

of his schooling Clive worked firstly as groundsman at Government House then left for Sydney where he gained employment with the Sydney City Council in their Telephone and Telegraph Branch. He was a linesman for many years and he gained substantial knowledge in the fields of technology and communications. He was a respected man by all of his colleagues. When he retired Clive returned to Norfolk Island to live in his home at Ball Bay. He was a well known Ballroom dancer, a very talented man musically, he played the guitar, the pedal steel and Hawaiian guitars and the electric organ. He loved country music. Clive liked his garden and his home and he had a quiet and methodical manner which is seen in the improvements that he made to his home in his retirement. He was also quite skilled at both woodcarving and lathe work. Clive was really somebody who had the mark of a quiet unassuming gentleman and Mr Speaker to his friend Win, to his sister Norma and her daughter Bernadette, and to his many friends and relations here on the Island we extend its deepest sympathy.

Our final condolence this morning Mr Speaker is for us to record with regret the passing of Jack Fitzpatrick on Wednesday the 14th April 1999. He was 62 years old. Jack William Fitzpatrick was born on 9th July 1936 in New Plymouth, one of three children. He was educated at Moturoa Primary School and New Plymouth Boys High. He was a sportsman. He played Rugby League and tennis and nurtured a passion for competition bike racing and his competition sports ended with a shoulder injury. Jack entered a plumbing apprenticeship but his passion for motor bikes and cars saw his apprenticeship short lived and he joined his father's motor business. Jack and Dyann married in 1963 and moved to Norfolk Island in 1967. He purchased Duncombe Bay Garage and the Honda Agency from Bill Hart. His business grew with Honda, Mazda and Subaru, including motor bikes, hire car outlet, spare parts and a carwash. Always the achiever he realised the needs of the commercial and tourist industry and saw the potential of the old Burns Philp building which he acquired, built and developed this complex into what we now know as The Broadwalk Arcade. Jack Fitzpatrick was a compassionate man, directly or indirectly helping many and that meant individuals and organisations two amongst many that I particularly recall, the Annual Prizegiving at the School always had Jack Fitzpatrick participating and I certainly know that the A & H Society was the subject of his support and generosity at prizegivings. His family and his friends gave true support to Jack in his final illness and Jack will be sadly missed by this community and to Dyann, Marc, Dean, Brigitte and their families, we in this House extend our sincere sympathy.

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

PETITIONS

Are there any Petitions?

GIVING OF NOTICES

Are there any Notices?

QUESTIONS WITHOUT NOTICE

And we are going to move to Questions Without Notice. I ask the Deputy Speaker, would you take the Chair please Mr Buffett? Are there any Questions Without Notice this morning?

MR NOBBS Thank you Mr Deputy Speaker I have a question for Mr Robinson if I may. Ric at the last Meeting you said that you are the Minister responsible for investigating and enquiring outside designation Portion 5a at Cascade. Have you found out who is responsible for the land on which the activities are being undertaken

MR ION ROBINSON Thank you. At this stage there's still some controversy Ron. I presume you are talking about the piece just outside Mr Forrester's. There is a paper. No I haven't but I'll get you the paper

MR NOBBS Just a supplementary to that. Given that there are ongoing reports of large mud slicks in Cascade Bay, what has been done to stop the problem

MR ION ROBINSON Thank you Mr Deputy Speaker. There's going to be alot more unfortunately Ron with the Cascade Cliff coming up. Every time it rains it sends it out there and unless you've got some good suggestions I'm afraid I can't see how to prevent it

MR NOBBS Following on from that. Why was no action taken by you against the Company under provisions of the Planning Act which was open to you whether it was on private land or public land or disputed land

MR ION ROBINSON I'm still waiting on bits and pieces to do with that Ron

MR NOBBS Just another one in relation to the Cascade Cliff. You were in some doubt at the last meeting. Have you worked out since the last meeting who is responsible for environmental issues during the Cascade Cliff project, the Norfolk Island Government or the Commonwealth?

MR ION ROBINSON I think the last time, we agreed it was a bit of both Ron

MR NOBBS Could you specify a little clearer on what responsibility the Norfolk Island Government really has on an area of land which the Commonwealth Government owns

MR ION ROBINSON Thank you. The whole issue of reserves and land as Mr Nobbs' knows, is in a state of flux in that the Commonwealth claim that they own it and every time we talk to them they say we are there to manage it. We hope to have our Plan of Management done so that we can take fully responsibility for it hopefully in August, whereas the Commonwealth haven't said specifically that if all our Plans of Management are in place they will hand it over, they have not indicated to the contrary so hopefully we can have it sorted out by August, which of course is the twentieth anniversary of our so called self government

MR NOBBS Thank you Mr Deputy Speaker. I'll direct this either to Mr Robinson as the Minister responsible for Environment or Mr Robertson who's got the cliff under him. May be it should go to Gary. I understand that the land was clear of all

activities - this is for the Cascade Cliff - on the 24th March and is it correct Gary that we still haven't worked out who is responsible for the environmental controls over that area

MR ROBERTSON Thank you Mr Deputy Speaker. You're talking about 5a are you

MR NOBBS No. The Cascade Cliff Project area

MR ROBERTSON The Cascade Cliff wasn't actually cleared on the 24th March. That was portion 5a which is the private portion where the quarrying was taking place. We had previously had an agreement with the owner of 5a and the Administration and finished on the 24th March but as far as the Cascade Cliff is concerned, there has been no change as to whatever's been going on there since time immemorial by the look of it

MR NOBBS Just a question. Did you not write to some major users of the Cascade pier telling them that they would be refused access after the 24th March because that particular area was to be used for the Cascade Cliff Project

MR ROBERTSON Thank you Mr Deputy Speaker. As far as that part, access to the jetty, was discussed earlier in the piece and a letter was sent out, but once the tender arrangements had been completed with the successful tenderer then there would be letters sent to all people that would be likely to use the Cascade Pier that if it was to be continued to be used at any stage then permission would have to be given or granted from the contractor. Now that letter has gone out. The contractor himself has indicated that he won't be coming here until the 14th May in which case there is full access until such time as they start the actual operation of the cliff in which case then there'll be a notice in the Gazette declaring when it actually closes, and that will go under a closure of road as part of the legislation. That then takes full effect

MR NOBBS My next question. Will these environmental issues be sorted out by the 14th May then

MR ROBERTSON Thank you Mr Deputy Speaker. Well the environmental issues as far as the Cascade Cliff is concerned is all part and parcel of the original application as conducted by SMEC and that went to Environment Australia and Environment Australia have given approval in that area for the Cascade Cliff

MR NOBBS What responsibilities have the Norfolk Island Government for those environmental conditions

MR ROBERTSON Thank you Mr Deputy Speaker. That's part and parcel of the contractual arrangements and part of the contract says that the successful contractor will be required to perform in the conditions that are laid down by Environment Australia as to those environmental issues and that has been done, so it's being controlled by SMEC whose the main people in charge of the operation to ensure that the contractor using subbies, whether he has to put in fences or whatever he has to do to the environment, is done in accordance with those requirements

MR NOBBS Just a final one if I may on the same subject. Minister your colleague, Ric, just said that there would be some major slicks of mud in the bay once

management practices, industry representatives, for example Foodlands have been invited to participate in the Committee and also the tourism industry as those areas have been identified as the main streams of waste on the Island as well as incorporating an officer from the Office of the Administrator that will be helping to co-ordinate the application to the Natural Heritage Trust. It is a cost sharing arrangement. Hopefully with the time frame that's involved, we will come up with a concrete proposal and one that can be properly identified as I've pointed out before, a levy system will possibly need to be introduced for the lack of funds that have been identified in this current years budget

MR NOBBS Can I ask a supplementary? Having watched these great peals of smoke emanating from the green waste dump yesterday or the day before, why isn't the chipper used to chip and mulch green waste

MR ION ROBINSON Thank you Mr Deputy Speaker. The chipper we have requires about four people to safely use it and we do not have the free staff to sit up there and do it. Once the timbers have been dried out it tends to burn them and jam up the chipper so we've really got to use the chipper when we actually cut down trees, or the branches are fresh if you understand what I mean. We have not got the staff

MR NOBBS Having had discussions with a professional man in this area who recently visited the Island I direct it to Mr Gardner. Will you be utilising this type of strategy in your waste management proposals

MR GARDNER Thank you Mr Deputy Speaker. In relation to the visit of that professional, he was a gentleman I understand from New South Wales that actually is involved in the waste management business. He runs a fairly major composting business for waste green material, newspaper, sewage sludge, waste meats and all that sort of thing which is composted so it negates the need to have to burn that type of material and certainly it is proposed that that makes up a significant part of the new waste management structure.

MR BATES Thank you Mr Deputy Speaker. A question for Mr Smith, Chief Minister. In a draft letter to Daryl Williams and Senator Chris Elleson, you said and I quote "... Norfolk Island is anxious to retain their links with the crown and the Norfolk Island Government wishes to remain as an executive under the crown." How did you arrive at the conclusion that Norfolk Island is anxious to retain their links with the Crown and does the term "Norfolk Islanders" in this instance include all residents

MR SMITH Thank you Mr Deputy Speaker. As Brian said, this is a draft letter to the Hon Daryl Williams about the Constitutional Alteration Bill and Presidential Nominations Committee Bill. This was a draft letter that's been drawn up for Members to come to a conclusion whether what we are writing there is correct and as I mentioned the other day at a meeting with all Members, I'm looking to Members for their input into that to see if they agree with those words. If they don't we won't be sending this letter as it is drafted but I would assume if all Members do agree with what we have put in the letter that we fairly well represent most of the residents of Norfolk Island and if all Members do agree to it then that would be the way we would send the letter

MR BATES Thank you Mr Deputy Speaker. Question for Mr Robertson, Minister for Works. A large amount of road base is being stockpiled on Cascade

reserve near the cattle crush. Could the Minister explain for general information what's the purpose of the road base and the costs of any road structures

MR ROBERTSON Thank you Mr Deputy Speaker. Road base currently being put down on Young's Road is for Young's Road when the cliff contract commences. With the taking of the overburden from the top of the cliff to get access to the rock will require a large amount of cartage of spoil or overburden which has been designated as being taken up to 44a which is the estate recently acquired by the Administration at the back of the oval by the school so there will be trucks coming from the cliff onto Cascade Road and working their way up to that dumping area. The road base of course was to ensure that the access from Cascade Road and going to the cliff top is of a nature that will allow the trucks to pass without getting bogged down. You may have also noticed that there is a bit of activity happening within the Cascade Road at the moment along the edges and areas bringing that road up to scratch and the reason for that is that part of the contractual arrangements is that the contractor at the end of the time of the contract must restore the road to the condition that it was before he started so that the potholes and areas that are concerned on the side of the road are being currently repaired so that at the end of it all the contractor will have to make good any damage done

MR BATES Supplementary question. I wonder if the Minister knows or has a figure on the cost of Young's Road to the cliff face

MR ROBERTSON There's 1700 tonnes of road base going in there. That's part and parcel of the contractual arrangements and pricing

MR BATES I have a question for Mr Smith, the Minister for Finance. Sometime ago you circulated a paper to review fees and charges. What is the status of that paper and when if ever will it be actioned

MR SMITH Thank you Mr Deputy Speaker, Mr Bates will be very pleased to hear that it is being actioned. In fact, I called the Finance Committee together last week and we went through the fees and charges recommended papers and Mr Bates will be pleased to know that we have come up not only with the fees and charges recommendations but we've actually added some to the list as well. Those amounts shown are now being collated into a paper that you will be able to tell just how much extra revenue firstly we will get off them and that paper will then come back to the committee again and from that point it will come to the Assembly to see if Members agree with what has been recommended. Of course the exercise is not to really raise a lot of extra money, it's to bring these fees and charges as Mr Bates has been saying for some time, need to be brought up to date. Some of them haven't been changed for many many years, so I think Mr Bates will be very pleased with the result and we should have that around budget time next month

MR BATES Thank you Mr Deputy Speaker. Another one for Mr Smith, Minister for Finance. Will a budget be tabled at the May meeting of this Assembly so that it can be finalised at the June meeting

MR SMITH Thank you Mr Deputy Speaker. We are aiming to introduce the 1999/2000 in the May meeting as has been requested by Members. At this point we have received the first draft of the Revenue Fund Budget and I'm about to get the

Government Business Enterprise's budget as well and we certainly are going to be working hard to introduce the Bill in the May sitting of the House

MR BATES Thank you Mr Deputy Speaker. A question for Mr Robertson, Minister responsible for crushing. Given that the crusher licence is for a limited period what is the government doing to ensure that we will have an ongoing supply of material after the licence expires

MR ROBERTSON Thank you Mr Deputy Speaker. A six month licence was given to island Industries to continue on 48c which is the current site. That will expire around September October. There is currently an application lodged with the Planning Board by another operator to commence operation down in the Cascade Cliff area. That has yet to be sorted and defined. The Administration is currently doing an environmental impact study on a site that's been identified as the airport to be used for crushing purposes. The reason for this is that if nothing is available as at the closure of the current crushing site then the Norfolk Island Government would have a site available to be tendered out or to be whatevered at that time. And the reason that the site has been selected at the airport is because it's on Norfolk Island Government land and we don't have the problems of answering the whim of the Commonwealth Government as to whether or not we can utilise some of their land or not and this is part of the problem with our current crushing site and would become maybe a further problem with the applications that are currently in before the Planning Board. So in selecting our own site we would have the ability to ensure that provided the EIS is done correctly and provided that whatever we do is within the environmental levels that hopefully will be assessed, then we will be able to continue as I said, under those arrangements. Is that what you are looking for or do you want more?

MR McCOY Thank you Mr Deputy Speaker. If the site that is being surveyed doesn't fit the environmental impact statement, do you have a second site in mind

MR ROBERTSON Thank you Mr Deputy Speaker. There's two things actually happening at the moment. There's an identification of future rock supply which is rather more importantly than anything at this stage, because it is realised that once the cliff is completed in this operation there's every likelihood that it won't be accessed in the future and most of the rock that has been identified in previous assessments that were done around 1980, 82, 83, 84 and around that area and again in the early 90's are on the western side of the Island. Now some of those sites that have been looked at, at this time, also include areas that can probably incorporate crushing. In fact, two of them incorporate crushing as well, so really the EIS that we are doing for the airport crushing site is a total back up and remember of course, if all else fails there is avenues available through this Legislative body to legislate

MR NOBBS Supplementary to that. Gary you said there would be an environmental assessment done of the site at the airport. Will there be an opportunity for public comment and if so, when do you anticipate that the public will be asked to comment

MR ROBERTSON Part of the EIS of course is that it must go out to public consultation and I understand that the Secretary to the Planning Board is currently getting documentation together in a fairly thorough way to ensure that when this does go out and public consultation goes out that there will be sufficient documentation to allow anybody and that I understand will sit on the table for a month before the date the public consultation takes place so there's be every opportunity for those who have a worry, need to do it. There is one

thing that came in which I'll quickly answer at the moment, because there was a question that went to George as Chief Minister on the radio, regarding crushed rock supply and is it the intention to cart the stuff through town and put it up there and we've had a look at that and there seems to be some misunderstanding amongst some people in town. We've drafted up a reply which sort of says that as the community is aware, there's been a range of difficulties surrounding the supply of crushed rock products at the present time resulting on occasion, in there being little or no supply of this important product available in the community. A lack of supply has caused significant difficulty for people needing crushed rock to build their homes and other developments requiring crushed rock products. To that end, the Government is presently conducting an assessment on an airport site to ensure that in the future there will be options available to the community in the siting of a rock crushing operation if other sites prove unworkable for any other reason. If the assessment indicates that the site may be suitable it is not intended that the airport site will be activated unless there is prolonged difficulties at other sites. Now when and if this difficulty is reached, the government will be seeking public comments from the community on the project including the likelihood of the need for associated vehicles to access the site through Burnt Pine. Now one of the things that has come up with all of that is that it would not be the intention to pick up the whole of Cascade Cliff and whip it through town in six months. We have an extension of 5a which is the storage area and there's no difficulty to actually cart the rock through if and as it is required rather than to holus bolus bring it up and people may recall that in the last six months of the operation of the crusher, some 10,000 were crushed in that six month period most of which came through town and I don't think anybody really realised the stuff was actually going through. That will give you some idea of the quantity of rock that went through the middle of town. It was going down through either the Administration because of Burnt Pine upgrade or to Trimark who were moving a number of stuff, even down to other areas but there was a huge majority and trucks were going through and nobody rang me or said heck, you're wrecking the place, so there we are. Thank you.

MR BATES Thank you Mr Deputy Speaker. I have a final question for Mr Smith. In a recent radio session you promised to open the new Airport terminal building, especially for public inspection. When will that happen?

MR SMITH Thank you Mr Deputy Speaker I'm intending to do that in the first week of May.

MR NOBBS I thought there may be others. I wasn't really ready for you then. Just one for Mr Robinson on immigration. Is it correct the immigration policy requires a business to operate for at least 5 years on the Island before it can be sold to a person who is a non-resident under the Immigration Act.

MR ROBINSON As I understand it that is correct.

MR NOBBS Thanks John. At the last meeting I asked you about the investigation into immigration approvals during the Eighth Assembly and you said you could not find nothing abnormal. Do you stand by that statement?

MR ROBINSON Yes I do.

MR NOBBS One for Mr Robertson on Tourist Accommodation, on conditional registrations those approvals by yourself before an application receives building

approval or actual buildings done. Are such conditional registrations now being used in calculating the trigger share market of 10%.

MR ROBERTSON Through you Mr Deputy Speaker, Yes.

MR NOBBS How many applications have been approved by you utilising these conditional registrations in calculating trigger share market which would not have been approved using the old method of calculating the trigger share market.

MR ROBERTSON I'll take that on notice Mr Deputy Speaker. I don't have those facts and figures in front of me at this present point in time.

MR NOBBS Just another one for Mr Robertson. At the last meeting you asked the question in relation to third line forcing and it appears that the question and your answer were targeting tour operators. Does the term apply to other suppliers of services within the tourism industry.

MR ROBERTSON Thank you Mr Deputy Speaker. The actual term is 'third line forcing', I made a mistake in saying, but it is actually 'third line forcing' and the object of that is that if the operator would go to, or if a person went to a second person who had a business and asked them if they could use that second persons business, then that second person would turn around and say, I won't give you that unless you go through a third operator, unless you go through a subsidiary of mine. Which is the third line, you are forcing that person to use that third operator. That's not quite what, whilst Mr King referred to it in his letter to me and his discussions, that wasn't quite the subject and in fact I've had the Crown Counsel work on that over the last week, month actually and I have just yesterday received a reply from him looking into all this third line forcing. What he is actually suggesting is that it's 'exclusive dealing' as opposed to 'third line forcing'. I have got a draft letter to go to Mr King, a draft letter which will be going out to him probably today or tomorrow seeking further information from him and seeking if he wishes to continue then we'll look at it in a deeper mind. If it's exclusive practice which is one thing, then we don't have it in our trade practices. It does apply in the Australian Act. We've got two options, we can turn around to Australia and get them to ensure that their Act would then apply to Norfolk Island and I don't think that would go down too well or we can look at perhaps changing or introducing some amendments to our own legislation, but I will be having further discussions with the tour operator on this.

MR NOBBS I'm just wondering, my question was really 'third line forcing'. Does the term apply to other suppliers of services within the tourism industry, not just any complaints in relation to the tour operators?

MR ROBERTSON Thank you Mr Deputy Speaker. Third line forcing was actually a little bit different to what we've found out to be anyway. It's not that term so I would suggest that we're looking at more exclusive operation or exclusivity. So third line forcing in itself may not be such an issue at this point.

MR NOBBS Have you received any complaints from other suppliers of services within the tourism industry in relation to third line forcing or exclusivity or whatever you like to call it.

MR ROBERTSON Thank you Mr Deputy Speaker. There is a bit of flak going around town at the moment amongst the tour operators with some of the things which are currently being envisaged to take place. We are keeping a pretty close eye on it at the moment. There has been suggestions to me from other smaller operators that they are being pushed out of areas, but they're being investigated too at the moment.

MR NOBBS Just one on the Crusher. At the last meeting Gary you were confused, as I understood, whether the Norfolk Island Government was a signatory or otherwise to the agreement between Island Industries and the land owner in relation to the Crusher. Was the Norfolk Island Government a signatory or not?

MR ROBERTSON To the Crusher the licence to the Crusher is done between the Australian Government and Island Industries. We are not a signatory to that. We are to this separate document which has got nothing to, the licence itself to the crusher is between Island Industries and the Australian Government.

MR NOBBS Can I have another supplementary. At the last meeting you said that the Administration is monitoring the process and noise requirements. If the agreement is between the Commonwealth and the company, who actually pays for this service?

MR ROBERTSON Thank you Mr Deputy Speaker. The Commonwealth has got lots of areas which they either have jurisdiction over or control and they, the Administrator has the right to ask the Norfolk Island Administration to ensure that whatever needs to be done in that area is done by them and this is done on different lands and perhaps Mr Robinson can answer that more fully because it falls more into his bailiwick than mine as far as the policing of that.

MR ROBINSON Basically it's all part of that same problem Ron. What we should be doing is sending them a bill.

MR NOBBS I second that as a motion but can I have a supplementary. I just want to make it clear and I just want to clarify it Gary if I may. Is it not correct that under the previous agreement between the landholders, Commonwealth and the crusher, the Commonwealth were responsible for all operational issues including environmental

MR ROBERTSON Thank you Mr Deputy Speaker. To some degree yes, but ironically enough after they had the visit of Parma Nand who they brought across or Island Industries actually paid for him to come across, whatever the agreements were, the actual policing of that once he had left was then passed across to Snowy to ensure that if any complaint came up and if there was an area of concern regarding noise levels or dust levels, then Snowy was instructed to go up and check it out and that was in the previous agreements or licences so it's not new

MR NOBBS At no charge to the Commonwealth

MR ROBERTSON At no charge to the Commonwealth

MR NOBBS I'll just get off the crusher! With the Tourist Bureau Gary, we provide nearly three quarters of a million annually, directly or indirectly to the Bureau. What are the key promotional strategies currently in place

MR ROBERTSON Thank you Mr Deputy Speaker. \$601,000 went to the Bureau last year

MR NOBBS Is that the answer

MR ROBERTSON No. ...of which two main figures go in for promotion. About \$158,000 or 160,000 goes down to the New Zealand area and \$260-270,000 goes to Australia. There's also extra costs involved in public relation companies for both Australia and New Zealand. One in New Zealand and one in Australia and in previous times we did have payment of Mr Bob Doyle who was an external representative of the Bureau in Australia. The result of that meant that the Bureau has in the last eighteen months, two years, has made contractual arrangements with wholesalers so that the money allocated would be spent over a twelve month period and that the expenditure of that money was because there was a contractual arrangement under wholesalers they had then control over exactly what was happening month by month and to ensure that the funds as was allocated to wholesalers or for promotion was spread over the twelve month period it was also done so that there was co-operative advertising in conjunction with the moneys so that instead of just the Bureau dumping money in the one area and having it fall short in another by the co-operative advertising contracts that were set up, it meant that we had three to four or five different participants within that co-operative advertising which meant that you got \$20,000 which it cost roughly for a single page advert in today's papers, were then spread amongst five or six people so the actual cost to each was \$5,000 or \$3,000, whatever the co-operation was. And that is giving us the maximum amount for our dollar. Now that will be continuing and already the contracts have been set up for this next financial year in the same manner, so that's where the money goes, it goes specifically for promotional tourism done in a co-operative manner with all of those involved in the industry

MR NOBBS Thank you Mr Deputy Speaker. A supplementary if I may. I said \$750,000 annually, directly or indirectly. Would you not agree that such issues as the wavering of landing fees which amount to a considerable amount of money, that such issues as the customs exemption for the Tourist Bureau today, those sorts of issues would increase the figure substantially beyond \$601,000

MR ROBERTSON Thank you Mr Deputy Speaker, as far as landing fees go that's got nothing to do at all with the Norfolk Island Government Tourist Bureau or their funding. The landing fees is retained purely by the Airport Authority and that money is used to upgrade the airport

MR NOBBS I'm sorry I think the Minister misunderstood me, I meant FOC's. I know it's confusing Gary but in relation to landing fees but FOC's are the ones that I'm talking about and I understand, and correct me if I'm wrong, that this is all handled by the Tourist Bureau and one of the issues in there is in relation to promotion of the Island

MR ROBERTSON Thank you Mr Deputy Speaker. Yes, over the past twelve months there have been many visits by tourist agents, by television promotion areas,

by newspaper for editorials or television, that all comes in FOC's. That's a hard figure to actually put on as to what the costs are but it does increase and as an example if the television programme comes across and is done here, the promotion that comes from that is pretty hard to assess, if it goes out Australia wide. We do know that it would probably cost us in the vicinity of \$200,000 to \$300,000 to even get that on air and this goes out free-of-charge so those sorts of things are hard to equate. The same when you have a full two page spread in the Sydney Morning Herald with full colour photos because you've brought over a couple of the PR people who have arranged to have some of the advertising personnel or a good reporter come across to look at Norfolk and see what they do. That in itself, it would cost of \$20,000 for a page and sometimes there's two or three page spreads. So the amount of moneys that is generated through those FOC's is quite considerable. You may recall Mr Deputy Speaker that in our previous Manager of the Bureau, brought out a quarterly newsletter and in that quarterly newsletter he had a list of the FOC's results within both advertising through the news media and through television which gave people an idea of just exactly what was gained from that FOC tickets

MR NOBBS Thank you Mr Deputy Speaker, that was a very good political answer. I wasn't really asking about the results I wanted to point out and I was wondering if you would agree that the figure was actually a bit more than the \$601,000 that we spent, that was all. I appreciate the rest and I'm going to get chipped in a minute, but is that not correct that those FOC's which are a loss of revenue to the Island and those sorts of things, which is fair enough, I have no worries about it, but it would bring the figure beyond \$601,000 considerably

MR ROBERTSON Thank you Mr Deputy Speaker, if you put a value on it to that degree I would suggest that you were probably right

MR NOBBS Thank you Mr Deputy Speaker just a couple for Mr Gardner. Under the Healthcare Scheme there are varying membership categories apparently. Is this correct and how do they work

MR GARDNER Thank you Mr Deputy Speaker. Various membership categories. I guess what Ron is referring to is under the Healthcare Levy Act there are provisions in there that allow exemptions from paying the Healthcare levy and suspensions from the Healthcare Levy. An exemption is provided from the Healthcare Levy basically on the grounds of pension and grounds of income, in other words those that have fallen on hard times. Just to give you a brief indication of what those figures are I think for a person in a six month period if they are earning less than \$3,500 in a six month period they can apply for an exemption. If it is a family with their combined income being less than \$7,000 in a six month period they can also apply for an exemption from paying the Healthcare Levy. As far as suspensions are concerned. Suspensions is a category that is in place where people who have adequate private health insurance cover can apply for a suspension from paying the Healthcare Levy. If that is the case those people that do apply for a suspension from the Healthcare Levy in fact if they were to drop out of their private medical insurance would fall in line with the policy of their not being covered for pre-existing conditions once they choose to rejoin the scheme at a later date. Does that help?

MR NOBBS Thank you Mr Deputy Speaker. I think it's the exemptions that are the ones that..... those exemptions, are they carried by the Healthcare Scheme or are they carried by the Social Security payments from the Government

MR GARDNER It's a combination of both

MR NOBBS Which one

MR GARDNER As far as the pensioners are concerned that falls under HMA which is social services. On the basis of grounds of income that's picked up by the Healthcare Scheme

MR NOBBS Thank you Mr Deputy Speaker. Just a couple on gaming. Is it correct that we have a very unique and significant mix of the country of origin of the Norfolk Island Gaming Authority

MR GARDNER Thank you Mr Deputy Speaker. Well we have a unique blend Mr Nobbs as we do have a unique blend sitting around this table today. It's correct. The Authority is made up of, and I think I have mentioned this in the House before, Justice Trevor Morling who is well known to a lot of people on the Island, he is the current presiding member of the Authority and he resides in Australia; we have Mr Jock Irvine who is up until I believe the end of this month, the current Chairman of the New Zealand Casino Control Authority who is a member of our Authority and we also do have Dr John Walsh of Brannagh who is our local member on the Gaming Authority

MR NOBBS Just a supplementary. There have been reports of some progress in the Gaming. How are things going

MR GARDNER Thank you Mr Deputy Speaker. There's a fully constituted Gaming Authority which met last weekend here on the Island to determine their course of action. They have approved the application forms for licencing for interactive home gaming and bookmaking. Those application forms are now available. There are covering letters. There are a number of amendments that will be coming before this House over the next few months. One of those is today, an amendment to the Gaming Supervision Act. Those are amendments that have been recommended by the Authority in corresponding with James Williamson, our Legislative Draftsman and also the Crown Counsel just basically some housekeeping requirements as far as the legislation is concerned and whilst I'm on that matter it may be worth pointing out that some of the communications that I have had from other jurisdictions and other people involved in the gaming industry considered the legislation that James' drafted to be one of the very best that is available

MR NOBBS That's very interesting. Is it correct that the Gaming as proposed will not be available to residents of New Zealand, Australia or Norfolk Island

MR GARDNER Thank you Mr Deputy Speaker. It is the intention that gaming activities as far as the interactive home gaming is concerned will not be available to people with an Australian residential address and also Norfolk Island address

MR NOBBS Thank you Mr Deputy Speaker. A question for Mr Smith. It relates to public servants serving on the Assembly and under these arrangements where leave without pay is granted whilst they are on Assembly business. Is there a requirement to seek formal approval for each period of leave without pay

MR SMITH I'm not too sure of the answer to that question. I'm not too sure of whom Mr Nobbs is referring to whether it is a Member of the Service who needs to apply to me or to the Head of the Public Service. If it's to me then it doesn't happen but I don't assume that that would be the way it would work but if you would like to put that on notice Ron I will check out the details

MR NOBBS Will the Minister accept, there's about four questions in relation to that and I'll put them on notice for the next meeting if he agrees

MR NOBBS The next one is the Assembly recently agreed that equipment imported into the Island for use on the Cascade Cliff that waiver of duty would occur. Has any equipment arrived to date which an application for waiver of duty has been lodged

MR SMITH I haven't been advised of any at this stage Mr Nobbs

MR NOBBS Just the Airport Business Enterprise. I know you said you haven't got their budget, but is it correct that the current debt, that is, funds owed is significant in the Airport Business Enterprise and that rumours have it that it's approaching the sum of a million dollars, is that correct

MR SMITH Thank you Mr Deputy Speaker Mr Nobbs would remember when we were looking at the Government Business Enterprise budgets, or maybe even the financial statements last year how we were both surprised when we saw an amount of three quarters of a million dollars in there as debt owing to the airport undertaking but of course as was pointed out to us by the Finance Manager that the Electricity area had borrowed half a million dollars which was agreed to by Members to fund the new caterpillar generator so it certainly does have a large amount relating to that and there are also some outstanding landing fees. I don't know that it's up to a million dollars in total as Mr Nobbs has suggested, but as I said earlier on, once I've got the GBE budgets I'll be able to give an accurate figure to that, thank you

DEPUTY SPEAKER Further Questions Without Notice? There are no further Questions Without Notice.

QUESTIONS ON NOTICE

There are no Questions that are on Notice today Honourable Members so we move on

PRESENTATION OF PAPERS

MR DEPUTY SPEAKER Are there any Papers to present this morning?

MR ION ROBINSON Thank you Mr Deputy Speaker. I would like to table the Stationery Noise Source Policy. This is just one of the many policies that we should have had in place a long time ago. Most Members have received copies of it. I have no objections to it although I personally think that the upper limit of 60 decibels is perhaps a little low. I was outnumbered so 60 decibels maximum noise from a stationery source is the way it is. If we find that that is unworkable, then down the line we can alter it but the policy as it is at the moment is there

MR SMITH Thank you Mr Deputy Speaker. I would like to table the Financial indicators and move that they be noted

DEPUTY SPEAKER The question is that the Paper be noted

MR SMITH Thank you Mr Deputy Speaker, I would just like to make a few comments. Up to 31st March the indicators indicate that customs duty collected to that period is about \$82,000 short of the revised budget from January. I believe that this is mainly due to the non unloading of the ships in that period because of the weather, or we certainly hope that that is what it is from. Income from other taxes is \$44,000 short of the revised budget. In this category vehicle registrations is \$42,000 behind. Departure fees are down by \$32,000. Interest received is \$15,000 short of the revised budget and interestingly enough, FIL is \$3,000 ahead of the revised budget estimate. Earnings from the GBE's and particularly the Liquor Bond are ahead of budget by about \$94,000 and the result from the Liquor Bond is looking like the Liquor Bond's profit will exceed \$1,000,000 which will be a record and the first time that this has occurred. In expenditure, welfare expenditure is still ahead of budget as was the situation at the end of 1998 and however well the percentage in excess dropped from 121% of budget at the end of January to 111% at the end of February it has now risen again to 116% as at the 31st March. Capital works purchases are still slightly ahead of budget but that's for the same reason as I've been saying in the last two or three meetings, it's the completion of stage 1 of the Burnt Pine Upgrade and also the purchase of a block of land and the full draw down on one of the votes which is the purchase of vehicles and mobile plant, Thank you

MR NOBBS I understand that whilst FIL might be \$3,000 ahead of the projection that it still for the first nine months of this year, dropped \$48,000 on last year and I'm just wondering when we are going to do something about this. Either cut it or do something to ensure that everybody actually pays but they pay a reasonable rate

DEPUTY SPEAKER Further participation. No further participation. The question is that the Paper be noted

QUESTION PUT
AGREED

That Paper is noted. Further Papers this morning

MR ROBERTSON Thank you Mr Deputy Speaker. I table the Inbound Passenger Statistics for March 1999 and move that the Paper be noted

DEPUTY SPEAKER The question is that the Paper be noted

MR ROBERTSON Thank you Mr Deputy Speaker. Members will notice that there has been a fall between this month and previous years and I have been approached by a number of concerned persons around town as to why and what are the reasons for this downturn and I guess its a combination of a number of things and they are all of concern. The first is that Norfolk Jet Express has changed schedule, changed aircraft and they have now reduced frequency of flight and that is meaning that we do not have those two and three day stays that were coming in on a very short term, FIT's and dropping a few bob off on the Island, that basically reduced the numbers quite considerably. It has also meant that it has made it a little bit difficult for groups to link in with the departures and arrivals because of the

reduced frequency of flights and it also has meant that the amount of moneys that Norfolk Jet Express were putting in to advertising has also been reduced and this too has had an effect on foregoing forecasts, newspaper promotions and those things to ensure that there was a continuity of numbers getting seats on the planes. On top of that, in recent times, the AIT which is Atlas International Travel have taken over one of our major wholesalers PITC who in turn have taken over one of our other major wholesalers, PACEL so that in the marketplace where before we had three wholesalers operating we basically only have two. We have one operating out of Sydney which is Fastbook Holidays who currently has around 23-24% of the market, and we have Atlas International Travel which is now by the very notion of its name, international travel, is now concentrating world and global wise as opposed to having two wholesalers who were spending more time and concentrating on getting people to come to Norfolk Island. PACEL I think around about 7% of their passengers were aimed at the Norfolk Island market. Now this has meant that those companies are now operating global wise and it means that we don't have the extra little effort being given by the wholesalers to ensure that people come to Norfolk. That in itself is going to cause a reasonable downturn again over the next two to three months so we are reaching a situation where, Ron asked a question earlier on, where's the money going and what's happening where are we going and I would suggest to you that we are going to have to have a real hard look at the moneys that we are currently spending and whether or not we should up it. Thanks George. We are looking at an area where we are trying to establish an area in the Melbourne market and there's something like three and a half million odd people in that area and Victoria and the Victorian numbers that are coming in is only a small percentage when you compare it against the New Zealand market with a similar number of people and they are bringing in 7-8,000 per year. We are not getting those numbers from Melbourne. We've got a new airline commencing or not a new airline but a new schedule commencing from Flight West which is at the moment taking place as from the 1st July and I understand that their aircraft BF100 did its proving flight to Prosepine yesterday and I've been told that the whole thing's a month behind but it actually did its flight yesterday so it means that we have a period over the next three or four months where we will still be operating on the current flight schedules which in themselves are not giving us that frequency for the FIT's, the short turn around stuff and we've got wholesalers which are concentrating alot of their market elsewhere. To give you an example of that I think PACEL have just done in the last two weeks, a full concentration of sending people off to Fiji, but before that concentration used to be sending people to Norfolk Island. So. Everytime I speak it seems to be doom and gloom but we are looking at a downturn and whether that downturn continues, I understand that in the market on Norfolk Island currently there has been some pretty heavy reductions of bookings and that is likely to continue, in fact I think some of the hotels and some of the other accommodation places are still only 50% full for Bounty Day which is most extraordinary from the lack of people on the Island. However, the Bureau is meeting next Wednesday in their normal meeting and these matters will be addressed in full just to see how we can come around and what we can do to try and overcome the downturn. Everybody at the moment or over the past twelve months anyway, has been enjoying the frequency of people coming to the Island and the Finance Minister has just announced that the Bond is doing exceptionally well and everything's going fine and that our income stream needs to be continued because we've got nothing else in place, well unless we can rectify the downturn and do something about it which I intend to activate in the next week then we can look forward to some rather tightening of the belt thank you

MR NOBBS Thank you Mr Deputy Speaker. I really question that if Norfolk Jet is flying their F100's does that mean that they'll be coming on line earlier than the end of June

MR ROBERTSON Thank you Mr Deputy Speaker, no Norfolk Jet won't be flying the F100's. Flight West will be using those and Norfolk Jet will continue to use the arrangements they have at the moment. They are currently negotiating with Qantas for full HE arrangements to see if they can come in on that but part of the problem with Qantas packages that they've set up is that Qantas like to utilise guaranteed accommodation and all of the accommodation places here are big enough to accept people in one hit, they don't spread them out all around the town so that's part of another area of concern

MR McCOY Thank you Mr Deputy Speaker. A further question for Mr Robertson. Seeing that the problems that have been foreshadowed because of moves with the wholesalers, one taking over another, what is the Tourist Bureau doing to encourage more wholesalers to pick up the Norfolk market

MR ROBERTSON Thank you Mr Deputy Speaker to my knowledge...

DEPUTY SPEAKER Thank you Mr Robertson. Before you respond to that could I just draw attention to the fact that whilst Mr McCoy raised a Question Without Notice that is considered to be a maiden speech but participation in this debate is and has just done that so I draw that to the attention of Members

MR ROBERTSON His major maiden speech Congratulations. I fell in the same trap when I got in. Thank you Mr Deputy Speaker. To my knowledge there is only one other major wholesaler in Australia and they don't work the same. There are a number of other reasons that have come into this wholesaling business and you've got a number of intermediate people who are operating, some of the large tour operators, the bus tour people and those sorts of things and I understand that Mr Boo Prentice is indicating that he would like to become a locally based wholesaler. That's fine but it also brings other areas of concern because we don't have legislation to cover that type of thing, registration is one thing that would need to take place, the keeping of Trust Accounts - if it fell over what beautiful publicity Norfolk Island would get if you've got a whole pile of people worrying about the fact that the thing fell over and they haven't got their money and we've gone, so those are the sorts of things that the newspapers love to put on the front page so there are a number of concerns that we are looking at and yes, Joanne Libline's been up in Brisbane doing a show and she's also been looking at other areas and Bob Goldsworthy's been over in Sydney on a private matter but whilst he's been there has also been looking at where we can operate through that. He's had a couple of sessions with passbook holidays over the last two weeks, but yes we will be looking at where else we can expand and what else we can do but with any of that it takes to get back into advertising and to push an area requires money

MR McCOY One other question. As Mr Bob Doyle is no longer employed by the Tourist Bureau where will his budget be allocated to and how will that budget be spent in Australia in the future

MR ROBERTSON Thank you Mr Deputy Speaker. The amount of moneys that was used by Bob Doyle was in the vicinity of \$65,000. The arrangements I think was in the \$40-45,000 but there were a few expenses that seemed to occur on a regular basis. Part of

his job was to continually keep in touch with wholesalers and airlines and one of his stronger fortes was that he was connected with or had good connections with Ansett but with Ansett's departure, those connections departed as well. The new connection part, or the next phase is Joanne Libline who will be making communications with wholesalers but at the moment the wholesalers are reducing rather than expanding and that there will be a continued effort as I said earlier on to try and increase more communication with the larger retail chains and there are a few of them in Australia but I guess it all boils down to we might even see the eventual demise of wholesalers as such which then means that we get back to what was probably muted eight years ago that Norfolk Island should have its own wholesaler and maybe that could be an answer to be looked at or the larger accommodation places would like to put their reps on the road because all the reps have gone too by the way, they've been taken off so we don't have the reps calling on a regular basis, they've wiped all them so the guys that have previously been there are no longer there. Spuddy, who left here to go and join PACEL is still there but just. He's not doing the same thing. He's also doing all groups now so instead of leading a group just to Norfolk Island he's now taking groups to anywhere so that's another area that is of concern but we will be looking as I said earlier on

MR NOBBS Well Gary speaking of gloom and doom and I would just like to point out particularly for the listeners that the financial years for 97 for the first nine months there was an increase of 3,900 into Norfolk Island and between the nine months 98 to nine months 99 there is still an increase of just under 1,700 so that we have had an increase in the figures for this year so I'm just wondering if we are looking at keeping this increasing to 4,000 or that's going to decrease in time. The second one I would like to know from Gary is what use has been made of selling on the internet as this is starting to take off elsewhere it seems to be coming a big deal and I'm just wondering what arrangements are actually being put in place to use the internet directly from Norfolk for sales

MR ROBERTSON Thank you Mr Deputy Speaker a very good web site is already up and running and if you would like to look at it, it's been established by Jason's who have gone through the town about five months ago looking for all of those who would help support the web site and that is up and running and it's one of those web sites that's linked so it is able to be accessed from all areas so that if you are in some other area there's a little arrow that shoots out the side and you'll find that you will automatically come to the Norfolk Island web. That's there and no doubt there have already been for quite some time now different individual accommodation places that have had their own web sites up and running and that's been run through different managers both in Australia and here with direct selling but you must realise of course that that's not always the best deal and I say that because you then pay full fare for your airfare and you pay full price for your accommodation whereas with a lot of the others you can get your deals which have been set up by the airline in conjunction with the accommodation people and in conjunction with the wholesalers, travel agents or whatever so you come here for five days, six nights you can get the entire package for \$600-700 and that'll give you your accommodation, your car and it gives you two or three tours or if you like to go through the internet on a direct sale basis you pay \$900 return to your airfare and you'll pay \$600-700 for your accommodation and you'll pay \$20-30 for your car so you'll end up paying \$1200-1300 on an individual basis as opposed to your group. However, some might like to do that

MR NOBBS Thank you Mr Deputy Speaker. I'm pleased Gary brought those last points out because they are very valid and actually I thought that that may be an area where the Tourist Bureau or a local entrepreneur might get into and actually start

selling those packages on the internet and that's a possibility and cutting out these people who are not now looking after us

MR ROBERTSON Thank you Mr Deputy Speaker. Ron that question you raised I covered earlier on before, if we get into that then we are going to have to pass legislation to make sure that the person selling that stuff from there then they need to be totally registered and we need to have some guarantee that they accept that, they accept the monies and accept whatever else and if they fall over there's got to be some protection for the person that's involved in that

MR NOBBS I quite agree with you. I ask you when will this legislation actually come into place?

MR SMITH Thank you Mr Deputy Speaker. I'm finding it interesting to the debate around these figures. The way I read the inbound passenger stats for March even though we still have as Mr Nobbs said 25,000 people in the financial year to date, but the interesting to watch in these numbers is always the visitor days. If we look at 1997 it's 21,300, in 98 it was 25,300 and this year it is back down to 22,000 or 23,000 really so I think Gary's concern is certainly warranted however I don't think that we should be too concerned that our numbers are going to continue to drop but I do look at the New Zealand figures. Traditionally if one market goes down Mr Deputy Speaker, the other one picks up and that's between Australia and New Zealand and that's why it's always seems to have swung that way. I'm just wondering what sort of work we're doing in the New Zealand market because watching the percentages they've been dropping down from the New Zealand side of things for quite some time and I realise of course that the percentages will be effected by how much is coming out of the Australian market but when I see the numbers also dropping down out of New Zealand I'll be interested to see what the Minister has got planned in that area to sustain those numbers out of New Zealand. Thank you Mr Deputy Speaker

MR ROBERTSON Thank you Mr Deputy Speaker. I'm pleased that the Minister of Finance has raised that. He will recall that the \$601,000 that I have made mention of, there was another \$44,000, \$20,000 specifically for promotion in New Zealand. That money wasn't forthcoming and so we do have a problem with advertising in that area. However alot of the figures that are coming out in New Zealand are the events driven stuff, as an example the next month for the Country and Western there's enough coming out of New Zealand to warrant extra flights by Air New Zealand to cover that number. We don't sort of get those same numbers out of Australia. New Zealand figures whilst the percentages have dropped and George rightly said that they are connected with percentage bases against the numbers that are coming out of New South Wales at all from the Australian markets. Yes sure, but if you look at the numbers overall that are coming up from Kiwi, it is still a reasonable amount. Australia that is New Zealand has started operating the Thursday flight, when they started operating the Thursday flight, they said that they would originate it from Christchurch and an attempt to open up the South Island market. That's fine, we did a little bit of advertising down there to start with but it needs a good push. To ensure that we have continuity from the areas that we're already getting them from, that's fine you need to keep that advertising going as well but you also need to give a real promotion in the South Island and the \$20,000 was basically for that area. That didn't come and that hasn't happened. Air New Zealand we've spoken with them and they have given us an indication that they may do another special in the not too distant future, to try and get extras up over the winter period because that's obviously the time to get out of the South Island and that is or needs just to be

finally put into place. We've got basically there but the way that Air New Zealand works is they just reduce the amount of seat price to the wholesalers and say you've got for the next month of selling, a seat which normally costs you four hundred and twenty bucks or something is now three hundred and ten, go for it and they can use that for a period of three or four months. That's how it normally works and that's currently being discussed at the moment to get into the winter months out of the Christchurch market. So the New Zealand market is basically still hovering round. It's surprising Air New Zealand both have expressed to me that the numbers out of the South Island aren't as high as they thought they would be and they are trying to bring them up from there, but in the meantime we need to keep our normal market operating

MR SMITH Thank you Mr Deputy Speaker. I'm pleased and concerned over a couple of things that Gary has said and I hope that one of them you were being flippant. I am pleased to hear that something is happening in the New Zealand market but I'm concerned if you only appropriated \$40,000 to promotion in New Zealand out of \$601,000 which didn't include that \$40,000, I would have assumed the normal process with the budget that the Tourist Bureau gets that even though you may not have gotten exactly what you wanted that out of the total budget of some \$800,000 that at least a third of that would be going to the New Zealand market. I think that Gary might have been having a shot at me about the \$40,000 but I hope that is not a serious statement that the Minister made.

MR ROBERTSON Thank you Mr Deputy Speaker. You may recall Mr Smith that earlier on when Ron asked me the question I said of the \$601,000, \$159,000 was allocated to New Zealand. That was the figure I gave. The \$20,000 was the extra over and above the \$601,000 that we required for promotion in the South Island which didn't come. \$158,000 went to New Zealand and it's done pretty well because the figures show it. Thank you Mr Deputy Speaker

MR BROWN Mr Deputy Speaker over the years a number of people have made endeavours to formulate an early warning system. Ed Howard did a lot of work in that area in his time as Finance Minister and Mike King is another person who maintained very detailed statistics and my understanding is that one of the best early warning systems of pending financial difficulties in Norfolk Island is the tourist numbers. There are two types of those numbers. There is the historical set of statistics which is published each month and there are forward numbers, forward bookings. For commercial reasons the forward bookings aren't widely available on the Island but there are two things about those numbers that I'd like to say. The first is since last November we have had a decline in actual tourist numbers and people thought that I was being a little harsh when I picked on just a very small decline and called it a decline but we've now had it for quite some months and the extent of that decline is expanding. In addition to that the Minister mentioned a short time ago that many of the tourist accommodation properties are saying to him that their forward booking profiles have fallen dramatically below where they have been in recent years, and of the properties that I am connected with I can assure Members that that is the case. Those forward bookings are disturbingly below where they stood in earlier years to the extent that as the Minister stated a short time ago, for Bounty week there are many empty rooms on Norfolk Island. What does all that mean I wonder. Well I think it means a few things. I think it's first of all a reflection of the sadness of the situation in relation to Norfolk Jet Express. There we had an airline which was based in Norfolk Island which had a dedicated aircraft. The aircraft itself was based here for most of the week. They provided significantly discounted fares in order to increase the market. Unfortunately they didn't receive support. They've been consistently

attacked by some members of the Legislative Assembly and they've not received the sort of community support that you'd hope would have been provided to what was local enterprise. As a result of that they found it necessary to seek additional utilisation elsewhere and that's why the timetable was changed mid year last year and we had a period when the aircraft operated in Australia for the morning and then came out here during the afternoon. Unfortunately that led to the attacks from within the Legislative Assembly and from other places increasing rather than to any understanding of the fact that we should have been trying to ensure that the Legislative Assembly created a team situation not one of giving a message that we didn't care if someone operated to Norfolk Island or not. The Wholesalers have had similar difficulties, they have had a different situation in their dealings with the Tourist Bureau. I am not being critical of the Minister here, but they have had a situation where joint funding arrangements with the Bureau have as I understand it from my discussions with various wholesalers been much more difficult than they had been in earlier years. They have had a situation where the Bureau, according to what they're telling me, has rarely been in touch with them and they've had a situation where the Bureau has from what the Minister has said today, been looking at other sources of business. Now in the current scenario that may well be a wise thing for the Bureau to be doing, but I hope that one of the things the Bureau will look at when it does sit down to look at the present situation, is its relationship with the existing wholesalers and the question of whether the Bureau can improve that relationship and improve the degree of cooperation with them. But even in terms of the wholesalers there are difficulties. There are numerous properties on Norfolk Island which are renowned among the wholesalers for hosting a visitor for a holiday, and while the visitor is here urging the visitor to deal direct with the accommodation property for the following year and to cut out the wholesaler and the travel agent. Now there is a stage at which the wholesalers and the travel agents get to here about all of that, Mr Deputy Speaker and Members would no doubt understand that that is a disappointing thing for the wholesalers to find happening, so there is a lot of work that the industry needs to do to work cooperatively and in a supporting way with their existing providers and I hope that this will start to happen but more importantly I hope that the Legislative Assembly will be conscious of the fact that there is a significant decline underway. That the Bureau, the Legislative Assembly and the Government all have roles in trying to fix that and those roles are best fulfilled by trying to build bridges rather than destroy them. Thank you

MR NOBBS

Mr Deputy Speaker I'd just like to say that that was a wonderful speech by the representative of Norfolk Jet Express and I find it quite insulting that he should infer that there are members around the table here who would even think of trying to shaft a provider of any services to Norfolk Island. I think that the problems with the airline itself may be due to itself and he should not be blaming other people but there are provisions in the responsibilities of a Legislative Assembly Member that they should look at particularly from a public finance situation and questions where the money is going and if I have done anything wrong in that respect well I am sorry about that but that's the way it is.

DEPUTY SPEAKER

The question is that the Paper on the Inbound Passenger Statistics be noted. Further participation. No further participation

QUESTION PUT

AGREED

That Paper is noted. Any further papers for presentation

MR SMITH

Thank you Mr Deputy Speaker. I would just like to table the Information and Systems Strategic Plan from the Simpl Group for information.

quarantine. Quarantine control is still partly a Schedule 3 matter and the aim is that eventually the control will vest in the Norfolk Island Government. To allow that to happen we must have the necessary quarantine controls, audit regimes and risk minimisation programs that allow us to effectively control the situation. Most importantly given Norfolk's strategic position between Australia and New Zealand and the fact that those countries are in the process of discussing quarantine issues with a distinct possibility of having some uniformity of requirements, we must be proactive in at least maintaining Norfolk's protection of its flora and fauna and being aware of the potential risks. I table that statement Mr Deputy Speaker.

MR SMITH

Mr Deputy Speaker I have two or three statements. First one I'd like to advise that the referendum papers that were sent out last week have been withdrawn. The referendum directed by the Speaker to be held on the question of the electoral changes proposed by the Australian Federal Government will now be held on Wednesday the 12th May 1999 and not on Wednesday the 5th May as previously notified. The reason for the deferment of the day of polling is to enable sufficient time for a revised specimen ballot paper and a statement from the Speaker of the Legislative Assembly to be forwarded to electors in accordance with Section 11 of the Referendum Act 1964 and in line with that Mr Deputy Speaker I would remind people that there is only one question in the referendum. The first specimen ballot paper that went out it appeared to people that there were two questions in the referendum even though the ballot paper was in the proper form, people were obviously confused by that. There is only one question that is being asked in the referendum even though there is two points that are made. One is on the citizenship requirement and the other one is on the qualifying period, we are only asking the electors whether they agree or not agree with both those things as proposed by the Commonwealth Government. Thank you Mr Deputy Speaker. The second one, I now provide to the House the details of all travel expenditure funded by the Norfolk Island Government for the previous quarter. This is in accord with my policy with providing these expenditure details for each quarter. Mr Deputy Speaker I have got from the Public Service development expenditure details for the period 1 January 1999 to 31 March 1999 and they are tabulated as follows. In the following form the Assembly and other revenue funded entities, the Government enterprises, the statutory bodies, for example the Hospital and the Tourist Bureau, and in summary of all the travel expenditure in that period in the G.B.E.'s, Telecom was \$3,301 and the revenue fund, the C.A.O's office \$3,679, Community Services \$1,203, Corporate Services \$1,091, Legal Services \$2,695, the Legislative Assembly \$8,967, Policy and Projects \$1,490 and the Hospital had zero travel, The Norfolk Island Government Tourist Bureau was \$12,478-73, the total in that period Mr Deputy Speaker of \$34,904-73 and I'd like to table the travel expenditure showing the details of the officers names, the airfares and the destination, the travel allowance, the purpose of the trip and the report availability.

MR ROBERTSON

Thank you Mr Deputy Speaker I'd like to make a statement of the differential global positioning system which is currently being installed at the Airport. People would have noticed a certain amount of activity up there over the last week and this is happening as we move through the six steps which are involved in insuring that this gets certification and configuration. The first step was the installation of the hardware which is being done. The second is the twenty-four hour record of satellite data and that's currently being done. There is a survey to be taking place after that to ensure that all the signals and positioning and everything is correct then there is the programming and tuning the ground station, there's the train personnel to trouble shoot and repair the ground station and the final flight testing and final configuration will take place. Those are the six

steps. Currently we're moving on fairly well. Brian Lethis from the Honeywell Pelorous arrived at Norfolk Island last Thursday and the building and the antenna masts were assembled and up-righted, cables were laid and all the material was on site and ready to be installed. Barry checked the work that had been done and he is very satisfied with that which has been done by our fellows prior to his arrival. Peter Laphorne of Honeywell also came across and on Friday the 16th they wired the system and recorded the satellite information to check for signal noise, the multi path and availability of satellite determined co-efficients, which is data, that are required for normal operation of the ground station. Now this information has been sent to Honeywell for processing, that went out on Tuesday and they don't expect to receive the co-efficients until at least Friday the 23rd, before they get that back. Tuesday the 20th of April, all hardware has been now completed with the exception of the automatic reporting unit, the ARU and the ARU uses a telephone connection to report system errors to anyone that is programmed into the device so if anything happens on that little orange and white shed there is a signal that immediately goes down into the Airport Managers Office and whistles up and tells him things aren't quite right. At the moment the telephone line which is used for that connection hasn't been put through and as soon as that is in place then the completion of the ARU will take place. Now by Friday the 23rd which is next Friday we hope to have all of the ARU completed, the co-efficients programmed into the system, in other words all the data that has been sent away to be checked by Honeywell will be back and all the holes filled in and general clean up of the building and site. So it will all be up and running and during the week in April, from the 26th to the 30th training class number one is tentatively scheduled to be completed. Now this class consists of the Norfolk technicians and that's a couple of the boys, the young fellows from the Electricity department and Pinky and his team, and they will be trained up to if the ARU gives them a whistle and tells them that things aren't working right they know which board to look at and what to do about it. Remembering of course that this is a two system unit so that if one falls down the other one keeps going. It's working in unison the whole time. What happens then? If the co-efficients haven't been received back from Honeywell this Friday which as I have said is the data and the checking of the data then that class will have to be put off until next week because obviously you can't train these guys up if you haven't got the thing operating properly. Now the survey is scheduled for May the 2nd to the 4th and the surveyors will come across to make sure that that happens, then there is the second training class which is scheduled for May the 10th to the 14th and this class gets a little bit further and members from CASA will be coming across and the New Zealand representatives which is from the CAO , the Civil Aviation Authority of New Zealand will also be in attendance with that. The flight test is scheduled for May the 17th, 18th and 19th, in which case you'll find the G1000 from air services Australia and you'll see this aircraft doing a number of tests over the strip to ensure the signal strengths are correct and that yes they are landing in the centre of the strip and all of those sorts of things. The next stage of course once that's completed is for the commercial aircraft to be tested. The first of the F28's will be grounded and there will be an installation of the air frame component put into an F.28 and then that will be coming across. There's work been proceeding with CASA as to then to make sure that they've got manpower available to come across and make all of the tests that are necessary both in our ground station and in the air stations and later this month at the end of this month I will be going down to have discussions with CASA, the Honeywell representative, Mr Schwartz who is the managing director for Honeywell will be coming down to Canberra as well along with the Minister for Transport, to arrange the necessary personnel from CASA to ensure that the aircraft is ticked off and that we are ticked off so that we get the approval at the right time. There is one other thing that we are discussing and CASA have indicated to us that as this is the new system it may have to be at that 40 to 50 commercial flights or landings to ensure

that the thing works properly. There is a move afoot that we class this as similar to ILS system which operates in Sydney in which case there is only 2 to 3 commercial landings required to have that up and running and they are suggesting that the data that is coming forward is as good as if not better than the ILS system and that as such that they won't require these massive amounts of landings before it gets certified. So that's where we are. Hopefully other aircraft will then be fitted with this system and I have had a talk with Norfolk Jet Express and they have indicated that they may be talking to Air Nauru to install the system as well, so with all of that happening it is then up to the aircraft operators as to the installation of their aircraft to enable them to use the system to land. Just to give you an example there is 47 flights that had to be diverted over the last 15 months, only one would have had to be diverted had this system been operating. So that is where we are with that Mr Deputy Speaker.

MR BATES

Can I move that the statement be noted.

DEPUTY SPEAKER

The question is that that statement be noted. Mr Bates.

MR BATES

Thank you Mr Deputy Speaker. I think the Minister probably touched on it in the latter part of the presentation of his statement but I wonder if he could be a bit more specific in just how many of our three major airlines are really committed to installing the necessary cockpit equipment. It seems to me that Flight West is and Norfolk Jet maybe and I am wondering what Air New Zealand's attitude is to it.

MR ROBERTSON

Thank you Mr Deputy Speaker. I mentioned in the House about three meetings ago that there had been extreme interest displayed by Air New Zealand and that is one of the reasons why in the seconds class that takes place from May the 10th to the 14th, that the class will consist of CASA and the New Zealand representatives which is the CAO which is the Civil Aviation Authority and they're coming up to get all of the information together on our system or at least our installation because Air New Zealand has expressed great interest in installing it and not only that but there are a number of airports in New Zealand which are indicating that they wish to install it down there, so yes there will be a further run and once this system is up and running because remember it is the first international airport in the world that will have this installation done there is now becoming a recognition that for the cost of this unit as opposed to an ILS system and the ability for it to cover a number of airports not just the one, you can cover two or three different airports within an area and the accuracy of this which is plus or minus 10 centimetres you, most countries are now looking at the installation of it. Canberra have now indicated that they want to put it in, and Melbourne have indicated that they want to put it in and Brisbane have also indicated that they want to install it, so once this thing gets up and running and this is another reason why our installations have been at the cost they've been which is a considerably reduced cost, all of the air services have been done for nothing even if they had been charging us then we'd have been in for another five or six hundred thousand dollars minimum and all of this has been done at a free of charge cost because they are all interested, all the industry is interested to make sure that this operation is up and running and we're the testing ground and we're the testing ground in as much as that we're remote we're on that has been subject to diversions. We've got an Airport which is 360 odd feet up in the air which means that we've got a mountain just above us which we've got our dew point factor come into it very quickly. We can get fogs coming in very quickly so yes it of interest to all.

DEPUTY SPEAKER Further participation. The question is that the statement be noted. Those of that opinion say Aye.

QUESTION PUT
AGREED

The statement is so noted Thank you. Are there any further statements to be made.

MR SMITH Thank you Mr Deputy Speaker I'd just like to make a statement on the mail deliveries. The mail has been under some criticism in recent times and I got some advice on the 13th of April which at that time all mail was up to date and I just might go through the delivery through March of letter mail and express post and I'll just tell how the procedures went. On the second of March we had letter mail that was received on Norfolk on the 3rd. The first date that I'll be giving here Mr Deputy Speaker is when the documentation of the mail is produced; on the 2nd of March received on the 3rd. On the 3rd of March there was letter mail and express post was received on the 6th. On the 6th of March mail was documented and received on Norfolk on the 9th of March although there was a Public Holiday on the Monday. On the 10th of March mail was documented, there was letter mail and express post arrived here on the same day. Saturday the 13th there was letter and express post arrived or received on the Monday the 15th. Wednesday the 17th of March there was letter and express post that was received at the Post Office here on the 17th. On Saturday the 20th there was letter and express post received by the Post Office on Monday the 22nd. Wednesday the 24th letters and express post received on the 27th, was due to delayed carriage on that day. Also other mail received on the, documented on the 24th received on the 27th was delayed also. Saturday the 27th March there was letter and express post arrived here on the 4th, Saturday the 4th and was there was a possible error there due to the daily saving change on that day. Wednesday the 31st of March there was letter mail and express post and that was received on the Saturday the 4th and that was off loaded by the airline in Sydney. Wednesday the 7th of April the mail was received here the same day on Saturday the 10th it was received here on the same day and that was up to last week and I understand that there was mail that was off loaded on the weekend, possibly due to the extraordinary weather that we had in Sydney on Saturday which disrupted many of the airlines so I would expect there would be some reason connected there. I'd like to point out that we have only got two mail deliveries per week from Sydney or from Australia with the current Norfolk Jet schedule and this does make us quite vulnerable to delays and difficulties when there are any hiccups in the system but the Norfolk Post is looking into the best way of getting the mail here as quick as they can.

DEPUTY SPEAKER Further statements. Mr Smith

MR SMITH Thank you Mr Deputy Speaker. At the February sitting of the House Mr Nobbs had made enquiries about the tenders that get put into the Gazette or why they weren't put in there, into the Gazette. I have here a document which explains the tenders which were listed so and they are the school cleaning, the Administration building cleaning, sale of the vehicles, purchase of three Kubota mowers, purchase of a new truck, disposal of a Ford engine, sale of surplus telephone poles, the telephone directory and the disposal of satellite dishes and one tender that had been re-tendered. Advice of those have all been in the Gazette. That's all I have.

DEPUTY SPEAKER Further statements this morning. Statements are concluded Honourable Members.

MR SMITH Can I seek leave to, I omitted it in the papers section.

and the amount is \$55,200. The reason for this supply is the electoral issue that we have been fighting with Commonwealth required us to put in some extra money to the tin to progress that, and it was an amount of \$40,000. That is in supply for that. It was suggested at the time we were going to do the supply for that, that we also top up some of the other things that have been lacking and one is the Executive Members discretionary vote which is a vote that is normally controlled by the Minister for Finance, that is to help out in other areas where there are no funds generally appropriated. There is a \$5,000 top up in there and the travel vote, which is the Legislative Assembly's travel vote also related to the amount of travel that is done in relation to the electoral issues is \$5,000. Telecommunications in our area, obviously because of some of the issues that have been around we need another \$2,000 to be able to pay our power bill. The progression of self-government is the \$40,000 and also another one is the matter of the Norfolk Island dictionary that is being put together by Miss Alice Buffett. Alice had got to the stage where she was trying to put the dictionary together, finalise the dictionary and wasn't able to completely do it by trying to do it on Norfolk Island. She requested whether the Assembly or whether the Government would agree to funding her to go to Canberra University there to help finalise this dictionary. The Government did discuss this and as it is an important culture thing, it is very important to the introduction of the Norfolk Island language at the Norfolk Island Central School, we thought it was very appropriate to do that and we've put in \$3,200 towards Miss Buffett being in Canberra for 21 days I think it is. \$3,200. So that is the total of \$55,200 and I commend that to the Members.

MR BATES Thank you Mr Deputy Speaker. I am wondering if the Minister could give a further breakdown on the \$40,000 electoral issue also combined with the extra \$5,000 for travel for the Assembly. I wonder if he could give more information or a further breakdown on those figures.

MR SMITH Mr Deputy Speaker I haven't, I thought I had it but I haven't got the break down of \$40,000 with me here but I'm not going to move this as an urgent Bill so between now and the next meeting, if Mr Bates would be happy with that, I can give him the information. Although I think all Members have this because this was discussed in the time that I was away when it was promoted that we have a supply bill. I think Members must already have that information with them. Certainly the travel one it's because the travel vote is almost extinct, or almost empty and there is still some travel to be done in this financial year.

MR BATES Thank you Mr Deputy Speaker. That's fine if Mr Smith will bring those figures forward before we resume the, I assume he is wanting to defer this to next meeting, because although I think I've seen the figures for the \$40,000 I think the community if we are spending the money on these matters deserves a little bit more information that we are spending \$40,000 on the electoral issue and then I think he said, and we could check that out in Hansard, but I think that he said the extra \$5,000 for travel was also to do with the electoral issue, but I think those matters should be clarified for the benefit of the community more so than for my benefit. Thank you Mr Deputy Speaker.

MR SMITH Mr Deputy Speaker. If I could just make a comment on what I had just said as Brian might not have heard me correctly, was that we have used most of the travel vote and some of that has been because of the electoral issue and some travel that has been done in the last couple of months.

MR NOBBS Thank you Mr Deputy Speaker I think the key issue here is that the \$45,000 that will be expended on this issue that's been brought up that nobody wants and it just doesn't seem to be able to go away and that's on electoral issues, the electoral issue and I think that this is only part of the actual cost of this type of activity which is promoted by Canberra not by us obviously and we could do quite a lot of things with this money and as I say it's only a portion of what's been expended in the time that I've been on here on issues that have been bought up from overseas that we're not really interested in.

MR BATES Thank you Mr Deputy Speaker. A further comment also. I think that when the House is asked to approve an additional appropriation bill I think that it is fairly important that a summary of the total years budget be given at that time in relation to the balance of our revenue fund because I believe we're already budgeting for quite a large deficit and this only increases that deficit and without a summary of the figures of what's in the revenue fund and what the total budgeted deficit that this supply bill will bring, I think we're, also I'm not keeping the public properly informed on where we're heading with our finances which I've mentioned on many occasions, I think we've got our head in the sand a little bit over our finances and I think we should put as much information out to the public as possible when these issues come up and I would appreciate it if we could have some idea of our overall situation when this Bill comes forward again.

MR SMITH Thank you Mr Deputy Speaker. Yes Brian's raised some good points there. I agree with that but the other point is that Mr Nobbs made, it's a shame that we have to be digging into our bank account over an issue that we're trying to fight off. It's just another one of those issues that comes up where it has already cost us a lot of money and it's going to cost us more yet and isn't it a shame that we have to do this with the Commonwealth almost on a yearly basis.

DEPUTY SPEAKER Further debate. No further debate. Chief Minister

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

DEPUTY SPEAKER I put that question Honourable Members.
Those of that opinion say Aye.

QUESTION PUT
AGREED

The Ayes have it. That matter is so dealt with. Thank you.

CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

MR SMITH Thank you Mr Deputy Speaker. I move that under Subsection 2(b)4 of the Customs Act 1913 that this House recommends to the Administrator that the goods specified in the first column of the Schedule imported by the person specified opposite in the second column of the Schedule be exempted from duty. The goods are computer for educational use, valued for duty at \$2,370 and the scheduled importer is the Banyan Park Playcentre. Mr Deputy Speaker I've got a couple of these today. We've actually, we are changing the policy on what gets exempted from customs duty and places like the Banyan Park Playcentre will still continue to get exemptions under what we've proposed whereas the second one I'm going to talk to won't get that exemption.

DEPUTY SPEAKER Debate. No further debate. The question is that this motion be agreed to. Those of that opinion say Aye.

QUESTION PUT

AGREED

ABSTENTION FOR MR BROWN.

The motion is carried Thank you.

CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

MR SMITH Thank you again Mr Deputy Speaker. Subsection 2(b)4 of the Customs Act 1913 that this House recommends to the Administrator that the goods specified in the first column of the Schedule imported by the person specified opposite in the second column of the Schedule be exempted from duty. The goods are staff uniforms, value for duty at \$4,085 and under the Schedule the importer is the Norfolk Island Government Tourist Bureau. As I said with that last motion which is very similar that under the new policy places like the Tourist Bureau will not fall into this category in future because Members have proposed that in such situations the Tourist Bureau needs to look to their own funds or look for extra funds rather than getting an exemption from the payment of duty, which is fairly well accepted around the table I believe, so I commend that

DEPUTY SPEAKER Debate. No debate. The question is that the motion be agreed to

QUESTION PUT

QUESTION AGREED

MR BROWN ABSTAINED.

Thank you. The motion is agreed.

IMMIGRATION ACT 1980 - REAPPOINTMENT OF MEMBER OF THE IMMIGRATION COMMITTEE

MR ROBINSON Thank you Mr Deputy Speaker, I move that for the purposes of Subsection 6(4) of the Immigration Act 1980, this House recommends to the Executive Member that Brian George Bates be re-appointed as a member of the Immigration Committee until 20th of May 2001. Thank you Mr Deputy Speaker, as most of you are aware Brian has served on the Immigration Committee for some considerable time and I am pleased to say that he is willing to take it on again, especially since we have a revised migration act in the pipeline and unfortunately I didn't tell him before but the workload will probably increase. Thank you Brian for putting your hand up and I commend the motion.

DEPUTY SPEAKER Debate? No further debate. The question is that the motion be agreed to

QUESTION PUT

QUESTION AGREED

The Ayes have it. Thank you

LEGISLATIVE ASSEMBLY ACT 1979 - AMENDMENTS PROPOSED IN ORDER TO PROGRESS SELF-GOVERNMENT

MR NOBBS

Thank you Mr Deputy Speaker. I move that in order to progress self-government the Legislative Assembly Act 1979 be amended by: One, adding definitions of Administrator, Speaker, Deputy Speaker, Gazette, Legislative Assembly and Public Sector Remuneration Tribunal. Two, adding provisions contained in Part 5 - Legislative Assembly in the Norfolk Island Act 1979, such as unnecessary to progress the process of self-government. Three, adding to Section 6 qualifications for enrollment a provision so that the period required to be on Norfolk for a person holding resident status under the Immigration Act is reduced from the current 900 days in 4 years, to that which currently applies to a person whose name was previously on the roll and seeks re-enrollment, that is 150 days in the 240 before application for enrollment. Four, prescribing the residential qualifications for candidates for the Assembly as requiring a presence in Norfolk Island of eighteen hundred and twenty-five days that is 5 years in the previous 2,738 days, that's seven and a half years before nomination and Five, applying the calculation in the Act used in deciding presence on Norfolk to three and four above.

Thank you Mr Deputy Speaker, the motion is yet another design, primarily to progress self-government. Currently two separate Acts contain provisions which relate to the Legislative Assembly, it's constitution as well as such other attendant issues as election to that body. The two Acts involved are the Commonwealths Norfolk Island Act and our own Legislative Assembly Act. You may ask Mr Deputy Speaker how would we progress self-government from all that? Very simple. We need to have a return of powers currently held by Canberra, back to the people who once had them. Now we did have those powers until they were taken away from our predecessors. The reasons, well who can really tell. There's the people who were on Pitcairn and later on Norfolk successfully running elections, making laws and above all were active in Parliamentary Reform. They led the way for instance with, with daylight second and third I might add, in giving women the vote. That may have been seen as the problem. The motion requires the relevant provisions of the Commonwealths Norfolk Island Act be placed in our own Legislative Assembly Act, thus joining those provisions currently in our Act. Relevant provisions of the Commonwealth's Norfolk Island Act are contained within Part 5 of that Act under the heading Legislative Assembly, referring to division one of that part, it's constitution and membership and refers to such things as oaths, writs, dates of election, resignation of members, filling casual vacancies, qualifications for election etc. Division 2 refers to the Legislative Assembly procedures referring in part to meetings, office of the Speaker and Deputy Speaker, meeting procedures, minutes to be kept of the proceedings, provision of Standing Rules and Orders etc etc. There is no reason why all of these issues should not be included in our Act. What have they really to do with Canberra. Surely Canberra has more to worry about than such issues. The Legislative Assembly Act currently contains provisions which deal with the electoral roll including qualifications for enrollment, calculations of presence on Norfolk Island, inaugurations of the roll etc etc. It also contains provisions relating to the actual election of members as may be seen including provisions relating to nomination day, nomination of candidates, how elections are conducted, returning officer, polling places, absentee votes etc etc. Would it not be sensible Mr Deputy Speaker if nothing else, to have all provisions related to the Legislative Assembly, its constitution, election, rolls etc all in one Act. That is not only sensible but is also progressing Self Government, the stated goal of all including the Australian government, or so we are told, all this at no additional cost to the Island apart from amending the Act for we currently meet all costs in undertaking all functions as required in both Acts. Two other amendments are proposed for the Legislative Assembly Act. The first relates to qualifications of candidates at the election. The Commonwealth Norfolk Island Act tells us this at present. A person must be 18 years of age to be qualified to vote and I quote "...have such qualifications as prescribed by enactment for the purposes of this paragraph or if no

such enactment is enforced has been ordinarily resident within the Territory for a period of five years immediately preceding the date of nomination.” What this means is that we could have placed within our Act a more definitive period of time prior to a candidate nominating. This has not occurred to date and was obviously an oversight for we do currently have in our Act the precise period of time and date before a person is eligible for inclusion on the roll - 900 days in the preceding four years for someone who has not been on the roll before. The proposed amendment retains the five years but specifies the five years in days, that is, 1825, a person must be present on Norfolk Island in the period up to seven and a half years or 2738 days immediately preceding nomination. The additional amendment is a change in the ability of a person who holds resident status under the Immigration Act who is currently not enrolled. The proposal is that the same conditions as are required for a person who was previously on the roll to become eligible for re-registration should they apply, and that is that a person must spend 150 days in the previous 240 on Norfolk Island. There will be a further amendment required to our Legislative Assembly Act to provide for the calculation of presence on Norfolk Island to be similar to that used in enrollment. The motion if passed will see the necessity for a Bill. The Bill will come back before the House and if this is passed as the issues contained within the motion and subsequent Bill are neither schedule 2 or schedule 3 issues, the Bill must be referred to the Governor General for his assent. It would be hoped that the Australian Government will support the Governor General assenting to the Bill. This will necessitate amending the Commonwealth’s Norfolk Island Act to list the provisions and should place the issues surrounding the election and operation of the Legislative Assembly firmly on the schedule 1 list thus back under our full control. That Mr Deputy Speaker is progressing Self Government

MR ION ROBINSON Thank you Mr Deputy Speaker, just Ron in that last little bit there, to put it onto Schedule 2 as opposed to Schedule 1. Apart from that I support it

MR BROWN Mr Deputy Speaker could I ask whether this is intended to be dealt with today or whether it is intended to remain on the table for public comment

MR NOBBS Thank you Mr Deputy Speaker. As usual I seek the wisdom on the House in relation to this. If you wish to deal with it today that would be fine by me, if you wish it to be adjourned well I will certainly adjourn it. I will take your advice

MR SMITH Thank you Mr Deputy Speaker, as we do with most things like this, I think we should adjourn it until the next Sitting so that Members of the public have time to have input into it after they hear what we have to say about it. I don’t have any problems myself with the parts of the Norfolk Island Act that’s being talked about here, being included in the Legislative Assembly Act, I don’t see any problem in that but that’s subject to what other people are saying out in the community and what Members think of that

MR ROBERTSON Thank you Mr Deputy Speaker. I don’t have too many difficulties with the intent of Mr Nobbs in this motion. There appears to be a couple of little issues that come into this that may require a little bit more information from the community and I’m quite happy to go either way, whether it be decided today or whether it be left over until a subsequent sitting but I approve the thrust of this Mr Speaker

MR BATES

Thank you Mr Speaker. I don't have a great problem with the motion. I'm pleased with section 3 which reduced the time for Norfolk residents returning to get on the roll, I think that's been a problem for some of our younger people returning to the Island. I wish it could go a little bit further because some of them do leave at a very young age to go to school then going on to university and then get married and don't return until a little bit later so they may return and not have previously been on the roll, but I think Norfolk residents returning who have grown up here and have been away for a short period of time I think the present restrictions are too great. When I first looked at the motion I thought if I was given the task of progressing Self Government I would need to know the definition of self government. I've suggested many times that the whole nine of us around this table probably all have a different idea in our minds of what self government really means. I remember from 1979 probably until about the mid 80's it was always referred to as internal self government but the word "internal" seems to be slipping to one side now and we keep calling it self government. I still don't know what it means. I have offered my opinion on what I think it might mean. I've stated it in this House but I haven't heard others coming forward and saying what they think it might mean. I wonder whether Ronnie himself really knows what it means but apart from that, really, the understanding of what self government really does mean, I don't see a lot of harm in most of the issues raised in this motion

MR BUFFETT

Thank you Mr Speaker. I certainly endorse the direction of this motion and there are two principal reasons why I am of that view. Firstly, that there is a need to do a number of things that gets self government further along the track and what this one is doing is making a proposal that certain pieces within the Australian Parliament's legislation be put into Norfolk Island's legislation. It doesn't necessarily mean that there is a change as to what the content is, but where it rests is extremely important and that's what the self governmental process is all about. It is devolving from the Commonwealth here to Norfolk Island and this is demonstrating quite clearly on some important issues that that should be done and this is making a proposal that we should therefore erect in our legislation in this particular instance, the Legislative Assembly Act of 1979, certain provisions and I endorse that that be done because it is consistent with how the self governmental arrangements should run and it is also demonstrating that we are willing to take some initiatives to get along the track and do that and so for that one reason that I think we should be supporting this motion. The second reason relates to one of the specific provisions and that is the lessening of time for people who are really residents of Norfolk Island. People who already have proven themselves in this place whether that be because they have been historically part of the place or have gone through other procedures but if they are residents then they should be able to enter the enrollment processes with a less period of time. That happens in other places, once you receive citizenship or whatever then your time to participate is obviously less and this is recognising that and it is very relevant in Norfolk Island's context because as Mr Bates has already pointed out, there are a number of Norfolk Island people who go away that are residents of the place and they return. It's not appropriate that they should be asked to wait five years before they are able to enter into the fullness of Norfolk Island's doings. The proposal is 150 days out of 240 and that will make them more readily able to participate and because there is that difficulty in the Norfolk Island community at present we should be in there trying to solve that problem and I see that this is a measure to do that. So that's the second reason that I support this motion. By way of further comment I just mention that some of the other components here are not really changing things but they are giving clarity to some things. The matter of ordinarily resident for example. In lieu of using that rather airy fairy term of "ordinarily resident", it's putting it down to a certain number of days over a certain other period of time and because there have been complexities

in the past about that I think that is a sound way to move. Now Members have made some comments about maybe tidying a couple of components, I think Mr Brown you might have been alluding to that. If that's the case I'm comfortable that those points be brought forward. I'm talking about the direction that this motion is leading us to and in that context I give it support. Thank you Mr Speaker

MR BROWN Mr Speaker the first and second parts of this motion are seeking to restate in Norfolk Island legislation matters which are presently incurred in Commonwealth legislation. There is a danger in that because we would have to either be vigilant to any changes which occurred in the Commonwealth legislation because their changes would over-ride our own, or alternatively we would need to express our legislation along the lines of, the term "Administrator" shall have the same meaning as it is given in the Norfolk Island Act and the term "Gazette" shall have the same meaning as it is given in the Norfolk Island Act, or something similar but we need to be careful that we don't find that the Commonwealth changes its legislation later on and we've got legislation that says x, the Commonwealth has legislation that says y and there are problems. The third section at first glance is somewhat discriminatory and I don't think that it's intended to be. I would like to suggest that thought be given to expressing it differently because what it is really intended to say is where someone has spent many years as a resident of the Island living on the Island and then goes away for a period there should be recognition for those many years that they've already lived here and there may be a way that we could handle this without seeming to be discriminatory, to say something to the effect "...provided that a person has lived in Norfolk Island for more than say, ten years.." and if they've been away and they're coming back and want to be on the roll then they should only have to be here for a further 150 out of 240 days. I prefer to express it that way because it says what we really mean. We are really saying that voting in Norfolk Island is fairly important and that someone should be here for quite some time before they exercise that right. We are not saying that residents shouldn't have to be here, we're saying we think we should recognise the fact that they were here before. In terms of question 4 I would just like to alert Members to one potential difficulty. The present legislation speaks of "ordinarily resident". You can be ordinarily resident in Norfolk Island while away on holiday. You can be ordinarily resident in Norfolk Island while away on business trips, but if we amend the legislation to require physical presence on Norfolk Island then anyone who spends any significant amount of time away on holidays or business trips, things which come well within the definition of still being ordinarily resident might find it very difficult to qualify to stand for election. I'm not saying that's good or bad, but I'm just suggesting that there is a factor that Members will need to take into account. Thank you

MR NOBBS What self government means? Well it means what David said. It's the bringing alot of these powers that we had back to Norfolk Island and I think we've discussed this before Brian and the thought was that we should be looking at all powers apart from those like defence and foreign affairs and money I think was mentioned although there was some discussion as to whether we should or should not be able to overprint at least, some of our moneys but that is my view that everything apart from those should be returned to Norfolk. I thought I'd shot Brian off at the pass when I said that there would be no extra costs involved but anyhow he sneaked that one in so that's fine. Just on what John said, I didn't hear what George said actually because we were having a discussion on the side and I'm sorry about that George, but what John said about the Commonwealth possibly over-riding us I would have thought that by having it in our own arrangement would allow the Commonwealth to take it out of the Norfolk Island Act completely, that particular section and I would hope that they would support that sort of view and let us go. As far as

the third point and some talk of discrimination, I don't believe that's discriminatory and it was never intended to be discriminatory but it could be seen to be. I quite agree that he's got a very valid point provided a person living on Norfolk Island for more than ten years, I think that's a very valid point and I think that sort of thing has to come into it and I would support it if John wanted to bring an amendment in, that would be fine. As far as alerting us to the potential difficulties in relation to ordinarily resident with people going on businesses and holidays and that's what we were actually discussing on the side when George was talking so I have a little answer on that at the moment. The provision of five years and seven and a half years on the Island as proposed for a residential qualification for candidates is similar to the 900 days, it works out in a similar timeframe to 900 days which is about two and a half years in four years so if the guy's not here he wouldn't be eligible to be on the roll anyhow for that period so that's why I stuck specifically to that particular time frame. It seems a long time seven and a half years but 900 days is about the same so I would be prepared to leave it sitting on the table if Members so wish and I think that there's an indication around that that should be the case so at an appropriate time if there's nothing more I'll move that way

MR SMITH I just want to repeat what I said earlier on. Ron was involved in a discussion and that's what I was saying. I don't have any problems with what is proposed in the motion here however we need to do it, if it needs to be amended as Mr Brown said, well so be it but talking about the self government process, it is spelt out in the Norfolk Island Act and I think we do question ourselves about what self government is and I think we should remember right back to that Act where it set out what it was going to be, that in the end as you rightly pointed out Ron, it would be all the powers that are transferred that Norfolk Island can look after so we're not interfered with by the Commonwealth with every single piece of legislation that we deal with and in the end after twenty years, which is this year, we hope that we have that ability and there's a fair more to be done before we get full internal self government and I just wanted to express that view that it's already spelled out in the Norfolk Island Act of what was expected to be achieved. Sometimes, some of the things take a little longer than what they should and that's not always our fault, thank you Mr Acting Deputy Speaker

ACTING DEPUTY SPEAKER Thank you Mr Smith. Is there any further debate? Mr Nobbs you might like to put your motion

MR NOBBS Thank you Mr Acting Deputy Speaker and thank you George for that. I would like to move that the motion be ajourned and that resumption of debate be made an order of the day for a subsequent day of sitting

ACTING DEPUTY SPEAKER Thank you. I put that question to the House Honourable Members, that the motion be ajourned and that resumption of debate be made an order of the day for a subsequent day of sitting

QUESTION PUT
AGREED

That matter is adjourned

EMPLOYMENT AMENDMENT BILL 1999

MR ROBERTSON Thank you Mr Acting Deputy Speaker. I present the Employment Amendment Bill 1999 and move that the Bill be agreed to in principle. The purpose of this bill is to replace part 2 of the Employment Act 1988 which is the minimum

wages and working conditions. Now currently the Employment Act consists of six parts, and that is the preliminary, the minimum wages and working conditions, compensation to work related accidents, safe working practices, conciliation, adjudication and review, and finally miscellaneous. Minimum wages and working conditions have been the subject of an amendment for quite some time. This current Assembly was appointed in 1997 and previously there had been an Employment Amendment Act 1995 which had been progressed but not quite completed by the previous Assembly. A Committee has been set up by myself which utilises eight different people from different areas, both from the community and the Administration and also sitting in that was Crown Counsel which became a ninth member. What the major amendments to this Bill do, they include a requirement that all new employment contracts are entered into in writing and the existing unwritten contracts must be converted to writing on request of an employee. That the provision of the full minimum rate of pay applies to employees sixteen years and older, that the removal of 50% loading in respect of overtime, the provision that while entitlements to holiday leave only accrues after twelve months an employee who is employed for any period less than twelve months is entitled to additional pay in lieu of holiday. It clarifies the entitlements to public holidays, provisions that sick pay entitlements apply only to an employee's regular work days, remove special loadings for casual employees, repealing obligations in respect of uniforms and varying restrictions on the employment of children. It is my intention to let this Bill lay on the table for a month Mr Acting Deputy Speaker and I'll leave it open to debate

ACTING DEPUTY SPEAKER Thank you. Is there any further debate? If there is no further debate Mr Robinson would you care to move

MR ROBERTSON Thank you Mr Acting Deputy Speaker I so move that debate be ajourned and that resumption of debate be made an order of the day for a subsequent day of sitting

ACTING DEPUTY SPEAKER Thank you Mr Robertson. I put that question to the House Honourable Members

QUESTION PUT
AGREED

That matter is so adjourned

THE GAMING SUPERVISION AMENDMENT BILL 1999

MR GARDNER Thank you Mr Acting Deputy Speaker. I present The Gaming Supervision Amendment Bill 1999 and move that the Bill be agreed to in principle. Mr Acting Deputy Speaker this Bill amends the Gaming Supervision Act 1998 to provide that the Norfolk Island Gaming Authority may hold meetings remotely by means of telecommunications devise, that the Authority may also make resolutions by flying minute and regulations may be made dealing with evidentiary issues and service. Mr Acting Deputy Speaker this Amendment today is part of a package that I intend to introduce as gaming activities develop. It is part of a number of amendments that were sought by members of the Authority having consulted with the Legislative Draftsman and also the Crown Counsel on a number of issues, basically housekeeping issues, this one in particular simplifies meetings procedures and requirements negating the need for the Gaming Authority to physically meet to pass a resolution or to approve forms and such like and allows them to be able to communicate by fax or by email to be able to approve decisions and resolutions of the Authority. Proposed subclause 8(3) provides that a conference by means of telephone or

other electronic means between members will be taken to be an Authority meeting at which the members are present if all members of the Authority are notified of the meeting in the manner determined by the Authority and each member is capable of communicating with the others at that conference. Proposed subclause 8(4) provides that Authority members may make a valid resolution by means of letter or electronically transmitted document if all members are given notice of the proposed resolution in a manner determined by the Authority and a majority of members agree to the motion by letter or electronically transmitted document. Proposed subclause 8(5) provides that the Authority must have accurate minutes kept of its meetings. Clause 5 dealing with regulations. This clause provides that regulations may be made deeming a requirement of the Authority Director or Authorised Officer to have been communicated to a person if it is issued in a manner specified in the regulations. Such regulations might for example provide that the Authority can issue a requirement to a licensee by letter sent to the last address notified by the licensee and also may be made providing that certificate evidence may be given about the exercise or non exercise of powers or functions under the Act or a prescribed Act. Such Regulations might for example provide that the presiding Member of the Authority can issue a certificate evidencing that a person is not licenced under a prescribed Act. Mr Acting Deputy Speaker I tend to believe that these amendments are fairly self explanatory and I welcome input from other members

MR ROBERTSON Thank you Mr Acting Deputy Speaker. I support this Act. As Mr Gardner has said it's just a housekeeping one to enable the situation. A question was asked in the House earlier today, that we seem to have a pretty cross section of the Authority. They come from different parts and to get them here each time for a meeting is rather expensive and this is a recognised way that they can ensure those meetings can take place without leaving home and I intend to support the Bill

MR BROWN Mr Acting Deputy Speaker the proposed amendments are simple. When the Act was passed originally we probably didn't envisage the possibility of having Board Members who were living away from Norfolk Island as has been said, these proposed amendments allow the Authority to meet in far simpler ways than physically travelling to Norfolk Island and I have no difficulty in supporting this

MR NOBBS Thank you Mr Acting Deputy Speaker I support the Bill in its entirety and I would suggest that it could go through all stages

ACTING DEPUTY SPEAKER Is there further debate? There being no further debate, Mr Gardner do you wish to...

MR GARDNER Thank you Mr Acting Deputy Speaker but I certainly don't want to set some sort of precedent by trying to push this through the House as an urgent Bill. I don't think it requires or necessitates the need for it to be of an urgent nature and I'm quite happy to move at the appropriate time Mr Acting Deputy Speaker that the debate be adjourned and resumption of debate be made an Order of the Day for a subsequent day of sitting

MR BROWN Mr Acting Deputy Speaker, the only question that I would ask of the Minister is whether the Minister may need to have the Authority meet in the time between now and our next meeting, if there was any possibility of that then Mr Nobbs suggestion might be a wise one

MR NOBBS

They might meet on Anzac Day which would be good

ACTING DEPUTY SPEAKER I understand that the Business Committee has not put this into the House as an urgent Bill and if we do wish to treat it as an urgent Bill somebody will need to move that Standing Orders be suspended that should prevent it from passing all stages at this Sitting, so it's in your hands Mr Gardner but you would need to move that if you would want to proceed with it today

MR GARDNER Thank you Mr Acting Deputy Speaker. I seem to be picking up the vibes from around the table that that's the preferred option for Members. Certainly I go with the wishes of the House and I so move

ACTING DEPUTY SPEAKER The question is that so much of Standing Orders as would prevent the Bill from proceeding through all stages at this Sitting be suspended

QUESTION PUT

AGREED

The ayes have it. Is there any further debate on the Bill? We need to vote on the question that the Bill be agreed to in principle

QUESTION PUT

AGREED

Is it the wish of the House to dispense with the detail stage?

AGREED

Mr Gardner, you may move that the Bill be agreed to

MR GARDNER

I so move

ACTING DEPUTY SPEAKER

The question is that the bill be agreed to

QUESTION PUT

AGREED

The Bill is agreed

ORDERS OF THE DAY

We move to Orders of the Day

PUBLIC RESERVES ACT 1997 - HUNDRED ACRES RESERVE - DRAFT PLAN OF MANAGEMENT

MR ION ROBINSON

Thank you Mr Acting Deputy Speaker. I move that this House for the purposes of subsection 13(2) of the Public Reserves Act 1996 resolves that the Draft Plan of Management for Hundred Acres Reserve is approved subject to the alterations contained in the document titled "Proposed Amendments to the Draft Plan of management for Hundred Acres Reserve". I will be tabling as it says in the motion, the Paper entitled "Proposed Amendments to the Draft Plan of Management for Hundred Acres Reserve". I will be tabling the public submissions made in relation to the Draft Plan of Management for Hundred Acres Reserve and of course the Plan of Management itself. We had a concern expressed at the last meeting that perhaps the Reserve itself was not in the best of condition. There are some actions that are underway but unfortunately we have been delayed with timber tracks and what have you, however, they will be done shortly. The various signs around the reserve have been delayed for a little while but they will be done shortly. We

received a letter from the Conservator explaining these little hickups. The tracks in the Hundred Acre Reserve are in reasonable condition and is not particularly difficult or hazardous in drier weather. We will however undertake some minor improvements to the track in the near future. In the meantime the track is regularly inspected and is kept trimmed of grass and obstructing vegetation and disused ghost bird holes close to the track have been filled in. I commend the motion

MR ROBERTSON Thank you Mr Acting Deputy Speaker we seem to have definition problems of ordinarily residents. Do we have a definition of ‘the near future’?

MR ION ROBINSON Do we have a definition on “is it going to rain tomorrow?”

MR BROWN Mr Acting Deputy Speaker I remain concerned about our legal situation. I am not aware whether commercial operators taking groups through the park are required to hold a licence. I know that we’ve discussed it but I don’t know whether it’s actually happened. I’m not aware whether such persons are required to hold a valid public liability insurance and if both of those matters have been resolved my remaining concern is that the near future has not yet arrived and in my view this particular reserve remains a safety hazard and therefore a risk to us of being sued if someone falls and is injured and my second concern is that the signage which is proposed at least insofar as I’m aware of it, it I suggest inadequate in order to warn people that they are walking on a nature track rather than a graded footpath and I would like to suggest that the signs should advise people that although all care may well be taken, no responsibility is accepted by the Administration for any injury which might occur as a result of anything happening on one of those walks. I know people don’t like putting such signs up but unless we start to really look at our risks and take action in relation to our risks the day is going to come where we will have a very significant claim against us. If it is the case that we are insured at the time for that claim we can be sure that the premiums for such insurance will rise dramatically immediately after the first claim’s made

MR BUFFETT Thank you Mr Acting Deputy Speaker I share Mr Brown’s concern about the prospective liability but I have this question nevertheless, will that change whether there is a Plan of Management or whether there isn’t a Plan of Management. This is just asking for endorsement of the Plan of Management. If that risk exists now it will be no more or no less I assume if we have a Plan of Management in respect of it. Have you a view about that. I just want to explore it a little

MR BROWN Thanks Mr Acting Deputy Speaker, there’s no doubt that what David has said is correct. We are better off with a plan than none at all. I would simply like to have seen the Plan address in more detail the question of this risk, but I would wholeheartedly agree, to be to the stage of having the plan is a long way ahead of not having one at all

ACTING DEPUTY SPEAKER Thank you Mr Brown. Is there any further debate on the question that the motion be agreed to? The question before us Honourable Members is that this motion be agreed to

QUESTION PUT
AGREED

That motion is agreed to

PUBLIC SERVICE ACT 1979 - NEED TO AMEND TO ACHIEVE CERTAIN OBJECTIVES OF THE HOUSE IN RESPECT TO SENIOR MANAGEMENT AND THE PUBLIC SERVICE BOARD

We are resuming debate on the question that that motion be agreed to and Mr Nobbs you have the call to resume

MR NOBBS Thank you Mr Acting Deputy Speaker. I won't read the motion out. My reasons for introducing this motion was an attempt to get started on some reforms within the Public Service which have been around for some time and to which I believe there is sufficient agreement to at least make a start on a process which results from the Howard Report. A Report which was tabled in this House in May last year, eleven months ago. The Howard Report, whilst containing good material was for me, a little over the top in some areas but it is recognised that we must revamp the Public Service. To what degree is of course the burning question. As can be seen by yet another Appropriation Bill today, funds are limited and there are a number of pressing needs. Changes proposed in the motion can be implemented at no additional cost, savings could be significant and I believe efficiency of the Norfolk Island Government as a whole will improve. However, the Chief Minister spoke to me in the last couple of days regarding the motion and he has now completed a new public service Bill to replace the current Act and he wishes to table this as a discussion paper. If this is agreed by Members I will be asking at the appropriate time that this motion be adjourned until our perusal of the discussion paper. Mr Acting Deputy Speaker I'm keen to see things progress but would only consider withdrawing the motion if there is some real action in the immediate future on this discussion paper thank you

MR SMITH Thank you Mr Acting Deputy Speaker. We've had a fair bit of debate on this motion in the last Sitting and since that time we have managed to get a revised Public Sector Management Bill 1999 put together in the short time we had available which picks up alot of the things that are in the motion that Mr Nobbs has on the Notice Paper and we got that in the last couple of days, that Bill and I've circulated that to all Members and what I suggested to Mr Nobbs was that I would table that during this motion rather than him trying to complete his motion today by finalising it but if he's happy to leave it sitting on the table to make sure that I do something, which is what's being said, I would like to table this new Bill so that Members have time to read it, so that it has time to go out to the people that are involved in the Bill, for comments because I think what we've got now is coming close to what everybody will be generally happy with. Not everybody will be totally happy but with that document and by the next meeting we should be able to introduce this Bill if we have general agreement from Members and people within the service when they've had time to have a look at it as well, so I don't intend to talk to this Bill today unless required and I will just table that. I've also been handled Mr Acting Deputy Speaker, further parts to the Bill which I may or may not have received today. I've been handed this copy. It's a Statutes Amendment Public Sector Management Bill 1999. I might table that as well although Members haven't got it, including myself, so I'll table that with the Public Sector Management Bill and I would ask if Mr Nobbs would like to adjourn his motion which will include this tabling of the Bill to the next Meeting

ACTING DEPUTY SPEAKER Thank you Mr Smith. Is there any further debate? No further debate on the question. Do you wish to move the adjournment Mr Nobbs

