money on the Island, even though they are here for a short period, they do actually leave money but they are not in that equation so the figures that are actually left, and I looked at this the other day, the October 1998 or the financial year to date there is 13569, that is actually not correct. In July there were about 230 odd that came off the July figure, there's 160 out of this one and I haven't got the other two but I'm getting that looked into now so that we can get back to a proper figure. I rest my case

AYE

DEPUTY SPEAKER

Fine, leave is granted in that particular instance.

MR NOBBS

I thought I was going to get out of it. The conference commenced with the 18 small countries conference confined to delegates from Commonwealth States which have a population of less than 400,000. Over 70 delegates from 31 countries attended. This conference, 4 sessions over 2 days debated four subjects. I spoke in three of these sessions. We then moved into the full CPA assembly with delegates from some 127 parliaments throughout the commonwealth, each with usually more than 1 delegate. The biggest delegation from one parliament was 19 from Kuala Lumpur. The first session was taken up with the 21st meeting of the CPA general assembly, we then attended a series of panel discussions on a wide range of subjects. This was followed by a very interesting seminar on the economic and public sector reforms of New Zealand, reforms commenced by labour and then followed, strengthened I guess by the National Government. We then moved to plenary sessions and the subject for these was globalisation, its impact on Commonwealth Governments and Parliaments and this was debated in 2 plenary sessions of the whole Assembly. Most speakers concentrated on the economic issues, I spoke on the subject, using as my topic globalisation as it impacts on changing global weather patterns. Mr Speaker the whole exercise was very interesting, most of the issues debated and particularly those in the small countries conference were interesting and affect Norfolk Island. The problem I had was that we could talk and even agree but it went no further. We actually tried to move Motions but it's not the done thing. However there will be a major overhaul of at least the small countries conference procedures and I would like to have some input into that review when it commences, as the small countries conference is a forum which could and should be of great value to this island. Papers from the conference are available to Members and others should they desire to peruse them. Thank you.

DEPUTY SPEAKER

Thank you. Are there any further Papers this morning, sorry Statements Honourable members, we're at Statements. We have concluded Statements. Honourable Members the Speaker has received the following message from the Office of the Administrator.

MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR - 137

DEPUTY SPEAKER

On the 14th of October 1998 pursuant to Section 21 of the Norfolk Island Act 1979 I declared my assent to the Criminal Law Amendment Act 1998 which is Act No. 21 of 1998, dated the 14th of October 1998, A.J. Messner, Administrator.

REPORTS FROM STANDING SELECT COMMITTEES

NOTICES

NOTICE NO 1 STANDING ORDERS COMMITTEE RECOMMENDATIONS TO AMEND STANDING ORDER 78 (5)

MR SMITH

Thank you Mr Deputy Speaker. I table the minutes of the proceedings of the meeting on 4 November 1998 of the Standing Orders Committee and seek leave to move a Motion standing in my name on the Notice Paper in the amended form foreshadowed on the programme.

ACTING DEPUTY SPEAKER

Is leave granted

AYE

ACTING DEPUTY SPEAKER Leave is granted.

MR SMITH Thank you Mr Acting Deputy Speaker. I move that the time constraint presently in Standing Orders 78 (5) be amended by deleting the words "30 minutes" and substituting the words "60 minutes".

MR SMITH Thank you Mr Acting Deputy Speaker. For quite some time, probably since the beginning of the Assembly the Standing Orders has ruled that 30 minutes is the specified time for Questions Without Notice and for years it's been asked if the time could be extended for Questions Without Notice. It's been brought to our notice in recent meetings by Mr Ion-Robinson that we weren't actually following the rules because you really needed to seek leave to extend Questions Without Notice time and I was asked in the last sitting of the House whether I would bring forward a Motion that would change the system a little bit. The Standing Orders Committee met and decided well seeing most Questions Without Notice times go for an hour or usually less that we would just extend the time to 60 minutes instead of the 30 minutes that's in the Standing Rules book and therefore there is the Motion.

MR GARDNER Thank you Mr Bates. I'd just like to correct the Chief Minister on that Statement in regard to the recommendation from the Standing Orders Committee. Originally and it appears on the yellow Notice paper that the recommendation from the Standing Orders Committee was that the time constraint presently in Standing Orders 78 (5) be removed. I just thought I'd best correct you on that Mr Chief Minister.

ACTING DEPUTY SPEAKER Further debate.

MR BUFFETT Mr Acting Deputy Speaker in this matter there have been 2 components, one relates to the time, whether it be 30 minutes, 60 minutes or an unlimited time and secondly the method that is how you put whatever agreed time there is into practice, and really it's the second part, the method that initiated this matter. It was done so by Mr Robinson as the Chief Minister has already mentioned. But really that component has been somewhat overtaken by the debate on the time factor, to the extent that in offering these amendments that are coming forward to us today we've really bypassed that particular component all together which means that I'm going to make a proposal to you that we have a further amendment to take that factor into account in a moment. But for the time frame first. I really think we need to extend the time frame, 30 minutes presently is expressed in the Standing Orders and if you will just not how we've been going of recent times. We've gone certainly beyond that half hour arrangement and usually we've done it bit by bit which is untidy. I also think that on a reasonable assessment maybe 60 minutes, that's double the present time that we've got on our books at present, might adequately do for us. The time frame that it does take for Questions Without Notice obviously will vary from Assembly to Assembly. Some of us are more talkative than other, some do more research and want to know about things and if you just look at the 8 Assemblies you will see that that has varied significantly over the time. But I think the arrangements for 60 minutes is something that may well cover, give good coverage for those things that need to be raised and certainly that would be better than the bit by bit extensions which we have been doing at present which is rather untidy. Also if specify say a time of 60 minutes if questions are exhausted before that time then we would automatically cease and we would flow on to the other business of the day. Some people have mentioned around the table, although not necessarily as yet in the debate that there may be an open ended proposal and that was the allusion that Mr Gardner was just referring to. This would mean that you would have to make a Motion to halt the process and that could be interpreted that you might be

trying to gag the process, now that wouldn't necessarily be the case but it would be open to that interpretation and indeed some Members may not wish to be placed in the position of having that interpretation made of them, and I think therefore if you have a reasonable time frame for example an extension to 60 minutes that is proposed and given the practice that we have had to date that that covers most situations that that may be the better way to go. I really don't think this is a major issue to go to war about but I think both methods do have their values, but if I had to choose I would choose the extension to 1 hour, the 60 minute arrangement. Now to the method, the method to achieve this. We really don't have any proposal in front of us to change the existing and the existing provisions of the Standing Orders are for 30 minutes, which might be extended to 60 if we so agree today and then a rigid full stop, and to do anything other than that you technically need a Motion to put aside so much of Standing Orders. The reality is, as we will all know Mr Acting Deputy Speaker is that by agreement of the majority of the Members around the table reasonably quickly we extend for a specified period. Now that's not in the Standing Orders but by agreement of Members this is an expedient and has been found an acceptable method of extending. Now that was the issue that was raised by Mr Robinson, were we extending the question by the correct method. I say that to give substance to our present practice and that's still assuming that we might have an extension to a 60 minute period instead of the present 30 minute period. I propose that we add as an amendment to what is front of us words like this "which may be extended for a nominated time by agreement of a Motion without notice". In other words it say we can do pretty much as we have done to date. That will answer Mr Robinsons initiation of the difficulty, and it will also pick up the matter of giving a more realistic time where we have identified that it is not very realistic at this moment. And so if it's appropriate Mr Acting Deputy Speaker I would move those additional words so we might just talk about them now which addresses the matter of method and then equally we would have to address the matter of time.

ACTING DEPUTY SPEAKER In as much as you may need the leave of the Chair to move that amendment leave is granted Mr Buffett.

MR BUFFETT Thank you very much Mr Acting Deputy Speaker. And so I move those additional words which we add "which may be extended for a nominated time, by agreement upon Motion without notice".

ACTING DEPUTY SPEAKER Is there any further debate.

MR RICHARDSON-ROBINSON Thank you. I think that adequately clears up the problems I had with the way we were doing things. If it's not in Standing Orders and we don't abide by Standing Orders then we may as well throw out Standing Orders all together because anything that becomes a habit seems to carry on and on. I definitely support the Motion and the 1 hour.

ACTING DEPUTY SPEAKER Is there any further debate.

MR NOBBS It doesn't really worry me Mr Acting Deputy Speaker but I just want to say that question time in my view is purely an information session, it's nothing more and nothing less and it should not be thought of as trying to show Ministers up or any one upmanship. I believe that if the people in the community have questions, others probably have the same and it's an ideal opportunity to disseminate information but just one word on this question time, if I may, if Ministers can't answer questions and say so that's fine but they should answer them at the next meeting, not conveniently or plain forget about them and I really can't help it if we have to keep asking questions, the same questions over and over again to get an answer. As I say it doesn't worry me but I would hate to think we were at all gagged on question time.

ACTING DEPUTY SPEAKER Thank you Mr Nobbs. Is there further debate. There being no further debate then I put the question that the amendment be agreed to.

QUESTION PUT
QUESTION AGREED

ACTING DEPUTY SPEAKER The ayes have it. I now put the Motion as amended to members. Is there any debate.

QUESTION PUT
QUESTION AGREED

ACTING DEPUTY SPEAKER I think the ayes have it.

NOTICE NO 2 - THE NORFOLK ISLAND ACT OF 1979 - AMENDMENT OF DESIGNATED EXECUTIVE OFFICERS

DEPUTY SPEAKER Notice No 2 Honourable Members, Norfolk Island Act 1979 - Amendment of Designated Executive Officers.

MR SMITH Thank you Mr Deputy Speaker. Mr Deputy Speaker I move that for the purpose of Section 12 of the Norfolk Island Act 1979 the resolution of the Legislative Assembly made under that Act on 5 May 1997 be amended a) by deleting the designations Minister for Health and Immigration and Minister for Community and Resource Management and b) substituting the designations Minister for Health and Minister for Immigration and Resource Management respectively and 2) For the purposes of Section 13 of the Norfolk Island Act 1979 a) the appointment of John Terence Brown be to the designated Executive office of Minister for Health and Immigration and Cedric Newton Ion-Robinson to the designated Executive office of Minister for Community and Resource Management be terminated and the Administrator be advised accordingly and b) John Terence Brown be chosen to be appointed to the Executive office designated Minister for Health and Cedric Newton Ion-Robinson be chosen to be appointed to the Executive office designated Minister for Immigration and Resource Management and the Administrator be advised accordingly.

MR SMITH Thank you Mr Deputy Speaker. This Motion is a result of a request from the Minister for Health and Immigration to pass over the portfolio of Immigration to Mr Ion-Robinson and this is the way that we do that.

ACTING DEPUTY SPEAKER Debate

MR RIC ION-ROBINSON I move that the question be put.

ACTING DEPUTY SPEAKER The question is that the question be put.

QUESTION PUT

ACTING DEPUTY SPEAKER Would the Clerk please call the House.

MR SMITH NO
MR BUFFETT NO
MRBATES NO

MR BATES Thank you Mr Deputy Speaker. That is my opinion Mr Deputy Speaker. That is all it is

MR BROWN Mr Deputy Speaker I think I'm entitled to an answer to my question. Is that the allegation

MR BATES Mr Deputy Speaker what about the Point of Order No 62 please

DEPUTY SPEAKER Yes. What are you drawing my attention to Mr Bates

MR BATES Can I read Point of Order 62 and we'll see if it fits. 62 says all imputations of improper motives and all personal reflections upon Members shall be considered highly disorderly

MR ION ROBINSON ...and you've just made one against Mr Brown in that you are saying that

DEPUTY SPEAKER Order. Order Mr Robinson. Mr Bates if you are drawing my attention to that particular Standing Order in respect of Mr Brown I do not sustain your Point of Order

MR BATES On that basis Mr Deputy Speaker I still refuse to answer him on that or any other matter and I don't owe Mr Brown anything.

MR NOBBS Thank you Mr Deputy Speaker. It was my intention not to support what was originally proposed in the allocation of portfolios and the reasons are simply this. Following the last election I was concerned and expressed it, at the fact that Mr Brown was given law matters and immigration. I was assured there would be no conflict. However several months later I expressed concern in an MLA's meeting at the difficulty I had in relation to Mr Brown being Minister responsible for legal matters and immigration in view of his continuing to practice as a lawyer. This received no support however, well over twelve months later my views have not changed. In fact, I'm more convinced than ever that it is wrong. Mr Brown eventually gave up police, now he proposes to give up immigration. However on the proposed list of ministerial portfolios Mr Brown would still retain legal matters including civil proceedings by and against the Admin, courts, legal aid, censorship, corporate affairs that is companies and registration of professions. I ask Sir, what sort of a joke is it when you have a practicing lawyer, a known company executive running the courts and companies office. We hear of complaints of public servants being allowed to stand for the Assembly and I don't wish to get into that matter at this stage but it is a fact that public servants are required by law to resign from the Public Service if they become a Minister. No such law applies to others. Mr Deputy Speaker I will be supporting the amendment proposed by Mr Bates on several grounds. The first I've already outlined, and I think that the second involves Mr Brown's performance which in my opinion has not been what I would have expected from one who has had considerable experience as an MLA, I believe just over 14 years and nearly 8 of these as Minister. I don't wish to be accused of finger pointing at Mr Brown but I feel that if I'm voting against it I must give some explanation. My questions in relation to the hospital drew the information that there was no Hospital Board running the Hospital as required under the Act for a period of some 3 months. During this time as Minister Mr Brown continued to run the Hospital and directions were given to the Director, not the Board so it was assumed he was aware that the Board was not operational. I believe my questions prompted the Minister to appoint a full Board otherwise the position may have been allowed to continue. There are other issues such as lack of communication with Members, his attempts to rush things through, everything seems to be at the last minute and I could go

responsibilities in line, as much as possible with the lines of business in the Strategic Review. There's no point in having the whole Motion, the substantive Motion unless you sit back and look at the end results. So I would like to seek leave of the House to move that at the February meeting or December meeting of the legislative Assembly all Ministerial positions be declared vacant and the list of responsibilities more in keeping with the Strategic Review be implemented. That's all I'll say for now thank you Mr Deputy Speaker.

DEPUTY SPEAKER Yes could I just clarify your bit about a Motion Mr Robinson where there is a Motion before the House at this moment I am not able to..

MR RICHARD ROBINSON I understand

MR BATES Thank you Mr Deputy Speaker. My amendment is not a sacking Motion. 2 (a) of it clearly declares 2 positions in this House vacant, it changes their name and declares them vacant. Just like the beginning of any Assembly when positions are vacant there's some lobbying done about filling those positions. I am suggesting that due to certain circumstances and I've alluded to them I do not have any confidence in one particular Members being appointed to a new position. That's personal, I don't have the confidence. I don't really need to explain that to anybody other than myself that I do not have the confidence and I do not have the confidence because of the events in which I have already alluded to. Assuming I'm right and I do have cause for concern and Mr Brown were to remain in that position until February I have to ask the question is there any unfinished business laying around that what's the magic in February that Mr Brown would like to get on with and tidy up before February. I think there could be but again I don't know what the magic in February has been but having stated that I don't have any confidence in Mr Brown as a Minister for things that I believe are marginal, are grey areas then I cannot support him holding a portfolio, the longer it happens the more damage that could be done if indeed I am right. On the other hand if my concerns are ill thought out or not correct then I think I'd be the first one to apologise to Mr Brown if I found out I was doing him an injustice. But for him to continue in the portfolio until February while we sort it out is certainly not tolerable to my extent. I wouldn't have any difficulty with him being appointed in February if all my concerns are proved to be just Brian Bates' imagination and I'd be the first to apologise but I just cannot just continue to allow him to stay there at the present time in my opinion. Thank you Mr Deputy Speaker.

DEPUTY SPEAKER Further debate.

MR RICHARD ROBINSON Would it ease your mind a little Brian if I change that to December, rather than rush in and do this patch up job on a patch up job which is basically all the original substantive Motion is.

MR BATES Mr Brown has no more been sacked than you have. It's the point of the vacant positions that I'm talking about.

DEPUTY SPEAKER Further debate Honourable Members.

MR NOBBS I don't think it's actually a patch up job because the whole process of dropping of Police was just done and you know that's fair enough and now Immigration's gone because there was some sort of problems there and all these sort of things well what's the difference to what's happening now I mean the positions will be vacant and there's a re-appointment and John if he does will either run first or second on the vote of the Assembly like you did when you were first elected here 18 months ago. That's all.

DEPUTY SPEAKER

If there is no further debate Honourable Members.

MR BROWN

Mr Deputy Speaker I'm fascinated. Brian has brought forward a Motion and has alleged that I have improperly signed a visitors permit. Brian has been on the Immigration Committee for a long time and he's been in this House for a long time Mr Deputy Speaker. Visitors permits are signed by the authorised officer, they are not signed by the Executive Member. The only time an Executive member gets involved in a visitors permit is if there is an application to extend the visitors permit. I full well know the situation that Brian is talking about. What we have is a situation of absolute racial prejudice. That's what this is really about, racial prejudice and it's a very sad day that that is being used as an excuse to pull the stunt that Brian's attempting to pull today, but I do hope that he will go and check his facts eventually and when he does he will find the permit was signed by the authorised officer, it wasn't signed by me nor was the decision made by me, nor was the decision influenced by me.

MR BATES

I beg your pardon

DEPUTY SPEAKER

Order. Mr Brown you have the floor.

MR BROWN

Yes I said the decision was not made by me, the decision was not influenced by me. Brian has complained that I work from my office up town. I find it much more productive, I have my library there, I provide my own secretary, I provide my own copier, I provide my own fax, I provide my own phone. I probably spend in the course of the year the whole of what I receive in Assembly and Executive pay. Now if I was to move down here and expect all of my work to be done down here I would expect the telephone to be answered promptly, which isn't always the case Mr Deputy Speaker because people can be busy and I would be expecting my work to be attended to promptly. Frankly it would require the appointment of at least one additional person. I have not had one person say to me that it is inconvenient to see me in Taylors Road, if it is inconvenient I'm always very happy to come down here, but frankly I can't think of a single person who has not found it more convenient to speak up there than to travel all the way down to Kingston. Ron has continued to complain about the Hospital Board. The Hospital Board existed Ron, I've told you that before. Sure it didn't have sufficient members to form a quorum and there was some difficulty in my mind in selecting appropriate people for appointment. There wasn't a need for the Board to sit during the period when it couldn't have a quorum and if that need developed it wasn't a big deal to make the necessary appointment. I'm not sure what your talking of when you go crook about management skills, I don't profess to be the world's best manager, I don't really think I'm the worst. But in terms of full time work at my task, I'm not sure what you would define as full time. If within the Administration full time is 37 and a half hours a week I work a hell of a lot more than that on Assembly business. You complained Ron about my handling the police portfolio. You'll recall that we all discussed this very early in the peace and I told Members that if I was going to handle the police portfolio I would not be accepting instructions to act in Police court matters and that's what I did and you might remember that the reason I suggested that we change that in recent times was that one of the local Lawyers who had been available to handle Police court work retired, and I felt that there was a need for someone to be able to take instructions in that area, and for that reason the Police responsibility was transferred to Mr Robinson. The Immigration situation was identical, I did not accept instructions in immigration matters while I held the responsibility for Immigration and if I found at any time I was making a decision in relation to people for whom I had provided legal services at any time in the past, I referred that decision to another Executive each time and the reason that I asked for Immigration to be transferred to another Minister was not that I had a conflict of interest, it was in order to ensure that people's applications were dealt with as expeditiously as possible because I was finding that the number of occasions when I referred decisions to other Ministers was higher than I would have liked. Now I make no apology Mr Deputy

MR SMITH

No I was going to say that, it may not surprise you but if we look at the Motion non emotionally and look at the fact that we're here to look after the community, I'm not saying that you don't, I think you do in a lot of ways but there are times when it's probably better when you aren't in that position of being tied between the Government and the community on decisions that need to be made. I'll just move off that for the minute and just talk about what Ric has mentioned about moving or changing portfolios in February. Since we've been in the Assembly our first twelve months went reasonably well and we've done a lot of work, we've done a lot of things then there was an element that came out that people may not have the right portfolios. I believe that we did right from the start. I believe that each of us was doing the best that we could in the portfolios however, I was in a situation similar to what Mr Brown is in, not too long ago and of course I'll always be in that situation where it can happen to me. At that time it was said that I was trying to do too much and I not absolutely willingly, but dealt out some of the portfolios that are normally handled by the Minister for Finance, but I didn't mind because if it was going to improve the performance of the Government but I'm a bit disappointed to hear now we are going to throw all the portfolios up in the air when we'll have less than seventeen months to run our time. I think that would be a silly move and I wouldn't support that Ric. I don't think there's any sense in that at all. Putting things off til February doesn't make any sense. Finally John, you've rightly said, you probably weren't surprised you probably may be a bit disappointed and on the emotional side of that I can't help that as Chief Minister my concern is with how the Assembly and the Government runs and I hope that we are doing the right thing, thank you Mr Deputy Speaker

MR ROBERTSON

Thank you Mr Deputy Speaker. I spoke with Mr Gardner for a good hour or so yesterday morning on this issue and I told him that I would be opposing the amendment and the reasons why, because I felt that whilst I didn't have any difficulty with him doing the job, in fact I thought that he was more than capable, it was the fact that on the previous time that we have had problems within the executive it wasn't a case then of voting anybody to a change of name it was a case of this Assembly sitting down and discussing at some length over a number of meetings the issues that were before us and I said to Geoff that I felt that if it was good enough for one executive member it would be good enough for the rest and that was my intention of not supporting this amendment at this time and that I was more than happy if such time as we met straight after this and discussed it through and sorted out all of the anomalies, or all of the problems that are before us and get that sorted out then if that was the wish of Members then I would be more than happy to see it happen. And that is why I've opposed it, so he is well aware of my opposition at this stage, thank you

MR ION ROBINSON

You know there are really times when it appears in this Assembly as if the lights are on and there's nobody at home. There is absolutely no point in going ahead with the substantive motion because the object of the exercise was just to change the designated titles because it was perceived that Mr Brown had a conflict of interest. Now that Mr Brown, if this cabal gets up and running, and bounces Mr Brown then there will be no reason at all why the incoming Minister can't do Immigration and Police. I don't know what's wrong with you guys

MR SMITH

Mr Deputy Speaker I might need clarification and it might need to come from John because I don't have it here. When you wrote to me John saying that you would like to get rid of the Immigration portfolio it was because you had the only private practise on the Island and you felt it was not appropriate that you, I can't remember your exact words, maybe you can help me with that. I don't think it was quite like Ric put it

MR BROWN

Mr Deputy Speaker there were several reasons for my making that suggestion. One is indeed that Dr Walsh of Brannagh has retired from active practice and people's choice of a legal practitioner was fairly severely restricted as a result of that and I operate what is the

only full time legal practice on the island and I felt that there was a community interest in people being able to get legal advice in the Immigration area in the simplest possible fashion so that was certainly one consideration. The second consideration was that I have always ensured that I do not have a conflict of interest. Members might recall time and time again if I have a pecuniary interest in something I declare it. In the Immigration area I had announced that I would not be available to handle immigration matters whilst I held the Immigration portfolio. But I was finding on some occasions that decisions were coming up in relation to people where I had not handled their immigration application but where I had done legal work for them in earlier times, in particular, during the period when I was not a Member of the Assembly and where ever that situation came up in order to ensure that there was not a conflict of interest I would refer it to another Minister. Those were the reasons. Mr Deputy Speaker these guys have made their minds up. Let them have their vote. Let them have their party. I'm quite happy to continue to work with them. I don't know how a new Minister will pick up on many of the matters that I'm handling but I'll certainly give him a reasonable amount of assistance in order to do so, so let's not waste any more of today, let's have a vote

MR GARDNER

Thank you Mr Deputy Speaker. I would just like to say a couple of comments on this if I may. Years ago I voted for John and I probably have done since then. I've supported him because I guess like a lot of people I've admired him. He's a very capable person. He's a professional person and he's qualified, and more than adequately qualified to hold ministerial responsibility. I gave him my full support as a Member at the first meeting of members of this current Assembly because he had the qualifications in legal areas, he had been involved as Minister for Health before and it's always been my belief that with the qualifications and the experience they hold a lot of sway and are very important. However, since then there have been rumblings and there have been accusations made and fingers pointed at John and up until today my support for John as the Minister for Health and Immigration has held firm. I had and have had no reason since then to question the Minister's honesty and integrity. However, where my confidence has waned in the Minister has to do with the attempted reshuffle of Ministerial portfolios as a matter of only a few weeks ago, and there was talk then of tossing the whole lot up in the air and where they fell we would divvy them up and would sort it all out and I can remember quite clearly at that meeting of members, saying, yes I had difficulty with one particular Minister in one area and a particular difficulty with another Minister in another area and I think of the four Ministers I think there was only one that I couldn't really say that I had any difficulty with and I made it quite clear to John and the other Members at that time that the vibes I guess that I was picking up out of the community were these continuing vibes of there being conflict in many of John's portfolios and I guess one tends to hear a lot of gossip and hearsay and bits and pieces around the traps but I don't really pay particular attention to those because I like to have the facts before me, that's why I haven't been led to question his honesty and integrity in any way. I've heard the rumblings, that's for sure, but I've had no facts. However, I guess I'm an old fashioned sort of bloke, at the end of the day I rely on people's words and what they tell me and at that particular meeting of Members, John did say, he didn't see any cause for concern or any perceived conflicts in any of his portfolios. I took him on his word. I thought, right, that's fine. We'll wait and see. Just like I would look very closely at every other Minister's portfolios and see how they are operating in their particular areas. Well. Only a matter of a few weeks later what popped up out of the blue was a note from John saying we have arising a few conflicts in a particular area to do with Immigration matters. Now I guess when conflicts arise or the potential for a conflict arises, you can either back away from it or you can say no to where ever this conflict is coming from, or you can accept it and bring yourself in line with conflict. John obviously accepted some referral to him on an immigration matter and did the right thing and stepped aside from it. He accepted it. However, what this always comes back to is to a person's word. And if you can't trust a Minister's word - I know a lot of people are probably chuckling there at the moment - you can't believe any politician's word - but when you are working with and inside an Assembly and you are trying to assist a Government and you are trying to proceed down a line or an avenue you rely very

We have an amended motion Honourable Members. Is there any final debate in respect of the amended motion before I put the amended motion

QUESTION PUT

Would the Clerk please call the House

CLERK	MR SMITH	AYE
	MR BUFFETT	AYE
	MR BATES	AYE
	MR ROBERTSON	AYE
	MR GARDNER	AYE
	MR ION ROBINSON	NO
	MR ADAMS	AYE
	MR NOBBS	AYE
	MR BROWN	ABSTAIN

DEPUTY SPEAKER The result of voting Honourable Members, the ayes seven the noes one and one abstention the ayes have it. The motion as amended is agreed Honourable Members

PUBLIC SECTOR REMUNERATION TRIBUNAL ACT 1992 - RE-APPOINTMENT OF PUBLIC SECTOR REMUNERATION TRIBUNAL

MR SMITH Thank you Mr Deputy Speaker, I move that the motion recommending the appointment of the Public Sector Remuneration Tribunal passed by this House on 5 October 1998 be rescinded and the following motion be agreed to - That in accordance with section 5(2) of the Public Sector Remuneration Tribunal Act 1992, the Legislative Assembly recommends to His Honour the Administrator - a) that the Honourable Trevor Rees Morling be b) that he determine the terms and conditions of the re-appointment as specified in the Schedule. And the Schedule is that the Administration is to meet the costs of, and relating to, the retainer of the person appointed to be the Tribunal, including, but not limited to, the provision of support secretarial and like services necessary for the purposes of the Tribunal. Mr Deputy Speaker you may remember that a similar motion was put into the House last Sitting but there was a technical problem with it that the date had already passed so we are really appointing in retrospect and it was said that that was not really the proper way to do it, so the simple way to fix it was to rescind that motion and resubmit. I commend the motion

DEPUTY SPEAKER Any debate? No debate? The question before us is that that motion be agreed

QUESTION PUT

AGREED

ENERGY CONSERVATION POLICY

MR NOBBS Mr Deputy Speaker I seek leave to move the motion standing in my name on the Notice Paper in an amended form following an MLA's meeting on Monday and the amendment would be the deletion of the second last word "must" and replacing it with "should"

DEPUTY SPEAKER Leave is granted Mr Nobbs

MR NOBBS Mr Deputy Speaker I move that the Norfolk Island Government develop an energy Conservation Policy to reflect efficient practices in the utilisation of energy in the operation of its current inventory of plant, equipment, vehicles and buildings and also to ensure that a

criteria is developed, to which any future acquisition or developments should comply. Mr Deputy Speaker we commissioned Energyfirst to look at possible energy savings in relation to electricity. Certain recommendations were made and we are currently in the implementation stage. When I say "we" I mean the Government. This is fine in the areas assessed to date by Energyfirst however, the motion seeks to extend the start made to date through to the next stage and there are a number of stages which have been spoken of as we develop Island wide energy conservation. Mr Deputy Speaker I'm not one to subscribe to the policy, do as I say not as I do, but do subscribe to the lead by example policy. Consequently the Government should take the lead and if benefit is demonstrated the community would follow, so Mr Speaker with that in mind we move to stage two. Develop an energy policy to cover the Government's current inventory of equipment, buildings etc but also future acquisitions or developments. It should be noted that the policy would go beyond just saving of electricity and would include the usage of petrol, diesel, gas etc etc and must include such issues as building design and construction as well as issues which impact on the energy consumption such as water usage. The motion extends beyond responsibility of one Minister. Mr Speaker some have spoken of the impact on the Island's income of reducing consumption of electricity and it maybe felt that the Island would lose in other areas covered by the proposed policy. I would like to take a few moments to put concerns in relation to electricity into its true perspective. There are a number of points that should be noted. Point 1, the Electricity Undertaking made \$7000 last year. Point 2 the \$630,000 spent on the new generator recently was only to replace a worn out machine. No new capacity was added. Point 3, energy consumption in the past five years has increased fairly dramatically each year. Point 4, predictions are if the trends continue, that is increased consumption, and there is no reason why it won't, additional new capacity will be required in the next couple of years. Point 5 there are a number of appliances currently barred but for which there is demand. Point 6 savings will stall the need for additional generation capacity and could, if savings are adequate provide for a lifting of the current ban on some equipment. I am sure similar points will be evident in supporting conservation in other areas proposed in the policy. Energy conservation will be of benefit to the island. The cost of developing such a policy will I believe be negligible. I believe that it can be achieved virtually in house. There will be no world trips and I commend the motion

MR SMITH Just a question. Is Mr Nobbs adjourning the debate on this

MR NOBBS I didn't really want to but you can if you want to George

MR SMITH Mr Deputy Speaker there may be some questions that arise out of it. Is this going to cost us any money to do it

MR NOBBS There will be no world trips George I told you that

MR SMITH I take it you are referring to mainly the Administration with your policy and I ask that question of Mr Nobbs, Mr Deputy Speaker

DEPUTY SPEAKER We are out of Question Time but I can give Mr Nobbs the call if you would like me to do so

MR NOBBS I don't mind answering questions Mr Deputy Speaker. I referred to the Norfolk Island Government because the use of Admin seems to exclude the school and the hospital and those sort of areas and there are things that Energyfirst have looked at in those areas which can be put into some sort of policy and could be of benefit to those areas

MR BROWN

Mr Deputy Speaker George earlier today was able to quite successfully vote on a matter which he tells me only came to his attention during the course of Monday of this week so he is able to make his mind up about that. But here we are with a motion of which Ron had given notice last week, it's not really such a complicated thing. Do we support Energy conservation or not? Do we support the development of a policy or not? Surely to hell we are not going to adjourn decisions about this. It is time to say yes or no.

MR ROBERTSON

Thank you Mr Deputy Speaker. When Ron first raised this motion he looked over to me and I said yes, and it is probably about the fourth time we've agreed on a few things. The whole practice of the conservation of the policy is I think, a good idea. Whilst he is referring to Energyfirst it doesn't stop there and I would suggest that it would be used in many other areas and I think the Chief Minister's question of whether it would go into the private sector, I would suggest that once this is reasonably established within government the private sector would certainly look at how they could utilise savings as well. One of the things we did get out, earlier I spoke about some of the areas of accommodation within tourism and Ron touched on that when he spoke just a minute ago with regard to some things being banned as far as appliances are because of the difficulty we have had with power and theoretically the power should be freed up a little and that better utilisation of that would be able to take place. So if any of these practices of energy conservation as they develop can be done, and if the Government leads the way then this naturally will lead to private enterprise picking it up as well and I commend the motion

MR BATES

Thank you Mr Deputy Speaker. I support the motion. I do share Mr Smith's concern that it might come with a cost package. I consistently ask in this House that things that come forward in the House for consideration bear with them a cost package so that we just don't say yay, yay, to something and then it all starts rolling in later on because we haven't really considered what the cost is. Again, I guess this would be a cost against the Revenue Fund rather than the Electricity Undertaking because it doesn't just refer to the generation of electricity, it refers to all sorts of energy conservation I believe. We have just had a surplus in our Revenue Fund. We've also moments of needing to use a lot of that with a lot of things on our plate but where the expenditure would be relatively small, and I think in this case it probably would be relatively small, I think that the benefits that may ultimately flow from it are ongoing benefits and where there might be some small costs initially I think it's a cost we should make in anticipation of the accruing benefits that should go on for many years to come. A month is not very long in a situation like this and were it to be adjourned I would have no objection to it, but I'm quite happy to support it as it stands here today. I'm still a little concerned that we are not told how much all these things are likely to cost when we vote on them. I hope it is a small cost in the vicinity of \$10,000 or something like that. If it ends up being a quarter of a million or something then I think people might start taking notice of some of the things that I sometimes talk about, knowing what projects are going to cost when they come to the House

MR NOBBS

Gentlemen, on the cost situation there are two basic cost structures. The first one is to develop the policy and that's what I'm saying, we develop the policy. If you accept that policy, there may be that cost and until you get a policy and find out what you are going to do, or what you may put in train, the costs are very difficult, because I mean, the cost to develop the policy I believe if you do it in house will be virtually negligible but if we go beyond that to the implementation stage well then that's it, but until we get the policy we won't know. Does that make sense

MR BATES

Thank you Mr Deputy Speaker. I was pleased to hear Mr Nobbs say if we developed a policy in house because I agree with him, it will be a lot cheaper than if we hire consultants from offshore to develop our policy. On that basis I more than support it

MR SMITH

Thank you Mr Deputy Speaker. Two or three things. I should make it plain that I don't object to this motion. Secondly, John raised the point of an adjournment. I think it is normal policy if the Assembly has a new motion put on the table, it is often not agreed to straight up, even though it may seem real simple and that was why I was asking whether the motion was going to be set on the table for a month so people in the community might have something to say about it as well. However, the cost thing that I was asking about was referring to, as Ron has now pointed out, to developing the policy, depends how developed we make that. If it is something that we are going to do in house that's probably not too costly, but if we develop that and then it says, from now on our policy might say, all buildings will have bats on the roof and things like that, then often when we move a motion there is an effect that we don't even think about at the time. As long as we are aware of that, because if we are going to do something, and I commend you for bringing it forward, but let's be sure of what we are doing, that when we go to do it we have the funds to do it, but I have no problem with the motion. I don't mind with us moving it and agreeing to it today, but the concern that is in the background of my mind is the cost that maybe down the track. That depends of course on how we develop the proposal, thank you Mr Deputy Speaker

MR ADAMS

Thank you Mr Deputy Speaker. Mr Deputy Speaker I'm rather curious. I'm rather curious as to why there are so many in the Administration, or rather more appropriately, a system headed up by a Government body where there is a provision of services and there are in fact, no policies. I really don't like Ron's chances Mr Deputy Speaker because it was clearly identified today that the management we pay a lot of money for is simply unable on this Island to even come up with a policy on how we run mowers. How we best utilise mowers. It was also raised at another sitting of this House about the inadequacies of policies concerning the vehicles and the answers that some of the Members around here gave to some of the other Members who asked the questions, was that it was simply a matter in relation to public sector vehicles was a matter you had to trot down Town and tell the story yourself and that was the best that we could obtain by way of clarification of policy in some of these important areas. I fully support Ron's motion. I think it is well worth while but it is really curious as to why the House is sitting around and having a look at just this one when there are so many other important areas and dare I say it, more important areas than this that have simply been left to themselves and I can't name the A to Z or the 1 to 100 of the whole lot of them at the minute but there are substantial ones sitting around with nothing being done to them, people in the community at best have to weed their way through the system, they are not able to get any copies of overall policies in area after area after area. One example, tourism applications. An applicant has to go off and negotiate with various Departments of Administration on their own. There's no overall policy as it relates to them. I won't go into the specific covenant in some of those general conditional tourism approvals which as we know, allows you to go onto the next stage and effectively opens the door to hurdles, but nevertheless, one of those covenants that people do get as applicants is that you need to go off and negotiate on a one to one basis with a manager in the public service. Now in today's world, with realistic and modern day management policy that is just quite incredible so I would be interested Mr Deputy Speaker if someone in the ministry or the Government could explain why the House is spending time and resources on just one, no doubt and notwithstanding that it is an important area, why are we spending time on just one policy area when time after time it is quite clear, particularly in how the Norfolk Island Public Sector deals with its community is the question of overall policies, is simply one that looks after itself, thank you

DEPUTY SPEAKER

that this motion be agreed to

Further debate? The question before us Honourable Members is

QUESTION PUT
AGREED

That motion is agreed

MR BATES

Thank you Mr Deputy Speaker. I believe that it is in keeping what has happened on earlier occasions when heavy equipment has come in from one off jobs. I think that on the previous occasion some heavy equipment was used to move a few minor jobs around the Island which were of benefit to the community. I think in that case one of the bigger machines may have assisted the Cheryl Tennis Club at a cost to the club but in putting down some hard courts which has proved to be of immense value not just to the club but to alot of players so even if some of this equipment was used for minor jobs within a short period of time, provided it does leave the Island as soon as possible after the end of the project I think it can only be of benefit to the community as Mr Robinson says, you are taking it from one hand and putting it into another and maybe that on the grant that we've got will mean that some of the work won't get done for the sake of us collecting some duty on some equipment that's coming and going. I have no problem with it. I had no problem with the original motion and I have no problem with this one

MR BROWN

Mr Deputy Speaker I'll be abstaining from voting on this matter because Island Industries has been selected as one of the tenderers for the Cascade Cliff contract and may well be seeking to take advantage of this motion but one of the questions that I do ask myself is, how do you compensate local people who want to tender for the job if they have paid duty to bring their gear in and someone else from outside is being given duty free privileges. That's an interesting question that maybe one day will be addressed but other than that I'm not participating in the debate or the vote

DEPUTY SPEAKER

Further debate? The question before us Honourable Members is that this motion be agreed to

QUESTION PUT
AGREED

MR NOBBS OPPOSED

MR BROWN ABSTAINED

The result of the vote Honourable Members is that the motion is agreed to

MOTOR ACCIDENT INSURANCE BILL 1998

MR BROWN

Mr Deputy Speaker I present the Motor Accident Insurance Bill 1998 and I move that the Bill be agreed to in principle

DEPUTY SPEAKER

The question is that the Bill be agreed to in principle

MR BROWN

Mr Deputy Speaker firstly I would like to thank the Legislative Council for his endeavours of ensuring that this Bill is ready to be presented today. The Bill introduces a scheme of compulsory Third party vehicle insurance and it establishes what is called a nominal defendant. In order to deal with claims involving unknown vehicles or uninsured drivers. Under the legislation it will be an offence to drive a motor vehicle unless it is covered by compulsory third-party insurance provided by a licenced insurer. It is proposed that insurance will be provided by private insurers but the extent of the coverage and the cost of the insurance will be determined under legislation. Insurer conduct will be regulated by an Insurance Commissioner under a statutory licencing scheme. I should say Mr Deputy Speaker, all of this assumes that this is what would happen if the Bill was passed. If the Bill is not passed, obviously it is not the case. The insurance commissioner will also act as the nominal defendant to provide coverage for victims of accidents with unknown or uninsured motor vehicles. A nominal defendant scheme will be funded by a levy paid as part of the process of registering a vehicle which is a standard way of funding such schemes in other places. The legislation streamlines the procedures involved in legal actions related to motor vehicle accidents, discourages insurance fraud

and encourages the rehabilitation of victims. The scheme is what is known as a fault based scheme and coverage applies only to personal injury caused by through or in connection with a motor vehicle. Being a fault based scheme it applies only to injury arising from a wrongful act or omission and it must be recorded that a person is not insured against his or her own wrongful acts so if a driver involved in a one car accident has been negligent then he is not going to be able to claim against the third party scheme or any other driver who has been negligent. The scheme covers injuries arising from accidents on a road or in a public place and it excludes liability arising from accidents involving words or agricultural equipment if the relevant accident occurs on a road. The Bill Mr Deputy Speaker is quite lengthy. It's not something that Members could reasonably be expected to comment significantly on today but compulsory third party motor vehicle insurance is something that has been spoken of for some time and this provides us with an avenue in order to achieve the goal of introducing that on a compulsory basis if Members so wish

MR BATES

Thank you Mr Deputy Speaker. Some sort of third party motor vehicle insurance is long overdue. At the time when the Healthcare Scheme came into being and became law and started to take effect, it was always envisaged that two other pieces of legislation would come along to prop up that scheme for want of a better word. One was a Workers Compensation Scheme and that is now in place and anybody deemed hurt in the workplace has their medical expenses taken care of through the Workers Compensation Scheme and not the Healthcare Scheme, and this one I believe will work the same way for people hurt on the roads will have their medical assistance taken care of through this scheme rather than the healthcare scheme so I believe it was all part of the total package and I believe that to whatever extent our medical treatment is funded from this scheme it will eliminate some of the pressures on the Healthcare Scheme. I have some concerns, I'm not 100% certain that this is the exact way to go, I think it's a great start. I don't know where that leaves present policy holders, maybe Mr Brown can help a little bit there just to give us some sort of scenario. A number of people now have third party insurance costing them \$70-80 per year and if this goes through they will probably assume that their third party policies cover them and in the event that it doesn't well then they are committing an offence, and I don't know if the man in the street is going to look at his present policy that he now has and relate to that the fact that maybe it doesn't entirely fit with this piece of legislation and therefore to continue to drive when he thinks he's got cover and is committing an offence. I don't know if there is a twilight clause, or it's not a twilight clause that I'm talking about but a clause to allow people to at least until their third party insurance policies come up for renewal, probably not to be committing an offence if they rely on those policies until the next time around. I think if that were the case it would save a lot of drama. For those who don't have policies then of course, it probably should be an offence if they continue to operate without policies and maybe Mr Brown could clarify that. Maybe I haven't read it well enough. Maybe those who do have the present third party policies can get by at least to the end of the twelve month term of those policies

MR BROWN

Mr Deputy Speaker the question of whether existing policies will satisfy the requirements of the proposed Bill is an interesting one. The answer is that it is most unlikely that they will. The existing policies generally have cover only to the extent of \$500,000 and in at least one case coverage is not provided to the passengers of the vehicles, so there are some quite restrictive conditions on some of the existing policies. The Bill proposes that insurers would be licenced and you could reasonably expect that those who presently provide third party motor vehicle insurance here would wish to be licenced but it will require a certain level of cover and prudence would dictate that that level should be higher than that which is provided in the present policies and I'm sorry to say that the natural consequence of that is that the premiums on the policies will be higher than what people have been paying to date. A \$500,000 cover is not providing the degree of security that the policy holder actually believes he's got because there has been no shortage of cases on the mainland where verdicts in the millions of dollars, not in the hundreds of thousands of dollars, have been given as a result of motor

vehicle accidents and if that was to occur the insurance would cover up to its limit and if it was a \$500,000 limit that's all the insurance would pay and the person would then be personally liable for the remainder. That has either two consequences, it has an undesirable consequence for the policy holder in that he might lose all of his assets, but it has an undesirable consequence for the injured person too because he might not be able to get all of his money. It's one thing to get a judgement but collecting the money might not turn out to be too easy. In the absence of adequate insurance

MR NOBBS Thank you Mr Deputy Speaker. Just a couple. This has been talked about by everybody for eighteen months now, this sort of thing and it was delivered to us late last week and I'm actually still trying to wade through it but the situation is this, there seems to be no limit on liability in the Bill that I can find. It may be there. But there seems to be no limit at all on liability. Is it an open ended thing. Could the Minister just ask whether it is open ended or whether there will be a proposal to put a limit in there

MR BROWN Mr Deputy Speaker that's a matter for Members. At present it is open ended. There is no statutory cap on the extent of liability. I'm not sure of the detail of the various Australian States as to how many of them actually have a cap and how many don't but generally a cap has been put on where there has been a no fault scheme but this is a fault based scheme. If Members wished to put a cap on it that might enable the cost of premiums to be kept down but at the same time it might be injured people with inadequate cover so it would need careful thought before such an amendment were introduced

MR NOBBS Thank you Mr Deputy Speaker. Just coming back to that, thanks John for that bit. The thing is, what I believe is that this is a fairly complex issue and we should be getting more advise and we must put it out to the people, this information such as it is going to cost you more and those sorts of things. We have to do that and I would be abit dissapointed, or I think we would be going pretty well to do it all in a month so I understand that you will be leaving it on the table John but I think that what I was going to suggest is that we may have set up a Standing Committee of some sort to really go into it and deal with the industry and put out screeds to explain the whole thing. That's a suggestion, I don't know if we have any support for that

MR ION ROBINSON Thank you Mr Deputy Speaker. I think the last speaker has just volunteered. I think it's something that's been around since the Legislative Assembly has been in 79 and every Minister who has had control of it since then until Mr Brown came along has managed to put it in the too hard drawer so I would just like to commend Mr Brown on putting this forward, thank you

MR BROWN Mr Deputy Speaker I move that debate be ajourned and that resumption of debate be made an order of the day for a subsequent day of sitting

DEPUTY SPEAKER Thank you. I put that question to the House Honourable Members
QUESTION PUT
AGREED

That matter is so adjourned

ROAD TRAFFIC AMENDMENT (NO. 3) BILL 1998

MR BROWN Mr Deputy Speaker I present the Road Traffic Amendment (No 3) Bill 1998 and I move that the Bill be agreed to in principle

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

MR BROWN

Mr Deputy Speaker this Bill has been introduced in order to make a number of amendments to the Road Traffic Act which are tied into the third party insurance. They make provision requiring the Registrar of Motor Vehicles, before registering a motor vehicle to be satisfied that that vehicle does have third party cover and it requires that when registering a vehicle the registration fee be accompanied by a nominal defendant levy in addition to the registration fee. Members will recall that I mentioned earlier that the nominal defendant is a means by which people are able to obtain compensation in cases where the vehicle may have disappeared and be unknown and also in cases where an unregistered or uninsured vehicle have been involved and it is a normal thing in my understanding in other jurisdictions to fund the cost of a nominal defendant by a levy such as this. There is provision in relation to the way that registration fees should be determined and if the Bill is passed registration fees will be set so as to cover firstly the cost of administering the registration system, secondly the cost of administering the Motor Accident Insurance Act but not including costs associated with the nominal defendant scheme because that is funded by the additional levy we've just mentioned, and it is also intended to cover a fair proportion of the costs of hospital and emergency services having regard to the burden which is placed on those services by motor vehicle accidents. It will be possible to set different fees in respect of different vehicles or vehicle users and there will be provision for cancellation of registration. There is provision that the nominal defendant levy would not apply to vehicles owned by the Commonwealth or vehicles owned by the Administration and although not directly tied to the third party question the Bill contains the provision which I withdrew at an earlier meeting seeking to prohibit a person from riding in an unenclosed position on the motor vehicle unless the person is seated and surrounded by the sides of the motor vehicle to a height of .3 of a metre subject to the proviso that the clause doesn't apply to sides on a motor cycle or on a prescribed vehicle. Mr Deputy Speaker if passed the provision prohibiting carriage of passengers on the back of a utility unless the utility has sides and the passengers are seated is just one of a number of changes that will have to occur at the same time as the introduction of the compulsory third party insurance. I think that we need to face reality in that regard. We have been very lucky that we have not had more serious motor vehicle accidents in Norfolk Island as a result of non compliance with safety measures which are accepted in other places. I think that we are going to have to look at the question of seat belts, look at the question of whether it is appropriate to continue to allow young children to stand on the front seat of cars as cars are driven around. We are going to have to clearly pay more attention to the standard of vehicles on the Island because an insurer will not want to be covering vehicles which they regard as marginal in terms of road worthiness. I propose to adopt normal practice and move that consideration of this Bill be deferred until our next meeting, but this Bill only deals with some of the consequential changes which I expect will be necessary as a result of the introduction of third party but it does deal with all of the changes necessary to make the third party scheme itself work as distinct from changes that I expect insurance companies will take a view that we should implement

MR NOBBS

Thank you Mr Deputy Speaker. I'm just interested to progress the determination of registration fees and where we've got the cost of administration and the cost of the Motor Vehicle Insurance Act and then a fair proportion of the estimated cost of providing hospital services, public emergency services etc. Is the proposal in that a certain proportion of those funds go directly to the hospital or is it just a means of trying to work it out because I thought the construction of the roads on which you travel might be another area that...

MR BROWN

Mr Deputy Speaker it is not proposed that funds automatically go to the hospital. Any funds going to the hospital would go by way of the annual subsidy. It is simply intended that some parameters should be set within which registration fees would be determined from time to time. It may well be valid to take a view that more of the cost of road construction and maintenance should come from motor vehicle registration fees as well. I'm not saying that that's a good

idea or a bad idea, but it Members wanted to do it they could put in a sub paragraph to take account of that also

MR BROWN Mr Deputy Speaker I move that debate be ajourned and that resumption of debate be made an order of the day for a subsequent day of sitting

DEPUTY SPEAKER Thank you. I put that question to the House Honourable Members
QUESTION PUT
AGREED

That matter is so adjourned

ORDERS OF THE DAY

We have concluded Notices Honourable Members. We are now at Orders of the Day

FIREARMS AMENDMENT BILL 1998

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

MR ION ROBINSON Thank you Mr Deputy Speaker. Members will be aware at the last meeting, Mr Buffett lodged with the House an amendment to my amendment to an amendment to the Firearms Bill. The Attorney General's Department in Canberra had sent back a note of Mr Buffett's Bill saying I have examined the Bill. It appears that the amendments proposed by the Honourable D E Buffett MLA do not comply with item 9 of the National Firearms Agreement. If you remember that was essentially to take out the clause that says only dealers can handle the sales of firearms. I have had discussions with our legal people and we can by not going ahead with Mr Buffett's amendment with the amendment to my amendment that I originally put in the House, we can overcome that problem of having to rush out and try to find a firearms dealer every time you want to sell or exchange a firearm by placing under section 10 of that amendment there is for the purposes of this Act each person prescribed for the purposes of this section will be taken to hold a firearms dealers licence and when the regulations are tabled in the House, hopefully if this amendment goes through, at the next meeting Mr Buffett's problem will be overcome, so essentially the amendment that I initially proposed will cover the amendment that Mr Buffett proposed in the last sitting

MR BUFFETT Thank you Mr Speaker, then if the difficulty to which I was trying to find the solution can be solved by that way and in fact it is less cumbersome in the amending way that it is proposed, I'm happy about that

MR ION ROBINSON Thank you. I believe the amendment was put towards the House so could we...

MR BUFFETT Yes, my amendment whilst it was foreshadowed, was not formally put and I'm happy not to put it if in fact there is a remedy that you've described

MR ION ROBINSON Thank you. Therefore, we get back to the amendment which as I explained before covers the category D firearms, covers the pump action shotguns, it covers the specific safe storage of category A.B.C.D and H firearms and that's about all I can say on it at this stage. I've put it to the House and I move that the question be put. It appears that I haven't formally moved the amendment Mr Speaker, so I put the question that this amendment be agreed to

that thinking so from a Norfolk Island point of view I am going to support the legislation and as I said, I am certainly not supporting it just because the Commonwealth says its a good idea

MR BATES

Thank you Mr Speaker. I certainly share what Mr Brown says, if somebody either has an accident or is intentionally wounded with a weapon. I too would not like to see that happen. If somebody disobeys the law with a motor car, and hurts somebody he goes through the court. The greatest thing that can probably happen apart from fines and maybe a jail sentence is maybe he might lose his licence. He loses the privilege to drive a moter car simply because he has disobeyed the law. I don't see gun laws as much different. I happen to own a single shot 22. The only gun I have. Now if I were to threaten anybody with that gun I am not a fit person to retain that weapon. It's not the gun's fault. I was talking to the Sergeant not so long ago and I had heard that there had been some instances involving firearms fairly recently. I've got no sympathy for anybody who steps out of line with a firearm. If they threaten anybody or even look as though they are stepping out of line they are not a fit person to have a firearms. Whether it be my single shot 22 or whether it be a more dangerous weapon. I don't mind if there's something in the legislation to throw the book at those people but to condemn people who have handled their firearms with respect and within the terms of the law for possibly most of their lifetimes, to be treated differently to the person who has probably driven a motor car for most of his lifetime and suddenly starts disobeying the law, I find a big injustice. I find that this whole deal in Australia is a kneejerk emotional issue. You don't ban motor buses if somebody runs amock with one and runs through a whole line of shcoolchildren. You probably take his licence off him and put him in jail but you don't ban all the other bus drivers and all the other buses around that obey the road rules and carryon. This is what my view on this is. I don't mind if once a person steps out of line, even if it's only an idle threat. I believe they should lose the privilege of owning that weapon but I don't believe you should be penalising alot of innocent people who have owned some of these weapons for years and obeyed the law and are no threat to the community anymore than the wayward bus dirver who might drive thourgh the kids and I believe that its a big injustice. I believe it's kneejerk. I believe it's not necessary and I also believe that it's a kneejerk reaction of the Australian Government in their applying it to here and I don't want a part of that but I certainly would support anything that would throw the book at anybody that has a weapon that steps out of line with it. I would support that to the hilt. Thank you

MR SMITH

Thank you Mr Acting Deputy Speaker. The difficulty I have with this is the fact that it's a schedule 2 matter. Sometimes with Norfolk Island's importance we accept certain schedule 2 things being looked into by the Commonwealth but in this case I think it's a bit misguided. I believe that Norfolk Island is different. It is geographically different to Australia. We have control over our guns from having to import them into the Island. Certain types of guns are banned. We have the ability to be able to say you can't bring that gun in here, which they can't do in Australia. They don't have that ability to stop guns going from state to state or territory to territory so although I agree with what Mr Brown said before, we should be able to decide ourselves and I will actually be voting against it

MR BUFFETT

I just wanted to say this. I have had some consultations about the amendments that I had earlier proposed and after that consultation I was really about to still put them. However, this is a numbers game and it appears that even if you put them the Bill's not going to get up so I'm not going to waste my time about it

ACTING DEPUTY SPEAKER

Thank you Mr Buffett. Any further debate? I put the question and the question before us Honourable Members is that the Bill be agreed to in principle

QUESTION PUT

Would the Clerk please call the House

inappropriate about the Australian system was that they were starting to want to exempt this, and put a different rate on that and they believed over there that this was going to cause so many administrative problems that it just wouldn't work and if you listen to some of the debate in Australia, that it shouldn't be on food and it shouldn't be on something else, and the democrats want to do this and all the rest of it, I think Australia is heading for a lot of troubles, certainly from what I gleaned from some of the people who I spoke to in Wellington. But I'm digressing a little bit there. As I said before, one of our options is to forget it and look for other ways. Another one is to accept my motion and give it a go and the other one is to throw more money at it, do some of these further research and further things that are being suggested. Run the risk there of being no closer to achieving anything as a result of some of these surveys and certainly no closer to achieving anything during the remaining life of this Assembly. I don't know that I can do much more. I believe that I've just got to pass it over to the House. I do believe in the total package proposal benefits but crunch time for me is getting close. It's getting as close as our Assembly meeting, or this meeting if people force my hand and won't allow the adjournment. I can walk away or I can work towards a satisfactory implementation but time is running out in the life of this Assembly and who knows if we will be here in the next one. This is not just my idea. Those who have read the Cris Nobbs report have found out that one conclusion that he came to was for GST. Those who read the Access Economics Report which I think is well off track in many things had as a backup suggested that we needed a GST so we've had others that have had a look at this. I get just a little bit disappointed when I perceive in some comments, a kind of a lack of recognition of any ability or knowledge or experience that I might have had in finance. I did spend fifteen years in the Commonwealth Bank and I've been somewhat involved in public finances for the last 28 years. People probably still remember that I did introduce FIL of 15 cents when I was Minister for Finance on a previous occasion. I also was instrumental in building the present Bond Store and I had nothing to do with increasing the FIL to 25 cents or to one dollar. I was not around when that happened. At least two previous Ministers had been unable to find an answer to the problems early in the Water Assurance Scheme. One file I read at the time, distinctly said that there was a risk of cholera from an Underwater Ground Scheme. I was the Minister for Finance with that knowledge so put yourself in my shoes. How could I live with that knowledge. Where would I have been if that had eventuated. Where would the tourist industry be if something had gone wrong. I probably would have had to take up and leave and Mr Brown would probably say what a brilliant idea but without going too much into my past and those matters, I just explain that I don't apologise for that but the public certainly told me where I stood. I wasn't elected at the next election and it must have been the Bond Store and the FIL, one or the other. People now look at the Bond Store and say what a great thing, we should be building other buildings like it and people still hate the FIL. I don't want to say too much more about that but I do just point out that I've been directly involved in finances for a long time and I've been instrumental in getting two major revenue streams in place at no cost to the taxpayer so when people just pass on that I don't know anything on these issues well it just does rub me up a little way but they are entitled to their own opinion. If it works out that the public doesn't want to try this, I can live with that, but on the other hand if I can use my knowledge and experience for the benefit of the community I am also duty bound to do that but I think for my part next month is probably the crunch time and it is really in the hands of the House to look at those three alternatives that I've alluded to. Thank you Mr Acting Deputy Speaker

MR BROWN

Mr Acting Deputy Speaker I've had an open mind on this question. I've listened to what's been said at a number of meetings now. I've read a lot of correspondence that's gone backwards and forwards. I've read significantly about the endeavours to introduce a GST into Australia and I have reread the material on how those endeavours fell apart on earlier occasions. I have come to the conclusion that the community doesn't want to see a GST on Norfolk Island and that today is probably a good day as any to stop Brian wasting his time and to vote the thing out and as far as I'm concerned that's what we should do

MR NOBBS

I hadn't realised that we would be debating this so intensely today but there is a real concern in the community on the GST. I think there's a lot of flow on from Australia but there are certain issues including the actual cost and the methods of collection and those sorts of things which I understood that we would be looking at, at least before we made a decision on where we were and I thought that's why the CAO had gone to New Zealand. In New Zealand they had brought it in for a variety of reasons and really told you what a wonderful thing it is and then you go out in the street and you go to the pub and you meet the blokes who have got dirty shoes and the like and they sort of hate it and yet you go into somewhere else where they are wearing ties and they like it so I don't know. It's an issue that for New Zealand it was there. In Australia they are arguing as to whether it's on food and it shouldn't be on food and all these sorts of things, well that's their problem but inbuilt in all those things is they are giving you something and taking away that problem of income tax and it was done in New Zealand, they tried to reduce it, and they have eventually done that as far as I can gather. Australia is aiming specifically through the income tax situation so they are completely different to us in that sense. I believe, there is as John has said, in the community there is a real concern that we'll just go barging into it and it's quite interesting to see that the Chamber of Commerce has written us another letter to all Members and they have set out a few things in there which should go. I wouldn't like to see it fold at this stage. I think there is a need for some sort of variation in our taxation system and I would hope that Brian doesn't spit the dummy and take it home with him this afternoon but that's my view and I think there's more to be done on it. I think that there are things that can be done that won't cost us a lot of money and then we have to really sit down and go through it

MR BATES

Thank you Mr Acting Deputy Speaker I'm quite happy to take time to achieve what I think will be benefit to Norfolk Island but I don't know how much more I personally can do. I don't know how many more times I can say things to people who will not listen or not read when you put things down in writing and still get the same questions and what about this, it's obvious that people haven't taken the time to listen to what is being said, to try to understand what I'm talking about. I don't mind people ringing me up privately and talking things out but just to simply palm them off when the information has been made available to them, I just don't know how much longer we can continue on those lines. I think that letter from the Chamber of Commerce, the most recent one, could be gone through in our working meetings between now and next month and I think some of those things can easily be addressed. I don't think the Chamber of Commerce is saying No GST. It's not good for Norfolk Island. If they want to be more competitive with trading if Australia introduces theirs, I think they have got to do something. The internal self government process has got to be funded. We can't just start abolishing our present revenue streams without putting something else in place but I believe this is a fair deal, I believe it is a more efficient deal and I believe it will benefit the community. I am prepared to put in more time for it but I can't keep going around in circles with what I'm saying. I think I'm getting to the stage where I don't know whether I can do much more. We can talk it through over the next month and see a way forward. I'm not going to spit the dummy. You win some and you lose some. We all know that. If I lose this the life of Brian Bates will go on I can assure you. Or I hope it will anyway. It certainly won't stop because of losing this motion anyway, it might stop for another reason but if there is no further debate I would like to move that the debate be adjourned and made an order of the day for a subsequent day of sitting on the basis that we do discuss some of these concerns in the interim period

ACTING DEPUTY SPEAKER

Thank you Mr Bates. Other Members have indicated a desire to contribute to the debate

MR ROBERTSON

Thank you Mr Acting Deputy Speaker. I think Brian hit it on the head when he said that he was the Minister involved in introducing 15 cents into the FIL but it wasn't him who put it up. Some other Minister did that. That's one of the concerns in the community at the

moment that if a percentage goes in today some other Minister can put it up and it's happened with the FIL. You gave us an example of that. It's happened with customs. It happens with everything. The introduction at the initial part of it has nothing to stop it from going up and there's a fear in that. The message that's around pretty loud and clear in the community is that the motion as it stands should go out with the bathwater, but if in the future there is more information received then it is worth looking at in a different light whether it's in totality that it comes in or whether or not its totality that it's left out, then there would be some form of recognition and I guess that comes back for more information but is there any necessity to have the thing sitting on the notice paper month after month. If it was thrown out, I can't see any reason why at some later stage, six months, twelve months from now when all the information has been gathered up through concerns and the concerns of the people explained or sorted out, then why can't it be introduced in a better form. That's all I'm suggesting

MR SMITH I was only going to say that if Brian wants to adjourn it to the next meeting based on the fact that the CAO and Brian went down to Wellington New Zealand to talk about the GST and we haven't yet had the report from that, I would be happy for it to sit to the next meeting but at that time you would probably be really looking for a decision one way or the other and in the interim period if we want to discuss it or to get the report it may just help Members, thank you

MR BATES Mr Deputy Speaker I move that debate be ajourned and that resumption of debate be made an order of the day for a subsequent day of sitting

ACTING DEPUTY SPEAKER Thank you Mr Bates. The question Honourable Members is that debate be ajourned and that resumption of debate be made an order of the day for a subsequent day of sitting

QUESTION PUT
AGREED

MR BROWN OPPOSED

That matter is so adjourned

FIXING OF THE NEXT SITTING DAY

MR BATES Thank you Mr Acting Deputy Speaker. I move that the House at its rising adjourn until Wednesday the 16 December 1998 at 10 am

ACTING DEPUTY SPEAKER Thank you Mr Bates. Any debate Honourable Members

MR BUFFETT Could I just inject Mr Acting Deputy Speaker the matter of whether we are going to sit in January or have our next sitting after December in February

ACTING DEPUTY SPEAKER You may. I have no problem with that Mr Buffett

MR BUFFETT The normal practice we've had for a little time now is that we have our final December sitting which is yet to come of course. There is not a January meeting but there is a February meeting. We have a requirement we can not go for longer than two months without sitting so the setting of the December date will determine almost automatically the February date if we follow that pattern. If in fact we don't follow that pattern and we want to sit in January, well that's another matter. I've got in my mind in a planning sense that we will follow the normal pattern but if there is some other move to do otherwise well maybe we should try and identify it while we are chatting about this now

MR NOBBS Thank you Mr Acting Deputy Speaker. I understood that we had decided at the last MLA's meeting that we would have one in January and only one in June and the budget had to come in in May and we would do the review in January or February

ACTING DEPUTY SPEAKER I'm sorry Mr Nobbs. I don't think I was present at that meeting. I may look to the Chief Minister and Speaker of the House to be able to shed some light on that as to whether a decision was actually made or had only been discussed

MR SMITH Thank you Mr Acting Deputy Speaker. We did discuss it. I don't think we came to a conclusion on what we would do but there was a proposal put to us that we would meet in January although we don't normally and part of that package would be that we would probably look to June to having only one budget sitting which would mean that the budget would have to come in in May. There is no problem with that however, I go on to say that I'm not real keen on a January meeting because it's that time of the year when it's not easy to get alot done and if we are going to achieve anything if we have one and if we needed any advise we may not be able to get it at that particular time but if there is a particular reason that somebody wants to well then that's up to Members

ACTING DEPUTY SPEAKER I have a possible suggestion to make from the Chair Honourable Members, in that we delete January's meeting from the programme as has been the case in the past but Honourable Members are reminded that it only requires three Members to call a meeting if it is required in January

MR ROBERTSON Thank you Mr Acting Deputy Speaker I for one would prefer to see a meeting in January. I find it difficult to find that because it's January and just after Christmas it's difficult to make decisions. I would have thought that with the positions we are holding that we would make decisions every day no matter what that day is, no matter when it falls. The object of it in the discussions that we had at that time was, and I agree entirely with Ron, there's no need to have to double dip in June. Why can't the budget come in in May and as far as the meeting's concern there is a definite - what's the problem with January. We've just been trying to establish that Norfolk Island's a seven day twentyfour hour day Island now because of our industry and it's pretty hard to suddenly, having made those sorts of decisions, we turn around and say except us. We can have a few weeks off because we are going to find it hard to make decisions

MR BROWN Mr Acting Deputy Speaker George and everyone else is being paid by the community to be down here and the community is entitled to expect that George will be here every day and that we will have a meeting in January but this motion's about when we have a meeting in December so why don't we get back to talking about this motion

ACTING DEPUTY SPEAKER That is correct Mr Brown it is about the meeting that is going to be held in December and I think just for the purposes of planning and Members may be planning annual holidays, that it is useful to determine as to whether it is the wish of Members to have a meeting in January. Is there any further comment

MR BATES Thank you Mr Acting Deputy Speaker. I believe that if we don't have a meeting in January then the third Wednesday in February is too late to fit in with other provisions and requirements so I think the meeting must be brought forward in February to comply with the timeframe between meetings and so if we are not to have a meeting in January I've got to point out that I may not be available for the first week in February if that would be the case because it is usually my pattern that I relax in the first week in February and visit one of our next door Islands and have a game of bowls

MR ION ROBINSON Thank you Mr Acting Deputy Speaker. I really don't mind if you have a meeting in January or not but I'll just foreshadow that I won't be here, I'll be at an Oil Conference of Dependent Territories in Geneva

MR SMITH I have to take up what Mr Robertson said. If there is something specific we've got in January, that's what I was saying. I suppose I need to ask the question, is there something specific that we need to meet for in January. It doesn't worry me whether we meet then or not but I don't want us to get into a situation where we come down to a meeting here and we have nothing on the agenda unless there is something specific that's in your minds now. I have. I have one or two things that maybe around at that time, but it doesn't make any difference to me when the meeting is held

ACTING DEPUTY SPEAKER Thank you Chief Minister. Is there any further input that members would like to make in this matter. My rough figures indicate that there is probably enough numbers to warrant a meeting in January however, the proposal is that we meet on Wednesday, 16th December 1998 at 10 in the morning and maybe it's best to leave the decision until then Honourable Members. Is there any further debate

QUESTION PUT
AGREED

The ayes have it

ADJOURNMENT

MR NOBBS I move that the House do now adjourn

ACTING DEPUTY SPEAKER Thank you Mr Nobbs. Is there any further debate. Honourable Members there being no further debate I put the question that the House do now adjourn

QUESTION PUT
QUESTION AGREED

The Ayes have it. This House stands adjourned until Wednesday 16th December 1998 at 10.00am.

