

Immigration Board and of the Social Welfare Board. He was Acting Deputy President of this House. He resigned in 1981 I think, after a very full life in so called retirement. In March 1984 he left the Island to return to England and lived near the river in the Thames Valley. He was accompanied by Lilly Fowler whilst in Norfolk Island and upon his return to England. The only surviving family member is his sister Barbara. To Bryan's family and friends this House extends its deepest sympathy.

MR SPEAKER Thank you Mr Buffett. Honourable Members as a mark of respect to the memory of the deceased I do ask that Members stand for a period in silence. Thank you Honourable Members.

Honourable Members, it is rather warm this morning so if Members would like to remove your jackets please feel free to do so

GIVING OF NOTICES

Are there any Notices this morning? No. We move on

PETITIONS

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 NOBBS Thank you Mr Speaker. I've got several for the new Minister Mr Gardner and I welcome him to question time. Minister the gaming legislation was introduced to the House some 12 months ago. A Board has never been appointed to deal with applications etc. In your brief time as Minister have you managed to progress the long outstanding appointment of a Board, a vital component of the gaming legislation.

MR GARDNER Thank you Mr Speaker and thank you Mr Nobbs for your welcome this morning. Just I guess to tidy up the question, the Board that I think Ron is referring to is actually the gaming authority and I'll refer to it as the authority. You are quite correct in saying that a Board has not been appointed in the last, since the gaming legislation was introduced to the House. At this stage we are progressing along the lines of a time frame to see that those appointments are made, that time frame expires, or should I say the time frame that we had put in place for nominations of names to that authority expires on Friday of this week. I have already received names, I have circulated to those names that I have received at this stage copies of the relevant legislation which includes the Gaming Supervision Act, the Gaming Act, and the Bookmakers Bill so that those prospective members of the authority can bring themselves up to date with exactly the requirements of those bits of legislation and start to understand the time commitments that will be required of them. I certainly do hope that within the next 2 weeks or so that I have an authority that members are satisfied with and particularly myself so it appears that we are putting in place an authority that is of high enough standing, not only in the local community but from prospective licensees offshore, so that it doesn't appear that we are just a Mickey mouse outfit.

MR NOBBS Just another one on gaming for Mr Gardner. Have any applications been received for a licence under the Gaming Act, and if so how far have these been advanced.

MR GARDNER Thank you Mr Speaker. In relation to that there is really only the one application, solid application that we have before us at the moment. There have been a number of other inquiries from people that have expressed an interest but at this stage they haven't developed to what could be termed a solid application. As far as how far the application that's before us at the moment has been developed we do have a group of people due up here tomorrow with legal representatives. The person is from the United States, were coming here to try and see how we can advance it with the ultimate aim of once the authority is in place extending a licence to them.

MR NOBBS Just a question. I don't know whether I can ask this one but I will anyhow. Is it correct that all this has been done directly by the Minister and without the required regulatory body, which is your authority, and I just ask is that action to date legal or not.

MR GARDNER Under Standing Orders it's difficult for you to seek a legal opinion from me. I don't think anything untoward has taken place. However as you could probably appreciate there is a substantial amount of work that needs to be done to finalise, not only the amendments to the Acts that will be required, but also to provide terms of reference to the authority in the way that they handle the licencing mechanisms. The matter has been progressed, we are as I've said before, at the stage now of putting in place, or have in place the necessary time frames to advance this on the issuing of a licence and that will be done.

MR NOBBS Just a final one for Mr Gardner. There was a notice placed in the local newspaper recently which clearly spelled out the difficulties of debt at the Hospital. I guess it's just another problem that you have inherited Minister but how are you proposing to address it.

MR GARDNER Thank you Mr Speaker. I have things in place that are addressing the so called problem, firstly we will be discussing later on in the House amendments to the Healthcare Act which will address one section of the outstanding debt problem at the Hospital. Secondly the Hospital Board have undertaken a public relations exercise and have printed in the newspaper that most people would be aware of a notice requesting them to try and pay for the services that they receive at the Hospital at the time of the consultations. The Board has also retained the services of McIntyres for debt collection and McIntyres have issued notices on behalf of the Board to debtors and it seems to be at this stage having a positive impact on the debt levels at the Hospital. The other area of concern, and I will refer to later, the debtors break down is the area of the Department of Veteran Affairs. There is a fairly substantial outstanding debt from them in the area at the moment of some \$60,000. Last month that was at about the \$80,000 level. We have received a payment in faith from DVA. There is a draft agreement with the Norfolk Island Hospital that the Hospital Board at the moment. That draft agreement will pave the way for clearing the outstanding debt and the future terms of the agreement will see DVA contributions paid quarterly and in advance. It might just be helpful if I quote from the Directors report for last month on this matter, and I'll quote directly from that report regarding the Department of Veteran Affairs debt level at the Hospital. "Finally after much correspondence several lengthy reconciliation's and the auditors support the Department of Veteran Affairs have conceded that the Hospital's account of the Department's outstanding debt is correct. The balance owing to the end of July has now been received and their representative has assured the Hospital Director that 2 cheques will be forthcoming before the end of January which will clear the debt". Hopefully the draft agreement or the contract as the Director refers to in her report will be finalised also by then. I guess with the ultimate conclusion that the Hospital will n longer carry a DVA debt especially if their contributions are paid quarterly and in advance. I hope that assists you with that question Mr Nobbs.

MR BATES Thank you Mr Speaker. I've got one question for Mr Gardner too, Minister for Health. On a number of occasions I have asked if it is possible to extend the Healthcare Scheme to cover members brief visits to either Australia or New Zealand by a payment of an additional fee. Would the Minister be prepared to investigate this possibility.

MR GARDNER A simple answer yes Mr Speaker.

MR BATES Some for yourself Mr Speaker.

MR BUFFETT A question for Mr Gardner Mr Speaker. The prospective financial overrun of costs in the welfare and Hospital budget, in the order of some \$600,000 was signaled and was talked about but without resolution at our last sitting. Some of the answers that you have just given to one of the other Members may be involved in that process but I just wanted to ask if you could tell us whether this difficulty has been clarified so that we do know exactly what sum we're talking about and what is the present situation in respect of it.

MR GARDNER Thank you Mr Speaker. If your talking about the level of subsidy that will be required in our budget review to make sure that the health remains healthy that level has been identified in the area of \$600,000. I am, it may be of assistance to you, I am looking at ways of trying to rope in healthcare costs, and am at the moment preparing a set of options paper for circulation to Members so that we're able to discuss that and the implications that stem from some of those options.

MR NOBBS That's fine. Just a question Mr Speaker for Mr Robinson, I've got a couple actually. Ric at the last meeting you advised that we had no powers over the fishing cranes on the 2 wharves. I question your response as the Norfolk Island Act clearly gives responsibility for wharves to the Norfolk Island Government. Did you mislead the House.

MR ION-ROBINSON Thank you Mr Speaker. I assure you if I did it was not intentional but as I see it, it is a fixture and a fixture is basically in the hands of the Federal Government. I'm more than happy to look further into it with you Ron.

MR NOBBS Another one for Mr Robinson who's in charge of Police, I guess it's his area. There's considerable concern in the community as to law and order at present. What is being proposed by the Government to tackle this problem.

MR ION-ROBINSON Thank you Mr Speaker. As you are aware we swore in, there was a swearing in ceremony last Thursday for 3 more special Constables. That is about the amount we are doing at the moment. There's some concern and I have had several pieces of correspondence so I am well aware of the concern in the community. Parts of the Liquor Act will hopefully help us keep an eye on it. That's about it.

MR NOBBS Just following on from that, another question. Last week, you mentioned that 3 young guys were sworn in as special Constables and I just personally thank them for putting themselves forward to assist and this question's really got nothing to do with them but I wish to know is the report correct that the members were sworn in as members of the Australian Federal Police.

MR ION-ROBINSON Absolutely correct Ron.

MR NOBBS Following on from that, the report stated that members were sworn in as members of the AFP. Is the report correct oh sorry. Can they operate on Norfolk Island. Were they sworn in correctly for the Norfolk Island Police, under the Norfolk Island Police Act.

MR ION-ROBINSON Yes well thanks for the question Mr Nobbs. I appreciate the forewarning on this, in fact they were sworn in over a month ago as special Constables for the Norfolk Island Police.

MR NOBBS Could I have a supplementary to that. Were they, can I ask Mr Robinson were they sworn in in front of the Chief Magistrate or a Norfolk Island JP.

MR ION-ROBINSON Thank you Mr Deputy Speaker. To be honest I didn't, but I can find out that for you Ron.

MR NOBBS Just another question on police. Is it correct that the cost of policing on Norfolk Island is largely covered by Norfolk Island and only a small percentage is to cover the commonwealth component is borne by Australia.

MR ION-ROBINSON Yes that's quite correct. We have a policing arrangement with the Commonwealth where in Norfolk Island provides for 70% and the Commonwealth provides the 30%. This has been practiced for quite some time now and their agreement has been in place and it seems to be working.

MR BATES Thank you Mr Deputy Speaker. A question for Mr Smith Chief Minister. With the year 2000 just over 12 months away is the Minister satisfied that all public services etc. are adequately equipped to cope with the so called millennium bug.

MR SMITH Thank you Mr Deputy Speaker. It is a good question Mr Bates. As far as I'm aware, I've been assured that, as far as anybody is aware that the Administration should be OK for the changeover date at the 31st of December next year. As people will be aware that the major problem we have had is in the telephone exchange which we're going to rectify before that time. I understand from EDP that the computer systems in the Administration will be OK. I fully need to confirm that with EDP to make sure that there's nothing wrong there but there's possibly other things that will come out of the woodwork in the next 12 months and computer equipment that may still have that problem. But we have been onto it Brian.

MR BATES Further question to Mr Smith, Chief Minister or perhaps for Mr Robertson the Minister for Tourism. With the year 2000 just over 12 months away what plans are in hand to celebrate this occasion and perhaps capitalise on our geographical advantage of being amongst those countries first to greet the new millennium.

MR ROBERTSON Thank you Mr Deputy Speaker. Members may recall that at the IGM meeting that we had, presumed IGM meeting that we had with Mr Somlyay prior to his departure, I circularised a paper in which it laid out what plans were in place by the Bureau to celebrate the year 2000 or the millennium as it may be, and at that stage the program is basically that P&O have indicated that they would send a liner across which would be anchored off the Captain Cook Memorial side of it where the sun will rise and the celebrations will take place during the day and in the afternoon they'll come round to this area down here where there will be an organised fish-fry and to enable, it basically be a complete day of celebrations so they not only see the sun come up but they can watch it go down.

That is being done under our current Act which says that we are a Territory under the authority of Australia.

MR BATES Final question for Mr Smith the Chief Minister. I notice from a recent paper that some intergovernmental meetings intend to be held in Canberra and also to exclude non-Ministers. Does this mean that there will be occasions when there are no Ministers present on the Island when their attending meetings and also that non-Ministers will not be granted observer status during such meeting.

MR SMITH I think the paper you might be referring to Brian may be a little old, I'm not sure of the one you are talking about but as Members will be aware leading up to the last meeting with the Federal Minister, Alex Somlyay there was some debate around the table whether Members should be present at any meeting between the Federal Minister and the Executive Government of Norfolk Island. I held a view that we should all be there together and I think the majority held that view at the time. However there was a suggestion that any amount of, I can't remember where it came from actually, there was a suggestion that the Executives meet the new Minister in Canberra not as so much as a meeting, it was a more of a get to know you sort a meeting and it was thought that the four Minister may be able to be there just to talk to the Minister. That didn't eventuate because of certain circumstances but it did lead to one Minister and myself, that was Ric and I went to Canberra to do a famil with the Federal Minister about 3 weeks ago but I still hold that same view that I have in the past Brian that if the Executive does meet with the Federal Minister that the non-Executives can sit in. Whether Members have changed their view on that or not I'm not sure.

MR NOBBS I've got some questions for Mr Robertson Mr Deputy Speaker. Gary in relation to the Cascade Cliff Project. What stage are we at with the tender process.

MR ROBERTSON Thank you Mr Deputy Speaker. The tender process as at today's date, there were to be all of those that had the preferred tenderers were to be on the Island to receive their documentation. At the moment the tender documents or a copy of the tender document is here but we're unable to proceed with that tender to date because Environment Australia still haven't given us the final approval and we're waiting on that final clearance and until such time as that comes through they cannot send out the tender document. Now I understand that that is due any time now. There were a number of questions asked and they were actually dealt with prior to my travelling up to Brisbane and forwarded to the environmental people in Australia as at the 2nd of December. Because of that it's been put back a few weeks. We're now running into the festive season and I understand from SMEC that it's proposed that they will bring those people in to relift the document at around either the 1st or 2nd week of January. It's basically put the whole thing back 3 to 4 weeks but we still can't do anything until such time as that clearance from the Environmental Australia comes through.

MR NOBBS Gary can you recall how many companies were selected to tender.

MR ROBERTSON Yes there were 10 on the preferred list of which was changed by the Assembly in which they suggested that the local tenderers should be able to tender at the same time, but all local people were asked to put in their, through an advert in the paper to put in their expressions of interest in the initial stage. I understand that 2 of them did although the third one has also told me yesterday that he did also and I've asked for a copy of that document.

MR NOBBS So there were 3 Norfolk Island companies or entities actually tendered.

MR ROBERTSON No they didn't tender, they put in expressions of interest into being, for the question that was asked in the newspaper advertisement in both Australia and New Zealand and here. 2 of them, one put it in on time in conjunction with a company from Australia, one put it in 2 weeks late, we made special dispensation for that and the third one that I was under the understanding that hadn't put it in although on speaking with him yesterday he assured me that he had and had written to SMEC direct and as such was going to furnish me with the document yesterday, I haven't received it at the moment.

MR NOBBS I've got a couple of questions in relation to quarrying and crushing which is a bit of a problem at the moment. The Norfolk Island Act provides that quarrying is the responsibility of the Norfolk Island Government. Is it correct that reference to quarrying also includes the crushing of metal.

MR ROBERTSON Probably presumed but I don't understand it as that. The quarrying part of it would be quarrying of metal, the crushing is a secondary and bi-product but you could assume that it would be all in the one...

MR NOBBS Well apart from this reference in the Norfolk Island Act what other legislation, like Norfolk Island legislation even refer to let, alone regulates quarrying on Norfolk Island.

MR ROBERTSON I guess some of that, sorry Mr Deputy Speaker. Some of that is under the Planning Act which is coming in as to under the health and environment areas, health and safety areas where the AS standards would be put into place for those that are carrying out that exercise. There are steps in place and there are areas in place where it can be controlled without any further legislation in that respect but they are there under health and safety.

MR NOBBS What environmental controls are actually in force which ensure quarrying is undertaken in an environmentally appropriate manner.

MR ROBERTSON Thank you Mr Deputy Speaker. At the moment the environmental control which was basically referring to crushing was under the licence that was extended to the people that were crushing up until last month. That specifications of those were the standard that the licensee had to operate to. Now that the crusher has been closed, or as of the 15th of October the I understand Mr Ric Robinson has progressed that to the stage where a draft document is out listing the environmental conditions for both noise and dust controls should we wish to proceed at some area in the future.

MR NOBBS Just in relation to the current quarry operation at Cascade. The first one, is there a lease over the area of private land, and if so who are the signatories to the lease or leases.

MR ROBERTSON The lease over portion 5a to which you refer is held by the Administration of Norfolk Island between that and the owners of 5a.

MR NOBBS Can I have a supplementary to that please. Returning to the current quarry operations. How is the quarry operation regulated as Admin's a signatory to it and also are conditions policed by Admin and if so is there a designated position in Admin designated as a responsible officer of the quarry operation.

MR ION-ROBINSON Perhaps Mr Deputy Speaker if I can assist in the answer to that one. As Mr Nobbs is aware we are reviewing our Norfolk Island Plan and Planning Act to bring it more

in line with appropriate Norfolk Island conditions. There's not much in place for quarrying in there at the moment but we are contemplating doing it all with the review of the Norfolk Island Plan. There are several guiding documents that we can fall on to make rules and regulations for quarrying but at the moment there is very little.

MR NOBBS Thank you. I just wanted to say that this is an information session again. I'm aware of the problems but I don't think a lot of people outside are. Just another one for Mr Robertson if I may. The proposed GNSS to operate next year at the Norfolk Island airport has drawn comment and some concern in the community. First question, is the cost of the system in excess of \$1m.

MR ROBERTSON Thank you Mr Deputy Speaker. No. Mr Deputy Speaker it might be in favour on some time, I intend to make a statement on that in the House which would cover just about everything that you raise.

MR NOBBS I think this is for Mr Robertson. It's in relation to mails, not males humans but mail Chief Minister. What arrangements are in place for the carriage of airmail between Australia and Norfolk Island and has a tender been let for the carriage of airmail between Australia and Norfolk Island and also I've had some complaints which I'll get on to. Can you answer those. What arrangements are in place for the carriage of airmail and there was no tender when I asked this question 12 months ago and I'm just wondering if there's one at the present time.

MR SMITH Thank you for the question Mr Nobbs. No there isn't, there is only one air carrier that flies to Sydney so I imagine putting up for tender wouldn't change things, the same carrier would be carrying the mail, that's on the Norfolk/Sydney route which is where the mail goes to, all the mail goes to Sydney.

MR NOBBS Just another one for Mr Smith. I've heard some complaints of erratic nature of the airmail deliveries between Australia

MR BROWN Point of Order Mr Deputy Speaker. Question time is questions, not for statements of grandstanding and perhaps the member could be asked to stick to asking questions.

DEPUTY SPEAKER Yes a short introductory arrangement as has happened to date is permissible.

MR NOBBS I've had complaints about the erratic nature of airmail deliveries between Australia and Norfolk Island, particularly in the lead up to Christmas. Is the Minister aware of such concerns and what is being done to address the problem.

MR SMITH I'm not aware, well put it this way, nobody's actually put it to me that there's a current problem although I am aware that there's always complaints about the mail delivery and not necessarily from only out of Australia so the answer to the next part of your question is no I'm not doing anything about it because I'm not aware of those ones but if you have any specifics that you can give me Mr Nobbs that we can chase it up.

DEPUTY SPEAKER Are there any further Questions Without Notice.

MR ADAMS Thank you Mr Deputy Speaker. My first question Mr Deputy Speaker is to the Minister with responsibility for Immigration. Minister occurring regularly now in the

local newspaper are job adverts which give the most minimal detail as to vacant positions and their requirements and tale off with the sentence, this is a T.E.P renewal. Could the Minister explain if these practices are in accord with the requirements of the Immigration Act relating to permit holders renewal.

MR ION-ROBINSON Thank you Mr Deputy Speaker. As far as I am aware, it is. However it is rather obvious the intent of the advertisement. I am well aware of it. I don't know how we can overcome it but when it comes to the review of the Immigration Act perhaps there is a way we can overcome it there. So at the moment I am not aware of a way to overcome the problem that Mr Adams is alluding to.

MR ADAMS A short supplementary to that Mr Deputy Speaker which the Minister may have already partly answered I guess. Minister have the requirements of the Immigration Act been changed recently in respect of the island employment requirements for T.E.P's.

MR ION-ROBINSON No they have not. We are in the process as Mr Adams knows of reviewing the Immigration Act in its entirety. At the same time we are, our Immigration Act, as it stands is under investigation by the Human Rights and Equal Opportunity's Commission and in order not to spend more funds than necessary we have put a halt on the investigations into the Immigration Act until we have the result of that Human Rights and Equal Opportunity's Commission Report.

MR ADAMS Another brief supplementary to that Mr Deputy Speaker. Could the Minister for Immigration inform the House as to the progress that's been made on a Motion that was passed in this House which had the effect of seeking to place back on Norfolk Island the appeal provisions under the Immigration Act for permit holders rather than having those appeals held offshore by the Federal Minister.

MR ION-ROBINSON Thank you Mr Deputy Speaker. I have not got the most up to date on the top of my head Mr Adams, I'll be happy to look at how that ART piece of legislation is going.

MR ADAMS Thank you Mr Deputy Speaker. I have a series of questions here for Mr Smith with his Finance hat on. Minister, as we all know we've recently been supplied with the Financial Indicators for the 5 months ended 30th November, 1998, in which states Customs Duty on a pro-rata basis is ahead by 3%, but it goes on to say that our net tax income are 4% down and given that the Customs Duty is one of our leading income indicators, could the Minister perhaps give a brief explanation as to in spite of the obvious indications that the economy is doing well and bubbling along nicely the actual public sector income is down.

MR SMITH Yes thank you Mr Deputy Speaker. Yes I think the best explanation for what Robert is asking there is that we're probably over exuberant with our budget which shows up in Customs Duty because that has been the same for 1 or 2 years but some of the other taxes that we were expecting to get as is pointed out in that paper that has been circulated with things like vehicle registrations vote which is where we'd allowed \$125,000 from personalised number plates well as we're all aware that we're working on having those introduced but it has taken a little bit longer than what was expected so that probably won't come in with \$125,000 before the end of this financial year but we're hoping it will come in with at least some. That type of thing that has had a marked effect on the budget although with FIL that does continually drop year by year.

MR ADAMS Thank you Mr Deputy Speaker. A couple of quick supplementary's to that George. I wonder given that our income does seem to be on a slide, does the

Government have any solutions on place or efforts in place, or strategies in place to arrest that downward slide of our income graph.

MR SMITH Thank you Mr Deputy Speaker. We're always looking at ways to do that Robert but in the budget review process we're going through now I'm hoping we're going to come up with something because as Members are aware and the community is aware of the \$600,000 subsidy we've got to put to Health, something that we're concentrating on at the moment but yeah I'm looking for any way that we can arrest the downturn in the revenues.

MR ADAMS Another supplementary along in the same vein Mr Deputy Speaker. Minister what efforts are being made by the Government to cut or reduce unnecessary expenditure.

MR SMITH Thank you Mr Deputy Speaker. Well that is part of the budget review thing as well we're looking at how we can do that, haven't been too successful so far but we've certainly got to do something in this particular instance Robert.

MR ADAMS Another supplementary Mr Deputy Speaker. Minister in recent years slipping back to past years there was a group put together known as the Expenditure Review Committee and my understanding is that it did a substantial amount of good work in the area of reducing costs. Would the Minister see any benefit in reconstituting that group.

MR SMITH Mr Deputy Speaker yes Robert I really would like to do that. We did talk about it earlier in my time as Finance Minister, I don't know if there was a lot of support at that time but I think it's becoming very important that we do have such a thing and I'd really be happy if we could develop something along those lines.

MR ADAMS Final supplementary on that issue Mr Deputy Speaker. Minister the Financial Indicators go on to say in the summary that they recommend that the original budget for this year be reduced by \$46,000 give or take. Minister could you briefly outline the effects that this reduction if carried through will have on the progress or the output of the original or the current budget.

MR SMITH Thank you Mr Deputy Speaker. Well it depends how we handle it. One would be to, if it was only that amount of money you could let that run to the end of the financial year and run it as a bit of a deficit but under the circumstances with this large subsidy we've got to put in, or however we do that it all gets back to what you were saying before Robert about we're going to have to cut costs somewhere and I'm sure that's going to have to happen but that will be the effect.

MR NOBBS Question for Mr Smith if I may. The Norfolk Island Government has a site on the Internet George. Has the Government a policy on what information is placed on the Government's site.

MR SMITH Thank you Mr Deputy Speaker. No it's one of those things that we hadn't developed a policy for but I think what Mr Nobbs is probably referring to is there was some things that were put on the Government site that if one searched hard enough would find that it was unacceptable and I understand that has been removed. I would have thought that anything that the Administration or the Government does would have its, people would have their own principles in dealing with Something, particularly the Internet which is world wide and if you can show something to the world through lack of thinking about the effects of it, I think that's not very good but if it's what your referring to Ron that has been resolved.

MR NOBBS Just in relation to finance. It's been suggested that the schedule of fees charged by Admin in a number of cases are well out of date and these should be revised. Is it proposed that this revision occur and when do you propose to do it.

MR SMITH Thanks Mr Deputy Speaker. Thanks for the question Mr Nobbs. I have here a pile of fees and charges because Brian has been asking me this for quite some time. I have here a schedule of fees that we can, with some options of raising them at the same time I asked for these I had asked for a similar paper that would reflect the RPI increase, yearly RPI increases so that some of our fees and charges where appropriate could rise with the cost of living per year. That paper I was told yesterday is almost complete so let's hope we have that very soon but what I'm going to do is copy these fees and charges around to Members and see what your comments are made on those suggested increases in many of them. Some are only small but some are quite large so we are working on that Ron

MR NOBBS Thank you Mr Deputy Speaker. A question for Mr Robinson. Ric the Norfolk Island Act provides that recreational areas are the responsibility of the Norfolk Island Government. As most are in public reserves, still controlled by Canberra, I wish to know what formal arrangements are in place to allow the Norfolk Island Government to carry out it's responsibilities on land which it does not control

MR ION ROBINSON That's a good question Ron. As far as the reserves go, we have the Plans of Management still under way and I tried to get hold of our Conservator before but of course he's been tied up with the submission by this Government to the Federal Government on the Biodiversity Conservation Act so I haven't got any answers out of him as to how the Plans of Management are going so if I could take that on Notice, Ron, I'll get an answer to you

MR NOBBS Just a supplementary. If in fact there is no formal agreement, in the event of an accident in a recreational area on land owned by Canberra who is responsible for the accident insurance claim

MR ION ROBINSON That's verging on legal advice Ron, but it's an interesting question which I will also look at

MR NOBBS You might be able to answer this one. I'll put it on Notice. Why does the Norfolk Island Government pay for the maintenance facilities and provide services on land which Canberra owns and controls

MR ION ROBINSON We can use that in alot of areas. I don't like it any more than you do Ron, but however. That's the way it is

MR NOBBS Another question for Mr Robinson. You mentioned the Human Rights and Equal Opportunities Commission's Report, what has happened to that Report

MR ION ROBINSON Thank you Mr Deputy Speaker. The previous Minister for Immigration wrote to the Commissioner seeking an extension of time to reply to a confidential draft report which was provided to this Government. As yet we have not had an indication from the Commission as to when the final report will be out and we also are seeking legal opinion as to the draft HREOC and that of course is not to hand yet either

MR ADAMS Thank you Mr Deputy Speaker. A question here for the Minister with responsibility for the KAVHA area. Minister, given the unfortunate recent demise of the arrangement known as "Wetls" and the clear community need for the functions and facilities that that arrangement provided, what will the Minister be doing to ensure those facilities are once again available to people who use the Emily Bay/Slaughter Bay area

MR ION ROBINSON Thank you Mr Deputy Speaker. I understand that the former owner of the "Wetls" bus in the process of doing up a much later model that hopefully won't be the eyesore that the other one was. We also have the submission put to all members, including myself that perhaps we should do up the Salthouse as a Kiosk. Personally I am not enamored of that idea. It is a traditional landmark on Norfolk Island and to somehow denigrate it by using it as a commercial activity would not be appropriate but that is my own view. If Members feel any differently they are free to do so, so at this stage of the game, I understand that Don is working on another bus. As I said, a later model one, preferably better looking

MR ADAMS Thank you Mr Deputy Speaker. I have a question here for Mr Robertson who has responsibility for tourism. Minister, has any progress been made in remedying the extremely late airline flights which are creating a major source of discomfort to the travelling public and residents of the Island

MR ROBERTSON Thank you Mr Deputy Speaker. Members would be aware that up until the second week in December the schedule that had been put in by one of the airlines, which meant that they were theoretically arriving at 11.30 at night or between 10.30 and 11.30, often later, would be rectified in the degree of the daylight saving that was introduced into Australia just recently. That is basically taking effect along with the rescheduling of that aircraft and there is no longer a requirement for it to fly the Brisbane/Canberra sector early in the morning as was part of the problem and so it's been more utilised to the extent that Norfolk has a little bit more control on it. That will be in place until toward the end of January when the run will recommence Brisbane/Canberra again so at the moment there is a relief to the local operators, tour accommodation people and so forth. It is no longer a very late night flight but it is still coming in mid evening at this stage, 9.30/10.30. The owner of the company is starting to make attempts to get a dedicated aircraft which may eliminate that initial run and so come forward on a better time frame and schedule and was also very aware that the opposition aircraft company has made a full page advertisement in the newspaper recently in which they said that come the middle of next year they will be in a position to fly at theoretical daylight hours so there are a number of issues in place here. We have three airlines flying out of Australia. One is unable to fly to Sydney because of the type of aircraft. Not aircraft, it can get there easy enough, but it is the Noise Surveillance Committee's requirements that are currently in control in Sydney, but they have bought a new aircraft to get over that. The airline currently flying into Sydney is very aware of some of the difficulties involved and they are making attempts to get over them so that basically is what's intended. Nobody here is very happy with late hour flights but we are stuck with them at this stage whilst there has been an improvement over this two month period we are still stuck with them until such time as the airlines can reschedule themselves out and that's an airline situation at this stage

MR ADAMS Supplementary Mr Deputy Speaker. Minister, if the situation doesn't in fact improve, will there be a point at which the Island and the tourism industry on the Island will say, this is enough of this inconvenience, it's time to improve the service provided by this Airline

MR ROBERTSON Thank you Mr Deputy Speaker. I guess that will be the answer Chinny. It's a case I guess of pressure being put on from those who are in that situation and that usually wins out in the long term

MR ADAMS Thank you Mr Deputy Speaker, I've a question here for the Minister with responsibility for the environment. Minister, at what stage is the legislation that will allow land holders to commence the growing of species of protected trees on their portions on a commercial basis

MR ION ROBINSON Thank you Mr Deputy Speaker. Good question. We have the Trees Amendment Bill coming up later on the agenda today which will bring into force the Act which will enable that to be so

MR ADAMS Thank you Mr Deputy Speaker. A final question and it is directed to the Minister with responsibility for Education. Minister, can you briefly outline to the House and give a description to the House as to the progress that's been achieved in the formal introduction of the Norfolk Language to the Norfolk Island Central School

MR SMITH The formal introduction of the Norfolk language is on track. It is going to be introduced, I think I said the same thing at the last Sitting, but it's going to be introduced into the Kindergarten age group of the school, that should commence at the beginning at the first term of next year. It fits quite well into the structure that we already have there for education and I think it's going to prove to be very rewarding in the way it's shaping up. I must add that the language is already being dealt with in certain sections of the school, particularly in the secondary area with Norfolk studies and things like that

MR ADAMS A brief supplementary Mr Deputy Speaker. I wonder Minister if you could just clarify a portion of what you've just said. Will the language only be introduced to Kindergarten

MR SMITH Thank you Mr Deputy Speaker. It was felt that to start it off it needs to be started at the youngest level of course, probably the first two years, and the first form will be in their oral sense because they are usually too young to start their writing of such a language in the very earliest years and as it progresses they will keep being taught it right throughout their school years and as the younger ones come on they will commence the process as well

MR ADAMS Thank you Mr Deputy Speaker. A supplementary and I apologise for labouring the subject, Minister wasn't it a policy of the House that it be introduced to the Norfolk Island Central School in its totality

MR SMITH Yes I see what you are getting at. We did say that it would be applying from K to 6 in the first instance and Secondary as I said before was already dealing with the language in certain proportions but yes, you are quite right Robert, but it has to start somewhere and that's what is going to commence in the first term of the year. Thanks for that question because it is quite correct

MR NOBBS This is a supplementary to that one Mr Smith. What's being done to promote the use of Norfolk as written language in the wider community George.

MR SMITH Well I hope it's being used alot. If you're referring to what we are doing about it maybe Ric might have some sort of an answer for you for that. The only steps I've taken at this point Ron is with the school in the education system.

MR SMITH

There should be done

DEPUTY SPEAKER
Presentation of Papers?

We have concluded Questions On Notice Honourable Members.

PRESENTATION OF PAPERS

MR ION ROBINSON

Thank you Mr Deputy Speaker. In accordance with Section 41 of the Interpretation Act 1979, I table the Firearms Regulations 1998. Mr Deputy Speaker, these will enable the Firearms Act of 1997 to come into force. I am aware, or I have been made aware that the Federal Government is intending to introduce legislation in the February sitting of their Parliament to remove firearms from Schedule 2 of the Norfolk Island Act

MR SMITH

Thank you Mr Deputy Speaker. This is also a Regulation that I'm going to table Mr Deputy Speaker. In accordance with Section 41 of the Interpretation Act 1979, I table the Postal Services Rates (Amendment) Regulations 1998.

I would like to also table the Revenue Fund Financial Indicators for the month of November and give a brief discussion on them. I move that they be noted

DEPUTY SPEAKER

The question is that those papers be noted

MR SMITH

Some of the comments that have been made about the financial indicators and the revenue in general which Members have all been circulated with. Some points. Robert has already raised some of them this morning. Customs Duty on a pro rata basis is ahead of the estimates by 3% which equates to \$38,000. Based on this result there is a possibility that we can increase the budget from the source by about \$80,000. FIL is behind budget by about 8% at \$29,000. Based on this shortfall and the comparison with last financial year over the same period we may have to reduce the FIL budget by \$70,000. Other taxes net are 4% or \$37,000 behind the budget at the end of November. Some items are ahead of budget and others are behind. Tattersalls commission, the Accommodation Levy, Departure Fees and Absentee Landowners Levy are ahead of budget whilst Land Titles, Fees and Vehicles Registrations are behind budget. Vehicle Registration shortfall is due to the delayed introduction of the customised, personalised number plates however, if we get that going before the end of the financial year, it won't be too bad. The earnings from GBE's appear to be on track, however, this time the earnings from the Philatelic Operations as usual are difficult to predict with any accuracy and we should have a better picture of philatelic by February March. Interest from investments is down of course due to the reduction in Bank Interest Rates. Because of the interest rates now given by Banks, it is proposed at this point that we will have to reduce the budget by some \$20,000 if there's no change. Revenue net from various charges is also behind by about \$27,000 at the end of November and the main source of this reduction comes collectively from Tanalith charges, the sale of Forest produce, Court Fines and other miscellaneous items and we may have to look at that part of the budget as well. In summary, the income including known accruals at the end of November is 98% of budget which is overall a shortfall of about \$63,000. This compares with last year 101% of budget by the 30 November so we will be talking about that at Budget Review. In expenditure the Healthcare Fund subsidy of \$100,000 which was appropriated for the full financial year has been fully funded and it is this funding which has caused 116% of budget at November of this year. At this time the best assessment appears that the Healthcare Fund will require further funding of about \$400,000 prior to 30 June 1999 and speaking on that, when we did the budget it was suggested that we may need to have an extra subsidy of \$200,000 at that time. We thought about that carefully and the Minister for Health said he was happy to run with \$100,000 budget at that time but we would have to look at it at Budget Review

and at that time we were talking about \$200,000 but for various reasons, it looks like we now may need \$400,000 prior to the end of the financial year. Welfare Expenditure 159% of budget at the end of November. It is estimated that this category of expenditure will require further funding of another quarter of a million dollars before the end of the financial year. Welfare has almost used up all of its budget allocation in the first six months of the year. Capital Works Purchases is 137% of budget at the end of November but this is due to the completion of a stage of the Burnt Pine Upgrade and almost full draw down on the purchase of vehicles and plant and the final summary, expenditure including known liabilities and accruals at the end of November is 104% of budget which is an overspend on a pro rata basis for the year of \$149,000. 30 November 1997 comparison to that figure was 83% of budget. Thank you

MR BATES

Thank you Mr Deputy Speaker. I thank Mr Smith for that summary of the paper just tabled. As I mentioned earlier I was approached by a former Minister for Finance over this particular issue and it's good that Mr Smith is prepared to make some comment. I hope that's an ongoing thing. In looking at the paper, and the total revenue is 98% of budget and I think that's fair enough. Unless we have some great disaster my experience has been that more revenue comes in in the second part of the financial year than does in the first part for whatever reason I'm not too sure, but maybe it's that things start getting back into gear after the boom of the Christmas period and then it has its effect on the revenue side of things. It is troubling to see that on the expenditure side of things, areas which really we have little control over, areas in the Assembly that we must address, are the areas that continue to give us problems in balancing our budgets. Health and Quarantine are 116% over budget but they are also close to \$200,000 more than they were this time last year. Welfare is also 159% of budget and its about \$130,000 over what it was the same time last year and these are worrying factors. They bear out what I've said for some time that if this path of internal self government that we are upon is to be funded we need to certainly address our revenue stream and Ministers in the past have tried with alot of success I believe, in keeping expenditure to a minimum. I agree with that approach. Any expenditure that is not necessary, I certainly don't support but I think these are good times at the moment or they appear to be. We've been through our bad times, with the pilot strike and since we've had the two airlines currently operating I think we can all consider that these have been pretty good times and if we can't get something in line in our revenue stream in good times then I don't know how we are going to get along in the bad. I was also approached, I notice further down, there's a motion to appoint Curran, Sole and Tuck as our auditors and I think that goes hand in hand with our desire to develop accrual accounting. I seem to recall that on a previous occasion when this issue came up, we looked at only external auditors that had had some experience with the Norfolk Island situation so that they could assist and guide us through the accrual accounting process. I find it a little bit interesting that I was also approached by a former Minister for Finance who had concerns about accrual accounting and I think Members have also had a letter from another former Minister for Finance opposing accrual accounting. I've also been a previous Minister for Finance and I've always been a little bit lukewarm about it but I've never directly opposed it because I think if that's what people want, then that's fair enough. I also believe that the Finance Manager is quite in favour of it and he's the one that probably has to do it but it is interesting that these monthly financial indicators do already take on board some accruals. I haven't come to grips in my own mind as to how they will look under accrual accounting. The previous Minister for Finance who spoke to me about the issue suggested that if you have accrual figures in your expenditure they will just reflect one twelfth of the budget month by month and won't show you these percentages. I'm not sure about that but I'm not also sure if the Public Moneys Act allows for accrual accounting in the sense in which we've had it. But I've basically just mentioned for Member's benefit that at least two previous Minister for Finance are opposed to that concept and I think that's worthy of drawing to the attention of Members. I think that's all I wish to say at this stage Mr Deputy Speaker. Thank you

MR ION ROBINSON

Thank you Mr Deputy Speaker. I must admit that I too have my reservations about accrual accounting. In accrual accounting we should apply the saying *qui bono*, in other words, who has to gain by accrual accounting. One example given to me was if we invoice all our Absentee Landowners Levies that goes straight in as a plus and we all know that not all the absentee landowners cough up. There are a lot of little niggling doubts that I have about it now and it's through speaking to these two previous Finance Ministers as well as others. As I say, I haven't waded by way through it fully yet but there are doubts there. Thank you

MR GARDNER

Thank you Mr Deputy Speaker it may just be of assistance if I were to expand on some of the Healthcare issues at this stage and it may also clarify in your own mind Mr Deputy Speaker, in relation to a question that you asked earlier about the Healthcare and HMA blowout. There are three reasons why we find ourselves in the situation of having to provide additional supply to Healthcare to see us through to the end of the financial year. Firstly the Healthcare Scheme was underfunded in 1997/98. Further explanation of the under funding is that in 1998 only \$100,000 was provided as a subsidy which resulted in debts of \$192,000. This shortfall was not fully apparent when the current year's budget was being prepared in April and May of this year and no additional funds were sought. The Healthcare Scheme did however have a brought forward surplus from the previous year of approximately \$70,000 which meant that the actual shortfall in funding for 1997/98 was around \$122,000. Secondly, the final approval revenue fund budget for 1998/99 did not contain sufficient subsidy for the Healthcare Scheme. This fact was known at the time and \$200,000 was allocated a second priority as an indication that funds would be required later. The Healthcare Budget actually predicted a shortfall of \$234,000. Finally the activities of the Healthcare Scheme have increased with an increase in the number of referrals for the first five months of the year and an increase in the costs of services generally. The collective effect of the above three is that if the Healthcare Scheme is to meet its commitments this financial year and not carry a significant amount of expenditure to the next year, a subsidy of \$400,000 is required. A basic summary of what I've said is that the budget blowout is not caused by an alarming increase in costs for the current year but by a combination of factors summarised as follows. The shortfall due to the previous year of \$122,000; the budget shortfall not provided this year of \$234,000 and the increased cost for the current year of approximately \$50,000. Therefore the amount that has been requested is \$400,000. It is not possible to accurately predict the expenses to be met by the Healthcare Scheme each year as the cost incurred are dependent on the health of the members and can be severely impacted by one member's misfortune. For this reason the increased subsidy requested is an estimate that may need adjusting towards the end of this financial year. As far as HMA is concerned, that is the Hospital and Medical Expenses for our pensioners, the main factor contributing to this year's increase in HMA expenditure is the increase in services to pensioners by the Norfolk Island Hospital. For the first five months of the previous financial year this totaled approximately \$113,500 compared to the \$182,000 almost for the current financial year. Whilst this represents a cost to the welfare vote, it also has an impact on the hospital revenue, with a possibility of enabling the hospital subsidy to be reduced. As with healthcare, there are approximately \$20,000 from the previous year paid from this year's budget as funds were exhausted prior to the end of last year. In summary, HMA has incurred additional expenditure this year to a \$20,000 overhang from last year and a much greater utilisation this year of medical services mainly at the Norfolk Island Hospital. If current trends continue an additional \$240,000 will be required to provide funds for the remainder of the year however, there will always be the qualifying over-rider that it is not possible to accurately predict medical expenses as the cost incurred can be severely affected by the medical requirements of one or more persons and I certainly hope that helps to clarify the situation, thank you

MR SMITH

Thank you Mr Deputy Speaker and thanks to the Minister for reading that out. What it does point out even though it talks about subsidies, the real problem and I think this is what Mr Brown said in recent times, that the real problem is the funds themselves. We

can't keep talking about continually subsidising to whatever level. I think John even mentioned in the last Sitting that maybe we've got to revise the whole Healthcare Scheme or do away with it altogether or make the levy able to fund the Healthcare Fund properly because if you think about how much we've subsidised the Healthcare Fund from 1990 there's probably \$1.5m that we've put into it but if it's going to keep increasing maybe that's something we've got to look at rather than just looking for how we can find a subsidy all the time although, as it is pointed out in the paper, the Hospital subsidy should be able to be reduced because of the extra funds they would be getting from the Government

MR GARDNER Thank you Mr Deputy Speaker I don't know if the Chief Minister was listening during Questions Without Notice but I did explain then that I was preparing a series of options looking at the way that we can deal with Healthcare, the Hospital, HMA and other associated matters so that is in hand, thank you

MR BROWN Mr Deputy Speaker the Chief Minister referred just a moment ago to some comments I made at our last meeting. I perhaps didn't make myself clear enough at that time. One of the biggest difficulties that is encountered with the Healthcare Fund is having Members who sit in this Chamber insisting that the Healthcare Fund provide a wider and wider range of coverage and then during the course of the same meeting, those same Members complain about the cost of healthcare. You can't have it both ways. You can't provide an ever increasing range of coverage and at the same time have everything cost less money. Geoff just mentioned that additional moneys have been paid to the hospital this year by HMA and he questioned without giving a necessarily thought out comment, he questioned whether that might lead to the possibility of reducing the subsidy of the Hospital and the Chief Minister mentioned that just a moment ago. Now you need to be careful with that because you might find that you have a couple of patients being provided with quite expensive treatment at the Hospital but you might find that that treatment has a quite significant cost to the Hospital. For example, if a patient is receiving regular treatment and that treatment involves the provision of a drug or some such thing, you need to be careful that you know how much that is costing before you say, "Oh dearie me, this patient's been winning for the Hospital \$40,000 per year". The Hospital might have paid out \$36,000 in expenses but it is not necessarily the case the you will be able to scale down the amount that goes to the Hospital. Thank you

MR BATES Thank you Mr Deputy Speaker. Just following on some of the comments made by Mr Brown on the Healthcare costs and things like that. I believe that there are a number of issues around effecting healthcare. It was considered at the beginning of Healthcare that two other schemes would back up healthcare, one being the Workers Compensation and the other being Third Party Motor Vehicle. I rather suspect that if people need attention at the Hospital now through some accident they may have incurred in a motor vehicle then the Healthcare Fund covers that part of the cost. Hopefully there will be another source of funds and hopefully it won't be used too much. I'm not hoping that people will get hurt or anything like that but on the occasion that people do get hurt, hopefully the third party insurance fund will make that contribution to the Hospital and welfare rather than the Healthcare Fund. But for some time now I have said that as far as the Hospital goes it's a community issue. It's a thing that I believe the community must support simple because it's there. It's there now if any of us need it later today for whatever reason and because it's there now in case any of us need it later in the day, I think that as a community we should be contributing to it being there and I have said it on many occasions that that hard core set of costs of having that hospital sitting up there, I believe should be able to be estimated. The cost to the building, the cost of the basic staff, the cost of running the hospital on the basis that it would be nice if nobody went through the front door, but when somebody does go through the front door then the costs increase. They increase by way of medical attention whether it's the use of expensive equipment, whether it's the use expensive equipment; whether it the use of drugs or whether it's for meals or somebody to prepare those meals and I believe

it's those additional costs when a patient arrives there with really costs that should be directed towards the Healthcare Fund or the Workers Compensation Fund or the Motor Vehicles Third Party Fund. I'm not sure now if somebody goes up there and has something done, whether part of the money they contribute are really contributing towards these hard core costs which I believe is a community issue and is not necessarily the issue of the individual requiring their pension. But I gather others don't think that way because I've never been able to get past first base with that but I think it would make it alot easier for us to understand just what contribution our Healthcare Fund is making and what contribution these other funds are making if we did know what those hard core set of costs are and what proportion of those hard core costs we are prepared to really say well this is a community responsibility. Thank you

DEPUTY SPEAKER Is there any further debate on the question that the Revenue Fund Financial Indicators.. Any further debate on that question. Then I'll put that question. The question is that the paper be noted.

QUESTION PUT
QUESTION AGREED

DEPUTY SPEAKER The ayes have it. Thank you. Further Papers. No further papers. Statements. Sorry Mr Robertson you wanted a Paper.

MR ROBERTSON I table the Inbound Passenger Statistics for November 1998 and move that the Paper be noted.

DEPUTY SPEAKER The question is that that Paper be noted.

MR ROBERTSON Members have already received copies of this. You'll notice that the boom that sort of took place between last years figures and this years figures are starting to slow down and there's very good reasons for that. Whilst we had a 17.3% increase last financial year we had introduction of 2 new airlines flying which was pretty competitive, there was lot's of areas which were re-established as to where they should source tourism from and the results of that was percentages of increase that we experienced. It's now leveling off, and November whilst gave us the financial year to date of 17 odd thousand as opposed to 14 and a half thousand. We do not expect to continue to have increases of that nature for the rest of this financial year and I would suggest that if we hit 38,000 we're doing well. Some of the reasons for that are self explanatory and others are the projected forecasts happening over this current month which is down a little, the January month which is coming down quite considerably and February which in itself is not exactly showing some rosy figures. The Bureau is working fairly extensively in trying to introduce a couple of groups in those periods to try and stimulate figures again and they may well work, but we are on a leveling off period basically commencing now. So that's all I have to say at this time.

MR BROWN Mr Deputy Speaker it's plain from the figures which have been tabled that in November there was actually a decline in bed nights compared to November last year. That's disturbing. Gary has done an excellent job in his role as Minister for Tourism and needs every bit of support that we can give him. In my view the prosperity that we have seen over the last year and a half has to no small extent been due to a wealth transfer from the 2 Australian airlines to the Norfolk Island community. They have been flying at fares which are simply not sustainable, we have benefited through having growth in tourist number as a result of that but come the day that fares are put back to commercial levels we are at risk of seeing a very significant decline. In my view the Legislative Assembly needs to be seen to be supporting the airlines that fly to Norfolk Island and to be supporting the wholesalers that help provide the visitors that come on those airlines. Constant bagging such as that from some of my colleagues does little to assist us in that regard Mr Deputy Speaker. It's my

the site of an offshore finance centre and they were closely followed with AAPT main outline where they were up to with what they were formulating for us and then spoke of a needs of a telecommunication system that would possible satisfy an offshore finance centre. What did come out of that meeting, although cable is recognised as the best medium for telecommunications, they have recommended that Norfolk Island should investigate the installation of an earth station, earth station to satellite system and that's probably what we'll need for our c? needs for the future. The Norfolk Island group pointed out to Maine that Norfolk would be looking to make a decision on what carrier and what system would be preferred by the end of the year, although we've now put that out to late January when we will be really pushing these companies for some sort of proposals. The following morning we met with 2 representatives of a company called WorldCom who are an international carrier who would like to do business with us and we're expecting a proposal from them soon. We also met up with John Bragg of Optus in the afternoon, Optus communications and discussed the possibility of siting an earth station here for the Internet gaming proposal. I understand that John Bragg has been talking to people from the World Wide Web company. The following morning we spoke to the team at Telstra who is our current carrier and we spoke of similar things with Telstra as we did with the other people, what our needs are going to be for the future in telecommunications Mr Deputy Speaker and who would be the most appropriate carrier and what parts of our telecommunications they could carry. We also discussed other things like the audiotext proposal that Members have talked about here in recent times, the only good side to that at the moment is there is an exclusivity agreement that won't run out till April so we're continuing to discuss that. So that's a brief outline of that visit to Sydney and Canberra Mr Deputy Speaker.

DEPUTY SPEAKER

Thank you. Further Statements.

MR ROBERTSON

Thank you Mr Deputy Speaker. A statement on the SLS 2000 system. On the 1st of December myself accompanied by Moochie Christian and Pinky Finch went to Brisbane to meet up with the representatives from the Honeywell Incorporation, Pelorus Navigation Systems, the members from CASA, the members from Air Services, the member from the CAA of New Zealand which is the equivalent of the CASA in New Zealand, Civil Aviation Authority to discuss the statement of work and to put everything into place to know exactly where we're heading in the installation of this particular piece of gear. Now first of all I should say right here and now that this has got nothing to do with the G5 experiment that took place in NSW. There's been some confusion in the community about wow this things now been pulled off by CASA and is this the gear we're putting in. It has nothing whatsoever to do with that, that was an experiment whereby they were sort of minimising the use of certain gear and the landing system, not a landing system but an airspace system in which the aircraft were allocated to so many levels of feet between each aircraft and type of communication and navigation systems and so forth did not come into that at all, so let's get that clear. The SLS 2000 system is a system based on the global navigation satellites which are currently passing overhead, there's 24 of them in all flying around the world at any one time of which 4 or 5 are available to be utilised by this system in some place. Ron made a mention earlier on too about the sort of costs involved, there's 3 costs, there's a USD\$36,000 payment for the first stage of the equipment which is due about now. The equipment actually arrives on the 20th of this month on the boat from New Zealand, it's been shipped from Canada down to New Zealand and it's due to arrive. There's a second of around about \$36,000 for part of the installation and training schedules and so forth, and there is the final and main price of USD\$390,000 which is payable once CASA have ticked the system off. The object of this statement of work was to work each and every procedure that's taken place as of now right through until the time as CASA does it's tick off. Whilst it's a fairly lengthy document, to give you the basic time frame the gear arrives on the 20th, the installation of some of the land side of it are being done by Moochie and his team and they'll be doing that during January. In February the fellows arrive from the Pelorus and Honeywell and they'll be ensuring that all the connection of the gear and the system's up

and running and all of those types of things will be happening. In March we'll be having Air Services arrive with the G1000 aircraft which is equipped with all the technical gear to do all the assessments of making sure the signals are there, then at that same time we have a training period happening with our electrical men will be involved in that and that's Moochie and Aaron Graham and Richie Douran will all be having a training session as to the maintenance of the gear and with them will be 2 registered technicians from Air Corporation of New Zealand, we use them now to, as their certified airport technicians for communication and landing gear they will be taught at the same time, that's all within the same price frame and I understand that CASA will more than likely send over a person to observe because they need to see what's happening as far as their technical ? is concerned. We move on to April and at that stage there will be the first of the commercial testing from a commercial aircraft. Flight West are proceeding with their statement of work in relation to the air frame component and they will have one aircraft completed by the end of January, the second one by the end of February. They'll come over and do the actual commercial or RPT testing. We then have the final writing off of the whole system should be taking place on around about the 6th of May, that's the date we've got down here as to the final testing. There has to be a series of flights of the RPT to ensure that the system is working every day and not just occasionally and those are the requirements of CASA. Some of the difficulties we did have was CASA was understaffed and that there was only one person had been assigned to the system. I understand that that's been changed a bit now and we are hoping to have 4 to 5 people involved in this from now right through until such time as certification. So that's where we stand, at the moment it looks to be the final date is the 6th of May and at that stage our price also includes upgrades right up to that point of signing off so that if there is any changes in software or anything that needs to be done with these areas of concern that CASA may have, those upgrades will all be completed at no extra charge. Thank you

DEPUTY SPEAKER Thank you.

MR NOBBS Can I move that the Statement be noted please.

DEPUTY SPEAKER Question is that the Statement be noted.

MR NOBBS I just, while you answered quite a deal of what I had in mind Gary, I just wonder if there's any, like what sort of weather conditions that they would definitely give, an indication of what sort of weather conditions that the planes would land in, like for instance with the last lot before this lot of weather came that we experienced, bad weather, would they have been able to land during that period.

MR ROBERTSON Thank you Mr Deputy Speaker. In all of those cases the aircraft would have been able to land other than 2 and that was the wind shear that happened back in October, I think there was a couple of occasions there when we were being belted with 40 or 50 knot winds and no aircraft no matter what the.. just can't get down on that particular type of wind and I think you may recall at that flight to the representatives from Honeywell had flown from the States, they were on the flight that attempted to get in from Sydney and didn't, and it went up to Brisbane and they came in the next morning, the aircraft was unable to land, the visibility was there but it was unable to land because of the wind factor and if flew on down to New Zealand and came back later in the day but out of all of those flights that actually had to turn around on weather, would have all got in. That sort of gives you some idea.

MR NOBBS Just following on from that. Does the system come with any guarantees.

MR ROBERTSON

The system is actually 3 systems in one so we have the two main frame computers which are working in conjunction with each other so every one, the switching on and off at all times so that your running on 2 hot systems. One of those systems will control the aircraft coming in and that would be, and you've also got a downturn of about 7 days. It automatically runs from the battery, so as far as guarantees of the air system is concerned under, theoretically it should run at all times if there's power failure then batteries cut in and there is a 7 day limit if one of the boards go down. We're carrying a couple of the boards here but they're fairly expensive and the spares of that will be carried in Melbourne so that there's no real difficulty on getting it up. What will happen is that there will be an orange light come in on Pinky's office and he will send out a note saying that there is an orange light factor in there, the system is still operating but they will be aware that that is still there, so in actual fact it's like any other computer system, it's as good as when it's going I guess that there's always something that may come into it but it's pretty well fail safe as far as back up gear and back up systems within the system itself.. They are also able to direct a, through the Internet, or through the e-mail they're able to get into that machine from either Pelorus, the people over in the States can get into that and do any repairs necessary as well if there's that type of thing so it's linked up to all of those and as far as, I've just been queried as to whether it YK2 compliant, yes it is, there's no problems there, they've gone right through the whole of that. It's a new system, it's not as if it's an old system. The Year 2000 problem was that it was only 2 digits for dates. This is of course compliant and they've also checked every, there was about 11 dates that were test dates because of February the 29th and all these other dates, all of those have been tested and they all function perfectly so it's no difficulty there.

DEPUTY SPEAKER

Further contributions. The question before us is that the Statement

be noted.

QUESTION PUT

QUESTION AGREED

DEPUTY SPEAKER

The ayes have it thank you. Further Statements this morning. We've concluded Statements then Honourable Members. The Speaker has received the following message from the office of the Administrator.

MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR -MESSAGE NO 138

DEPUTY SPEAKER

On the 9th of December 1998 pursuant to section 21 of the Norfolk Island Act 1979 I declared my assent to the Greenwich University Act 1998 which is Act No. 22 of 1998 dated the 9th of December 1998 signed AJ Messner Administrator.

DEPUTY SPEAKER

Are there any reports of Standing Committees. We are at Notices Honourable Members.

NOTICES

NOTICE NO 1 -APPOINTMENT OF THE NORFOLK ISLAND GOVERNMENT AUDITOR

MR SMITH

Thank you Mr Deputy Speaker. I move that this House advises the Administrator a) to appoint the firm Curran Sole and Tuck, a firm of at least one of the members of which is a registered auditor within the meaning of section 51a of the Norfolk Island Act 1979 to be the Norfolk Island Government auditor under section 51 of the Act for 2 years commencing 1 January 1999 and b) for the purposes of section 51 of the Norfolk Island Act 1979 to determine that the terms and conditions of appointment of the Norfolk Island Government auditor be 1) an annual base figure of

\$26,800 per annum and 2) the reimbursement at their actual costs of out of pocket expenses incurred by the auditor in relation to the appointment up to a maximum of \$8,000 in any one year.

DEPUTY SPEAKER

Thank you.

MR SMITH

Mr Deputy Speaker in presenting this Motion to appoint the external auditors I wish to make this short statement on the appointment. Members are aware that there are a number of issues focusing on the review of the Public Service and particularly the management of our finances that are currently being looked at. Such concepts are accrual accounting, accrual budgeting, further financial reporting concepts and a review of the programs currently operating in our electronic processing section. Considerable discussions have been held with Curran Sole and Tuck in respect of these issues and also with computer consultants SIMPL who was given the tender to undertake the EDP review. Senior management recommended to myself and the other Executives that given the state of discussions and preparation of programmes in these areas it would be advantageous to continue with the present external auditors and in extending the term of appointment Curran Sole and Tuck have contained their fees at the same level as the last 2 years for the period of the next appointment and I commend the Motion Mr Deputy Speaker.

MR BROWN

Mr Deputy Speaker the tender process within the Administration just doesn't work well. I have complained about this to Executives for some time, nevertheless there are occasions when it is justified to depart from the normal tender process and I accept that this is one of those occasions and I propose to support this Motion.

MR NOBBS

I'm just a little concerned about this whole exercise because 2 things that I'm concerned about really is the first one is that dealing with accrual accounting where there was a suggestion, and I thought it was accepted that the cash accounting system would also flow in conjunction with it and that that would be used for the basis of our monthly indicators and the like, if I'm wrong I stand corrected. The second one was that in relation to such issues as assets that we would be very selective on what assets we would actually expend money on getting a price on, what they were I mean whether we looked at roads which are an asset or old buildings or what have you that they wouldn't actually be in the first stage of accrual accounting. I stand corrected if I'm wrong on that point again but those are the two points. I think that accrual accounting is something that has been suggested very strongly by the Federal Government and that it is supported by some people that I have talked to and not supported by others and I thought we had actually overcome its problem that was brought out by Brian this morning that by having a cash system running in conjunction with it. Somebody might be able to inform me or I'll just leave it with you.

DEPUTY SPEAKER

Debate.

MR SMITH

Thank you Mr Deputy Speaker. Just to take Ron's points up. They are 2 different issues but we have talked about accrual accounting accrual budgeting but full discussions and full acceptance of it hasn't really been made at this point or some may say that it has but we were talking about using a combination of the cash system and accrual accounting but that's something that we've got to decide yet and I understand that we'll probably have to run parts of them together, but the other thing about the assets and things, well that's, we've got to devise ourselves, whether we go full accrual accounting, full accrual budgeting or we do a mix and match like the Commonwealth is having to do with all their assets and things but it" thought that these people would be familiar with what we're already doing, what we're looking at that they would be the appropriate auditors to help us through that period.

MR NOBBS I'm just wondering if the cost, their price would change if we.. considering we haven't decided on this, and also whether there is any probity problems I guess with the suggestion that there is a company which is operating a, which is actually undertaking a study of our computing system and they have got a fairly serious link with the people that you are proposing as the auditor. Now I don't know whether this has been checked, whether there is a probity problem in that particular area as well.

MR SMITH Mr Deputy Speaker just along those lines, I understand there isn't any perceived problem in that area, I did query that myself but I'm assured that there is no problem.

DEPUTY SPEAKER The question before us Honourable Members is that this Motion be agreed to. If there is not further debate I'll put that question.

QUESTION PUT
QUESTION AGREED

DEPUTY SPEAKER The ayes have it thank you. That Motion is agreed.

NOTICE NO 2 - THE NORFOLK ISLAND HOSPITAL ACT 1985 - APPOINTMENT OF A MEMBER OF THE BOARD OF MANAGEMENT

MR GARDNER Thank you Mr Deputy Speaker. I move that for the purposes of section 12 (1) of the Norfolk Island Hospital Act 1985 this House resolves that Janine Ellen Brown be appointed by the Executive Member as a member of the Board of Management until 16 May the year 2001.

MR GARDNER Thank you Mr Deputy Speaker. Basically the reason for appointing Janine to the Hospital Board arose from my receiving Mr Kevin Pereira's resignation from the Board and in his letter of resignation he sited time constraints that no longer allowed him to dedicate himself to his role as a Board member. In appointing Janine I understand that she has long term intimate knowledge of the internal workings of the Hospital, she is a trained Nurse, a business woman and I guess importantly a Norfolk Islander of Pitcairn descent. I would welcome Janine's involvement and input to the Board and take this opportunity to thank Mr Pereira for the valued contribution he had made to the Board in his time as a member. Mr Deputy Speaker I commend the Motion to the House.

DEPUTY SPEAKER Thank you. Debate Honourable Members. There being no debate I put the question, the question is that the Motion be agreed to.

QUESTION PUT
QUESTION AGREED

DEPUTY SPEAKER The ayes have it thank you.

NOTICE NO 3 - HEALTHCARE ACT 1989 - APPOINTMENT OF MEMBER TO CLAIMS COMMITTEE

MR GARDNER Thank you Mr Deputy Speaker. Mr Deputy Speaker I move that this House for the purposes of paragraph 22(2c) of the Healthcare Act 1989 resolves to 1) terminate the appointment of Geoffrey Robert Gardner and 2) appoint Robert Eric Adams.

DEPUTY SPEAKER

Thank you.

MR GARDNER

Thank you Mr Deputy Speaker. I have difficulty in terminating myself however on the other hand it is a requirement of the Healthcare Act that the Healthcare Claims Committee constitute a membership of 3 and that is to include the Hospital Director, the Executive Member with responsibility for Health and another MLA. As I have been elevated in the last few weeks to the position of Executive Member and having fulfilled the role as the member of the Legislative Assembly on the Healthcare Claims Committee it is now reasonable that I appoint Robert Eric Adams to the third position on the Board, that being the member of the Legislative Assembly on that Board and Mr Deputy Speaker I commend the Motion to the House.

DEPUTY SPEAKER

Thank you. Debate.

QUESTION PUT

QUESTION AGREED

DEPUTY SPEAKER

The ayes have it thank you.

NOTICE NO 4 - CELEBRATION EACH YEAR OF THE ANNIVERSARY OF THE HMAS BOUNTY BY DECLARING A PUBLIC HOLIDAY ON THE 28TH OF APRIL.

MR NOBBS

Mr Deputy Speaker I move that this House agrees 1) to formally recognise and celebrate each year the anniversary of the mutiny on HMS Bounty by declaring a public holiday on the 28th of April. 2) To maintain the current number of prescribed public holidays annually celebrated on Norfolk Island 3) The need to substitute the holiday of 28th of April for a holiday currently celebrated 4) To substitute the holiday of 28th of April for that held annually on the 26th of January and 5) To the significance of the 26th of January being recognised by the Norfolk Island Government without the need for a public holiday.

DEPUTY SPEAKER

Thank you.

MR NOBBS

Mr Deputy Speaker the mutiny on the Bounty is a highly significant historical event of world prominence. The mutiny is an integral part of life on Norfolk Island, it is highly significant for the descendants of the mutineers, it is highly significant to the tourism industry, it is a major plank of the island's promotion. The significance of the event to Norfolk Island is so great that it warrants formal recognition. Mr Deputy Speaker when I was a youngster here on the island June the 8th was generally known as Bounty Day, the lads dressed up as sailors etc etc and it was then as I recall more a celebration of a mutiny than the day those from Pitcairn arrived to be resettled here. Over the years this has changed, possibly following the celebrations in 1956 of the centenary. June the 8th is now celebrated as the day the Pitcairners landed. My Motion suggests we celebrate an act which resulted, not only in establishing a unique group of people but it is also of ongoing benefit to all the people of this island. The question is Mr Deputy Speaker how do we celebrate it. To achieve the status of such a significant event this day must be declared a public holiday. We must then ask do we create another holiday, my answer would be no, we have a number already and our fragile economy which you've heard about this morning should not be asked to carry yet another holiday. There would thus be the need for a substitution. Mr Deputy Speaker certain holidays I feel cannot be touched. These are New Years Day, Good Friday, Easter Monday, Anzac Day, Anniversary Day, Show Day, Thanksgiving Day, Christmas and Boxing Day. They are to use the buzz word icons, they are untouchables. There are 3 remaining, 26th of January Australia Day, 8th of March Foundation Day and in 1999 14 June, Queens Birthday which may offer some flexibility. Looking at them individually.

Queens Birthday is not celebrated on the Queens Birthday, it is celebrated on a day set aside for that purpose. Members should not need reminding of the close liaison of Norfolk Island and the Monarchy. From the time Victoria, Queen Victoria gave those residing on Pitcairn that island known as Norfolk on which they could make their new homes. Thus the Queens Birthday to Norfolk Island embodies not only wish her Majesty a happy birthday but far more, it recognises and celebrates the decision to provide a home to the descendants to those who are not only mutinied against the authority of the Crown but also recognised their contribution to improving naval conditions. The significance of the influence of the monarchy cannot be understated, the Queens Birthday must in my opinion be preserved as a holiday. The second one is Foundation Day. Foundation Day recognises the arrival of the first Europeans to settle on Norfolk Island. Foundation Day also celebrates our link with Australia. The occupation of Norfolk by Phillip Gidley King set in train a series of events which is seen as reaching the point we are today. People may question such a proposition but I draw your attention to Pitcairn which remains British, Norfolk was British but due to such events as the occupation by King and others it was relatively easy for Australia once becoming independent itself to attempt to swallow Norfolk Island. Foundation Day is far too significant a day for the island to remove as a public holiday. This leaves one remaining holiday which may be substituted, January the 26th Australia Day, it is the day Australia celebrates its foundation. Norfolk Island celebrates its foundation on March the 8th for European settlements and June the 8th, the arrival of the Pitcairners. My argument in relation to the validity of having a public holiday on the 26th of January rests solely on that point. I really don't think we on Norfolk Island need to celebrate a third foundation with a public holiday, the foundation of an island some 770 miles to our west. I believe Norfolk should certainly recognise it and celebrate the day Australia was founded but not to the extent of declaring a public holiday, thus Mr Speaker after all that I sum up. The proposal is to celebrate the anniversary of the mutiny, it is proposed that 28th of April be declared a public holiday, the island's economy cannot afford an additional holiday this there is a need for a substitution. Of the current public holidays Australia in my opinion is the least significant from a Norfolk Island perspective. We thus have one free public holiday which can then be utilised to celebrate on the 26th of April a day of significance to us all, the mutiny on HMS Bounty. Thank you Mr Deputy Speaker.

DEPUTY SPEAKER

Thank you. Debate. Debate Honourable Members.

MR ION-ROBINSON

I would just like it recorded that I had nothing to do with it but I think it's a good idea.

MR SMITH

I commend Ron's idea of a public holiday, it would be even better if it was an extra one, and the fact that he's suggesting we celebrate the mutiny on the Bounty is fine by me but I do really have a problem with using Australia Day, I think that's... We've got to work with Australia whatever we say about the country. Australia Day, Queen's birthday, you're right, I don't think you can really interfere in either of those really. If we had a thought, we should have done that at the time it was introduced I guess. That's my view, I might be the only one that feels that way but I think we should be a bit careful with that.

MR BROWN

Mr Deputy Speaker Norfolk Island is according to the present law as I understand it an external Territory under the authority of Australia it would be the ultimate rudeness for us to cease to recognise Australia Day appropriately. I don't think that is any way to go about the continuing discussions which we are going through in relation to progressing self government. What is the purpose of having an extra public holiday. Is it in order to create a worthwhile day for the tourist industry to use to promote Norfolk Island, if so that's not a bad goal but if we look at Foundation Day it is not a day that the island in general celebrates, it is a day which is a very worthwhile day for our visitors and I'm not suggesting that Foundation Day should cease to be celebrated but I really wonder

whether it should cease to be a public holiday and I wonder whether there is room to introduce Ron's additional celebration but not introduce it as a public holiday. In that fashion we would save one public holiday a year and we would be recognising both Foundation Day and the Mutiny on the Bounty in what I believe is a more appropriate way. I certainly do not propose to support the rudeness that I see behind this Motion.

MR BATES

Thank you Mr Deputy Speaker. I echo some of those words of Mr Brown, I think that.. but without dwelling on whether we should celebrate Australia Day or not whether it's provocative or whatever I just wonder whether Mr Nobbs is going to stand this over or whether he wants to dispense with it today. I think it's a fairly wide issue and I think community involvement in a decision of this sort is important. Frankly I haven't had too many people out there say what a great idea it is to have a public holiday to celebrate mutiny on the Bounty. I mean it's a marvelous story, it's one of the greatest stories in fairly modern times. When I was a kid I loved the stories of Robin Hood and I think some of them might have been a little bit fictitious but I love the story of the mutiny of the Bounty and I love the stories of Ned Kelly but fictitious or not really they were all villains in history but there's no doubt there were lots of them. The mutiny of the Bounty is a great story. There's been movies made about it but it's a great asset as far as Norfolk goes. In reality the Mutiny itself was an act of treason. Some of the poor devils were hung for their crime. I think that the celebration of the beginnings of the Pitcairners shouldn't exclude the role played in it by the Tahitian women. I believe that they played a big role in the heritage of this place. I'm not sure what they do on Pitcairn. I'm not too sure whether they celebrate the Mutiny itself or whether they celebrate the arrival of the Bounty to Pitcairn but in the even that they celebrate either of those events it would be good if we celebrated the same event that they do on Pitcairn. I think a more appropriate even to celebrate to possibly celebrated by both Islands is possibly the arrival of the bounty at Pitcairn. It eliminates any suggestion of any acts of treason against the Crown. I mean the people of Norfolk Island are fiercely loyal to the Crown, especially to Queen Victoria. I think that's marvelous. I think the story itself is a great story but I see some little conflict there. I believe that to include the Pitcairn women who weren't part of the mutiny, they might have caused it, had some cause in it. I think the better day to celebrate all of this is really the arrival of the Bounty at Pitcairn. I think that's where all the celebrations really started and if Pitcairn has a day around about then that is celebrated I think we should celebrate the same day that Pitcairn Island does. Thank you Mr Deputy Speaker

MR ROBERTSON

Thank you Mr Deputy Speaker. I have a difficulty with this. George mentioned that he had just been across to Canberra and had spoken to the minister and part of his discussions was furthering our moves towards self government. To do that you have to negotiate with these fellows and you have to turn around, a don't find that giving them the flick as far as the 26th January is concerned is the best way forward. We still have a long way to go. We are asking them to pass over land, we are asking them re the establishment of an Offshore Finance Centre, we are asking them for some funding for an RTI we are asking them to look a6t communications. We are asking alot of things and we are also saying that we can proceed to take over alot of these things that we feel will further our self government or move towards self government. I find that throwing this in the middle of it throws us six steps backwards and I don't feel that it's the right time. Maybe the thoughts are there and I agree a little bit with Brian as far as celebration of some time, but I also wonder at the need for another holiday. The 6th March, not the 8th as is mentioned there, is the day that the second landing following those that went to Australia. The 26th January and the 6th March they arrived here, not long after and if it means, and I agree with John on this, the celebration of that is really only one that's been established with Boo Prentice making sure there is some Foundation operation, and if you need to have a holiday it can go in there. But certainly not on a day that's been recognised and something that we would need to negotiate with those people for quite some time to come before we may be in an area where we are taking over our proceeds towards self government, so I have a difficulty with this one

can get those that are already in the game, and this was the whole process in the original deregulation, that those who could afford to would increase their holdings, that the larger units that already are catering for, and have full facilities in place as far as restaurants, pools, bars whatever, all on the one property could also offer some better standard of accommodation to those people who are looking for that type of thing. We don't have a great deal of that here at the moment. Also keeping in mind the amount of tourist accommodation that has been released and looking at the 10% it hasn't quite come to fruition. There are some of the larger establishments who have applied and have been approved, haven't come on line. There tends to be a slowing down in the market place and I sort of ask myself, does the trigger market share protect the less successful players by not allowing the better operator to increase holdings. To get some answers to this I wrote to the ATA. I didn't have to but I did, to get input from those who are connected in the business. It's interesting. I said that there were fifty four registered members. The ATA Members are seventeen of which four are not associated with hotels. But I wrote to them to see what would happen and what they did was to send out a document to all their Members asking as to whether or not they felt the trigger share change would be an advantage or a disadvantage. In the letter the ATA mentioned to all of their committee members, paragraph 6.1 of the Act, what it's all about, when the trigger share markets were changed, the moratorium that existed on new accommodation houses from 1979 until 1996, the trigger share market percentage, why it was maintained and whether or not somebody with a holding of around fifty units would be able to proceed. They also asked for an urgent reply to that, and that was done on the 28th October 1998. One person replied straight away. He doesn't have an accommodation unit but mentioned a number of issues in his letter. One other replied and said "I don't believe it should be" and that person was immediately faxed back to ask his reasons why and that never came forward. There has been a flurry of documents arrive as of yesterday from some members of the ATA who are on the committee of the ATA and who felt that what they said at their meeting was not exactly portrayed in the letter that the ATA wrote to me suggesting that their committee basically felt that it should be reviewed. Those papers were circulated to all Members late yesterday afternoon. I have spoken with the ATA executive late last night and this morning to find out what's going on, just to see whether or not it was actually true and actual statements or not and I have received some documentation this morning sort of outlining the whole thing. It is an area which needs to be given a fair amount of thought and I only hope that the thoughts that have been expressed in some of these letters are not personal thoughts and not thoughts that should be aimed at the industry as a whole and Norfolk Island as a whole. I understand that because of these letters there's been a certain amount of concern within the Members of this Assembly and I won't say any more at this stage but I'll leave it over for debate

MR ADAMS

Thank you Mr Deputy Speaker. In my view this has come at fairly short notice. From my recollection the first I've heard of this is at MLA's last week and of recent times. Gary's given a number of reasons for this proposed change. I think Mr Deputy speaker, very strongly, that these reasons as given by the Tourist Minister are insufficient to effect this change to what is beyond dispute our major economic engine. And the reason for that I think Mr Deputy speaker, is that good reasons at this stage are simply not there. They don't exist. I've spoken to Gary at length at times regarding aspects of the tourist industry that are not complementary to the tourism industry of Norfolk Island, nor are they complementary to how we would want tourism on Norfolk Island to be seen and to be portrayed. By that I essentially meant that there are a number of areas where we have continuing complaints, a number of practices that attract continuing complaint and I've raised it with the Minister that if we are serious about wanting to improve the tourism industry on site, then the best thing we can do in moving down that road, is addressing in a serious manner, those difficulties. In my view Mr Deputy Speaker, to effect this change at this stage will be counter to reasons why deregulation of the tourism industry was effected in the first instance and the essential reason as I understand it to shift for effecting the change is the regulation of the tourist industry was to permit others, and in particular locals, to be able to participate in the only major industry that was on the Island. It was seen at the time Mr

Deputy Speaker that that ability for locals on the Island to realistically involve themselves in the tourist industry did not exist and it didn't exist because they only had two options of getting into the tourist industry or the tourist accommodation industry. That was to come up with a very large amount of money and buy into what was essentially a protected industry and as a result the protection provided a premium price bracket they had to come up to to actually purchase the units and they simply did not have any other way. The bed licences from memory were restricted to 1256 and there was no other provision at that time, is my understanding, to be able to effect a change that would allow a local to easily participate in the only industry that the Island's economy is essentially founded on. I believe Mr Deputy Speaker to allow large to very large establishments to substantially increase their holdings at present would again start the cycle going back to some of the less than happy situations that we were concerned about in the days when the tourism moved from regulation to deregulation. Essentially, the bigger ones would get bigger, they would squeeze the smaller players and one of the things that has never been considered in my view in all of this, and given, as I say again, this is a very short notice motion for something that is extremely significant, something that's never been considered in the paperwork before us, nor mentioned by the Minister, is the impact on the environment that this change could well have. We are looking at large establishments here, because I think in reality these are probably the only ones it would effect in a significant manner, no thought and no consideration and certainly no explanation from the Minister on studies that have been conducted as to the ramification of those effects, have been provided to Members. Essentially Mr Deputy speaker, all we've heard about thus far is who sent letters to whom and who is ringing who and I think it's getting very much off the track and in a very substantial way is trivialising the issue and it's doing that by concentrating on what a few players said rather than how we as the Assembly see the entire industry and the effects that this change will bring to it and I would invite the Minister to provide some answers in reply to my concerns about the environmental impact. I certainly don't see that in any way shape or form they've been provided thus far which leads us to the unsatisfactory conclusion that this is simply only about cash registers and notwithstanding the fact that cash registers are obviously important there are reasons why those cash registers keep flowing in, as we all know. People come to the Island essentially because of the place that it is. It's a great risk for us I think Mr Deputy Speaker to put in place changes that may well in a very short time frame and in an unsustainable manner effect those reasons. The Minister states that it would guarantee that better players would be able to improve their performance. In my view Mr Deputy Speaker it would in fact, guarantee that. It would equally assure that players with an unsatisfactory track record re complaints etc and how they approach the industry and their customers would equally allow those people to get bigger and I don't think any one of us would want to see that and that brings into a point yet again one of the points I've made before, that if we are serious about wanting to improve the industry then why not address the difficult areas that we all know are around. We used the throw away lines like "It's being addressed", but we see no significant strategy to do that. We don't get any goals identified to us in how these things are being addressed over time and I don't think that is a satisfactory approach to it Mr Deputy Speaker. One thing that has come out Mr Deputy Speaker in recent times, is that the industry as it is controlled and administered at the minute is capable of record figures and I understand this year and perhaps last year that the figures have been rising and they've been rising to levels that were never achieved in years before and that rather says to me Mr Deputy Speaker that the industry itself is performing quite sufficiently as at present. The Minister made reference in his opening explanation Mr Deputy Speaker that people wouldn't come to the Island to invest if we didn't do something about changing the present arrangement. I would offer Mr Deputy Speaker that that's one of the reasons why deregulation onshore was conducted in the first instance, to allow people locally to invest and the concern about others investing from offshore I don't see rates much of a jersey in this scenario. One of the things equally Mr Deputy speaker that has not been explained, and I think this is to the detriment in how the Minister's approach this matter if the fact that the ability to raise the trigger market share is there already and it's there Mr Deputy speaker, under the terms of the Tourist Accommodation (Ownership) Act. Now it's interesting why the Minister has not

addressed that point and I would hope that in the course of this debate he would come back to that point and explain why it hasn't been explained to us why the facility under the present Ownership Act doesn't take into account any concerns that may be around. I might point out Mr Deputy Speaker, that it is my understanding that as a part of that process the names of people who wish to increase and go past that trigger market share or what's regarded as a dominant market share would need to be brought before the House, the full Assembly. It may well be that there are applicants who are not too keen on that process being conducted in such a manner. I don't have a lot of sympathy for that Mr Deputy Speaker. The Minister also alluded to the fact that there's been many applications that have been registered since the days when the regulation of the tourism industry was eased. He also made mention of the fact that many or a substantial number of those applications haven't been processed or developed through to fruition and were not in fact operating. And I gather he is implying Mr Deputy Speaker that that's a detriment to the way the system operates at the minute. I would offer Mr Deputy Speaker that the main reason for a lot of those places not coming to full development and to fruition is the inability of the government to efficiently provide essential services such as electricity, at the moment they are clearly unable to supply rock products which would assist in things like footings, pathways, water assurance hookups and as I've said and alluded to, the head scratching that regularly occurs with electricity regarding where you are in the line, how much of it you would consume if you hooked in and basically, you're on your own son. And I would suggest Mr Deputy Speaker that those reasons are the prime reasons in many of these applications not being finalised and I'll leave it there at the minute, thank you Mr Deputy Speaker

MR BATES

Thank you Mr Deputy Speaker I guess the figures are available and I guess I haven't seen fit to memorise them or look them up but I wonder just how many present operators happen to be in this category where they are round about the 10% mark and they are close enough to be able to take advantage of the increase. I guess there's probably about three that are, but I don't quite know. Of those how many it might be, and I'm not too sure how many of those who are in that position have the ability to take advantage of this bearing in mind other controls. Controls such as water and sewage and building controls, subdivision controls, the number of buildings that can be placed on one piece of land, I'm not too sure just where we are going. If this is just simply a move that will allow one or two to take advantage of the system I think it probably needs a little bit closer investigation. I would certainly like to have some idea of what it might mean, how many people can take advantage and what that might mean in the overall picture of the economic benefit of the Island. I have basically said to the Minister that I don't have a great problem with an increase, nor did I. I do respect what's certainly been said in the letter here, the latest letter and the Minister said there are some anomalies in it but it clearly comes from the Committee of the ATA saying that they don't support an increase. Whether that's the whole view or just a few of them saying that I just don't know but I would like a little more information on some of the aspects that I've mentioned

MR NOBBS

Thank you Mr Deputy Speaker. The regulation really is aimed at allowing a few specific players in the tourist industry to increase their share of units. The effect as I see it will be to decrease competition and I find this difficult to understand as we are continually badgered around here by Members who say we must support one airline in particular, it is essential to keep it flying to ensure competition they say. Competition is absolutely essential to the Island tourism we are told. I suggest that there's more than a little hypocrisy where we are now asking to reduce competition. Consequently Mr speaker the proposal is questioned and there is more actually. We received notification of the Minister's proposing to increase the trigger share from 10% to 20% and it's now back to 15%. The Minister's original proposal was attached to a letter from the Tourist Accommodation Association reputedly supporting the proposal. This is fine although I'm informed that a significant proportion of the tourist accommodation owners do not in fact, favour this change and I'm being advised of more and more of these each day. The facts are increases in the tourist accommodation, and there will be significant increases, will allow an increase in the number of units actually making up the 10%

trigger share. The Minister, I agree with Chinny, is not providing a convincing argument as to why we should change. The proposal is I believe a highly significant move in what is a fairly sensitive area. The tourist accommodation has been opened up, some may say deregulated, but there are still regulations in place, however, one of the controls of regulation left in place at the time of the supposed deregulation was the trigger share. Now the move is to take it away. A bit of slowly slowly catchee monkey in this approach. I do not favour a change on the basis of the argument put and will vote against a proposal on this basis. A question that I must ask is who apart from the Tourist Accommodation owners have been consulted. MLA's weren't until last week. The remainder of the community appears not at all. That is not right. The community should at least be offered the opportunity to comment

MR ROBERTSON

I didn't realise I was discussing quarries or crushers here. I haven't got my hard hat on. The number of issues that Mr Adams raised, some of them was to do with the environment. Members would be well aware that for quite some time now the document was put in proposing minimum standards of regulations for tourist accommodation and part of those minimum standards there were a number of requirements and in the initial document it included water as to what they had to do and there was a supplementary document that went with that as to how much water each establishment should catch relating to size of roof area. Those minimum standard regulations have been given to the ATA which they are all well aware, and I've spoken about the change and everybody has had the new changes circulated to them three or four weeks ago. At the moment they are being turned into true regulation form. In that it addressed a number of issues. It addressed some of the issues that Mr Adams has referred to. Environment. The impact of the water; the impact of the sewage; the impact on the power. We have just spent a lot of money on introducing an Energyfirst proposal to enable better reticulation or better use of power throughout the Island to enable us to increase the amount of power available to other users. We have had minimum water requirement standards placed before us from the health area and the recommendations as to what level of water each of these places should use, to start making sure that we are not just sucking the water out of the ground. They are basically in place and I understand that when the Tourist Accommodation applies for new units that these are some of the conditions that are imposed upon them and the building or planning board look to these conditions. In answer to Mr Bates' question, there are about six current people who could, if they wished, continue to add. As far as the people coming to the Island to invest. What I said at the beginning was that people were worried that should these increase, the people who could only buy them would be investors. The other people I would suggest would come to the Island was looking at an FIT person who had a disposable income. It wasn't a case of them coming to invest in our Island. At the moment there are fifty-four registered applications or registered places on the Island which are all owned by people on the island be they local people or be they GEP's. There is a fair smattering. Under no circumstances has this ever stopped anybody from making an application. They are not restricting any applications at all. I don't know where that idea came from Ron but anybody who wishes to get an approval for tourist accommodation, all they need to do is fill in the necessary forms, it gets started by me, it then falls into the various areas of the Island which control it, if it's in the KAVHA area then they'll run into difficulties with the KAVHA Board. If it is in an area on a slope they are in difficulties from the Planning board, if it is right near the cliff you've got planning, you've got a number of areas which do control it so there are controls. The reference that Mr Adams made in the trigger market share, in the Tourist Accommodation Ownership Act, the trigger market share falls into six but there is further regulation in that Act where, if an owner of a property is on the border of the trigger market share they feel that they wish to do it, then that can be taken on individually. What would happen then is that they would make their application to me. I would then refer it to say, well I'm sorry but your application is in excess of this trigger market share, if it's 10%. They would then have to give me reasons as to why they want to continue. It would then come back and basically at the end of all that it would then come into the House and the Members of this House would then look at each one individually and make a

decision as to whether or not they approve that increase. That's what I think you were referring to Mr Adams. But correct me if I'm wrong, but I think that's the way and that's in the Tourist Accommodation Ownership Act. The Legislative Assembly would say "throw it out", or they could tell me to approve it or they could do a third thing and that is say "Well, look we are not quite sure, it's up to you to sort it out for yourself, but those are the three alternatives that can be done and that is in the current Tourist Ownership Act as it stands. The trigger market share is a separate issue and the trigger market share can be put on as a percentage of the accommodation houses, it can be put on as a number of tourist accommodation houses or a percentage of the category of tourist accommodation houses. The number of category of tourist accommodation houses or the percentage of accommodation units or the number of accommodation units which is owned by a single owner. Those are the sorts of issues that would come in. One thing that was of interest from some of the tourist accommodation people, and they were saying that perhaps it should relate to beds. Now I'm not quite sure how that one would work but anyway, that's where we are at the moment so I think that answers some of the queries that have been put forward at the moment.

MR SMITH Mr Deputy Speaker just taking into account some of the things that have been said around the table here today, Gary are you intending to adjourn this for a month to get some more information out of the community

MR ROBERTSON That is an issue that has come to the table today I will so do that. I will hold it over until such time as we have gathered this information and make sure that some of the environmental impact things are addressed and look at all the other issues. No difficulty there

MR GARDNER I'm not going to go into a big long spiel Mr Deputy Speaker on this one. I've been listening very keenly to the debate that's been going on around the table and I agree with a lot of what a lot of people have to say. Both for and against the proposal, however, it's not until Robert has raised the issue of the mechanisms that are available to us at this present point in time that really I'm starting to scratch my head as to the relevance or the requirement to have to proceed any further at all with this motion. The mechanisms are there in place and if it needs to be, and I think it does need to be treated on a case by case basis, that is the way I would see the preferable course of action to see this being handled.

MR ION ROBINSON Thank you Mr Deputy Speaker just to inform you that I will be abstaining from voting on this as I have an interest in the hotels

MR ADAMS I would actually move Mr Deputy Speaker that this not be adjourned because I for the life of me can't see any magic in adjourning this motion and in fact the mechanisms are available to take into account anybody who thinks their case is sufficient to proceed further I think that underwrites the fact that we needn't take this any further. I don't believe there's a lot to be gained. Obviously in the group that the Minister has already canvassed which is the ATA there are some for it and there's some clearly against it and those clearly against it appears to have not been able to readily put their case and as Mr Nobbs alluded to the against or concerned, those numbers arising. I would move Mr Speaker that we put the question now

DEPUTY SPEAKER Mr Adams I had foreshadowed that the motion of adjournment would be forthcoming. I paused on that to allow you to say something. I feel obliged that I now accept that motion. You of course are at liberty to vote against it in the manner that you have described

MR ROBERTSON Thank you Mr Deputy Speaker I move that the motion be made an Order of the Day for a subsequent day of Sitting

DEPUTY SPEAKER Thank you. The question before us is this matter be adjourned and made an Order of the Day for a subsequent day of Sitting
QUESTION PUT

Would the Clerk please call the House

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

MR BROWN Mr Deputy Speaker I propose to vote on the question of whether this be adjourned or not. I propose to abstain when it eventually comes to a decision

DEPUTY SPEAKER Thank you

MR BROWN And I vote in favour of the adjournment

DEPUTY SPEAKER The result of voting Honourable Members, the ayes five, the noes three, abstentions one the ayes have it. The matter is so adjourned

SUSPENSION

Honourable members we are halfway through the Notice Paper. The hour is approaching 1.15, would you like to consider a suspension for lunch at this stage. Ah, there is a proposal therefore that we do that, should we come back at say at 2.30. 2.00 is more comfortable. On that basis Honourable Members, we will suspend at this stage and resume at 2 o'clock.

RESUMPTION

Honourable members we resume after the luncheon suspension.

LIQUOR AMENDMENT (NO 2) BILL 1998

MR SMITH Thank you Mr Deputy Speaker, I present the Liquor Amendment (No 2) Bill 1998, and move that the Bill be agreed to in principal. Thank you. Mr Deputy Speaker, this Bill amends the Liquor Act 1960, to vary the executive member's power to issue a permit under section 32. Section 32 deals with supply and consumption of liquor at an entertainment where there is a gathering of 12 or more adults. Currently a permit cannot be issued, authorising supply or consumption of liquor on Good Friday, Christmas Day, or another day prescribed for the purpose of the section, and between the hours of midnight and 11 am on any other day. The proposed bill amends the Act, to allow permits to be issued, authorising supply or consumption of liquor between the hours of midnight and 11 am. Also on Anzac day for the purposes of an Anzac Day celebration approved by the executive member or any other day, than Good Friday, Christmas Day or another prescribed day if the executive member is satisfied that the issue of that permit would promote, road safety, law enforcement, or the preservation of public order. Mr Deputy Speaker, this amendment to the Liquor Act under section 32 has been promoted to me in the first instance by the police who were looking towards the year 2000. Or

the New Years Eve at the end of next year. That at that particular time no doubt there would be celebrations that would be expected to go from one century to the next, and that to not allow liquor to be sold over that period of time could be questioned, however in saying that, the Sergeant when he spoke to me about it, suggested that we could try something at this New Years Eve, to a trial, is I guess it started out to be, I got mixed feelings about doing it. But however, I think, I need to take notice of what the Sergeant has said in relation to the supply of liquor. The way the motion reads here, would mean that permits could be issued from midnight to 11 O'clock the next day or till the next days trading commences. I don't think that would be a good idea to just allow that to happen. I expect that this would give us the discretion to issue a section 32 permit till say 2 o'clock in the morning. That's what I would expect it would do. It gives us that ability to do that. I support the bill, and I would like to see what other Members think about it.

MR NOBBS Thank you Mr Deputy Speaker. We have a Liquor Act which was originally produced in 1960, and this I understand will be the 22nd amendment if accepted. The Act, the Liquor Act, requires heaps of attention. So we have two bits and pieces of amendment to this Bill. The bill provides that the executive member can authorise the issue of a special permit under section 32. As George said, this is interesting in itself. As the next bill we are being asked to consider today, that is the Liquor Amendment (No 3), also requires an amendment to section 32, to take the power of issuing a permit from the Minister, investing that power in the Liquor Board. That bill will be dealt with next. Bill Number 2, which is the one we are looking at now provides, as George said, the Minister with the powers to issue a permit between midnight and 11 am. On certain cases, such as on Anzac Day, for the purpose of Anzac Day celebration, which is fair enough, and I believe must be supported but, the second one, where the minister is satisfied and I quote, that the issue of that permit would promote, and I'm quoting would promote road safety, law enforcement, and the preservation of public order. End of quote. This permit will be available during the periods 12 midnight to 11 am. Mr Speaker, I can't believe it. Leave the boozers open all night and promote road safety etc.. I'm stunned. I quote again, the Minister is satisfied the issue of a permit would promote road safety, law enforcement or preservation of public order. Mr Deputy Speaker, I'm no wowser, but I would like to know what criteria the Minister will utilise in selecting those that will have the privilege of selling booze to promote these wonderful social outcomes. It is quite incredible, that last week, a few days after one of the most horrendous weekends, when on the Friday night, I understand, one licensed area went until something like 4.30 am, and the Saturday night another went until 3 am, a few days later, we are presented with a bill that suggests that such opening hours are just fine. If we are talking about regulating special nights such as New Years Eve, or celebrating The Mutiny on the Bounty. That's fine. But write these specific events into the legislation. Don't have the present proposal which is only another version of the lunatics running the Asylum. I do not support the proposal as they are put in this bill. We need to do this properly. Thank you.

MR ION ROBINSON Thank you Mr Deputy Speaker. After Ron's interesting perception, of what this bill sets out to do, it is a hard act to follow. But, the problem I think the police are having at the moment is that at 12 O'clock on the dot, there are some in the community who crowd the bar, pick up some takeouts, and then go to several different parties around the place. Making it even harder for the police to know where they are. I think it makes sense. Perhaps the wording of it could have been a little more delicate, so as not to offend Ron, or many others. Indeed I'm just reading it straight out as it is. But, in general I support the Bill.

MR ADAMS Thank you Mr Deputy Speaker, I certainly see merit in the concept that is embodied in these two amendments that before us today. But I am going to oppose both of them on a protest. The protest is essentially what Ron alluded to, in respect of here we have an Act that is 38 years old, we are running through yet another series of amendments, so that the result is we are

whether you, or otherwise, its favoritism or whatever. How you can choose that only one person will operate between midnight and dawn on New Years Eve, I think, you've really got to say that all the clubs can operate between midnight and dawn on New Years Eve. I think you can be specific, I'm not sure that'll achieve what it is intended to be achieved by it. I really can't make up my mind. But I think I am more in favor in Ronny's suggestion, than I am with the bill as it stands. Thank you Mr Deputy Speaker.

MR NOBBS Thank you Mr Deputy Speaker, yeah, I just want to comment on what George said it was. It was on this one I have been given here. 62a is in relation to number 3. I don't know where I got 32 from. We have been given a few of these so I might have got myself confused . But anyhow that does not matter. But, 32, which is what I think we are dealing now, is where an entertainment is to held on licensed premises, so it can actually go to any outfit. Where it a place other than licensed premises. So I mean this doesn't apply to Rawson Hall or the compound or wherever you're having New Years Eve this year. Anybody can apply for it. So, that's all I suggest that you specify your days, and times, and make it reasonable, but for heavens sake look at the whole bill, the whole act , you know.

MR SMITH Yes, just a clarification on a couple of things that need clarifying. This is not aimed at one particular premises, it is aimed at, if somebody wants to have that licence that it extends, it doesn't matter who it is. The section 32 permit, is the one that Country Music Festival use, somebody is running something at Rawson Hall, school, or someone is running a Fish Fry. And they require a liquor license its a section 32 permit that you get. But the advantage of a permit like this is if a premise did get it and they abused what they said they were going to do, well you just don't give them another one. There has to be applied for, its not just an automatic thing you have forever. So, certainly lets not quote that it's just one particular place, its the section 32 permit that we are giving extra hours for people to have the ability to trade later. But I don't mind if we be more specific with it. I think a simple amendment would do that. Just leave it at that at the moment Mr Deputy Speaker, and see what other comments come out and about.

MR ION ROBINSON Thank you Mr Deputy Speaker. Mr Adams has referred to what is a probably a complete revision of the Liquor Bill, and I agree 1000% with it. I mentioned to the Member just recently that I started that train and that the Policy and Projects Department is currently undertaking to look at more facets within the liquor licensing regime, along with the bond, along with many other things to try and bring it down, so that we can have policy which we all understand. At the moment that seems to be all over the place, with ad hoc bits and pieces added as each and every little thing comes before us. I don't have too much difficulty with this amendment at the moment because I would suggest in the not, fingers crossed, too distant future, we can get something before us which will encompass all of the requirements for a change of liquor legislation. As George said, its a specific application each time, not an overall blush, being that you've got it forever, and that as it's in each time, there has to be a special application, then I think that is a control in itself at this stage, plus it also gets over an issue which is currently about to happen in a week or two's time, which we can soon to be acting legally as a group of people that is supposed to be enforcing legislation throughout this Island. So I don't have any difficulty in agreeing with this.

DEPUTY SPEAKER Thank you, Further Debate. No further debate. Chief Minister

MR SMITH Mr Deputy Speaker, I am just looking at a way that we may be able to amend the bill. It would make members more inclined to support it. If we were to change the bill to say between the hours midnight and two am on New Years Day, and leave it at that. Unless the executive member is satisfied from there. If we just change it from midnight to 11 am change it to the

hours of midnight and 2 am on New years day, would members be happier with that. That is being more specific. Well that was the original intention. Oh well, whatever time.

MR GARDNER I guess the only problem with doing that arises on Anzac day and the supply of liquor before the scheduled festivities start.

MR ION ROBINSON Things start fairly early on Anzac Day.

MR NOBBS That's April the 25th, in my calculation, aren't we looking at getting a revision of the liquor Act.

MR ION ROBINSON Well, that's true.

MR NOBBS My argument is if you have this problem with New Years Eve, and I don't know whether they have had problems before but, if you've got a problem with it, well let's deal with it. Why just open it up to the world. That's my argument. Cause that's what'll happen.

MR SMITH So Mr Nobbs you're saying if we change that to midnight and 2 am on New Years Day, you'd be a lot happier with it.

MR NOBBS Yeah Fine.

MR SMITH And then, if we need to, with Anzac day, that can be something we can do later on.

MR ROBERTSON Deputy Speaker, 2 am. Is that a specified time, or is that a suggested time, or is that the suggested time from the police or is it those that are running the show, what time have they suggested.

DEPUTY SPEAKER Who is seeking the call

MR SMITH Can I seek a call to move an amendment to the Bill, to say between the hours of midnight and 2 am on New years Day, and therefore delete 11 am on any other day.

DEPUTY SPEAKER Yes, two things before you get to that Chief Minister. We are at the stage of agreeing this bill in principal. You are starting to address the detail of the bill, and I'm just drawing your attention to that.

MR SMITH Can you direction then.

DEPUTY SPEAKER Well, it would be more appropriate for us to firstly settle the question as to whether you want to agree the bill in principal. Then tackle the detail.

MR SMITH Okay.

MR ION-ROBINSON I move that the question be put, to agree the bill in principal.

MR SMITH Sounds appropriate.

DEPUTY SPEAKER Are members at that stage. There is a further step Honourable Members. We normally adjourn that. What you are asking for now is that we do not adjourn that, and therefore we are treating this bill as an urgent bill. There is a process we need to go through to achieve that. Maybe Chief Minister I should call upon you to settle the matter of whether this is to be dealt with as an urgent bill. If so, well, we'll see how that progresses and take it from there.

MR SMITH Thank you Mr Deputy Speaker. I actually move that so much of Standing Orders be suspended as would prevent this bill being passed through all stages at this sitting.

DEPUTY SPEAKER Thank you. Is there any debate on that matter, if not, I will put that motion to the house

QUESTION PUT

Would the Clerk please call the House

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

DEPUTY SPEAKER The result of voting Honourable Members, the ayes four the noes four the proposal to suspend is negated. On that basis the matter is not an urgent bill. And we are proceeding to the adjournment stage in respect of the motion that the bill be agreed to in principal. Chief Minister

MR SMITH Mr Deputy Speaker, I move an amendment to the detail stage.

DEPUTY SPEAKER We have not reached the detail stage Chief minister. I'm sorry if I have not made it clear. We are at the stage of agreeing the Bill in principal, the normal process provided by standing orders is that we suspend or adjourn it at that stage. You have asked the house whether they wish to put that proposal aside and the house has declined to do that. So we can only get to the stage of adjourning the motion, the bill be agreed to in principal.

MR SMITH Then I so move.

DEPUTY SPEAKER The question is that the bill be adjourned and made an order of the day for a subsequent day of sitting

QUESTION PUT

That matter is so adjourned to a subsequent day.

LIQUOR AMENDMENT (NO3) BILL 1998

MR SMITH I don't know whether I should attempt this one at all Mr Deputy Speaker. Mr Deputy Speaker, I present the Liquor Amendment (No 3) Bill 1998, and move that the bill be agreed to in principal.

DEPUTY SPEAKER
Minister.

The question is that the bill be agreed to in principal. Chief

MR SMITH

Thank you Mr Deputy Speaker. I'll speak briefly on this one. This bill amends the Liquor Act 1960 to provide for a new class of license, "The bar license". Also it allows Restaurants to serve liquor for more than eight per day and to provide a bring your own service and to introduce further controls on liquor supply under special permits.

MR NOBBS

Thank you Mr Deputy Speaker. The bill has some good and some questionable provisions. I support the BYO provision but question the establishment then of a licensed area. What's the story. You could have problems in a BYO facility and do we have the same problems that are reputedly evident at present in other drinking areas not specified as being under the Liquor Act. I support the Liquor Board issuing special permits under 62. And the inclusion of conditions on permits as well as legislating to allow police to enter a place holding a special permit. One could say these are long overdue. My concern is with the proposal in this bill to issue another type of license, a "bar license". My understanding is that this provision was designed to bring the Brewery under the Liquor Act. The concept may be fine but the implications of the procedure proposed are another thing again. I question what is to stop this same provision being utilised by additional facilities. There is nothing in the bill to stop a raft of bars being established. Seems to blow the argument in the previous bill completely out of the water. That's to congregate them all in the one spot. Some may say its only for the Brewery, but there's nothing to stop others also applying. What about the current residential hotels. Very simple for them to apply and become a real pub. Why worry about Restaurant licenses. Let's just have one license for everything. A "Bar license". My argument is if you wish to legitimise the Brewery operation for the purposes of the Liquor Act, then provide a separate Brewery license specifying conditions appropriate to their operation. This was mooted initially as a manufacturing business, a new business for Norfolk, which is great, all the proposals put by the owners should be incorporated into a license, a license which would provide for the manufacture and sale of alcohol. The place could then be required to supply a certain percentage of total sales of their own product, opening hours would be specified, under age drinking could be controlled, and the police would be able to control the situation as they could for any license premise. Sorry, I may be a bit old fashioned Mr Deputy Speaker, but I believe that we have an ideal situation on Norfolk, utilising the systems of clubs and the concept of self regulation by their members. I would suggest very strongly that the concept of a bar license is not accepted. If they wish to regulate a place like the Brewery, then do it under a specific license, not just open the place up to a potential raft of bars. Something you would expect in some Asian country. Not Norfolk Island. Thank you.

DEPUTY SPEAKER

Further Debate. No further debate. Chief Minister. Mr Adams

MR ADAMS

Thank you Mr Deputy Speaker. Just, seeking some clarity here. I mean this No 3 bill, brings into play the liquor board which may see fit to suspend or cancel a bar license after it has ascertained a number of things, one of them is the fact that intoxicated persons frequent or are frequently seen leaving licensed premises. Does that mean that the Board in itself can determine what an intoxicated person is and be part, bear this question, if they cancel somebody's recently issued bar license on the basis that intoxicated persons frequent or are frequently seen leaving the licensed premises, if a litigation arises out that, won't that be putting the Board in somewhat of an onerous position. I guess, going back to the original thing of having to determine themselves what constitutes an intoxicated person.

MR SMITH Thank you Mr Deputy Speaker. Yes it is a good question Robert. Maybe there is some definition of intoxicated needed. I'm not to sure exactly how far that goes, but yes I take your point with that. That needs to be clarified.

MR ADAMS Just some more clarity George in respect of two matters. In the event that the Board does cancel or suspend somebody's license, what right of appeal would the licensee have if he/she believes they have been or are in an aggrieved . They haven't had a reasonable consideration of their situation. I guess its an add on to the initial question and in the case of 49b(a) which is section 7 in the actual amendment, I raised this the other day. It say's here " The licensee under a bar license must not permit a person under the age of 18 years to enter or be on the licensed premises in respect of which that license is enforced". Now normally, it's my understanding George, that normally this sort of proviso, is alive and well, but it has also got attached to it that a person who is under that threshold, can be on licensed premises as long as they are in the company of an adult. So, wouldn't it be fair to assume in the way that's it's written there, that if this bill applied to particular situations, won't have it have some effect, for instance the preventing of an establishment having a Christmas party. That might seem minor and may be a very small point, but, as we know it is a regular event in licensed establishments on the Island to have a Christmas party in respect of member's children. Now that would reduce, that would flatten that immediately. Would it not?

MR SMITH Yes Mr Deputy Speaker, yes if somebody had a bar license, yes that would probably be right. The other part, that you were just talking about there was the special permits, which is the special permit that does get issued. That is different from the section 32 permit. I don't see that that would apply with the bar license anymore. But it would actually amend that section of 62a so that those special permits will be dealt with by the Board. That's how I see it. I might go on to say Mr Deputy Speaker, that we will probably have to adjourn this bill because there are some things we may need to fix up in it. If we talk about a specific place which is the Brewery, it has been operating under one of those section 62 permits. And their permit expires at the end of December, and it was suggested by the Liquor Board and police that we hurry up and get some licensing system in place to cover the premises such as the Brewery. However I think I could probably issue another permit that would carry the Brewery through until we do something with this particular bill. I would need to talk to people at the Brewery and also the police about that. So at the appropriate time I will move an adjournment.

DEPUTY SPEAKER Yes Thank you, further debate. No further debate. The appropriate time is now.

MR SMITH Then I so move.

DEPUTY SPEAKER Thank you, the question is this matter be adjourned and made order of the day for a subsequent day of sitting

QUESTION PUT
AGREED

The ayes have it. That matter is so adjourned

HEALTHCARE AMENDMENT (NO 2) BILL 1998

MR GARDNER Thank you Mr Deputy Speaker. I present the Healthcare Amendment (No 2) Bill 1998, and move that the bill be agreed to in principal.

DEPUTY SPEAKER The question is that the Bill be agreed to in principal. Mr Gardner

MR GARDNER Thank you Mr Deputy Speaker. This bill amends the Healthcare Act 1989, to allow the Administration to use an amount that is required to reimburse a person under that act, to pay an amount owing in respect of that person under the Healthcare Levy Act 1990, or to pay to the Hospital Enterprise in settlement of an amount owing in respect of that person under section 24 of the Norfolk Island Hospital Act 1985. Mr Deputy Speaker, I think its easier for me to make it as simple as possible in explaining this. If you are a current debtor at the Hospital and you have a claim on Healthcare, and Healthcare is about to write a check to reimburse you for your claim on Healthcare, it is envisaged under these amendments to the Act that it would empower the Healthcare Manager to hold back the level of the debt to the Hospital and pay it in the first instance to the hospital and then reimburse you with the balance of the remaining claim on Healthcare. The current situation is that the Healthcare Act I guess relies on the honesty of people when they are reimbursed from Healthcare to go up and clear their debts at the hospital themselves. That is not happening and this really is one of the issues in response to a question from Mr Nobbs this morning in an attempt to address the problems surrounding the debt level at the Hospital. Thank you Deputy Speaker.

MR NOBBS I fully support this proposal Mr Deputy Speaker because it cuts out that stupid activity that goes on at the present time where your getting money back from down town from Healthcare, you get paid in a check, you then go and pay the check at the Hospital, you are paying two lots of FIL on it, I fully agree with this and don't think anybody will complain at all, even from that angle.

MR GARDNER Thank you Mr deputy Speaker, I move that debate be adjourned and the resumption of debate made an order of the day for a subsequent day of sitting.

DEPUTY SPEAKER I put that motion to the House
QUESTION PUT
AGREED

The ayes have it, that matter is so adjourned

THE TREES AMENDMENT BILL 1998

MR ION ROBINSON Thank you Mr Deputy Speaker, I present the Tree Amendment Bill 1998 and move that the Bill be agreed to in principal.

DEPUTY SPEAKER The question that the Bill be agreed to in principle. Mr Robinson.

MR ION ROBINSON This Bill makes a number of miscellaneous amendments to the Trees Act 1997 to enable the commencement of that Act. The important part of this amending bill is that it enables people to register plantations of native trees by way of setting in motion the Trees Act 1997. As you will remember it is some time ago since we passed Act. It also enables people to top or trim a tree in accordance with good horticultural practices without having to obtain a permit. I support the Bill

MR ADAMS Thank you Mr Deputy Speaker,. It's been some time since we had a look at the principle Act. In this amending bill it seeks to do some work and to bring some focus on the conditions of the prime bill. Mr Deputy Speaker I've always had difficulty with the fact there are conditions on a registered plantation at all because essentially what this bill will do or one of the things it will do is allow people to cultivate on a commercial basis trees that are in a protected schedule and I think at the minute there are around four or five of those trees. But for the life of me I'm still at a loss to understand why the system wants to put conditions on people who wish to effectively improve the

environment. Because that is what they are doing. The land holder needs to obtain the tree, either through purchase from some of the nurseries around or grow it himself or herself over a long period of time, needs to maintain those trees and they need to ensure that they're properly looked after, and this is the period we are talking of. In most instances it will be a number of decades. Now why we insist on having conditions on those people, who as I alluded to, are effectively improving the place, I'm at a loss to understand. Mr Deputy Speaker I would be happy to move an amendment as well that removes the section of the principle Act that applies and that puts conditions onto this activity in the first instance.

MR ION ROBINSON Thank you, If anything this amendment removes conditions for instance clause 6, inserts two other exemptions to the requirement that a person should hold a permit. That is in regard to topping/lopping/trimming of a tree, so you don't as long as it's good practice to do so. It removes that requirement to have a permit. It also sets in place the fact that you do not have to obtain a permit to remove a limb of a tree if it overhangs a building if anything it reduces the restrictions placed on the owners, however, when we have a copy of the full bill in front of us before the next meeting, I will ensure that we covered it. If there are any further amendments to make that will be the time to do it, so in the meantime Mr Deputy Speaker, I move that debate be adjourned and that resumption of debate made an order of the day for a subsequent day of sitting.

DEPUTY SPEAKER Thank you Mr Robinson, I put that question to the House
Honorable Members

**QUESTION PUT
AGREED**

The ayes have it. That matter is so adjourned

DOGS REGISTRATION AMENDMENT BILL 1998

MR GARDNER Thank you Mr Deputy Speaker, I present the Dogs Registration Amendment Bill 1998 and move that the Bill be agreed to in principle.

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

MR GARDNER Thank you Mr Deputy Speaker. This Bill amends the Dog Registration Act 1936. First we allow areas to be prescribed where dogs are prohibited or are permitted subject to compliance with specified conditions and secondly to remove the power of individuals to destroy dogs and to transfer that power to an inspector. Mr Deputy Speaker, this has come about in relation to complaints that were laid about dogs causing nuisance problems through the Burnt Pine area. Which actually ended up with, so I understand, one individual being bitten in the Burnt Pine area. Secondly Mr Deputy Speaker it removes altogether the power of any person to indiscriminately destroy a dog, and there is historical evidence that that has been the case, in the past, of people not only luring dogs into their property to destroy them, but to indiscriminately go round and pick dogs off from the side of the road. Basically Mr Deputy Speaker, I commend this Bill to the House.

MR NOBBS Thanks Mr Deputy Speaker, I appreciate that there is some good points in this bill, but my real concern with this bill is that section 16 of the current Act will be repealed. Section 16 of the Act states, and I quote, "any dog, which attacks a person or domestic animal may if the attack be not on land or premises owned or occupied by the keeper of the dog may forthwith be destroyed by any person". This bill proposes that in the case of an attack on domestic animals you have to run for the stock inspector, this is absolute rubbish, I don't believe this provision takes consideration of what normally happens in an attack on farm animals, and don't let us kid ourselves, that is the precise reason this provision was placed in the act. An attack on farm animals is usually pretty quick, that is,

DEPUTY SPEAKER

Thank you Mr Nobbs. Adjournment debate.

MR ION-ROBINSON

Thank you. This is our last sitting before Christmas and I would just like to wish all my fellow Members and all aklan on Norfolk and others the very best for Christmas and the New Year.

MR ROBERTSON

Thank you Mr Deputy Speaker. This morning a question was asked of me by Mr Nobbs as to what situation the cliff was at and I advised him at that stage that tenders hadn't gone out because Environment Australia hadn't done their final approval. I've just received a document which states that it has arrived this afternoon and that the Environment Australia has got no problems with the cliff project proceeding and they write "Dear Minister I'm writing to you in relation to the environmental assessment under the Environment Protection Impact Proposals Act 1974 of a proposal to conduct cliff stabilisation work on a section of the coastline at Cascade Norfolk Island. The Department of Transport and Regional Development has designated you as the proponent for this proposal on the basis of the information provided to, and the assessment by Environment Australia I have determined in accordance with paragraph 311(a) of the Administrative Procedures, under the Act that neither an environmental impact statement nor a public environmental report is required for the purpose of achieving the object of the act in relation to this proposal. I have advised the Administrator of Norfolk Island the Honourable Tony Messner that any decisions by him regarding this proposal should have regards to the recommendations as detailed in the attachments to this letter. I also attach a copy of Environment Australia's environmental review which puts my recommendations into context, yours sincerely". That was received just this afternoon. So we can now proceed. Thank you.

MR SMITH

Thank you Mr Deputy Speaker. As has been pointed out this is our last sitting of the year. It also brings to the end another year that we've, or our first full year, calendar year for this Assembly and I'd like to finish it off by conveying the best of wishes to all my colleagues and all their families and to all of the community in Norfolk Island at this festive time. Christmas is a time when we should stop and think about our fellow man. A time when we should offer peace and goodwill to all and I wish that for all of us on this little paradise over the Christmas period and for the future. As it is the end of the year I'd also go on to thank the people that we've been dealing with over the last 12 months, the people in the Administrators office, including the Administrator, the Chief Administrative Officer and all of the Public Service, Dennis O'Neill and all of the School Teachers, what they do for education here with a special mention of Judy, Sue and Tia who are actually leaving us at the end of this year. To Margaret and her gang at the Radio Station and anybody else that I've dealt with on a Government basis and on a personal basis and people have been a tremendous support, I'd like to thank them all. I just wish everyone a safe and happy Christmas and a prosperous and exciting New Year. Thank you Mr Deputy Speaker.

MR NOBBS

As George said it's our last meeting and I would like to, on behalf of Marlene and myself wish all the residents of Norfolk Island a very happy and a prosperous New Year. I would also like to thank those who have really helped me in the last year, in particular in the last 18 months since I've been on the Assembly. It's been very encouraging the support I've received and I would also like to make mention of the fact that we're losing very shortly a member of the Administrators staff in Ralph and Tia Condon and their family and he's been a great, he's contributed greatly I believe to Norfolk Island. I don't always agree with him but he has been very forthright and encouraging. So I'd like to thank them and I just got handed a note saying that on behalf of the inmates of the asylum but anyhow I'd like to wish everybody a very happy Christmas and a great New Year and I hope things go well for you. Thank you.

MR GARDNER

Just a brief word Mr Deputy Speaker. I would like to echo the thoughts and feelings of my colleagues around the table and particularly over the last three weeks to give a vote of thanks to the outstanding support that I've received in my new role as Minister for Health from the people that I deal with within the area of the Administration and also to my fellow Ministers and my other colleagues in the Legislative Assembly for the assistance and support that they have shown me. It's been outstanding and I've been very touched by the degree of support that I have received and to everybody on Norfolk Island and our visitors included I wish them a very very merry Christmas and a happy and prosperous New year.

MR ROBERTSON

Thank you. My final chance. This year has been a rather interesting one and I have heard some pretty good debate in this House from time to time. There's been some eight ones and one eight's as far as some of the Motions that have been put forward but at least the Motions have been put forward with the intent of trying to improve everybody in the community on the island, so I hope that doesn't stop. With all of this this year has brought a number of improvement to some areas and it's something that we've all strived for to ensure that the community of this island is kept in the standard of living which they have now grown accustomed to. My thanks go to my Tourist Bureau and the staff and my Board which have had the unenviable task, particularly over the last 3 months of operating without a CEO and they've managed that extremely well. We hope now that we've got a new appointment that that will continue to strive and improve into the New year. We've had a lot of problems with airlines, with time frames and so forth and hopefully the message that John gave us today which was a surprise to me may fix up some of those problems that have been discussed and suggest that they are a real problem with these late arrivals and so forth in the future. So for all of that I wish everybody on Norfolk a real happy Christmas and a bright and prosperous New year.

DEPUTY SPEAKER

Thank you Mr Robertson. Any further participation in the adjournment debate. If there is no further debate I wonder if I could conclude then Honourable Members by equally wishing to all of you my colleagues in the Assembly Christmas greetings, but not only to yourselves but to those who are in the office of the Administrator, to all members of the community of course, to visitors who will be within our gate at the Christmas time, officers of the Service who have dealings with us in a wide variety of ways and of course officers of our own in this legislature. From Margaret and myself very warm wishes for Christmas and to everyone a prosperous New Year. Honourable Members we conclude and I put to you the question that this House do now adjourn.

QUESTION PUT

QUESTION AGREED

The ayes have it thank you. This House stands adjourned until Wednesday the 13th of January 1999 at 10 o'clock in the morning.