



deliver his lessons to create an interest. He strongly believed in learning by hands on experience, practical application and by doing things and was therefore particularly at home in teaching crafts. As a staff member he was always constructive and a loyal contributor to the welfare of the school. More recently he taught Norfolk Studies on a part time basis. Lester had enormous pride and satisfaction in the progress and development of his two daughters Eve and Lucy. He encouraged them to have a sense of adventure, to go out and search for more, to do interesting and different things. He was always talking to them on topics that would develop in them a general knowledge of the world around them. Lester was a willing contributor to the community. For a period he was a member of the Legislative Assembly and carried to that role his keen interest in environmental matters, especially improvement in waste management and to this end he was the instigator for and a member of the Waste Management Committee. Additionally he was a garbage disposal tip contractor who supervised the disposal at Headstone. To Lucy, Eve and Doug, to Sue, Robyn, Lyle and their family, to Ted and Jan, to Lester's relatives and many friends this House extends its deepest sympathy

MR SPEAKER Thank you Mr McCoy. Honourable Members as a mark of respect I would invite all Members to rise and stand for a period of silence.

#### **LEAVE OF ABSENCE - MR ROBERT ERIC ADAMS**

SPEAKER Honourable Members Leave from the sitting is sought for Mr Adams, is leave granted. Leave is granted thank you

#### **PETITIONS**

We move to petitions. Are there any petitions this morning?. There are no petitions.

#### **GIVING OF NOTICES**

Are there any notices? There are no notices this morning.

#### **QUESTIONS WITHOUT NOTICE**

We move to questions without notice. Are there any questions without notice

MR BATES Thank you Mr Speaker my first question is to Mr Nobbs the Minister for Finance. At the September meeting in response to a question regarding taxation review you promised to provide some detail within two weeks. Where is it

MR NOBBS Thank you Mr Speaker. I'll be providing a statement of financial arrangements for the first quarter and there will be mention then of consultancies in relation to that. The second point is this that the review within the Service of fees and charges and where we are actually getting our funding was put on hold for three weeks as there was no officer available to continue the progress of that particular review and as a consequence and I apologise to Mr Bates and I should have mentioned it to him before this that we've had at least a three week hold on that particular information. It's been revitalised this week with the return of an officer and consequently I'll be mentioning that in my statement on finances later this morning

MR BATES Thank you Mr Speaker another question is to Mr Nobbs the Minister for Finance. What support does the Minister have to progress his proposed superannuation scheme and will this only be aimed at the working class

MR NOBBS Thank you for that Mr Bates, it's a very important issue that has been around in the community for some considerable time. I

think it goes back as far as the council in about my era here and that was in the 1960's that there was a thought then that there was a need to establish some sort of social service system in which there could be contribution by members of the community to ensure that in their latter years they would be well cared for. Now the situation is that it's been brought up from time to time. There are two particular organisations as I mentioned to Mr Bates and members some time ago looking at that. One is a New Zealand group and the other is Australian. They both wrote in towards the end of the last financial year with proposals. These have not been progressed by the service at this stage but I understand they are now being progressed and that's the information side of it. Once that information is available we'll be passed to these people and they will see where they go from there. There were discussions and I'll be having a statement on Beattie's visit later on and during the visit by Mr Beattie it was suggested that we may be able to get some information as to a Government Insurance office type arrangements for issues like superannuation and third party. This is being progressed. I think there is a need to do something. The social services area is in need of some attention at the present time. The expenditure is increasing each year and it may be advisable to contribute to some form of contributory superannuation scheme. There was talk at some stage that we should extend the Administration provident fund to the rest of the workforce on the Island. I don't know whether that's available but we need some definite proposals on that and as I said there's two groups one in Australia and one in New Zealand who are prepared to put some time in it at no cost to the Island I might add to look at these particular issues and as I say, they've been waiting on information for the last three months at least

MR BATES Just a supplementary. Part of the question was whether any scheme would be aimed solely at the working class and I don't know whether Mr Nobbs responded to that or whether he is able to respond to that part of the question

MR NOBBS Sorry Mr Bates, you did ask that and I didn't actually respond. I thought it would be a community wide exercise that would be available and not just to the working people but also to those in the business area if they are classified as non workers but the situation is that I think it should be an island wide exercise and there will be considerable need for community discussion and consultation and it depends on what these particular two proposals bring forth

MR BATES Another question for Mr McCoy Mr Speaker. It is known that the Minister has been keen to see proposed changes in waste management be in place by the time of the mini games. Can the Minister advise what if anything is planned over the games

MR McCOY Thank you Mr Speaker Mr Bates is correct. I have been very keen to try and have, as the previous Minister was, to have a new waste management system in place for Norfolk Island prior to the mini games. Unfortunately and I am disappointed and I apologise that the waste management system is not yet in place. I have only just received on the 28<sup>th</sup> September the report based on Mr Steven Joseph's visit to Norfolk Island to carry out a feasibility study, his report and costing for a gasifier for Norfolk Island and that matter will be discussed by MLA's on Monday but as far as some of the other initiatives, the only thing that we have actually achieved is the purchase of a can crusher from Mr Peter Evans and we've been processing aluminium cans. There's been a lot of discussion and I put out papers on glass crushing machines and we did have a glass crushing machine that we were pursuing in Tasmania but I've now been presented with new information on new and modern glass crushing machines that may not emit the same level of noise and dust that the machine that we were looking at from Tasmania would do so at this point the only thing that we have actually achieved is the purchase of the can crusher and also there are a number of bins being trial led at the school to determine the best method of going through a sorting system when people

place their waste in bins that will be located around the Island but unfortunately the bins for the whole of Norfolk Island are not in place and the Works Team is working on bin receptacle holders to place in the barbeque areas or litter disposal areas for the placement of the new bins, thank you

MR WALKER Thank you Mr Speaker a question to the Minister for Tourism Mr Smith. Will the Minister report on what follow up action he has taken regarding the offers made by the Queensland Premier Peter Beattie in relation to the revival of FlightWest Airlines during his recent visit to the Island

MR SMITH Thank you Mr Speaker Mr Beattie when he was here said that he was hoping that FlightWest would be purchased by one of three purchasers. One of the things he expressed was the wish that if it did get up and running that there would be a possibility that Norfolk Island would become part of Flight west's route network. It would be foolish of me to say that there would be anything that would happen until such a time when somebody did actually either pick up the airline as proposed by the liquidator or whether they are just going to buy some of the airplanes. I can't really give a proper answer to what Mr Walker has asked at this point

MR WALKER Thank you Mr Speaker a supplementary. Does the Minister intend to proceed with the offers made by the Queensland Premier in relation to joint marketing and promotional activities, especially in the areas of inbound visitors from Europe.

MR SMITH Thank you Mr Speaker the simple answer to that would be of course we would. That's too good an offer for Norfolk Island to just turn away and as I understand from the Chairman of the Tourist Board in the last couple of days, they have already made contact with the appropriate people in Queensland

MR WALKER A further question to the Minister for Tourism Mr Speaker has the Minister had talks on air services to Norfolk Island with either the principals of Norfolk jet or the recently revived Ansett airlines

MR SMITH Thank you Mr Speaker I have continued discussion either by email or on the phone with Norfolk Jet. In fact my latest discussion on that was yesterday. As far as Ansett is concerned I have made no approach

MR WALKER Thank you Mr Speaker a question to the Chief Minister Mr Nobbs. What progress if any has been made to address the noise emission levels at the power house

MR NOBBS Thank you Mr Speaker. A copy of a report was circulated to members in relation to the noise emission from the power house. From that were made certain recommendations and they were taken. At this stage there is a design being done to accommodate that. One of the problems will be whether the roof arrangements can hold a ceiling as proposed and there's been a need to get an engineer's advise on that. At last week that advise had not been received as I understand. Once that has been received the design can be finalised and the required materials ordered and once materials are on site if they can't be gained from the Island, they'll have to be brought in and once that has occurred we will start commencing by doing works which initially will be the air intake situation because it's no good having a fully silent wall and ceiling where no air gets in because all the air is coming into the place at the present time through holes in the wall so that there is a need for proper air intake which are baffles and also an expel air area which will need to be baffled and then we can start constructing the walls and ceiling which will be of a material as recommended by the noise engineer. I can't think of the guy's name so at this stage

that's where they are. The design is being finalised and once that design is ready to go well then we can start doing some work on it.

MR WALKER Thank you Mr Speaker. Supplementary. Can the Minister give some indication of the time frame in which the local residents in the vicinity of the power house will see some practical relief from the present noise emissions

MR NOBBS I can't give you an exact time Mr Walker as all I know, and I was talking to them late last week, is that the issue is progressing. It will be a reasonably expensive exercise but there are some funds which have been budgeted and there will be a need for additional funds for the particular proposal but it just depends on the final costing of it and whether the roof trusses need strengthening or where we actually go from there so I can't give you a time but I would just like to say that there is only one Cummings only actually operating and it's not operating all the time at this particular point. In fact it's been off for about three weeks not so long ago so I mean it's being spread around with the cat's I understand as much as possible

MR BROWN Thank you Mr Speaker I direct this question to the Chief Minister. Can the Chief Minister advise whether yet we have become an offshore finance centre and if not, can he explain why not

MR NOBBS Thank you Mr Speaker. The offshore finance proposal was changed as Mr Brown I think is aware, and it was reported by the consultant that was employed at the time that it was changed from a proposal for an offshore finance centre to a cyber centre. What an actual cyber centre is all about has not been developed. There are some concerns in relation to where we are actually going as far as that particular proposal is concerned and at this stage it has been put on hold

MR BROWN Thank you Mr Speaker I direct this question to the Chief Minister and it relates to the Chief Minister's radio broadcast last Friday and to a report in the Norfolk Islander last Saturday. Is it a fact that a \$1m surplus will be reported for the trading of the Administration for the year ended 30<sup>th</sup> June 2001 and if so, can the Chief Minister advise what proposals are at hand for reduction in Norfolk Island taxes as a result

MR NOBBS Thank you Mr Acting Deputy Speaker. I received the actual financial statements which I said quite clearly I thought on the radio and in the paper, were unaudited and the auditors were arriving and I think are here this week. The situation is that that was an unaudited figure so I didn't go into a lot of detail but there was a \$1m surplus which is probably one of the best ones and I will be also in my statement I'll be mentioning that fact but at this stage there are no plans and I think that if I could wait you may see that whilst the figures for last year were great to date this year they are not as good as one would have hoped

MR WALKER Thank you Mr Acting Deputy Speaker a question to the Minister for Tourism Mr Smith, are the concerns expressed at a recent Chamber of Commerce meeting by the Tourist Board Chairman about a possible cut in the tourism promotional budget true or false and if true on what basis is it intended to make this cut

MR SMITH Thank you Mr Acting Deputy Speaker I wasn't at the last Chamber of Commerce meeting due to other commitments. I understand that some mention was made at the meeting that there was going to be a cut in the tourism budget. If it is referring to something that I had said to the Chairman of the Board a few weeks before it was in relation to budget review. Budgetary time is coming up for the

revenue fund and other entities and I did make the suggestion that like all other entities that are using public monies that we should look and see if we should save money anywhere. I think the reference to the budget has been taken out of context as far as I know meaning that I was looking at cutting the Tourist Bureau's budget and I think members will know that over the last two or three years the budget hasn't increased for the Tourist Bureau at all so that last think I would be doing is trying to make it less if that answers the question

MR BROWN I direct this question to the Chief Minister. Can the Chief Minister advise whether land has yet been transferred to the Norfolk Island Government in accordance with the Chief Minister's hopes which were expressed in excess of a year ago. If it has not yet been transferred, what is the current timetable anticipated by the Chief Minister for that transfer

MR NOBBS This actually is in Mr McCoy's area but I will take part of it on board because it was directed to me. I believed at the time that we could transfer it over before Christmas or by the 5<sup>th</sup> March this year. I believe that is quite possible. There were certain things that had to be done and I'm not holding back on this. One of the things was the transfer of leasehold land. Now the transfer of leasehold land was not even on the agenda for the Federal Government because of the fact that they had the idea that it should be freeholded. This has been going backwards and forwards and I have written to the Minister not so long ago to ask him what really is happening with that because even the leaseholders are unsure. We've received advice from it and one of the areas of real concern was that leasehold land in KAVHA was not to be freeholded. What was to become of it. Was it to be passed to the Norfolk Island Government or was the Commonwealth going to hang onto it or what was the story. There was another proposition put by the – and I hope you don't mind me going into this Mr McCoy – but another proposition put by the Minister in relation to that particular land was where some of that land was outside the actual KAVHA area and he believed that that would be freeholded. My argument was, would that be contrary to the Norfolk Island Plan how can that be done and his argument has always been that control of land on Norfolk Island should be done through the plan and yet in those areas I believe he would be going contrary to the Norfolk Island Plan. So those are the issues. There are other issues in relation to the provision of codes for roads, health and building and those sort of issues. As I understand it they haven't been completed but that's more in Mr McCoy's area. The other areas could be fairly quickly done I believe that that was in relation to Plans of Management for Reserves. I mean the area of reserves on Norfolk Island is about the size of one that I had dealings with in my previous life so I know exactly how long it takes to do these things. Now that hasn't been finalised. Those issues have not been finalised as yet and it's unfortunate that we will not be seeing it in this year at least. I would hope that with the revised plan, and that's another issue which Mr McCoy may like to give some indication of the timing in relation to that and the other issues that it won't be done in this year. It won't be done by this Christmas but hopefully it will be done by the following Christmas but I can't give you an exact time on it at this point in time

MR MCCOY Thank you Mr Acting Deputy Speaker. Just to give some brief information. Mr Nobbs has covered most of the points but you might all recall that there was an article printed in the Norfolk Islander from Senator MacDonald in regard to how he is dealing with the transfer of land and also of the IGM that was held on Norfolk Island. Some months back Senator MacDonald made it quite clear that he is the landlord of the leasehold land on Norfolk Island and he will deal directly with tenants and that I believe he has been doing so when I took on the role of Minister with responsibility for lands I removed the motion from the Notice Paper whereby the leasehold land would be transferred either as freehold or some parts would come to the Government and some would go to the leasehold land holders but I have taken an attitude that I will now wait and see the outcome of Mr MacDonald's approaches towards the lessee's and until

the lessee's come to me and say that they wish that I do activate something I will continue with that same attitude, just to wait and see what the landlord offers the lessees because I am aware that some of the lessee's were a bit concerned that their land may be transferred to the Norfolk Island Government and that the Norfolk Island Government would become the landlord so they have made approaches to Senator MacDonald's office and also in regard to the Norfolk Island Plan that has been on public exhibition for quite some months now and I believe that our local planner Jodie Quintal is off Island at present in Canberra working with the Commonwealth planners Darren Crombie and Jim Kitchenside and the intention is that the draft Norfolk Island Plan will be tabled at the November sitting and that will be left to lie on the table for four weeks so further public comment can be gathered and that I believe was the first step in the list of prerequisites as part of the joint land initiative task force. The reserve plans of management, well they have all been drafted and my understanding is that the Conservator of Reserves has been editing the drafted version before presentation to the Legislative Assembly members. On that note I have had meetings with the officers in Administration as recently as the 25<sup>th</sup> September to get an update as to where we are with all the prerequisites as part of the transfer of the land and my understanding is that they are all moving ahead quite successfully and I am hoping that at my next briefing there will be some conclusions that I can present to Legislative Assembly members

MR BROWN I direct this question to the Minister for Health. Can the Minister please advise the anticipated costs of the recent medical recruitment debacle

MR McCOY Thank you Mr Acting Deputy Speaker. I assume Mr Brown is referring to the doctor's situation. As Mr Brown is fully aware that whole issue has now been taken out of my hands. It was never really in my hands to start with. I was only the executive member with responsibility to actually make the appointments for the Government Medical Officers so until the Hospital Board comes to me and makes the recommendation as to who to appoint we will never know the final cost of the debacle. I believe that one of the doctors for the positions has been filled during my absence from Island and I also have a meeting with the Chairperson of the Hospital Board and the Director of the Hospital tomorrow and I will be updated as to where things are at, at that meeting and also the Hospital Board met again last night and they have had a number of meetings over the last month so I'm sorry that I can't give a definite answer to you Mr Brown

MR BATES Thank you Mr Acting Deputy Speaker. My question is for Mr Buffett, Minister with responsibility for sport. Given that a lot of volunteer workers will be required during the South Pacific Mini Games to ensure that visiting athletes and officials are properly looked after and events take place smoothly and efficiently. What is the Government doing to assist in this process

MR BUFFETT Thank you Mr Acting Deputy Speaker members will realise that the games of course are Government endorsed and Government supported. Two major examples of support is the provision of \$150,000 and more recently there has been Government support in endeavouring to walk through the Fiji sanctions and there has been ministerial correspondence to achieve that. Additionally the Government has wanted to be supportive through other resources that might be available to it and encouragement of those who might have participation in the games which leads to the question of volunteer workers and the like. I have made a number of statements in the House which have encouraged people in the community who may want to be volunteers and to give them a contact area so that this might be achieved. I would hope that the area of the Administration would equally be helpful in this process. I have had conversations with the Chief Executive Officer on the Service to endeavour to encourage both resources where that is practical and participation of individuals where that too might be practical. I hope that that will show encouragement and give

encouragement for people who would want to be participants in the games or indeed volunteer where they have skills to be able to help this important process that is to happen in forty days time in Norfolk Island

MR WALKER Thank you Mr Acting Deputy Speaker a question to Mr Smith, Minister for Tourism. Can the Minister advise whether the Federal Government's Air Passenger Ticket Levy Imposition Bill 2001 has been passed and the levy being charged and if so what are the implications for Norfolk Island

MR SMITH Thank you Mr Acting Deputy Speaker I assume that the Commonwealth has passed that legislation and I assume that because as I understand it the levy was being charged from the 1<sup>st</sup> October and the impact on Norfolk Island is like any tax that goes on travel. It always puts people off a little bit if the taxes are too high. I think I saw where the taxes to Norfolk Island out of Sydney currently run out at \$90-100 per passenger with the Sydney Airport Passenger Tax or whatever they call it over there, our own levy here and the noise pollution thing and of course this new tax so as far as I understand the situation it is being charged, that is the \$10 levy promoted by the Commonwealth

MR WALKER Thank you Mr Acting Deputy Speaker a supplementary. If this be so Mr Minister, does that mean that Norfolk Island residents departing Norfolk Island for shores other than Australia are to be paying this tax

MR SMITH Thank you Mr Acting Deputy Speaker that is correct. The Commonwealth legislation does extend to Norfolk Island so if anybody is traveling via Auckland for example as maybe Mr Walker is suggesting yes, the levy will be charged on those tickets. I probably should have mentioned it before that I had written to the Commonwealth Minister some time ago saying that we didn't think the levy should apply here due to the fact that Ansett never flew here, which is what the levy is all about, it's to help pay for the entitlements of the Ansett employees, that Ansett although about to start flying here they never did and that we have our own airline which is Norfolk Jet which wasn't involved with Ansett at all, but to date I have not received a reply from the Commonwealth

ACTING DEPUTY SPEAKER No further Questions Without Notice Honourable Members. I note that there are no Questions on Notice this morning so we move on

## **PRESENTATION OF PAPERS**

Are there any Papers for presentation this morning

MR SMITH Thank you Mr Acting Deputy Speaker I have two papers to table, one is the Employment Tribunal's Annual Report for the year ended 30<sup>th</sup> June 2001 and I table that

The second one is the Inbound Passenger Statistics for September 2000 and I would like to table that and move that they be noted

ACTING DEPUTY SPEAKER The question is that the Paper be noted

MR SMITH Thank you Mr Acting Deputy Speaker a good result was shown for this September with a total number of visitors to the Island of 3320 which was more than the previous year which brought us in this financial year to date up to 7885 passengers and considering the conditions that tourism has been under in the past few months for various reasons that is quite a reasonable figure. Still down on last year and the year before but not by much. I need to mention that last year there was a

dip in our numbers anyway because of the Olympic Games that were being held in New South Wales. Nonetheless a pleasing result and a well done needs to go to all the marketing promotion people and the airline in achieving those sorts of numbers and hope that they sustain over the next couple of months which is looking to be quite promising. A breakdown in the numbers from the place of residence: NSW 1336, Vic 525, Qld 520, SA 162, WA 78, TAS 32 and NZ 606. The biggest change in those figures over the last couple of years really was Qld where two years ago it was 1053 out of Qld and this year 520. I believe the reasonability for that is that we only had one flight per week out of Brisbane so we probably couldn't have got much more than that. Of course an additional flight is being added from early October so that will make a difference from here on in. The average overnight stay has increased slightly to 7.75 days, 7.44 last year and 7.6 the year before so that basically means that generally people are staying longer which is always a good sign. The number of aircraft that flew in during that period from Sydney with Norfolk Jet 14, from Brisbane 5 and out of New Zealand 9 flights, thank you

ACTING DEPUTY SPEAKER Thank you Mr Smith. Any further debate? Then I put the question that the Paper be noted

QUESTION PUT  
AGREED

MR BUFFETT Mr Acting Deputy Speaker, I table the Road Traffic (Powers of Registrar) Amendment Regulations 2001. This is an Instrument dated 25 September 2001 declaring the making of the Disaster and Emergency Management Plan for Norfolk Island; the Plan issued on 1 August 2001 is a Schedule to this Instrument of 25 September 2001 and is a disallowable instrument for the purposes of section 41A of the Interpretation Act 1979;

Secondly I have a statement and papers concerning the Disaster and Emergency Management Act 2001. Members will recall that at the last Sitting I foreshadowed that I would declare the making of the Disaster and Emergency Management Plan for Norfolk Island pursuant to subsection 8(1) of the Disaster and Emergency Management Act 2001 and on the 25<sup>th</sup> September, that is last month, I declared the making of the Plan and the Plan became effective from date of notification in the Government Gazette which is the 28<sup>th</sup> September 2001. Once I published notification of the making of the plan by instrument in the Gazette I must now lay the plan before the Legislative Assembly and I now do so. I just mention to members that there will be minor cosmetic amendments required to be made to this particular plan which I have here and these are being attended to forthwith. I table that document Mr Acting Deputy Speaker

DEPUTY SPEAKER Any further Papers for presentation Honourable Members

MR NOBBS Thank you Mr Acting Deputy Speaker. In accordance with Section 41 of the Interpretation Act 1979 I table the Postal Services Rates Amendment No. 2 Regulations 2001 and move that they be noted.

MR ACTING DEPUTY SPEAKER Thank you. The question is that the Paper be noted.

MR NOBBS The Regulations really do two things, they consolidate the zones and the Australian zone has been dropped from 12 to 1 and also it consolidates some weights, so that we've got a situation where we have now greater efficiency from the Postal Services. Air parcel charges to Australia have been dropped, 11 zones have been taken out and it's now down to 1. There's consolidation of weights in that particular area and there's some variation obviously to the charging regime. The

Express charges that are in the Gazette have not changed and the Surface parcel changes, Norfolk Island to Australia. The zones in that as I say they were something like 11 or 12 zones, have now been reduced to 1. There's a consolidation in kilo weight and some variation in charging. On the International Post, there were 5 zones previously, they've now been reduced to 2. There's the Asia/Pacific. The original 5 zones were New Zealand, New Caledonia, Papua New Guinea, Vanuatu in 1. 2 is Indonesia, Nauru, Niue, Tonga Tahiti, French Polynesia, Fiji in zone 2. Zone 3 was India, China, Hong Kong etc etc including Pitcairn Island, Thailand and Taiwan. Zone 4 was Canada, USA Middle East and Israel and zone 5 was Europe, UK, Africa, South America. This has been reduced to 2 zones which is the Asia/Pacific zones and also for the rest of the world which is the second zone. So those have been consolidated, and there is obviously some weight changes in that and also costing. Postcards have been brought into 1 charge and there has been a reduction in some areas and an increase in others to bring that, and that will create greater efficiencies. As far as parcel articles to the rest of the world, places other than Australia there has been no change. Thank you Mr Acting Deputy Speaker.

MR ACTING DEPUTY SPEAKER Thank you Mr Nobbs. The question is that the Paper be noted. Is there any further debate. Therefore I put the question.

QUESTION PUT  
QUESTION AGREED

MR NOBBS Thank you Mr Acting Deputy Speaker. I table the final draft, but it's a non printed form, it's actually with the printer now, of the Norfolk Island Census Population and Housing of 7<sup>th</sup> of August 2001. I don't wish to comment on that because Members can read it. It's with the printer and it will be available shortly.

MR ACTING DEPUTY SPEAKER Any further Papers.

MR NOBBS Thank you Mr Acting Deputy Speaker. I table the Financial Indicators for September 2001 and move that they be noted.

MR ACTING DEPUTY SPEAKER Thank you.

MR NOBBS As you are aware the fund is based on accrual accounting Mr Acting Deputy Speaker and that substantial accruals for the revenue such as Customs Duty etc etc, have been estimated only on the basis of historical records and do take into consideration the present downturn in tourist numbers. The Indicators Report is based on approved budget and this is a report from the Finance Manager. At best it can be determined at the 30<sup>th</sup> September is the Revenue Fund income is about 90% of budget which is a decrease of 1% over last month. September 2000 was 103% of budget. Liquor Bonds net profits is \$41,000 under budget. Sales for September 2001 are \$1,000 more than September 2000. Accumulated sales for the first quarter compared to the first quarter is \$49,000 less. Overall expenditure, at the end of the 3<sup>rd</sup> month of the financial year is about 70% under approved budget. All expenditure categories other than Welfare are under budget. Welfare at present is 121% of budget which equates to \$63,000 overspent. Based on the expenditure trend for the first 3 months of this financial year the Social Benefits payments projected result for 2001/2002, that's the current financial year will be \$50,000 overspend. In addition, based on the Hospital, July – September accounts, the Welfare medical expenses are projected results for 2001/2002 will be \$185,000 overspend. Total income for the first quarter exceeds total expenditure by \$29,000. Thank you Mr Acting Deputy Speaker.

MR BATES Thank you Mr Acting Deputy Speaker. It's interesting note in the figures given to us here that all our revenue ?? to budget is 90% down with Customs Duty running at 86% and other charges didn't come ?? at 63% and I



- MR NOBBS I'd just like to answer that very quickly..
- MR ACTING DEPUTY SPEAKER Thank you Mr Nobbs. Mr Brown certainly I wasn't implying that the debate was irrelevant I just believe that it is more appropriate that it be dealt with at the appropriate time when the Chief Minister has already indicated that he will have a full Statement prepared on that matter and maybe the answers may be forthcoming at that time. I think it's probably more appropriate at that time.
- MR BROWN If that's the ruling I certainly don't wish to dispute the ruling.
- MR NOBBS I don't answer it
- MR ACTING DEPUTY SPEAKER Further debate
- MR NOBBS I just wanted to
- MR ACTING DEPUTY SPEAKER Mr Nobbs
- MR NOBBS On the Paper.
- MR ACTING DEPUTY SPEAKER On the Paper.
- MR NOBBS No I have no further debate on the Paper but I take umbrage to what Mr Brown is insinuating there, that's all.
- MR ACTING DEPUTY SPEAKER Thank you Mr Nobbs. Is there any further debate on the question that the Paper be noted.

QUESTION PUT  
QUESTION AGREED

- MR ACTING DEPUTY SPEAKER Any further Papers for presentation. No further Papers. We move on to Statements.

## STATEMENTS

MR SMITH Mr Acting Deputy Speaker I'd like to make a Statement in relation to the School. South Pacific Mini Games will be held in Norfolk Island in early December as we are all well aware. Early in the discussions on the Games with the organisers the Legislative Assembly advised the Norfolk Island Central School will operate as normal during the two week period of the Games. I've had discussions with members of the P&C, Parents and Citizens Association, the School Principal and also the Teachers and some parents in relation to what had been proposed. Recently I sent a letter to the participating sporting bodies to advise that any School children who are to participate in the Games in any way would need to have approval from the parents, the School and also for the sporting body. Mr Speaker I've had at least two parents who have suggested that the School should close during the duration of the Games, one for reasons that the children of that family would not be attending School they would be going to the Games, the other one was in concern for child safety at the School. In relation the School during that period, School is in with normal School operating times, all classes will be held and we've decided that if a student at the Norfolk Island Central School is a participant actually in the Games themselves we have no argument. If there are children who have been asked to assist at some of the venues of the Games that they would need parental approval, School approval and the sporting bodies approval on the times and days that they would be at that particular event. It's also a requirement that School children will be in uniform,

where possible for a matter of identification of who is doing what during that particular time. As far as the School is concerned itself there was a concern by myself and others of course in the Legislative Assembly about child safety at the School during the Games. We were quite relieved to find that the participating event at the time will be Athletics which will be held at the oval next to the School and that will be in the second week, as I understand it from the organisers starting around 2.00pm. That takes away a bit of the concern of having a lot of people from other countries wondering around the place at that particular time. I'm assuming that things will go very very well anyway and the Games will be well organised but we're taking precautions around the School area at times when people other than those who are approved to be in the School grounds will have access at the other side of the oval. As Members may or may not be aware there is the toilets at the School which is of concern. We have a new block that's just about finished at the School which was designed for the Games as well as the School. Those will be complete. We have the two current toilet blocks which are at the School which will not be knocked down, they will be left up until after the Games. It's our intention that the athletes can use the new block and what is known as the boys toilet at the School and we will block off or fence off the girls toilets which are closer to the School building for the girls and the boys will be able to use other toilets in the School which are in the Beanshed and if necessary in the office of the School. Children who want to go to the toilet during class time will need to be accompanied by somebody to make sure that they are not wondering around in the wrong place and putting themselves at risk and of course during recess and lunch time there will be Teacher surveillance anyway. It's hoped that I can actually get other people, in fact I've had an offer this morning from one parent who has offered to help out with security at that time, to allay parents fears while the events are taking place at the School. One of the things that has been raised by one parent in particular was the safety even at the School during that period and we felt that kids are far better off being at School under the care of the Teachers which they do for the rest of the School year than them actually just wondering around the streets if they weren't at School at all, and I think that has become a fairly general view, well I certainly hope so because it's the most sensible option, but we'll be taking particular care over that time to make sure that our children are safe. Thank you Mr Speaker.

MR SPEAKER

Thank you Mr Smith. Is there a Motion or are there questions.

MR GARDNER

I move that the Statement be noted.

MR SPEAKER

The question is that the Statement be noted.

MR GARDNER

Thank you Mr Speaker. I would just like to take the opportunity as a parent with two children attending the Central School that I am comfortable with the proposed measures to put in place to ensure that safety and security of the children at School and I'd like to commend the Minister and certainly the Headmaster and those involved in making sure that they are leaving no stone unturned to ensure not only the smooth running of the Games but certainly also the safety and security of the children at School and I'm pleased to see that they've been on the front foot as far as this matter is concerned. Thank you.

MR BATES

Thank you Mr Speaker. Just a small clarification on something which I think the Minister said, I may have misunderstood what he said but I think he said that athletics would take place in the second week of the Games and that they would be starting mid-afternoon to late afternoon, but I just wonder that I should imagine that a lot of the athletes will want to train at other times. Is it intended that they not be allowed in the area or on the oval in other times for practice and training purposes, and if so what facilities are available for them to practice and train.

MR SMITH Thank you Mr Speaker. I'm happy to answer that. Yes we expect that they will be wanting to train during the other hours I guess and the surveillance will be no less during that period right from the very beginning anyway. We hope that we've got it all covered but we never know of course and in that particular case we'll do whatever we can during School hours but of course there is the after hours, after kids leave School it's then the parents responsibility as normal, and of course before School. So whatever time athletes or I shouldn't just say athletes anybody that is in that area we'll make sure that the protection is the best we can give. The other thing that I didn't add before was that we intend to make it virtually impossible for people to traverse through the School during that particular time and it's ok in normal times where we probably have a fair idea who people are but when there's a lot of other visitors who are visiting here and tramping through the School we won't have any idea who they are, so as much as possible we'll be directing people who are visiting up that area around the School grounds to the School oval.

MR BATES Thank you Mr Speaker. Just something which may be helpful and I wouldn't like people thinking, I believe that these athletes that are coming will be excellent people and I think that they will be dedicated to what they are doing with their training and that but I commend the Minister and the community for taking the precautions that they have but I don't think there should be an over reaction to that but it would be terrible if something bad did happen, but what I did want to pass on, and I'm not familiar with exactly the processes that are going to take place during these Mini Games but from my experience in past Mini Games and other Mini Games that all the Team Managers meet every morning, very early in the morning around about breakfast time which usually about 7.00am each morning. All Team Managers have a meeting and if there's anything that needs to be conveyed to Team Managers through any concerns that anybody might have that that is an opportunity to, because the Team Managers are responsible for their athletes and that is an opportunity to pass on any little thing that may be of concern to Team Managers so that they can pass that on to the people for whom are responsible and I hope that would be helpful. If the Headmaster or anybody has any concerns that that be taken directly to who ever from Norfolk Island who is chairing that meeting or is involved in that early morning meeting.

MR WALKER Thank you Mr Speaker. I'd also bring to the Minister's attention that the controlling committee has appointed a local resident as an attaché to each team so there is a local content liaising with each and every team at all times through the Games. So again there is an opportunity for communication.

MR SMITH Thank you Mr Speaker. I'd just thank the other Members for their comments and suggestions and I suppose I need to say too that I certainly am not suggesting that any of the participants in the Games at all are a danger to any of us in any way and in fact as Members will recall at the Guam Games I went to at my own expense at the time to see how the Games were run and how everybody behaved and I think everybody behaved very well from all Pacific Island Nations and I'm assuming that the same sort of thing will happen here but we're just making sure we take every precaution for our kids.

MR SPEAKER Thank you. Further debate.

QUESTION PUT  
QUESTION AGREED

MR NOBBS Thank you Mr Speaker. I would like to make a financial Statement. It's to the end of the first quarter of the current financial year, that's to 2001/2002 which I said I would make at this meeting. That's the first quarter up to the end of September. As far as the last year and I will include the last year 2000/2001 in this that as far as the last year. As it unfolded towards the end it was obvious that the

year 2000/2001 would be a good year. Whilst there was an indication throughout it was felt at the time that we'd be able to provide for funding in some areas that have been starved of funding and we'd be able to redo some of our what I believe are quite bad practices and that's one of them is to stop the spending of depreciation on things other than those for which the concept of depreciation was designed. In other words Mr Acting Deputy Speaker if a certain figure was allocated say in Telecom as depreciation on equipment it should be retained to cover the actual replacement of that equipment. The unaudited financial statements for the year 2000/2001 proved that our prediction for a good year to be so. It is unfortunate that the failure of Flight West our major carrier in June created its own problems. There was a stumble at the end of the financial year, and whilst the figures were just on \$1m, really and they are unaudited figures may I say that for the last financial year prior to that the surplus was \$551,000. The financial year before that 1998/1999 it was a deficit of \$509,000 and \$94,000 for the year for that \$70,000 what have you. So it was twice the actual surplus of last year and I say that that figure is unaudited at this stage. Just returning to what I was saying, we saw an immediate and significant impact after the Flight West demise on the ability to transport visitors to the island. Bookings were lost and the uncertainty saw cancellations. These problems were seen at the time as having a significant and possible long term impact on the island. It created real concerns as to the island's finances into the future. Additional uncertainty was caused as a result of problems being encountered by other airlines operating not only to Norfolk Island but also in our region and then of course followed the United States attack and such other issues and the failure of Ansett has led to an apparent lack of confidence in air travel. In the month of July and August indicators which were fairly readily available were quoted such as visitor arrivals and the Liquor Bond figures. These indicators for the first quarter of the financial year to date, that' 2001/2002 are as follows with the comparison to last year. The visitor numbers as Mr Smith has gone through this fairly significantly, it was down 14% on my calculations in the number of visitors and the actual days were down something like 10%. On the Bond figure side of things, the sales went from \$883,467 to \$863,271 in the current financial year and it's down only 2% at the end of September. Passenger surcharge at the airport was down 16% which equates fairly reasonable to the arrival figures. Passenger figures have improved slowly in comparison to 2000 in this quarter and 2000, bearing in mind it was quite a good year although there was, as the Minister says a bit of a down turn as far as the September in relation to the Olympic Games. It's no doubt that the additional flights put in place by Norfolk Jet Express has assisted in this regard. In addition Air New Zealand's decision to continue to service the island is most welcome. Whilst I would be the first to admit and caution that we are by no means out of the woods there is room for a little more optimism than in the period late June and July, but I reiterate we as a community are not out of the woods and I'm well aware of the concerns in some sections of the business community which are finding the current times difficult. We must monitor those specific problem areas. Mr Speaker there is an opportunity at the end of the first 3 months to look at precisely where we are heading. As a consequence I have initiated a review of the Administration's budget which comprises the Revenue Fund and Government Business Enterprises. This is currently under way and I'm aware of the pressures on the Finance unit at this time with finalisation of the 2000/2001 financial statements and the visit of the Auditors. Whilst I was hoping the review would be completed in time for this meeting I'm assured that it will be completed by the 9<sup>th</sup> of November. Such a review is also extremely important as we move into the next quarter which is the budget review. Members are aware of my views that we must have a review for the current years budget and that revised budget able to be put in place at the half way mark of the financial year, that is at the end of the second quarter. Waiting until February or March is far too late and interferes with the budget process for the next financial year, that is in this case 2002/2003 which must be well under way by that time. Currently the Service is reassessing all income streams. From this assessment all current and proposed expenditure categories approved in the original budget for 2001/2002 will be closely scrutinised. It is anticipated at this stage there will probably be a significant reduction in the original income estimates, possibly as high as \$500,000 in

the Revenue Fund. Such a reduction is in my opinion manageable, provided we take adequate measures and do it relatively early. As a result the Service is closely monitoring its expenditure to a degree greater than in the past. A revised monitoring system has been developed to assist in this regard. In some cases there will be a need to postpone projects until the situation improves. Specific expenditure such as that related to Consultancies has been marked for special consideration. On the expenditure side one specific area of concern relates to Welfare expenditure. This area will require attention. In summary after an excellent result in 2002/2001 problems beyond the Government's control has impacted negatively on the first quarter of the current financial year. The Government is monitoring the impact on the community, I'm confident that the Government finances can and are being managed to take account of the current situations. I will have more specific details for Members following completion of the current review due for completion by 9 November. Just in response what was said a couple of minutes ago by Mr Brown. When I received this information on Thursday evening in relation to the financial statements I believe that the community needed to know straight away that we were not in a serious financial position, that we were in a relatively reasonable position. I don't say it's relatively good bearing in mind that we have a lot of concerns and I've spoken of these in relation to infrastructure and we've also got concerns in relation to the general use of depreciation funds other than on depreciation. It was not considered to be, I never even thought of it being anything to do with the Referendum today and I'm quite surprised that Mr Brown even thought of that. I thought it was just a means of advising the community that this was the situation where the unaudited figures which were to go to the Auditors this week, simple as that. Thank you Mr Acting Deputy Speaker.

MR BATES

Could I move that that Statement be noted.

MR ACTING DEPUTY SPEAKER

The question is that the Statement be noted.

MR BATES

Thank you Mr Acting Deputy Speaker. Mr Nobbs in his Statement gave us quite a lot of information on what has happened in the last quarter and what he's planning to do in the future and I think that's good but Members must realise that he has the rest of us at a very clear disadvantage because we haven't seen this great result from last year or I'm pretty sure Members haven't seen them, and yet he's gone on the radio telling the people of the great result before he even tells us, and I find that quite concerning really, because well I just don't know what's brought about this surplus. I don't know how much revenue has exceeded the budgeted figure, and I don't know how much expenditure and it accruals have fallen short of the budgeted figure, so I'm really at a complete disadvantage to comment on whether this has been good or whether it hasn't been good, because if a fair part of that is simply that expenditure is under budget then that's not very good at all really. That comes back to what I said about the areas of neglect and Mr Nobbs is saying how marvelous things are when perhaps we've neglected to get on with certain things in the community which would have reduced the surplus, but I don't want to say too much about that. I trust the Minister will give us the opportunity in due course to debate the full financial results of the financial year and just not table them in the House without giving us time to read them through and consider them and make up our opinion, and especially before he goes patting himself on the back and telling the community what a great thing has happened. Thank you Mr Acting Deputy Speaker.

MR SMITH

Thank you Mr Acting Deputy Speaker. I'm more satisfied now that I've heard the Chief Minister's reply in relation to what I'd asked a little earlier. I wasn't trying to stir up any descent among Members, it was a question, but he's made me realise that of course this is our first result under the accrual system and I'd completely forgotten about that because you've obviously taken into account the depreciation and stocks and things like that which in some cases never used to show up in the Revenue Fund but if from what your saying the result has turned out to be very

good then I appreciate the fact that you recognise my last financial years as the Minister for Finance was also a reasonably good year where we ended up with a result of \$.5m in the previous financial year. I'm just saying now that I'm satisfied now that I understand what Mr Nobbs is talking about, the fact that he has the information at his fingertips does help. I won't suggest that we should look at making a comparison on the cash basis like we used to because all in all it does sound like that is a good result. The only comment I would make is that I do recall some years back, I think Mike King was the Minister when we actually ended up with a surplus of \$1.8m I think in one year, I think that was a kind of a record. Just a comment I wanted to make in relation to that. Thank you Mr Acting Deputy Speaker.

MR BROWN Mr Acting Deputy Speaker each month we receive quite a helpful paper, being the Monthly Financial Indicators. At the end of June those Financial Indicators didn't indicate that there had been a \$1m surplus and it certainly will be interesting to find out how it has come about that the figure given to us at the end of June has now turned into \$1m surplus, but we need to be very careful because as has just been said this is the first full year of accrual accounting and there may well be some very significant differences brought about purely as one off differences due to the introduction of accrual accounting. Now it really is distressing to me that we have not been provided with this information, that it has been conveyed to the community in the hope, and the Chief Minister has acknowledged this, in the hope that the community will see that things aren't too bad after all. Well I'll look forward to seeing them because it's quite possible that when the Auditors get to see the accounts they will feel that some comment should be made about things such as one off effects due to introduction of accrual accounting, and it may well be that the story as portrayed by those Financial Statements in the end is something far closer to what we understood the position was when we saw the June Monthly Financial Indicators. It's a very disturbing thing to have the Chief Minister convey the results of unaudited Financial Statements which have not been shown to any of the other Members, to the community in the way that he did. Thank you.

MR ACTING DEPUTY SPEAKER Thank you. Further debate. I put the question.

QUESTION PUT  
QUESTION AGREED

MR NOBBS I'd just like to record a Statement Mr Acting Deputy Speaker to formalize the reporting system. I understand of a formal visit of Premier Beattie recently and if gentlemen will bear with me as they were involved in it I will record it if I may please. In October 2000 I wrote to Premier Beattie inviting him to visit Norfolk Island and the reasons were that Brisbane is our closest Australian capital city, both our Australian links at that time emanated from Queensland. Shipping from Yamba gave access to Queensland suppliers and marketers. Education, TAFE, medical services etc were being utilized by islanders and there was an opportunity to form useful links with the State Government. After several on and off efforts the premier arrived on the 11<sup>th</sup> of October 2001 with his wife and two officials. The first day was taken up with a tour of the island, a reception hosted by the Queensland Government and a dinner hosted by the Legislative Assembly Members. On Friday the 12<sup>th</sup> the Premier gave a radio talk, met formerly with the Legislative Assembly whilst Mrs Beattie visited the Hospital. Later they were hosted at lunch by the Administrator and they departed back to Brisbane in the early afternoon. Issues discussed at the meeting of Assembly Members were as follows. In relation to tourism the possibility of links as an add on experience to Queensland international visitors were suggested as an area where Queensland may assist. A link is proposed to the proposed, tour ships, Queensland's tour ship programme was also suggested and the premier is keen to see Flight West back in the air. These issues are being followed up as I understand. In E-health as both the Queensland Government and Norfolk Island Government are progressing E-health a

co-operative approach could see benefits to both our Governments. Also on health, Norfolk Island currently is agreeing with NSW to provide health services at what can be called contracted prices. Such arrangements have never been extended to Queensland and preliminary discussions were entered into as to Queensland becoming a contracted provider. There were some issues related to gaming, the regulation regime of gaming which were discussed, which if implemented could be a benefit to both Governments. Further discussions will be required. Further Mr Acting Deputy Speaker there has been long term belief by some members of the community that because of our particular needs related to insurance that the community should in fact establish its own insurance provider. The proposal for the island to extend into specific areas of insurance such as third party and superannuation suggests there is a need to explore how best to provide such services. A government insurance office has been touted as an option and thus the experience of other Governments is essential. Whilst the previous Queensland Government has sold the Queensland GIO the opportunity to explore the experiences of that organisation was offered by the premier. Officer secondment, particularly involving Public Servants is an integral part of any training programme, particularly those wishing to attain management level within our Service. The Premier was supportive of any proposal to formalise such a scheme. Apprenticeship training in the form of an island wide apprenticeship scheme proposed and this it was important to forward some formal links with Queensland as the scheme is developed. There is agreement for this to happen. Finally Mr Acting Deputy Speaker the Queensland Government aims to get smarter and the Premier enthusiastically outlined his Government's aims to get smarter in all they do and the emphasis is on education and training. He spoke not only of the school system of apprenticeship training in TAFE's but also of University Research Projects and those Research Projects being supported. An offer was made to assist in education and training where possible as well as any research projects we may be interested in. I think that he was more than keen to forge a link with the school. Basically Mr Acting Deputy Speaker the visit was a touch and feel trip and I am personally satisfied with the results of the initial contact which were extremely positive and will if progressed be of benefit to the Island, thank you

MR BUFFETT

Thank you Mr Acting Deputy Speaker. Two Statements if I may. Firstly could I just mention to Honourable Members that last week I had discussion with the Australian Minister for Immigration the Hon. Philip Ruddock to reinforce our arrangements in respect of any unauthorised entry into Norfolk Island by other than Australian or New Zealand nationals. These discussions were of course in light of increasing illegal entries surrounding Australia. Our discussions continue to keep abreast of any developments that may have any flow on effect in Norfolk Island.

Could I make a Statement also in respect of the South Pacific Mini Games. Members here in the community will remember that I did undertake to keep everyone informed as to the progress towards the hosting by Norfolk Island of the South Pacific Mini Games in December and I am pleased to provide this current update. There are just over five weeks left, that is, forty days before the opening ceremony of the South Pacific Mini Games and all those involved in the organisation of the games are well into their final preparations. I am very pleased to confirm that the sanctions against Fiji have been lifted and therefore Fijian athletes will be able to participate in the games. The organising committee has provided the following details to me as to the countries and the number of athletes and officials currently expected to visit here.

American Samoa 21, Cook Islands 64, Federated States of Micronesia 6, Fiji 103, Guam 39, Kiribati 24, Nauru 20, New Caledonia 124 – and that appears at this stage to be the largest contingent – Nuie 37, Northern Marianas 16, Palau 12, Papua New Guinea 104, Samoa 77, Solomon's 40, Tahiti 75, Tonga 62, Vanuatu 48 and Wallace and Fortuna 6. There are additionally expected to be about 80 athletes who will be representing Norfolk Island Mr Acting Deputy Speaker in various sports and the sporting groups are still in the process of finalising their selection in the Norfolk Island context. Those figures give us an expected 743 visiting athletes and some 135 officials. Whilst I have previously

mentioned archery and the triathlon will be competed during the games you may be interested to know that this is the first time these two sports have been included in the South Pacific Mini Games. A website for information relating to the South Pacific Mini Games has been established and can be accessed on [www.southpacificminigame.nlk.nf](http://www.southpacificminigame.nlk.nf). The home page for the site is an attractive site I've got to say and has links to all of the participating countries, sporting events and to the Norfolk Island Government and the website will be updated with Games results during the games and I urge people to have a look at the website for updating information on the games. The member of the organising committee with responsibility for accommodation, Mrs Joy Evans, has reported that all athletes have been allocated accommodation in registered accommodation houses. As I mentioned to you previously Mr Bruce Walker, one of our colleagues undertakes the challenging task of organising the opening and closing ceremonies. Mr Walker and his assistants are now at the stage of adding the final touches to the programme for these ceremonies. The opening ceremony depicts a clear accent on youth involving students in the cultural display, trouping and raising of the games flags by the Norfolk Island Cadets and the torch relay being run by promising young Norfolk Island athletes of the future. Mrs Wellham at the school is working diligently with the students their to fine tune what promises to be an exciting and entertaining cultural display and I've been assured that before the 3<sup>rd</sup> December, that is the opening day, details of the opening ceremony including a programme of events and a map of areas designated for public parking and the like will be circulated to the general public. Mr Kevin Gosper who is the International Vice President of the International Olympic Committee will be in attendance for the opening ceremony and also here will be media from around the South Pacific including film crews, journalists and mainland radio station announcers. The opening ceremony promises to be a major event in our Island's history and I do encourage everyone who is able to join us at the Kingston Oval from 2.30 pm on Monday 3<sup>rd</sup> December when Norfolk Island goes on display to the rest of the South Pacific. Mr Brian Minican who is the Sports Coordinator for the Oceania National Olympic Committee visited the Island here last week. Mr Minican will be returning to assist with logistics during the Mini Games but took time out on this trip to inspect the local facilities and he has made significant compliments to the local sporting clubs for their work preparing their venues and also to the members of the organising committee for their efforts to date. I would also like to compliment those involved in the preparation of the games and to encourage everyone who wants to join in, to do so by contacting any member of the organising committee or Glen Robinson in his role as Liaison Officer, thank you

ACTING DEPUTY SPEAKER Thank you Mr Buffett. Are there any further Statements of an official nature Honourable Members

### **MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR – NO 23**

Honourable Members I report a message from the Office of the Administrator and it is message No 23 which states that His Honour the Administrator declared his assent to the Employment (Public Holidays) Amendment Act 2001 which is Act No 12 of 2001 and that message is dated the 3<sup>rd</sup> October 2001 and signed A J Messner, Administrator

### **REPORTS OF STANDING COMMITTEES**

Honourable Members there are no Reports of Standing Committees that I am aware of. I understand that Mr Walker has indicated that at the next meeting of the Legislative Assembly he will be presenting a report of his Committee's Inquiry into the Deregulation of Tourism but now, we move on to Notices

**NOTICES****SUSPENSION OF SITTING OF THE HOUSE**

**MR BROWN** Mr Acting Deputy Speaker I move that the House suspend its meeting until 10 am on Thursday 25 October 2001. Mr Acting Deputy Speaker a referendum is to be held today. The question of that referendum is whether a new election is to be held at the earliest convenient date for the full membership of the Legislative Assembly. That would in effect, if that referendum is in the affirmative, be a vote of no confidence from the community in this Legislative Assembly. While that referendum is being held I suggest to members that it is inappropriate for us to make any further decisions as Legislative Assembly members and that the appropriate course is for us to suspend this meeting until 10.00 am tomorrow. At that time, if the referendum has had an affirmative result it will be our task to recommend to His Honour the Administrator that an election be held as soon as possible. If the referendum result has been negative it will be our task to get on with the job but we should in my view await the outcome of the referendum before taking this meeting any further

**MR McCOY** Thank you Mr Acting Deputy Speaker I can see what Mr Brown is trying to achieve here by awaiting the outcome of the referendum and he has based his discussion on if the outcome is in the affirmative then we request the Administrator to call fresh elections as soon as possible, but on the other side if the outcome of the referendum is a no, and the community is saying that the Legislative Assembly should carry on with the business and complete the mandate that we have been given by the community then we've wasted time and I believe we should continue with the Legislative Assembly meeting today and if there is a definite yes that we have new elections, Norfolk Island is only a small place and the members can quickly be called together to recommend to the Administrator when the election should be called so I don't support a suspension of the meeting today. I believe we should continue on and await the outcome of the referendum

**MR BUFFETT** Thank you Mr Acting Deputy Speaker. I understand the reasoning, and Mr Brown has explained his reasoning for this motion to be brought forward and I have no difficulty in it being brought forward. My view about it at this moment is that in the reference as to where we might go as a result of today is the prospect of a general election. That is yet to be determined by today's activity and once that is determined then we can action accordingly, but until that happens I think we have a responsibility to go about the business of the day. Let me just go on from that. If in fact the community says to us that they would not want us to continue, then there may be a view that we need to down tools and cease forthwith. I think we need to bear in mind that a responsible process would be that in lieu of adopting that attitude we would need to assess the business that is in front of us and whether it is a matter of matters that needed to be attended to or matters that indeed should wait until there is another electoral process so I don't think that it is a matter of just stopping forthwith. I think it is a matter of assessing the matters that are in front of us and whether they are essential to be decided upon at the time or whether in the fullness of evaluation it is better to wait until a new arrangement is in place. I'm not convinced that we need to suspend everything at this moment and so I will not be supporting this motion

**MR SMITH** Thank you Mr Acting Deputy Speaker I understand also where Mr Brown is coming from with his motion here but I also look to the wisdom of the Speaker and his words as our longest term member of the Legislative Assembly. I think he is quite right that if we do look at what business is left on the paper for today I myself have three pieces of legislation that have been held over and they really are at the point where they do need to be dealt with, particularly the Employment No 3 Bill because that whole piece of legislation has been sitting over for quite some time, in fact from the previous Legislative Assembly and I was hoping that we could

bring it to finality today so I would not object to having a suspension of the sitting at the end of the sitting if Mr Brown was so inclined to think about that, if we were to come back and consider what the referendum says tomorrow. Mind you, we can do that simply whatever the results of the referendum by petitioning the Administrator to call a sitting of the House so I'm not fussed either way with that but I would really like to get on with the business that is on the Programme today and bring that to finality one way or another

MR NOBBS Thank you Mr Acting Deputy Speaker I'm one that likes to deal with one issue at a time and today we are meeting here and it is certain we have a notice paper, whether those issues are dealt with to finality or not is really irrelevant. The situation is that they should be dealt with today and pending the result of the referendum that we can meet again very quickly and whether it's to go to the polls or not, if no has a resounding victory there may be those who would also wish to call the Legislative Assembly together to discuss the ramifications of that particular vote, not just for a yes vote so Mr Acting Deputy Speaker I don't support the motion and I suggest we get on with it

MR BATES Thank you Mr Acting Deputy Speaker, I too think it should be business as usual until we know the result of the referendum

ACTING DEPUTY SPEAKER Thank you Mr Bates. Any further debate? Then I put the question Honourable Members that the House suspend its meeting until 10.00 am on Thursday, 25 October 2001

Would the Clerk please call the House

MR BUFFETT	NO
MR NOBBS	NO
MR BATES	NO
MR McCOY	NO
MR GARDNER	NO
MR WALKER	NO
MR SMITH	NO
MR BROWN	AYE

The result of voting Honourable Members the ayes one the noes seven, the noes have it

#### **VARIATION TO TERMS AND CONDITIONS OF APPOINTMENT OF THE ACTING CLERK TO THE LEGISLATIVE ASSEMBLY**

MR BUFFETT Thank you Mr Acting Deputy Speaker. I move that in accordance with the requirements of the Public Sector Management Act 2000 whereby a person holding the position of Clerk or of Acting Clerk to the Legislative Assembly is excluded from employment in the Public Service, this House recommends that the Speaker determine the terms and conditions of appointment of the Acting Clerk shall be equivalent to those of the Clerk while acting in that capacity, or performing any of the powers, functions and duties, as Acting Clerk determined by the Speaker. Mr Acting Deputy Speaker this motion is really to provide that the Deputy Clerk when performing duties as Clerk is paid the same salary range as the Clerk. Up until very recently this is really exactly what happened but we now have of recent times the Public Sector Management Act and that Act excludes the Clerk and the Deputy Clerk from the Public Service provisions and legislation. The Deputy Clerk under the present determination as Deputy Clerk calls upon her Public Service provisions and this is no longer practical under that piece of legislation. This motion before you allows the Speaker to make an update determination to continue the arrangements that really have been in place for some years. That determination was made in 1994 and so it has been

in place from then until these provisions here have made it not practical to proceed under that arrangement. I mention that because I want to emphasize that this is not a proposal for a new arrangement. It's a proposal given those things that have happened of recent times to update the determination and I explain it to you in that context and seek your support that I might be able to tidy the matter

MR SMITH Thank you Mr Acting Deputy Speaker I support this motion because it is something that obviously was overlooked when we did the Public Sector Management Act and if it tidies that up I would be very happy

MR NOBBS Thank you Mr Acting Deputy Speaker I also support it. As Mr Smith said it was an issue that was overlooked at the time and needs clarification thank you

ACTING DEPUTY SPEAKER Thank you Mr Nobbs. Any further debate? Then I put the question Honourable Members

QUESTION PUT  
AGREED

That motion is agreed thank you

#### **NORFOLK ISLAND BROADCASTING AUTHORITY ACT 2001 - APPOINTMENT OF MEMBERS TO NORFOLK ISLAND BROADCASTING AUTHORITY**

Mr Smith you have indicated that you wish to seek leave to introduce into the House a motion for the appointment of members to the Norfolk Island Broadcasting Authority

MR SMITH Thank you Mr Acting Deputy Speaker I seek leave to move a motion earlier circulated to members re the appointment of members to the Norfolk Island Broadcasting Authority

ACTING DEPUTY SPEAKER Is leave granted Honourable Members? Leave is granted

MR SMITH Thank you Mr Acting Deputy Speaker I move that for the purposes of paragraph 7(2)(c) of the Norfolk Island Broadcasting Authority Act 2001 the Legislative Assembly approves the appointment of the following persons nominated by the executive member to the Norfolk Island Broadcasting Authority:

a) David Robert Gerard Evans for the period 25 October 2001 to 24 October 2004

b) Ronald William Miles for the period 25 October 2001 to 24 October 2002

Mr Acting Deputy Speaker when we set up the Broadcasting Authority some months ago one of the requirements was to actually appoint members to it. We ran advertisements in the papers and via the Internet to get interested persons to apply for the position on the Authority. I had hoped that we would have had this done at the last sitting but it's been left over to this particular one and we have two members. We still need other members but at least the Authority can start to operate which it needs to do and I thank those people who have put their names forward to do this. It's not one of those Authorities like the Planning Board where there's hours and hours of work to be put into it. I don't see that it will meet all that often but I still thank those people for putting their names forward

MR BUFFETT Thank you Mr Acting Deputy Speaker. I think those names are good choices and I'm happy to endorse it

ACTING DEPUTY SPEAKER Thank you Mr Buffett. Any further debate? Then I put the question

QUESTION PUT  
AGREED

That motion is so agreed

Honourable Members we have dispensed with Notices this morning and we move on to Orders of the Day

**ORDERS OF THE DAY****TOURIST ACCOMMODATION (REGISTRATION AND QUOTA) AMENDMENT(NO. 2)  
BILL 2001**

(Mr Brown absented himself from the Chamber during debate on this issue)

ACTING DEPUTY SPEAKER                      This motion is in your name Mr Smith

MR SMITH                                      Thank you Mr Acting Deputy Speaker. I introduce this amendment as I said I would at the February Sitting of the House to accommodate two properties who at the last minute were omitted from the quota of tourist accommodation. I could have made that amendment at the time as members will recall but felt that it would not be appropriate as in my own view the owners were colleagues of ours. One relates to a member of the Legislative Assembly and the other relates to a member of the Public Service. I had intended that it would be introduced sooner this year but you will all realise why this has not happened with the changes in the legal drafting area over the past months. This Bill seeks to insert a category into the Tourist Accommodation Registration and Quota Amendment Bill. It will satisfy the needs of the properties omitted at that time. It will also therefore adjust the quota and I know some members were keen to have this progressed at the February sitting but I now look forward to having support to complete this package and I flag Mr Acting Deputy Speaker that I have a detail stage amendment that I would like to introduce at the appropriate time

ACTING DEPUTY SPEAKER                      Thank you Mr Smith. Just to remind members that we are resuming on this question from the 15<sup>th</sup> August on the question that the Bill be agreed to in principal. Is there further debate on the matter Honourable Members

MR McCOY                                      Thank you Mr Acting Deputy Speaker. You may recall from the previous debate on this issue back in February that I couldn't support the inclusion of the two extra properties which would result in another I believe some twenty units being constructed and I couldn't support that on the basis that even though the properties had lodged and paid their fee for their conditional registration, that process had not been completed and I am a little surprised that the Minister has now come back and tried to introduce a Bill to include these two properties because simply, in the February debate Mr Walker tried to introduce an amendment which would pick up the two properties and the reason why I say that I am surprised that the Minister has now come back, is that the Minister didn't support Mr Walker's amendment at that time which now I believe in some way the Minister is trying to achieve what Mr Walker sought to achieve back in February and clearly the Minister said that they were not conditionally registered at that time and that's where we drew the line in the sand was that all of the conditionally registered units and all of the applicants who had planning approval were picked up and so just looking at the Hansard at that time, that is the reason why I say that I am surprised because the Minister couldn't support Mr Walker's motion back then and now he's coming in to try and include these properties. But the other interesting thing is the Tourist Accommodation Registration and Quota Amendment Bill which we

passed back in February set a specific onus on the Administration to do certain things prior to increasing the quota and I'm not aware that these things have occurred and that is that they would take into account and I shall read from the Bill which became the Act "Section 8 and the fixing of the quota – 8(1)© in making a resolution under this section the Legislative Assembly shall not fix a maximum number of accommodation units which would at the time of making the resolution be less than the same of the number of registered constructed and operating tourist accommodation units and the number of registered tourist accommodation units granted and in force under subsection 7(4)(a) in respect of which an application for Planning Approval under the Planning Act 1996 has been granted and is current and has not lapsed – and it goes on – and shall have regard to the number of tourist accommodation units which are at that time, registered constructed and in operation, registered under subsection 7(4)(a) and not in operation for which Planning Approval has been obtained under the Planning Act. That's where I indicated before, we drew the line in the sand. But the legislation goes on to say, and this is where I say it puts onus on the Administration to do certain things and that is, the impact which those units mention in 3 and 4 above may have on the environment, community infrastructure and resources. The development and implementation of the Norfolk Island Plan under the Planning Act or any other matter which the Legislative Assembly reasonably considers relevant. I don't recall that the Legislative Assembly has given these in particular the environment, the community infrastructure and resources any consideration in looking at increasing the quota which is what we are attempting to do today. To increase the quota. You might also recall back in February a petition was presented to this House that had 833 signatures on it and those persons in the community asked the Legislative Assembly to put a halt to any further tourist accommodation development on Norfolk Island until all the environment and infrastructure issues had been considered so I just wonder if what is being attempted today is really legal under the legislation that we passed in February thank you

MR SMITH

Thank you Mr Acting Deputy Speaker I thank Mr McCoy for raising the things that he has in relation to what we had in the original Act because those things all applied to these particular two properties. In fact these properties were included until the last minute and in fact it was my own doing that removed them because I felt that when dealing with it at that particular time it would seem to be wrong and I don't like to do things in the House that are seen to be wrong and I said at the time that I would consider what was put to me in Mr Walker's amendment which was to include them at the time but I was very happy to bring back an amendment as soon as I could after that time. These two properties were considered in the quota, the original quota was 619 or whatever it was, the properties had been advertised in the gazette with the total list of properties which were to be included in the tourist accommodation quota, we were all well aware of that, nobody kicked up about it, I was the one who raised it. I could have shut my mouth and said nothing and it wouldn't have mattered and we would have passed it all anyway but I had said that I would bring it forward at a later date which is what I'm doing now. I assume that we all still have the same view that we had on the day that we passed the original legislation about the things that Mr McCoy is talking about and I assume that we still have that same view. If we don't then possibly we need to revisit the whole quota because these properties were included at that time. If I had taken the amendment that had been proposed at that last sitting there wouldn't have been any difference but it was me who wanted to hold it off and deal with it publicly at a different time to show that we weren't creating any issues that might be criticized and that's what this motion is about. It's putting it back into place as it would have on the day in February of early this year and I recommend that members do support me with this particular Bill as we talked about in the February sitting, thank you

MR NOBBS

Thank you Mr Acting Deputy Speaker. I'm a bit concerned about this because at the time we passed the amendment the understanding was that there would be two counts. We would look at and include in the quota those

which had both planning approval and also conditional registration. At the last day we were advised by a public servant that there was some consideration revisited and it was found that there were a couple of accommodation unit registrations that had not been completed and therefore they were dropped out of it and I find it quite difficult to understand that if we pass something one minute and then say oh well, it's not really legal. Well I thought that if a decision was made in this House that that would be it but apparently it's not. I'm really confused on this. We keep getting all these different amendments and we've had one which was dropped off to me last night because I've had concerns about this whole issue and had sought additional legal advice in relation to this and I find it quite difficult now to understand where we are actually going with this and for that reason alone, and it's not the only reason, but I won't be supporting this if we go to a vote on this right now. We have a new amendment put before us today, a detail stage amendment and the issue is, I believe, quite significant, thank you

MR WALKER Thank you Mr Acting Deputy Speaker I too am a little perplexed by this. It is retrospective legislation which I don't think is entirely appropriate. The Legislative Assembly debated furiously at the time that a quota be drawn in the sand. Quite an amount of informal and formal debate took place at that time and a vote was then put that the quota would only be determined again under strict conditions and so therefore to change the quota amount which has been put into legislation there are quite some steps which have to be taken and here we are going over the top of all those steps trying to put in retrospective legislation which changes the quota number back to something that was not what we debated at the time. I understand that my amendment was to include more properties than are currently in the quota but there was actually more than just these two properties so we are being selective here and taken two of the properties of I think another six or seven which in turn have been left out. The way in which we argued when I put forward my amendment was that we drew the line in the sand in a different place and that different place included not only these two properties but six or seven others. Here we are being selective and taking just two and putting them back with a piece of retrospective legislation which jumps over all of those conditions we've put in under which the Assembly or the executive member can change the quota. Mr Speaker I'm of two minds here as to whether I can support this on that basis

MR SMITH Thank you Mr Acting Deputy Speaker I just need to clarify what Mr Walker has just said. When he is referring to other properties other than the two here, he is incorrect. These two properties fitted into the category at the time with planning approval where other properties that he is referring to, did not. I'm surprised that Mr Walker is now not showing a lot of support for this motion when his amendment was exactly the same thing. The only reason it didn't happen, and I'll reiterate that Mr Acting Deputy Speaker that I could have accepted it at that time and it would have passed but I didn't feel that it was appropriate because of the reasons I said before. I said that I would bring it forward at a later sitting but due to drafting problems it has extended on to this point in time which also brings me to a comment the Chief Minister made about the amendment we have before us. Part of the amendment is because it's taken this long because we haven't had any drafting and we've had to put a transitional piece in there so that after the 31<sup>st</sup> July if the next piece of legislation which is next on the programme doesn't pass then there needs to be a transition because of this time frame that's gone by. There's nothing unusual about what we are doing here. It was what was talked about in February and it was included in the total quota. As a result of the Petition that was mentioned around the table here a little while ago we did certain things and we said okay, we'll draw that line in the sand and it will be underneath all these properties and it's the ones that are in the quota now and included these other two. There was no difficulty with that at the time because members were supportive of the motion that we were dealing with and if I had said nothing, as I said before they would have been included anyway but maybe it doesn't pay to do things that way some times but I'm a bit surprised that members are saying that this is something different again

because it's not. It's retrospective all right but it was going to be from the day that I said I would do it at a later date. It would bring those properties back in and I really still recommend to my colleagues that they support this motion

ACTING DEPUTY SPEAKER Honourable Members the question before us is that the Bill be agreed to in principle. Is there any further debate, then I put the question

Would the Clerk please call the House

MR BUFFETT	NO
MR NOBBS	NO
MR BATES	ABSTAIN
MR McCOY	NO
MR GARDNER	AYE
MR WALKER	NO
MR SMITH	AYE

The result of voting Honourable Members the ayes two the noes four with one abstention, the Bill is defeated

### **TOURIST ACCOMMODATION (QUOTA ADMINISTRATION) AMENDMENT BILL 2001**

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

MR SMITH Thank you Mr Acting Deputy Speaker. This is the Tourist Accommodation (Quota Administration) Amendment Bill which removes the conditional registration provisions out of the Tourist Accommodation Act and it is all now dealt with under the Planning Act. This was already introduced Mr Acting Deputy Speaker and this is just the time when we need to approve it and I hope that members look favourably on this amendment because the other part of this has already been done under the Planning Act by Mr McCoy at a previous sitting and I commend the Bill once again

MR McCOY Thank you Mr Acting Deputy Speaker I support this Bill. It simply puts in place exactly the mechanism that is required under the tourist accommodation Act and that is it allows the Legislative Assembly and the Administration to do the things that I mentioned before and that is, examine the ability of infrastructure and the acceptance of the community before we increase the quota for tourist accommodation on Norfolk Island thank you

MR WALKER Thank you Mr Acting Deputy Speaker I support the Bill also. I moved a motion previously that was to achieve this end in both the Planning Act and the tourist accommodation Act and it takes away some of the confusion in relation to applications for tourist accommodation before the Planning Board and I would recommend that members support this Bill

ACTING DEPUTY SPEAKER Thank you Mr Walker. Any further debate? Then I put the question that the Bill be agreed to in principle

QUESTION PUT  
 AGREED  
 MR BROWN ABSTAINED

The Bill is agreed to in principle. Is it the wish of the House to dispense with the detail stage Honourable Members. That being so Mr Smith it is your call

MR SMITH  
that the Bill be agreed to

Thank you Mr Acting Deputy Speaker I move

ACTING DEPUTY SPEAKER  
Then I put the question that the Bill be agreed to

Thank you Mr Smith. Any further debate?

QUESTION PUT  
AGREED  
MR BROWN ABSTAINED

The ayes have it and that Bill is agreed to

### **EMPLOYMENT AMENDMENT (NO. 3) BILL 2000**

We resume debate Honourable Members from the 26<sup>th</sup> September 2001 at the detail stage on the question that the detail stage amendment No. 3 as proposed by Mr Walker be agreed to and Mr Smith you have the call to resume. However I understand that Mr Walker has indicated his intention to seek leave to withdraw the amendment before us in favour of the amendment foreshadowed by Mr Smith in the terms circulated to members this morning. I also understand that Mr Walker is proposing a further amendment to the bill in the terms circulated to members this morning and insofar as leave is required for Mr Smith and Mr Walker to proceed with their amendments leave of the Chair is granted. How would you like to handle this Mr Smith and Mr Walker as to who is to resume

MR SMITH  
Mr Acting Deputy Speaker this Bill has been in the House for some time, introduced in December, we didn't meet again until February. At the February meeting I'd been requested that more information was needed. We looked at it again in March, obviously did more public consultation at the time. I was not at the April meeting. By the time we got to May and June we didn't have anybody to do any drafting so it has taken a little while to get to this particular stage. My original amendment proposed to do only 3 things to the previous 2 amendments that Mr Robertson had put in place. My proposals were to adjust the minimum hourly rate which is called the minimum wage in the Act. It was to put in place once again the overtime provision as a requirement for people who work more than the statutory week which is 40 hours and there has been much debate within the community, particularly in the business sector, between myself, between other Members obviously as well in relation to what I had proposed. There has been some really good debate, there has been some very good letters that I have received from employers putting their case from the employers point of view and reasons why certain things shouldn't happen and in some cases with those I've been convinced that we need to be careful what we do with the Employment Act so as not to create unemployment in areas that we wouldn't like to unemployment in particularly in the area of apprenticeships and young people who are working if we weren't careful how we dealt with the Act. To the stage Mr Acting Deputy Speaker where I have opposed an amendment today which is the final word on this particular amendment where I concur with some of the employers views that the minimum was should not be set to a point where we'd actually cause unemployment and I have thought long and hard about that, I've argued strongly that what we had proposed in the early days was \$9 with a six months later increase to \$10 which would have happened earlier this year, and I've argued strongly that that is how we should go. However I'm not that silly that I don't take account of what people are saying and at a Members meeting on Monday I suggested that we look at \$9 and with debate with the Members on Monday there was obviously still some things that needed to be corrected. So I've taken a view which is the detail stage amendment which we'll be talking about or I'll be asking to put in which will make the minimum wage \$8.50 per hour which is about where it would have been with Mr Robertson's amendment. He proposed \$7.70 when that was being discussed almost 2 years ago and with the increase in the RPI up to this

time it would be somewhere around that figure anyway and as this is probably the last time this will get dealt with for another year or so any difference in that would be accounted for. Mr Robertson had put in a thing in his amendment Act which has become an Act that would be tied to the minimum hourly rate would be tied to the RPI. That had caused some concern amongst employers and also some Members of the Assembly where the minimum hourly rate would be adjusted automatically with the RPI and I've been given good reasons why that, probably is not the best way to deal with it. In fact I had a call from Mr Robertson the Minister who introduced it in the first place to say that even he'd changed his mind on using the RPI as the calculation for the minimum wage. I'm quite happy with doing away with that at this particular point and I've done so in my amendment but I have still left some the matters relating to the overtime provision. I felt that what I had proposed here the minimum wage is \$8.50 instead of \$9 or \$10 that the overtime difficulty won't be quite so difficult for most employers. So all around I think what I'm proposing here will satisfy or won't make everybody happy but at least it will satisfy employers, employees and any other interested persons like Members of the Assembly. I also need to add that I'd forgotten and Mr Walker reminded me that we'd actually put as part of his amendment we'd agreed, we'd actually have a provision where conditions and requirements for the employment of apprentices and trainees can be prescribed by regulation which may not be in compliance with this particular Act and I'm really pleased that we did actually do that because that means that we won't be putting apprentices on to what may be a higher wage just instantly and cause some difficulty with their apprenticeships. So that's something that we need to do further down the track, not too far away, is put in a regulation that will tie it to something like the Mainland status for apprenticeship wages which is a very sensible thing to do. So that's what I'm proposing Mr Acting Deputy Speaker that we get to this amendment and we'll agree to delete the clauses that I've talked about but add in the minimum rate as being \$8-50 per hour. Thank you.

MR NOBBS

Thank you Mr Acting Deputy Speaker. Just something, this has been around for some considerable time and I think that the minimum wage at the present time and please correct me Mr Smith if I'm wrong is about \$7 and it's been in since about 1995 I think. I don't want to speak at this stage on the exact wage that should be the hourly rate that should be provided but I think that we need to get away from this type of consideration of wage increases and they are a wage increase whether it's a minimum wage or it's a basic wage or it's a living wage or whatever you call it. In other areas I mean we're just going through the process now with the Public Service and we went through it in Mr Smith's time a few years ago where it went to a tribunal. I mean what we are sitting around here most of us at one time or another are employees and others and some of us at other times are employers or most of us are in that, so there is a considerable conflict. I believe that we should aim to set up a process where these sort of issues are taken out of the political arena and are dealt with under a system where you can then look at productivity and those sorts of issues instead of looking at a basic principle of which should be \$7, should be \$7-70, we had \$10 at one stage and it's been all over the place. It just seems to be at the whims and fancies of the Assembly at that particular point in time and I don't think it's fair on the community or the employees or the employers to have that sort of pressure going on all the time. That's my view and I think we should move in that direction Mr Acting Deputy Speaker.

MR ACTING DEPUTY SPEAKER

Thank you Mr Nobbs. Honourable Members technically we are in trouble as far as debating any detail stage amendment because the detail stage amendment that we were debating was technically withdrawn. I was looking to Mr Smith to move his detail stage amendment so that we could continue with debate in an appropriate fashion. Mr Smith maybe I look to you now to move your detail stage amendment.

MR SMITH Yes Mr Acting Deputy Speaker I will certainly do that. I'd like to move a detail stage amendment to the Employment No. 3 Bill 2000 and it's as follows. The deletion and substitution of clause 7,8 and 9 of the Bill are deleted and a new clause 7 is substituted as follows. Deletion and substitution No. 7 the principal Act is amended by deleting Section 14 of the Act and substituting the following. 14 will not read the minimum rate is \$8-50 per hour from a date of commencement of this Section.

MR ACTING DEPUTY SPEAKER Thank you Mr Smith. The question is Honourable Members is that the amendment be agreed to.

MR MCCOY Thank you Mr Acting Deputy Speaker. I was a little bit confused but now you seem to have cleared that up for me, but I'm still wondering if the section of the Employment Act that we are now discussing at detail stage amendment for, has that ever been passed to finality.

MR SMITH You mean my amendment or ...

MR MCCOY No no no. The original Bill.

MR SMITH Yes

MR MCCOY It's been passed. Ok. What I'm on the same, I thought that section was still awaiting completion but the other area, and that's why I'm a little confused because we haven't had legal advice on this amendment as we've only just been presented with the detail stage amendment today and it would be nice and it would be more comforting for me if we had had legal advice on this amendment and also on Mr Walker's amendments because I do have some queries in my mind as to whether these detail stage amendments we have before us can go through to finality today, and I am on the same thinking as Mr Nobbs was speaking of before and I would like to know from Mr Smith or from Minister Smith if there is a method where he is now intending to delete the clauses that trigger a increase in the minimum rate of pay, if there is any method in the legislation to seek an increase in the minimum rate of pay. Because I haven't had legal advice and we haven't discussed this outside of this House I don't have a clear understanding of that and I believe as Mr Nobbs has said we do need to have in place some type of mechanism where it goes to remuneration tribunal rather than it being in the political arena. I will find it difficult to support these amendments today.

MR SMITH Thank you Mr Acting Deputy Speaker. In relation to what Mr McCoy is asking. The two Bills that Gary Robertson introduced as the previous Minister were both passed and assented to but they just haven't commenced and the reason they haven't commenced is because we wanted to further amend those Acts which is what we are doing here and I had my amendment Bill which all Members have got and Mr Walkers has already made some amendments to that. Some were accepted and some weren't and this is a further final detail stage amendment, and if it's any help to Mr McCoy it was the legal people who wrote this amendment, it's not something that I've done. I just want to clarify that and it has been checked by the Clerk of course. So there's no difficulty in this proceeding and to actually change it to something else, I don't know where you go. It used to be in the regulations, this particular piece where the minimum wage was set by regulation which meant the Government can do it at any time and just needed to table the regulations in the House. That was taken out, it was put into the Act at some stage and then was further amended to have these other pieces like the calculation with the formula which was the minimum wage calculation the minimum wage at the time, multiplied I think it was by the RPI increase which gave the result of what the new determination would be. The reason I'm not too fussed about removing that is the calculations on that, in the past, in earlier years have been minimal anyway. It would make little difference for some years. Whereas the

reality of life is that the costs of living is really sky rocketing, it's really going quite high at the moment and I think the effective way to do it is by this method that it is a political one but whatever happens, if it went to the Remuneration Tribunal the Government doesn't necessarily need to want to do it anyway but I think we've all got a fair idea of what a fair minimum should be and a lot of employers talked about the minimum as a safety net over the past months and I agree with what they say but this way we're actually picking up on what Gary Robertson had proposed, was increasing the minimum rate from \$7 to \$7-70 which is what Mr Walker has been agreeing with to slightly increasing that again to \$8-80 per hour. We need to pass this and I'm not trying to say Members should agree to it if you don't want to, I can't make you do that but this will then put it in position where we can actually commence, if this gets assented to commence the whole thing, so the two Acts that Gary put in will commence as well as with these amendments attached.

MR WALKER Thank you Mr Acting Deputy Speaker. The Minister is quite right in that this Employment Amendment Bill was assented to back in early 2000. It has sat waiting to be commenced because of the Amendment Bill that he intended to bring in and it is an important Act which needs to be commenced because there are problems within the Employment Act as it stands right at this moment, and until this Act has been commenced part 2 of the original Employment Act 1998 remains a problem in many areas between employers and employees. This whole Bill is being held up on one particular thing and that is the minimum wage calculation. However let me remind Members that this replacement of the part 2 which was an extensive consultation process done with both employers and employees covers some 20 odd sections of the Act and brings in a new part 2 which completely replaces the old part 2. So I would commend to you that we need to move on this and even if we don't agree entirely with the \$8-50 per hour at least that is an advancement on the \$7 as it is at the moment, the \$7 minimum rate and I would hate to see us adjourn once again this Bill No. 3 which in turn affects the commencement of the Employment Amendment Act No. 3 of 2000 whereby all employers would have a much clearer idea of what is to be the new regime for employment on this island. It is such a pity that we have had to hold it up for so long on just one particular section of the Act. I am satisfied that although this doesn't achieve entirely what I was moving in my amendment, it does certainly achieve that it removes all reference in the Act to that automatic increase annually. It takes that out totally, it takes it back to the discretion of the Minister or this House to change the minimum rate, it means that that can go to consultation rather than being automatically set by the RPI, so that achieves part of what I have been trying to bring to the attention of the Minister. The \$8-50, as he quite rightly says, the charts given to the working group by the Employment Officer of the Service showed that if the RPI had been applied to the \$7 all the way through that that is approximately what it would be today, so it's not unfair in that sense. The RPI increases are being incorporated into the \$8-50 and I think that if we are to agree on this particular amendment then the Employment Amendment Act No. 3 of 2000 can be commenced and brought into practice. It's been sitting now for nearly 2 years and I would hope that we can take this through to finality so that that can be commenced and got on with.

MR NOBBS Thank you. Can I ask Mr Smith for clarification. The Employment Amendment No. 3 Bill is dated the 16<sup>th</sup> of October 2000, is that the one that we're talking about. I just did some quick calculations and then Mr Walker told me what I wanted to work out anyhow and that's the \$8-50 is about the RPI figure. So that's fine. I still believe and it might have been struck from the record because we were out of order were we but we should have a tribunal arrangement in place and get it out of the political system. The community can have input through the political system and those sorts of things but I believe that that's the way it should go. I understand now that what's being proposed. I do support this \$8-80 per hour being the minimum, it's in line with the RPI proposal and I think we should bed this one down and move on with it, not just leave it for 5 or 6 years to progress it, that there should be other arrangements put in place

which are more appropriate to this sort of thing than Assembly actually dealing with it. Thank you Mr Acting Deputy Speaker.

MR BROWN

Mr Acting Deputy Speaker I don't support \$8-50. The minimum wage was first set by regulation on the 13<sup>th</sup> of October 1992 at \$5 per hour. It subsequently increased to \$5-40, that occurred in December 1993 and then in August 1995 following the famous comment by one of our Members at the time Mrs Anderson that if you paid peanuts you got monkeys, it increased to \$7 per hour, that was at August 1995, and the Bill which passed back in the time of the previous Assembly sought to increase that to \$7-70 per hour. That's an increase even dating it back from today, that is an increase from \$5 to \$7-70 at 54% over the period of 9 years since 1992. That's quite a substantial increase. I don't think that very many of our Members have understood the real nature of the minimum wage but certainly I don't think many of our Members have understood the potential consequences of what was sought to be done in the amendments that have been discussed up until today. It's certainly pleasing that the Minister has now recognised that \$10 wasn't the right answer and that \$9-50 wasn't the right answer and that \$9-00 wasn't the right answer. I don't agree that \$8-50 is the right answer either but it's certainly a better mistake than the mistake that was previously proposed. I'm disturbed to hear any Member trying to tie the minimum wage to the RPI. Such a tie didn't go out quite as early as Noah's Ark ran aground but it wasn't long behind it Mr Acting Deputy Speaker. The civilised world for the last 10 years and perhaps longer has got itself right away from automatic costs of living increases, and let me give you an example of why that's the case. Not so long ago we made decisions to increase the fuel levy by 10c a litre and to increase the duty from recollection, on cigarettes and on alcohol as deliberate revenue raising measures. Quite rightly to such extent as those items influence the BAF Social Welfare benefits were increased, but then the members of the Public Service thought that they should be able to get a cost of living increase also and now some Members around the table want to pass cost of living increases on to all of the other employees on the island. Mr Acting Deputy Speaker who is going to be left to pay tax increases if we are going to isolate virtually everyone on the island who is not an employer from the impact of those increases. You can't go giving, imposing a tax increase with one hand and then giving money to everybody to ensure that they don't have to pay the increased tax with the other. That is absolutely ridiculous. So I'm certainly pleased that it is proposed today to do away with the automatic tie to the RPI, I'm certainly pleased that it is proposed to make the changes which are the subject of the present amendment. I don't support \$8-50 but I think we have come a long way in improving what's before us. Thank you.

MR BATES

Thank you Mr Acting Deputy Speaker. I must admit that I don't always follow Mr Brown's logic in my, if it costs Norfolk people to live then they've got to try and get by on the wage that they had before it got more expensive to live. I don't really think the average working man that needs to feed his kids and put them through school and support his wife, when he finds that the cost of his groceries and his fuel starts to exceed his wage then he shouldn't get a wage increase because the cost of living has gone up. I just don't follow that but perhaps it's because that I've mostly worked for wages in my life and Mr Brown has been mostly been somebody who pays the wages. So I guess if you look at it at different coloured eyes then your going to see it differently. I think the real reason we have to bring in this minimum wage is that there are a few people out there, not many, that have taken advantage and I think that's the real reason why we need to do something. The working person doesn't really have much choice as far as increases, he can look for another job, that's not always easy. He can leave the island and go somewhere else and that's not always what he wants to do. Employers do have the ability to increase the charge of their services, they have the ability to put more money in their pockets. I do know that in private enterprise that that may not always be easy either, but the working person really doesn't have much to negotiate with and I think that the regular review of wages and that should take into consideration what is happening around the person, what he's paying for his fuel, what

he's paying for his food and what he's paying to educate his kids. So I don't think I'll ever agree with Mr Brown on that particular point. I'm a little bit disappointed that this \$8-50 has come down from about \$10. I do respect that the Minister has certainly been more closely involved in this than what I have and if that's what he is proposing then I intend to support him.

MR BROWN Mr Acting Deputy Speaker Foodlands can certainly put up the price of food and most people will still need to eat. Foodlands might need to find cheaper brands and so on so that people can afford to pay their bill when they get to the checkout but people I expect will still want to eat. What I just said might be wrong though because they might need to grow more of their own vegetables, they might need to find ways of catching more fish and finding someone's sheep to bump off and get a bit of meat from that, but if Foodlands can put their prices up that doesn't mean that everybody else can. Norfolk Island relies on the tourist industry for probably 90% of its economic product and if we simply price ourselves out of the tourist market then it's goodnight nurse, we will go back to 1856. What happened in the rest of the world and what will happen in Norfolk Island if this theory of simply putting wages up because there's been an increase in the cost of living prevails is there will be a never ending spiral. Wages will go up, prices will go up, because prices go up the RPI goes up and wages go up, because the wages went up the prices go up and I can tell you it will not take very long for us to simply price ourselves out of the market. Around this table there are not too many Members sitting here who have ever been employers. There are not too many Members sitting here who have ever sat down of a Monday trying to work out how they can make sure that the wage money can be there for Friday and until such time as Members start to develop a better understanding of what makes the world tick in that regard things are going to be touch. But what's before us is an improvement. I'm going to support all of it other than the \$8-50. Thank you.

MR SMITH Thank you Mr Acting Deputy Speaker. I appreciate Mr Brown's comments and being one of the larger employers I don't mean that personally, as an employer he does have a fair few people working for him and it's good to get those comments. I'm glad he's actually recognised what the affect of prices can have from the other side of the argument. If your on a working wage and if the cost of food does go up which it does that somebody's got to, either you have to go and grow your own as Mr Brown is saying or you go without and that's what the other side of the minimum wage is about, is the Government having to step in, as Government's do to say this is the minimum that anybody should be paid and in fact I copied off the internet the minimum wage rise in Australia and the minimum wage is now I think it's \$450 or something like that per week which is still above what we've got proposed here, based on a 40 hour week, and I recognise that there is taxation that applied over there but there's also benefits that come out of taxation. I think the Medicate levy is paid out of the tax and things like that and employees have all sorts of other things that they don't have to pay where a Norfolk Island resident does or a Norfolk Island employee does. I'd just like to mention the RPI calculation formula that I've proposed that we remove in my amendment here but that was actually in the previous Minister's amendment. I'm not too sure but I think John might have been actually on the committee that proposed that in the first place, I understand where he's coming from. The last Assembly did pass it in its full form but I recognise that there is other ways that we can deal with it rather than by the RPI adjustment as proposed. I'm quite happy to do what I'm proposing here but I would like to pick up on something. Mr Brown kindly went back to 1991 and said the introduction of the minimum wage was \$5 but also at that time the casual rate was \$8-62 in 1991. The full time employee got \$5 per hour but casual rate was \$8-62. There were changes made over the time where the minimum hourly rate did go up by 40c and it went up to \$7 in the 6<sup>th</sup> Assembly but the casual thing disappeared. That went somewhere along the track and I haven't been able to find the amendment that did that. So even back at that time there was a recognition that if you were outside of the permanent job category I suppose in those times the value was about \$8-62, whereas it's different now,



the average person on Norfolk Island to live. Mr Brown did make some comment about wages put up the cost of living and there's a lot of things that put up the cost of living on Norfolk Island that are completely outside our control here. When a can of tomato juice or a packet of cornflakes goes up here that's governed by what's happening in either Australia or New Zealand in most cases. It's not governed by the fact that somebody on Norfolk Island might have got a wage increase. It could be, but just relate it to wage increases I think is not right because so many things happen that are completely outside our control and they are outside the control of the person that's trying to feed his family on a fairly low wage. I think that's all I want to say for the moment. Thank you Mr Acting Deputy Speaker.

MR ACTING DEPUTY SPEAKER Thank you. Honourable Members we have before us the Employment Amendment No. 3 Bill 2000 at the detail stage and we are dealing with Mr Smith's amendment as circulated this morning. Is there further debate.

MR SMITH Probably the last thing I need to say is I need to acknowledge the employers that have been working with me over the past 12 months, or not quite 12 months and the advice that they've given me and the help and the arguments that we might have had and I appreciate what they've done. The result here is not what I intended in the first place but I recognise that to get somewhere with it is better than getting nowhere with it and that I think Members all recognise the cost of living is getting to be quite high on Norfolk Island and I recognise that. I'd also like to say that commercially I suppose one of the things you can control price wise or cost wise is the wages and if you can keep your wages down you can't keep the cost of your products and things down and it's often probably it's the wages that get affected most in that sense. I think there's some really really good employers out in the commercial sector who really do the right thing by all their employees and good on them for doing that but the additional thing that I was going to say that when this whole package comes in there are penalties that will be used which weren't in the Act before which will apply from when this Act takes place. So if there is anybody that is doing the wrong thing they will start to pay for it.

MR ACTING DEPUTY SPEAKER Thank you Mr Smith. The question is Honourable Members that the amendment be agreed to. Is there any further debate. There being nor further debate I put the question.

QUESTION PUT  
QUESTION AGREED

MR ACTING DEPUTY SPEAKER Mr Walker I turn to you now, you had indicated that you at detail stage time had a proposed amendment.

MR WALKER Thank you Mr Acting Deputy Speaker. In light of the fact that the Minister's Employment Amendment has been passed I seek leave to withdraw my notice of amendment.

MR ACTING DEPUTY SPEAKER Is leave granted Honourable Members. Leave is granted

MR BROWN I said no.

MR ACTING DEPUTY SPEAKER Sorry Mr Walker we hadn't moved it, so it didn't require leave to withdraw it.

MR BROWN I seek leave to move an amendment in terms of the amendment that had been proposed to be moved by Mr Walker and at which notice has been given to Members this morning.

MR NOBBS Point of Order Mr Acting Deputy Speaker. That's somewhat out of order isn't it

MR ACTING DEPUTY SPEAKER No I don't believe so. He's entitled to move an amendment. He's in the process of seeking leave. The time to deal with that is to whether leave will be granted or not.

MR BROWN As a matter of fact I believe that I don't need leave but as this is a later than a first amendment I'm entitled to simply move it but I seek leave to move an amendment in the terms of the amendment at which Walker had given notice this morning being an amendment to Clause 11 in relation to overtime.

MR ACTING DEPUTY SPEAKER Thank you Mr Brown. Leave is granted.

MR BROWN Thank you Mr Acting Deputy Speaker. I move the amendment as circulated this morning by Mr Walker.

MR ACTING DEPUTY SPEAKER Thank you Honourable Members. The question before us is that the amendment be agreed to as circulated by Mr Walker this morning now proposed by Mr Brown. Any debate.

MR BROWN Mr Acting Deputy Speaker the purpose of this proposed amendment is to enable an employer and an employee to reach an agreement by which the employee will be able to work more than the prescribed number of hours per week at such rate of pay as may be agreed between the employer and the employee, provided only that that rate is not less than the minimum wage and provided that the agreement is contained in a contract pursuant what will be Section 11. The purpose of this amendment Mr Acting Deputy Speaker is to provide maximum flexibility to employers and to provide employees with the opportunity to work as many hours as they would like to work. There are no shortage of employees Mr Acting Deputy Speaker who are keen to work more than 40 hours in a week. It is silly for us to force the employer to consider employing a second person to work any hours in excess of 40 hours. That could have the affect of in fact reducing the hours that are already available to the first employee so that there is room for a second employee. It can have the effect of requiring a substantial number of additional Temporary Entry Permit holders to be on the island, it can have the affect of placing a substantial number of additional motor vehicles on the island and generally increasing the pressures on the island's infrastructure. To provide the right to an employer and employee to negotiate in this fashion and reduce their agreement to writing is not at all unfair. I suggest to Members that it is quite appropriate and that it is something that Members should support, and that's all I wish to say about it. Thank you.

MR NOBBS Just on this. I've got no problems really with this sort of concept if it's part of the contract arrangements and I don't see anything in here which provides that in a contract of employment must be in place, and I would have thought, and I may be wrong because I haven't got the full Act before me and I didn't expect this one just to come on today actually. So that is the thing, if it's a part of a contractual arrangement well, and they are signed beforehand, before the employee, but what I'm concerned about is that there's a lot of these arrangements are made apparently after employees reach the island and they are in a catch 22 situation at that time, and whether this may be in that arrangement I'm not too sure but I'm a bit gun shy about actually accepting this particular amendment without going into it a little deeper.

MR BROWN Mr Acting Deputy Speaker I can fully understand the Chief Minister's concern and that has been sought to be catered for by the Subsection numbered 5 which states that an agreement to work in excess of the prescribed working week must be contained in a written employment contract otherwise the agreement is void and of no affect, and that Subsection has sought to take account of that concern and to ensure that unless such an agreement is recorded in a written employment contract pursuant to Section 11 it doesn't have any affect.

MR NOBBS As I say I haven't got the full Act before me and so I'm at a bit of a loss at this stage but I just question does this employment contract has for an employee coming to the island, has it to be completed under Section 11 before they actually reach the island here or is it allowable after, and I appreciate that will be changes in circumstances but the additional contract of employment for a person coming onto the island I think should be completed before they come here, the basics of it.

MR WALKER Thank you Mr Acting Deputy Speaker. There's no reference in this amendment to the fact that it has to be somebody coming on island. This could be a long term local resident who is employed and wishes to take up this type of contract. At the moment the Act says that they don't have to have a contract if you are a local resident. The only person who has to have a contract is those who are through the Immigration Act brought in on Temporary Entry Permits, or are on GEP's with conditions through the Immigration Act, and so it is at the moment this House passed that it be voluntary for local residents whether they wish to have a contract or not. What this was endeavouring to do was if the minimum wage was going to be \$10 and so therefore enforce on employers overtime rates in excess of \$15 that they would have the opportunity to contract out of it. That is no longer the case because of the Minister's detail stage amendment which we have just passed. The emphasis on overtime has diminished somewhat by coming down to \$8-50 which means that you have an overtime rate in the vicinity of \$12-65 for time and a half, and so I am quite prepared that if anybody does work over the 40 hours then that the overtime rate is now not as onerous as it was when it was \$10 to \$15 or in the case of the senior who had that respectively higher rate because they were greater, worth more than the minimum rate then you could be up around the \$20 plus for overtime. That is not the case now because of the amendment we have just passed and so therefore that was the reason why I have withdrawn the amendment that I was going to propose. Secondly previous to the amendment that was put before us by the Minister this morning it was automatic that this would go up every year by the RPI. That is now not the case and so therefore the terms of the Employment Act are no longer as onerous on the employer as they were. There is no reason why any employee cannot enter into a contract with their employer provided they meet the minimum rates which have now been set. We've passed the amendment this morning which sets that at \$8-50 and within the Act in a different section it says that any hours over 40 hours must be paid at time and a half and so therefore the employer is well aware of what the commitment is in working somebody longer than 40 hours. I felt that previously when the Minister had not moved his amendment that it was going to be onerous and so therefore I was going to give the opportunity to the employer and the employee to negotiate that they could contract out of that overtime clause. I no longer see that as being as onerous as it was and so therefore I cannot support that we bring this clause in now or this amendment.

MR SMITH Thank you Mr Acting Deputy Speaker. If Mr Brown was so inclined that he was keen about this amendment going ahead I would be quite happy at the next sitting to have a look at it. I think there's a bit more to this than just meets the eye but with the overtime provisions. I'd hate to see it where we actually make void what we've already done in the amendment that I have in front of the House at the moment which requires the payment of overtime. If it was possible for every employer to contract out of paying overtime it would just negate what we've already

done. I won't support this today but I'd be quite happy at the next sitting to bring something forward if we can come up with something that would be suitable so it still gives the employees protection and still works in the favour of both sides, the employer and the employee.

MR BROWN Mr Acting Deputy Speaker I'm quite happy to adopt the course that's suggested by the Minister and to defer this by withdrawing it on the basis that it will be dealt with as soon as possible after today's meeting, and on that basis I seek leave to withdraw my amending Motion.

MR ACTING DEPUTY SPEAKER Leave is granted Mr Brown. We now move to the question that the clauses that have been amended be agreed to. I put that question.

QUESTION PUT  
QUESTION AGREED

MR ACTING DEPUTY SPEAKER The question now before us Honourable Members is that the remainder of the Bill be agreed to. Is there further debate before that question is put.

QUESTION PUT  
QUESTION AGREED

MR SMITH I move that the Bill as amended be agreed to.

MR ACTING DEPUTY SPEAKER Thank you. Further debate.

QUESTION PUT  
QUESTION AGREED

#### **FIXING OF THE NEXT SITTING DAY**

MR BATES Mr Acting Deputy Speaker I move that the House at its rising adjourn until Wednesday the 21<sup>st</sup> of November 2001 at 10.00am

MR BROWN Mr Acting Deputy Speaker I wonder whether we should be moving an adjournment at this stage or moving a suspension until tomorrow at 10.00am. I would propose an amendment to that Motion to the affect that this House suspends until 10.00am tomorrow morning.

MR BATES Point of Order. We've already dealt with the Motion which says exactly that same thing and I don't know whether we can revisit that.

MR ACTING DEPUTY SPEAKER Thank you. No I agree with what your saying Mr Bates. The question is before us is that the House at its rising adjourn until Wednesday 21 November 2001 at 10.00am.

MR WALKER I thought we were in adjournment debate.

MR ACTING DEPUTY SPEAKER The question is that the Motion be agreed to.

QUESTION PUT  
MR BROWN NO  
QUESTION AGREED

MR ACTING DEPUTY SPEAKER Mr Brown would you like the House called. No.

**ADJOURNMENT**

MR ACTING DEPUTY SPEAKER      Honourable Members we move to adjournment.

MR WALKER      Thank you Mr Acting Deputy Speaker. I am pleased that we have moved today to hopefully

MR ACTING DEPUTY SPEAKER      Mr Walker I look to your Motion to adjourn.

MR WALKER      I move that the House do now adjourn.

MR ACTING DEPUTY SPEAKER      Thank you. Is there debate.

MR WALKER      Thank you Mr Acting Deputy Speaker. I am pleased that we have moved today to see some finality through on the Employment Act 1988 and that we will hopefully in the near future see a commencement of both those Bills and that Employment Act can be affectively put into this day and age rather than 1992 in its defacto format it was then, and I would urge the Minister have both Acts commenced so that that can happen. Thank you.

MR ACTING DEPUTY SPEAKER      Further debate. There being no further debate. The question is that the House do now adjourn.

QUESTION PUT  
QUESTION

MR ACTING DEPUTY SPEAKER      This House stands adjourned until Wednesday 21<sup>st</sup> of November 2001 at 10.00am.

