

INAUGURAL MEETING OF THE NINTH LEGISLATIVE ASSEMBLY

MADAM CLERK Please be seated. Good morning. Your Honour the Administrator, Mrs Messner, Members of the 9th Legislative Assembly, Ladies and Gentlemen, Members of our Youth Assembly, this meeting is the first of the 9th Legislative Assembly of Norfolk Island is convened pursuant to the following notice which appears in the Norfolk Island Government Gazette dated 25th February 2000.

"I, Anthony John Messner, Administrator of Norfolk Island, under subsection 40(2) of the *Norfolk Island Act 1979*, do by this notice convene a meeting of the Legislative Assembly of Norfolk Island, being the first meeting of the Ninth Assembly, to be held at the Legislative Assembly Chambers, Kingston, on Monday 28 February 2000 at 10 am" and that message was dated the 25th February 2000 and signed A J Messner, Administrator

PRAYER

REVEREND HADFIELD Let us pray. Almighty God, we pause now to acknowledge that you are the ultimate source of power and authority. It is you who has established this government and you through the people of Norfolk Island has brought each and every member to this point. We thank you for past governments. We now pray for this Ninth Legislative Assembly. May each member understand and live out the servant role for which they are called, serving the Island's population and environment. May they quickly and completely grapple with the issues that face them. Grant them wisdom and courage to make hard decisions, patience when things take time, grant them foresight and skills to govern fairly, justly, honestly and definitively. We especially ask this for the executive members. We pray for the relationship of Assembly Members with each other and with the Australian government that it would be open and advance this Island. Heavenly Father by the plans and actions of these leaders may your kingdom come and your will be done, in the name of Jesus Christ the Saviour, Amen

RETURN TO WRIT FOR ELECTION

MADAM CLERK Thank you Reverend Hadfield. Please be seated. I have received a Return to the Writ for the election of the Legislative Assembly held on the 23rd of February 2000. By the endorsement on the Writ it is certified that the following Members have been elected:

Ronald Coane Nobbs
Geoffrey Robert Gardner
Adrian George Hingston Cook, QC
George Charles Smith
David Ernest Buffett
Alan John McCoy
Bruce Stanley Walker
Brian George Bates
John Terence Brown

I lay the Return on the Table of the House.

OATHS BY MEMBERS

MADAM CLERK I now ask the Deputy Clerk to approach each Member in turn, starting with Mr Buffett, so that they may make and subscribe the oath of allegiance and the oath of office

I, Alan John McCoy, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

DEPUTY CLERK Mr Walker, please take the Bible in your right hand and read and subscribe the oaths

MR WALKER I, Bruce Stanley Walker, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, Bruce Stanley Walker do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

DEPUTY CLERK Mr Smith, please take the Bible in your right hand and read and subscribe the oaths

MR SMITH I, George Charles Smith, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, George Charles Smith, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

DEPUTY CLERK Mr Brown, please take the Bible in your right hand and read and subscribe the oaths

MR BROWN I, John Terence Brown, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, John Terence Brown, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

MADAM CLERK I will now ask His Honour the Administrator to sign the form attesting to the making and subscribing of the required oaths by members of the Ninth Legislative Assembly

ATTESTATION BY ADMINISTRATOR

ADMINISTRATOR Thank you Madam Clerk. The attached oaths were made before me at the Legislative Assembly Chamber, Kingston, Norfolk Island, this 28th day of February 2000. May I now congratulate those who have been elected. I have absolute confidence that all of you will uphold the best of tradition and honour of the Westminster system of parliamentary government which is the strong tradition of Norfolk Island. I wish you all the best in your endeavours.

ELECTION OF SPEAKER

MADAM CLERK Thank you Your Honour. The next business is the election of a Speaker of the Assembly. Are there any nominations please? Mr Cook

MR COOK I nominate David Ernest Buffett to be Speaker of the Norfolk Island Legislative Assembly

MADAM CLERK Mr Buffett, do you accept nomination.

MR BUFFETT I accept nomination.

MADAM CLERK Are there any further proposals? The time for proposals has expired and I declare that David Ernest Buffett has been elected Speaker and would ask Mr Buffett to now take the Chair

ELECTION OF DEPUTY SPEAKER

SPEAKER Thank you. Honourable members, I would thank you all for the great honour that you have accorded me in electing me Speaker of the 9th Norfolk Island Legislative Assembly. The next business is election of Deputy Speaker of the Legislative Assembly. Are there any nominations please

MR BATES Thank you Mr Speaker and congratulations on your appointment. I would like to nominate Alan John McCoy to be Deputy Speaker

SPEAKER Mr McCoy, do you accept nomination.

MR McCOY I do Mr Speaker

SPEAKER Are there any further proposals Honourable Members? The time for proposals has expired and therefore I declare that Alan John McCoy has been elected Deputy Speaker of the 9th Norfolk Island Legislative Assembly. Congratulations Mr McCoy. Honourable Members that completes the first two formal elections amongst Members of this legislature

ADDRESS BY HIS HONOUR THE ADMINISTRATOR

SPEAKER I now invite His Honour the Administrator to address this newly formulated Assembly of Norfolk Island. His Honour the Administrator

ADMINISTRATOR Mr Speaker, Mr Deputy Speaker, honourable members, madam clerk, distinguished guests, ladies and gentlemen. It gives me great pleasure to open the first meeting of the ninth Norfolk Island legislative assembly. It is a proud moment, to initiate your proceedings to which Norfolk Islanders will be attentive listeners in the three years ahead for the ninth assembly. It is at this time that one is reminded of the speech made by the then minister for home affairs, the hon. Robert Ellicott, at the inauguration of the legislative assembly in 1979. He said: "in every sense of the word, this assembly is a parliament. Like federal, state and other territory parliaments it has its origins in the Westminster system of parliamentary democracy. It shares a long and noble tradition and relies on one simple fundamental principle - that parliament is the elected voice and instrument of the people. If you remember this and if you work to retain the trust and confidence of the people, you will succeed."

Mr Ellicott also spoke of the need for consensus among members of the assembly, to avoid splitting into groups or factions and to adopt as a test what appears to be reasonable in the interests of all the community.

These sentiments apply equally today. They are also reflected in the way that all the candidates – successful and unsuccessful – conducted themselves during the election and campaigned in a careful, restrained manner. It is an encouraging sign for the future of this, the ninth assembly.

The Minister for Regional Services, Territories and Local Government, Senator the Hon. Ian Macdonald, has asked me to convey to all members of the new assembly his congratulations on your election and his best wishes for a rewarding time in office. He looks forward to a close and co-operative working relationship between the commonwealth government and the Norfolk Island Legislative Assembly. In this regard Senator Macdonald has personally asked me to assure you of his intention to meet with the new assembly and its executive members as soon as a mutually suitable time can be arranged. There is a well-established platform of co-operation between the federal government and the Norfolk Island Government, which is an excellent base from which to grow an even stronger, firmer and productive relationship.

It is the firm belief of the minister and the secretary of the department of transport and regional services, Mr Ken Matthews, that the productive harmony of these discussions, where agreed agendas can be carried forward with commitment and alacrity – and with conclusive results – should be the aims of the two governments.

I have followed avidly the policy pronouncements of the candidates during the election campaign. One theme seems to tumble out of every page – and that is – an ongoing movement toward greater responsibility for Norfolk's self-reliance, coupled with a co-operative relationship with the commonwealth.

I can say with certainty that the minister shares these sentiments and has informed me that he looks forward to a constructive and forward-looking relationship dealing with issues of interest to the Norfolk Island Government and the Commonwealth.

I speak here today with my familiar two hats – one as head of the Norfolk Island Government; one as the senior representative of the federal government. These are not powers which diverge one from the other. Rather they merge into each other as envisaged by the Norfolk Island act 1979. It is not my brief or any part of my role to play favourites to either side. It is rather that the job of the administrator is to assist to develop trust on either side of discussions, to help each other understand the other's point of view and – where appropriate – to facilitate a mutually suitable outcome.

Communication is therefore absolutely vital – clear, pertinent and regular. In that way, Norfolk Island can continue to flourish with the interests of island residents clearly in the front of our minds.

Robyn and I should like to conclude by thanking you all for your kind associations over the two and a half years of our period in office. We have appreciated greatly our professional, social and personal involvement with the island community.

May I also take this opportunity of expressing my gratitude to the previous assembly for the co-operation and goodwill they extended to me and my office over the period of the eighth assembly.

May we all wish the ninth assembly well in what we know will be a productive and important stage in the history of Norfolk Island.

SPEAKER'S ADDRESS IN REPLY

Your Honour, We of the Ninth Norfolk Island Legislative Assembly warmly welcome you and Mrs Messner to this Chamber. This is the first occasion that you both have been formally present at an Opening Sitting of this Legislature. We offer our compliments on your statutory swearing in of all Members, and appreciation of your kind greeting and words of congratulations as we commence our duties and responsibilities, today. On behalf of Members I also acknowledge the generous words from the Minister for Regional Services, Territories & Local Government, Senator the Honourable Ian Macdonald and ask that you convey our thanks, and equally warm wishes to him upon the commencement of this Assembly. The Norfolk Island Act of 1979 commenced our present parliamentary government, and provides for our substance here today as Members and for yours as Administrator, Your Honour. The Act sets out at length in its Preamble a recitation of Norfolk Island's unique historical sequence; and a vision for our future. The Legislative Assemblies, which have met in this Chamber since 1979, number from the First to the Eighth. These eight Assemblies have to date spanned a period of twenty consecutive years and a total of thirty nine Members have served here – served the Norfolk Island community in its Parliament. These thirty-nine Members, both men and women, have honoured our heritage and advanced our vision. The Members of this newly sworn Assembly – the Ninth – have indicated in their policies and by their action, a want to continue this service: and to do so with a passion in their commitment to the Norfolk Island community. Thank you for your Address to us Your Honour.

SUSPENSION OF SITTING

SPEAKER Honourable Members, the House will now briefly suspend. I would ask that Members and guests please stand whilst the Administrator leaves the Chamber. Thank you.

RESUMPTION OF SITTING

SPEAKER Honourable Members, the House now resumes and I move now to the next item of business on the Programme which is to acknowledge a message from the Office of the Administrator.

MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR - NO 1

SPEAKER The following Message has been received from the Office of the Administrator. Honourable Members, I have received the following Message from the Office of the Administrator and it is Message No 1 which reads that on 11 February 2000 pursuant to Section 21 of the *Norfolk Island Act 1979*, I declared my assent to the following: *Legislative Assembly Amendment Act 2000*, (Act No 1 of 2000), the *Companies Amendment Act 2000*, (Act No 2 of 2000) the *Employment Amendment Act 2000* (Act No 3 of 2000) and the *Employment Amendment (No. 2) Act 2000* (Act No 4 of 2000) and that message was dated the 11th February 2000 and signed A J Messner, Administrator

EXECUTIVE OFFICES

SPEAKER The next item of business Honourable Members is to determine the number of executive offices and their respective designations. Mr Nobbs.

MR NOBBS Thank you Mr Speaker, I move that, under section 12 of the *Norfolk Island Act 1979* – (1) All previous resolutions under that section be revoked; (2) there be four executive offices; and (3) these offices have the following designations -

Chief Minister and Minister for Finance and Government Services
Minister for Health and Environment
Minister for Immigration and Community Services
Minister for Tourism and Commerce

SPEAKER Thank you Mr Nobbs. Do you want to address the motion in any way

MR NOBBS Thank you Mr Speaker I understand that we as a group last Thursday discussed this resolution and it was agreed by all members. I assume that they still agree, thank you

MR BROWN I wish to move a small amendment Mr Speaker. That small amendment is to the second line of paragraph No 3 of the motion by deleting the word "Chief Minister and" so that particular line would simply read Minister for Finance and Government Services

SPEAKER Is leave granted? Leave is granted

MR BROWN Thank you Mr speaker. The purpose of the motion is to have the four ministers which are created today each having equal titles and to leave until it is known who has been appointed to each of those ministries, the question of appointment of Chief Minister. This provides better flexibility to the House and it is my view that it is the appropriate way to proceed, thank you

SPEAKER Thank you Mr Brown. Further debate

MR NOBBS Thank you Mr Speaker. Just for the interest of the public I'll just go through the procedures we took on Thursday. The first one was we decided there would be four executives. We then looked at the roles the various ministers may take and the designations were then put to each particular person. The executives were then asked to go away and decide who would be Chief Minister. The position of Minister for Finance and Government Services was agreed to as chief Minister. I was asked before that date and time to advise and ask the Members for their approval once the executives had taken their decision. The decision of the executives was, as I said, that the Minister for Finance and Government Services would be Chief Minister and I would say that that was a unanimous decision. I relayed that back to all Members and to my knowledge there was agreement among all Members. Subsequent to that I don't know but I have no more to say, thank you

SPEAKER Thank you. Further debate

MR BATES I think we are getting the cart before the horse at this stage. Mr Nobbs certainly hasn't been formally appointed to the position and I think he only won the vote on a five/four at the time. I don't think it was unanimous by any means but he hasn't been appointed to that position yet and I believe he is presuming that the House will appoint him to that position

SPEAKER Thank you Mr Bates. Further debate

MR NOBBS Thank you Mr Speaker, no I'm sorry Mr Bates, I was not assuming anything. The position as put there was Chief Minister and Minister for Finance and Government Services and that's why I'm speaking on it. Had I been appointed formally to that position I would have taken a back seat thank you

SPEAKER Further debate. We have an amendment before us Honourable Members. The amendment is that in respect of the first part of paragraph No 3 of the motion moved by Mr Nobbs, the words Chief Minister and be deleted. If there is no further debate I will put that to you. The question is that the amendment be agreed to

QUESTION PUT

Would the Clerk please call the House

MADAM CLERK	MR BUFFETT	NO
	MR NOBBS	NO
	MR COOK	NO
	MR McCOY	NO
	MR GARDNER	NO
	MR WALKER	NO
	MR SMITH	NO
	MR BROWN	AYE
	MR BATES	ABSTAIN

The result of voting Honourable Members the ayes one the noes seven, one abstention the noes have it. We have remaining Honourable Members the motion as originally moved. Is there any further debate. No. I put the question

QUESTION PUT AGREED

MR BROWN	ABSTAIN
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The ayes have it, that motion is agreed thank you

APPOINTMENT TO EXECUTIVE OFFICE OF CHIEF MINISTER AND MINISTER FOR FINANCE AND GOVERNMENT SERVICES

SPEAKER We move onto the next item of business, the proposing of Members to fill each executive office that has been determined by the motion that has just been passed and I call for nominations for the position of Chief Minister and Minister for Finance and Government Services

MR GARDNER Mr Speaker, I move that Ronald Coane Nobbs be chosen to be Chief Minister and Minister for Finance and Government Services and that the Administrator be advised accordingly

SPEAKER Thank you. Mr Nobbs, do you accept nomination

MR NOBBS I do Mr Buffett

MR BROWN I nominate Brian George Bates

MR SPEAKER Thank you. Mr Bates, do you accept nomination

MR BATES It would be improper not to – yes I do

MR SPEAKER Honourable Members we have two nominations in front of us. I should explore whether there are any other names to be proposed this morning. No further names to be proposed. there are two ways of handling this. One is that Mr Brown you can move an amendment replacing one name with another or have a ballot in respect of the two. Would the Members please let me know how they would like to proceed?

MR BROWN I'm happy with a ballot Mr Speaker. I would like to speak to the motion at an appropriate time

MR SPEAKER Are we agreed to a ballot Honourable Members

MR BROWN Mr Speaker we've been told earlier today of the words of Mr Ellicott QFG when he urged the Assembly of the time to strive for consensus and to look for what is reasonable. Prior to this election virtually every candidate confirmed to the electorate that they were of a view that the selection of the executive should not be based on how many votes were allocated to any particular person but should be based on ability and experience. it seems to me that ability and experience is a reasonable criteria for us to use. Mr Bates has demonstrated ability and experience in terms of this particular ministry. He has had many years of experience in the Administrator - perhaps he has the best knowledge of any person in relation to the Island's finances and the rules of their management. He is one of the longest serving Members of the Assembly. He has previously held executive office and he has held office of Acting Deputy Speaker on several occasions. In looking for the most qualified person for the job I am not seeking to criticise any other person but I do believe it is important that we act reasonably. That we strive for consensus and that we select the person with the best experience and ability for each position and it is for that reason that I support Brian Bates. It's fairly well known Mr Speaker this Brian and I don't always see eye to eye. I think that the fact that I have decided that I have a duty to nominate him indicates how strongly I feel that he needs to be supported

MR SPEAKER Further debate Honourable Members

MR SMITH Thank you Mr Speaker. I would like to make two points. One in relation to what Mr Brown has said and the other is my personal view that I always carry with my membership of the Assembly that whoever is elected to the executive office is supported by all nine Members. I'm not talking about in this particular vote, I'm talking about what the Norfolk Island Legislative Assembly is about. If a Member feels that another Member may not be able to carry the responsibility to its fullest it would be up to that particular member if they have the experience and ability that they would assist a particular member to be an executive or a non executive. The other view that I have taken in our processes leading up to today as Mr Nobbs quite correctly said, we had an informal meeting the other day when we weren't actually on the Assembly but it was informal enough to be able to put our views on who we thought should be elected to executive office as well as to the chair you are occupying Mr speaker. throughout all the years of the Assembly's there has been many ways of trying to decide who should be on the executive. I think at the end most Assembly's have come to the view that if you poll the most votes in an election that you have confidence from more people in the community than others and therefore whatever comes next that you should decide who the executive will be in the order of polling. I have never stated that we should do it otherwise because I think that would be denying the community's right to have a say in who performs in the Legislative Assembly. I don't support what Mr Brown is talking about at this point

MR SPEAKER Is there further debate Honourable Members

MR BATES Thank you Mr Speaker. I would just like to make one little point there. I believe that we really do cut the community short when we have an election and those that have the highest votes take on the executive. I think we do the community an injustice in that. I'm quite sure that if you take the previous Assembly, the people out there when they voted for Smith and he topped the poll, they didn't vote for him and his abilities for Finance. I think a lot of them would have been disappointed. I think this last time, I'm sure they didn't vote for him as a pending Minister for Tourism either. I'm sure they voted for him because he's probably a nice sort of fellow and they probably thought he didn't do much wrong, because he didn't do anything but the community did support him but we do short circuit the community when we go along with the highest poller getting the job whether they have any idea or not

MR SPEAKER Thank you. Further debate

MR GARDNER Thank you Mr Speaker. I have every confidence in Brian being able to achieve the job. Every confidence in probably Bruce Walker and a number of other members around this table being able to fill those shoes as Minister for Finance. the experience is there. We've heard of the experience of Mr Nobbs. His many years in the Northern Territory. We've heard a lot of what Mr Nobbs has to say. I've very keen to see whether Mr Nobbs can deliver at the end of the day. The chance for the nine Members around this table to appraise his performance after a set period of time, I'm happy to do that. I'm happy to have Mr Nobbs have that position and I reiterate that if any Member of the executive is not performing in their role it is a matter for this House to deal with and replace them

MR SPEAKER Thank you Mr Gardner. Any further debate? No. Honourable Members we will proceed to a ballot. There are two names that have been put forward. Mr Nobbs and Mr Bates. The Clerk will deliver papers to each member and may I just refer you to Standing Orders so that you will know the procedure that we are going through. there is one place to be filled therefore once name only is to be written upon the paper. If more than one name is written upon the paper that will be an invalid vote. the clerk will have that collected and will advise me of the member who has the greatest number of votes, so if the Deputy Clerk will distribute those papers then have them collected

Honourable Members the votes have been collected and counted by the clerks and I am advised that the Member with the greater number of votes is Mr Nobbs, therefore in terms of the motion that is in front of us, it is Mr Nobbs name that will be invited to be chosen to be Chief Minister and Minister for Finance and Government Services and that the Administrator be advised accordingly

MR GARDNER I move that the ballot papers be destroyed

SPEAKER Is it agreed amongst Members that the ballot papers be destroyed. It is so agreed. As a result of that poll Honourable Members I therefore in terms of this motion, advise you that Ronald Coane Nobbs has been chosen as Chief Minister and Minister for Finance and Government Services and that the Administrator be advised accordingly

MR NOBBS Thank you to the members who supported me. Obviously it won't be the first vote of this nature and I'm sure we will look forward to interesting times ahead. Thank you

APPOINTMENTS TO EXECUTIVE OFFICE MINISTER FOR HEALTH AND ENVIRONMENT

SPEAKER Thank you Mr Nobbs. The next process through the executive offices Honourable Members is the process for the position of Minister for Health and Environment. I now call for nominations for the position of Minister for Health and Environment. Mr Brown.

MR BROWN Mr Speaker, I move that Geoffrey Robert Gardner be chosen to be Minister for Health and Environment and that the Administrator be advised accordingly

SPEAKER Thank you. Mr Gardner, do you accept nomination

MR GARDNER I do Mr Speaker

SPEAKER Is there any further proposal? Is there any further debate Honourable Members, then I put the question

QUESTION PUT
AGREED

The ayes have it thank you

APPOINTMENT TO EXECUTIVE OFFICE OF MINISTER FOR IMMIGRATION AND COMMUNITY SERVICES

MR SPEAKER Continuing to move through the Ministries Honourable Members I now call for nominations for the position of Minister for Immigration and Community Service. Mr McCoy

MR McCOY Mr Speaker I move that Adrian George Hingston Cook, QC be chosen to be Minister for Immigration and Community Services and that the Administrator be advised accordingly

MR SPEAKER Mr Cook do you accept nomination

MR COOK I do Mr Speaker

MR BROWN I move that David Ernest Buffett AM be chosen to be Minister for Immigration and Community Services

MR BUFFETT Thank you for your courtesy in doing that Mr Brown. I think in what has been said earlier that the minds of Members are known on this matter and it would not be a fruitful arrangement for me to accept nomination. I thank you but decline. Further proposals

MR BROWN I nominate George Charles Smith

MR SPEAKER Thank you. Mr Smith do you accept nomination

MR SMITH I reiterate your words Mr Speaker and say that I decline thank you

MR BROWN I nominate Bruce Stanley Walker

MR SPEAKER Thank you. Mr Walker do you accept nomination

MR WALKER I reiterate the same words Mr Speaker and decline

MR BROWN I nominate Alan John McCoy

MR MCCOY Mr Speaker I reiterate the same words and I decline on the basis going on the ballot at the vote and the confidence of the people who did support me during election. I believe that they did not elect me into a position to hold executive office thank you

MR BROWN Mr Speaker could move one more change and that would be in the nature of an amendment to delete the initials "QC" after Mr Cook's name so that we all sit in the Chamber as equal people and not with one person seeking to be different to the remainder of us

SPEAKER Thank you. Is there any further debate in respect of this motion Honourable Members.

MR NOBBS I understand that there is convention within the Federal Parliament for titles such as Mr Cook's here to be acceptable and utilised. I in fact went through the procedure last week of checking that out as I thought something like this may occur Mr Speaker thank you

MR BROWN Mr Speaker it matters not with due respect what might be allowed or might not be allowed in other places. this is a very small Legislative Assembly. In other places I do not recall hearing Ministers or Members addressed with letters after their names and I think it's very important in Norfolk Island that in striving for consensus, we act in a careful and restrained manner as the Administrator has suggested to us today and I think it is important that all Members be seen to be equal

MR SPEAKER Further debate Honourable members. Then I put the question

QUESTION PUT

Would the Clerk please call the House

CLERK

MR BUFFETT
MR NOBBS
MR COOK

NO
NO
ABSTAIN

MR DEPUTY SPEAKER
be agreed to.

Is there any debate. The question is that the Motion

QUESTION PUT
QUESTION AGREED

ADJOURNMENT

MR McCOY

Mr Speaker, I move that the House do now adjourn

SPEAKER
being no further debate I put the question

Is there any debate Honourable Members? There

QUESTION PUT
AGREED

Therefore Honourable Members this House stands adjourned until Wednesday 15
March 2000 at 10.00 am.

