

PRAYER

Almighty God we humbly beseech Thee to vouchsafe Thy blessing upon this House, direct and prosper our deliberations to the advancement of Thy glory and the true welfare of the people of Norfolk Island, Amen

CONDOLENCES

We move to condolences, are there any condolences this morning? Ms Nicholas

MS NICHOLAS Mr Speaker, it is with regret that this House records the passing of Patrick Terrence Barrett, Merval Hannah Hoare MBE, Reginald William Stevens and William Frederick Forsyth

It is with regret that this House records the death of Patrick Terrence Barrett who passed away on Wednesday 21st November 2001, at the Norfolk Island Hospital. Patrick Terrence Barrett was born Dexter Avenue, Auckland on 28 October 1920. He was the youngest of 5 children. He attended Mt Albert Grammar School where he became the swimming champion in 1937. Pat worked at the T & G Insurance Company just prior to the war. He joined the Coastal Artillery Commission, being mostly stationed at Marlborough sounds. He did not serve overseas due to poor eyesight. In 1942 Pat married Lillian Boanas and they were to remain a devoted couple, celebrating their 59th wedding anniversary shortly before Pat's death. After the war Pat returned to T & G and worked his way up from Clerk in the Auckland Office to the position of N.Z. Investment Manager, in Wellington. He was in his late forties and thinking of new challenges for his life. At the age of 50 he left the security of his long term career and Pat and Lillian came to Norfolk Island to join their eldest son Rex, and assist in expanding the business known as Barrett's International. Sport featured strongly in Pat's life, from swimming, hockey, tennis and golf to his final sporting passion of bowls. With failing eyesight He was still able to enjoy a game with the assistance of friends giving directions on the line he should play. He really appreciated their patience and kindness. Most of all Pat was a family man and he and Lillian were blessed with three children Rex, John and Janice and 8 grand children of whom he was very proud. Family get togethers were happy times each one special. To Lillian, Rex, John, Jan and their families this house extends their deepest sympathy

It is with regret that this House records the death of Merval Hannah Hoare MBE. Who passed away on Saturday 8th December at St. Vincent's Hospital in Lismore. Merval Hannah Hoare was born in Wellington N.Z. the oldest of Michael and Agnes Connelly's five children. Educated in Greymouth and Dunedin and with a love of music she continued her piano studies at Sante Sabine Convent, Dunedin and qualified Associate and Licentiate of Trinity College, London in the 1930's. Whilst music was one of her two passions the other was writing prose and poetry and she received some critical acclaim. World War 2 brought the opportunity to study radio and qualified for a Technical Certificate in Broadcasting from the New Zealand Post and Telegraph Department in 1941, the first woman in New Zealand to possess this qualification. It was during her appointment as a radio technician to 2YA Wellington that she met and married fellow technician Percy Raymond Hoare in 1949, who was the newly appointed Radio Technician for Norfolk Island's local airport. In 1962 Merval became the Norfolk Island correspondent for the Pacific Islands Monthly. She held the role for 8 years to enable her to pursue her writing's of the History of Norfolk Island.. Her first major work – Norfolk Island: An outline of its History 1774 –1886 was published in 1969 and has appeared in 6 editions. The latest edition of this work covers the period 1774 through to 1996, and this history in particular has become a standard reference work on Norfolk Island and its people. She can be credited with several other major literary works historical writings. Merval's was passionate about Norfolk and its people and was active in associations

relating to the identity and well-being of the island. She was a Historical Association, local Conservation Society and Pacific History Association. In 1983, Merval was awarded Membership of the British Empire in recognition of her varied and valued contributions to the writing of history and to Norfolk Island. An honour also bestowed on Merval's mother in 1947. Merval never forgot where she came from and never deviated from carrying out what she thought was the right thing to do. Merval is survived by her brother Michael Connelly of Christchurch, her daughter Ann Burke of Lismore and three granddaughters, to whom this House extends its deepest sympathy.

It is with regret that this house records the death of Reginald William Stevens who passed away on Sunday 2nd December in Queens land. Reginald William Stevens was born in Lindfield, Sydney in 1924. He attended the Shore school and when he missed out being a pilot in World War 2, due to colour blindness he entered the Army Signal Corps and served in the Pacific Islands. After the war he took up an accounting position with a plastic coating firm until he was retrenched. During the three months in between jobs, he loved to spend time with his family. He loved to smile and to see others smile. He loved a joke, a cigar and good wine. He joined Westfield as their Company Secretary and worked their until his retirement. In 1985 he met Rosie and won here heart with his knowledge, patience, warmth and love. They came to Norfolk for Christmas and were made welcome by Colleen Rogers and Marie Bailey. 8 visits later they finally gained their GEP and settled here, joined by "Ten Ten" and Wilmee who were invited into their lives and household. To Rosie, "Ten Ten" and Wilmee and to Reg and Rosie's families this house extends its deepest sympathy

It is with regret that this house records the death of William Frederick Forsyth who passed away at the Norfolk island Hospital on Saturday 8th December 2001. William (Bill) Frederick Forsyth was born in Sydney on 1st November 1922, he was the youngest of 5 children. Bill worked at Nock and Kirby's, in the paint department before World War 2. He enlisted at the age of 17 and saw action in New Guinea and Bougainville. Bill and Dinah were married in Ryde in 1944. They had two children Graham and Pamela. On his discharge, he became a baker and worked in the trade with his brother George for 38 years. During this time he was President of the Bread Manufacturers of N.S.W. for 3 years and the Vice President for Australia and New Zealand. He loved his work but was not happy being away from his family for long hours which this trade demanded. In 1970 he came to Norfolk with Dinah and Graham and bought Arthur's Bakery. committing himself to bringing fresh bread daily to this island community. During his lifetime, he became a member of the Norfolk Island Lions Club. He was President, Zone Chairman and Deputy District Governor of Lions, being presented with two American awards for service to Lionism. Bill loved his family and never failed to pray each day. He loved singing and spent a short time with the chapel choir. He enjoyed bowls and loved to garden and donated many plants to the church stalls. Bill had a strong commitment to the island and was a loving and devoted husband and father. To Dinah, Pamela, Graham and their families this House extends its deepest sympathy

MR SPEAKER Thank you Ms Nicholas. Honourable members as a mark of respect to the memory of the deceased, I ask that all members stand in silence please. Thank you Honourable members.

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

MRS JACK Thank you Mr Speaker. I have a question for the Chief Minister Mr Gardner who's responsibility covers KAVHA. Can the Minister clarify a query that was put to me which was that the funding of Kingston Pier was offered to a Member of a previous Assembly by the Commonwealth as it is in KAVHA, however the offer was rejected by that Member on the basis that the Norfolk Island Government could find the money.

MR GARDNER Thank you Mr Speaker. Thank you Mrs Jack for that question. It was brought to my attention a few days ago that there may possibly have been such an offer made and so I undertook to make some inquiries as to the background to it. My inquiries have basically shown up to date and have been confirmed by the Office of the Administrator that there has been no such formal offer made as far as paying for the upgrade of the Kingston Pier. The only discussions to date regarding any funding on Kingston Pier were to do with the geo technical survey that has been tendered for or offers for tender have been invited. I'm not sure of the stages of those responses at this stage but the Norfolk Island Government had previously committed and budgeted \$25,000 I understand to that project and will be undertaking that in the course of their maintenance programme. There have been no formal inter-government discussions that I am aware of as to the funding of the complete upgrade itself, estimated to be somewhere in the region of about \$3m. However discussions have taken place in the context of the KAVHA Management Board, but as I said nothing formally between the 2 Governments. That has been confirmed through the Office of the Administrator as I alluded to and confirmed with Canberra as well.

MISS NICHOLAS Thank you Mr Speaker. My question is addressed to the Chief Minister. What steps have been taken towards this Government's move to a renewed and refreshed relationship with the Commonwealth.

MR GARDNER Thank you Mr Speaker. As Members will be aware I copied a letter from the Honourable John Anderson MP, Deputy Prime Minister of Australia and Minister for Transport and Regional Services that let us know that the position of Federal Minister for Territories is still in doubt as to exactly who that person will be, as has been practice in the past the Norfolk Island Government, newly elected Norfolk Island Government have always moved fairly quickly to discuss matters with the Federal Government and no different at this time. I have with my interim response to John Anderson indicated that I would be very keen to meet with the new Minister for Territories upon his appointment, which is expected to be some time in mid January and towards the end of January. That time frame basically allows the compilation of matters that would be required for discussion, some discussion amongst MLA's as to the makeup of those papers and for our briefing process to be finalised. The next sitting's of the Federal parliament or I guess the earliest opportunity that we'd be able to meet and discuss issues with the Federal Government will be, as I said in that time frame towards the end of January, simply because it is closing in on the first sitting's of the Federal Parliament in the New Year.

MR NOBBS Can I have a supplementary to that. I ask the Minister for Intergovernmental Relations. I've been asked what the functions are really for the Minister for Intergovernmental Relations. What is the functions and as it's a new Ministry I guess, I've been asked what they are.

MR GARDNER Thank you. The function of the Minister for Intergovernmental Relations is basically just a change of title, but certainly is an area that

requires quite a bit of detailed work in that a common thread of most of the electoral campaigns of candidates had to deal with the strengthening of the relationships between the Norfolk Island and Federal Government, but also in that Ministry Mr Nobbs as you can see from the breakdown in the portfolio responsibilities it includes not only Intergovernment relations but also immigration, self government, strategic planning, development of the cyber centre, continuing development of gaming, KAVHA responsibilities, sport and recreation, legal matters which includes civil legal proceedings by and against the Administration, courts, legal aid, censorship, corporate affairs and business names, registration of professions and on it goes.

MR NOBBS Supplementary to that Mr Speaker. Just in relation to a follow on from Mrs Jack's question in relation to funding. There have been a lot of questions why the Norfolk Island Government has suddenly swung into this mode of intergovernmental relations and it appears to be a lot of it funding, and I ask the Minister

MR BROWN Point of Order. Point of Order is that Question time is for questions.

MR NOBBS And I've asked the Minister as I repeat for the third time that if he's aware.

MR SPEAKER That matter is discourtesy to the Chair Mr Nobbs for your comment.

MR NOBBS Thank you. I didn't mean to. I wasn't referring to you Mr Speaker.

MR SPEAKER Please ask your question Mr Nobbs.

MR NOBBS I asked the Minister if he's aware of a advertisement in the weekend before last Sydney weekend paper and also it was repeated again yesterday. It's in relation to the ability of a under an advertisement here for the Norfolk's premium resort hotel, and it says ask your Travel Agent about \$150 rebate for travel to Norfolk Island. Is that rebate on the Australian Government or from the Norfolk Island Government.

MR GARDNER It's probably a question Mr Nobbs appropriately directed for the Minister for Tourism or Minister for Finance, but my understanding of the rebate programme as it is in Australia is that it's an Australia Federal Government initiative to assist in the development of tourism within Australia.

MR NOBBS Thank you Mr Speaker. Can I ask are you aware that the \$150 rebate on holidays is for within Australia and that Norfolk Island is currently in a position of, because packages are booked for Norfolk Island which is considered outside Australia we do not provide GST. We're not required to pay GST.

MR SPEAKER Yes Mr Nobbs I have interpreted that question as really being one that may be the responsibility of Mr Smith in terms of the tourist association and I think the Chief Minister gave an indicator of that when he responded to the last question. On that basis I'll give you the next call most certainly to raise that question with Mr Smith but Miss Nicholas has the floor to continue her questions at this moment.

MISS NICHOLAS Thank you Mr Speaker. This question is addressed to the Minister for Finance. Minister are you still of the view expressed in your policy statement published prior to the election that, and I quote: Tourism is the only

industry in Norfolk Island that has the potential to provide a basis for the island's economy, and I close the quote. And if so, what investigation have you been able to undertake to consider and review possible alternatives and supplementary bases of revenue raising.

MR DONALDSON Thank you Mr Speaker. Thank you for that Question Miss Nicholas. Yes I stand by what I said in my policy speech, my policy document. Tourism is the main industry for Norfolk Island, I can't see it being superseded or replaced by any other industry what so ever. I'm supportive of any other projects or prospects for any secondary industry that might come up and I see the role of the Government as also being supportive of those, but as things stand for the last 20 years, and I think for the next 20 years tourism is going to be the key to Norfolk's economy. Thank you.

MISS NICHOLAS Supplementary if I may. What investigation of government spending has the Minister done or does he intend doing to ensure that expenditure is as he describes it, wise and economic as possible and to that end is the Executive Member aware that the title items in the general area of the recent financial statement, called variously requisites, telecommunications and incidentals or incidental expenditure totals a figure in excess of \$400,000, and does he regard this as a significant amount.

MR DONALDSON Thank you Mr Speaker. Thank you again for that question. As Members would be aware this new Government's only been in for 3 weeks. It's certainly my aim to review all expenditure from previous projects and I refer to the projects in the past such as the gaming, the offshore finance centre. I did say in my policy speech that there would be a need for a business plan to be established before I'd be willing to commit funds to these particular items. Could I have the second part of the question again.

MISS NICHOLAS In respect of \$400,000.

MR DONALDSON Yes the \$400,000 worth of requisites. I'll have to take that On Notice and find out what comprises that \$400,000. I know the financial statements aren't in enough detail to answer that.

MISS NICHOLAS Yes I could contribute to that slightly if by way of supplementary. Are you aware that \$241,294 of those dollars for in such incidental expenditure to Administration itself.

MR DONALDSON No I was not aware of that, but I'll certainly be quite happy to look into it and come back with a further analysis of the situation, and possibly receive some justification for that sort of expenditure.

MISS NICHOLAS Thank you Mr Speaker. I do have a question for the Minister for Community Services and Tourism. What list of priorities has the Executive Member drawn up in relation to his portfolio especially in respect of Medicare, health and healthcare.

MR SMITH Thank you Mr Speaker. I'm still working on a priority list in relation to the health part of my portfolio because I needed to do certain things before I come up with what I saw as my or the Government or the Assembly's priorities after I'd met the people who work at the Hospital and in particular the Hospital Board which we met yesterday afternoon. I can say that probably by the end of this week I'll be able to have some sort of a priority list in the health area relating to all the matters that Miss Nicholas has just raised.

MISS NICHOLAS A final question please Mr Speaker. To the Minister for Land and the Environment, a similar question. What list of priorities has the Executive Member drawn up in relation to his portfolio and what matters does he see as most pressing.

MR BUFFETT Mr Speaker I'm having discussions at the moment with the Land Initiative Task Force. The matters in my portfolio I see as most pressing is to continue the Land Task Force initiatives. The initiatives that were commenced by the previous Assembly of having the land and the planning for Norfolk Island completed so that the community know we have some certainty in where they are going with planning. In that regard I have been advised that the planning issues and amendments to the Planning Act and some associated pieces of legislation will be ready or should be ready for presentation to the Members of this House by the end of January and hopefully for presentation on the table and the wider community for the February sittings.

MR NOBBS Thank you Mr Speaker. I ask the Minister for Tourism is he aware of an advertisement in the Sydney papers of the last 2 weeks, I know he is but I'll ask him. In relation to that is he aware that there is \$150 government rebate for travel to Norfolk Island, and how does that, it's correct that it is for travel within Australia, how does that impact on the previous arrangements where GST was not payable on travel to Norfolk Island which was considered outside Australia.

MR SMITH Mr Speaker this rebate or \$150 amount that was being contributed by the Commonwealth is supposed to apply to Norfolk Island. As I understand it it doesn't always work out that way because it's intent was for land content of a tourist package. The last time I spoke to Greg Prechelt about this which was a little while back now on this particular issue he wasn't sure whether there was going to be much benefit at all to travellers to Norfolk Island, but I can renew that discussion with him just to see how many people are actually using that but the fact that that rebate applies, I'm sure doesn't affect the GST component which doesn't apply to travel to Norfolk Island. I think what Mr Nobbs is getting at is if there's a rebate should the GST be paid on travel to Norfolk Island as I understand it it makes no difference.

MR NOBBS Another question to the Minister for Health actually. Could I ask him in view of the concerns in the community at the present time in relation to the Hospital, is he intending to provide an update on the position at the Hospital in relation to appointment of Doctors etc, etc that is creating concern in the community at the present time.

MR SMITH Mr Speaker of course I'd be prepared to do that. As I said in answer to an earlier question I met with the Board finally last night. The matter of appointment of the Doctors or the staffing at the Hospital is a matter for the Board. I understand there has been some difficult moments in past weeks. I am quite prepared to, when I know exactly what's happening to report as soon as I can, and whether that be by radio or by newspaper of the exact situation in relation to the Doctors at the Hospital.

MR NOBBS Just a further question for the Minister for Health. Is he prepared to provide an update on the E Health situation at the present time. Is it still progressing or what's actually happening.

MR SMITH Mr Speaker in speaking to the Director of the Hospital and the Chair of the Board last week, as I understand it that E Health is certainly well on track, well the intention of E health is well on track.

MR BROWN I direct this question to the Minister for Finance. Is the Minister aware of a Norfolk Island Administration internal newsletter named Rob Tull, and if so has the Minister seen the edition of the 20th of December, if so is the Minister aware that the Chief Executive Officer proposes to contribute from her contingency vote funds for liquor for the Administration Christmas party and further, is the Minister aware that there has been a statement to the affect that there will also be a small contingency of beer which has been donated. Finally can the Minister advise whether the purchase of liquor for a staff Christmas party fulfils the anticipated purpose of the contingency vote, and can the Minister ensure that the beer which is being donated is properly accounted for in the event that it's been donated by a supplier to the Bond Store or by the Bond Store itself.

MR DONALDSON Thank you Mr Brown for that question. Yes I am aware of that newsletter and I am aware that there will be some money spent, or there is intention to spend money from the CEO's contingency vote. I understand this amount of money could be an amount up to \$2,000 although that will depend on the number of people who are actually attending the function. The CEO was given a contingency vote and is given a contingency vote every year. This financial year the CEO was given \$7,500 and that money is to be spent on things that aren't necessarily provided elsewhere in the budget and the CEO's professional opinion as an Executive Officer is justifiable. At this stage I don't express an opinion as to whether the actual money is justifiably spent or not but I did speak to the CEO about it and the intention is to cease the practice that's happened in the past of the Administration splitting into 5 or 6 different groups and having 5 or 6 different Christmas parties, to bring them all together in the one venue and it's really a team building exercise for the Administration with hopefully desirable public relations type outcomes from it. As for the matter of the beer that's being donated I'm not aware of where the beer is coming from, I don't know if it's left over from the Mini Games or whether it's donated from the Liquor Bond or a supplier of the Liquor Bond, but I'd be happy to take that part of the Question On Notice.

MRS JACK Thank you Mr Speaker. My question is to the Minister for Finance as the Minister responsible for Licensing. Can the Minister please tell me the special criteria that allowed a licensed premises to have a block extension of trading hours for what amounts to 27 evenings in December.

MR DONALDSON Thank you Mrs Jack for that question. This matter only cam to my attention this morning. I made a few quick enquiries about it. I think the thrust of the question is people can apply for a special permit to extend the trading hours of their business for special occasions and that's somewhat referring to the liquor sales. In the past it was my understanding that you applied for one night, you paid a \$35 fee and got 1 application approval. What's happened in the past, and like I said it's only just been brought to my attention is that people are applying for a whole month at a time, paying the 1 \$35 fee to cover a whole month and able to extend their closing time from 10.00 to midnight or whatever conditions are on the permit. In discussions with Officers of Administration this morning and with the Police it's virtually been decided that we're going to pursue one application for one night so that the \$35 fee applies to each night that someone wants to extend their application, their license and the other matter is liquor review is currently under way, it's with the Draftsman at the moment in Canberra, who is a temporary Draftsman that's employed to progress the matter of the liquor review and I understand that these matters are dealt with fully in the new legislation that will be coming before this House shortly. Thank you.

MRS JACK Supplementary to that thank you Mr Speaker. Is there conditions in the drafting of the new Act for residents close to licensed premises to be consulted or have some input into the granting especially where bulk license extension occurs.

MR DONALDSON Thank you again for that question. I'm not aware of the contents of the new Act. I would like to see in it some sort of public consultation as to liquor licensing hours and the licensing of venues but I'd have to take that section of the question On Notice and report back at a subsequent meeting.

MR BROWN I direct this question to the Minister for Finance. Has the Minister yet been able to review the island's existing financial status and can the Minister advise whether the present financial performance is such that the island will complete this financial year with a surplus.

MR DONALDSON Thank you Mr Brown for that question. I've had a very quick look at it and I will be presenting some financial indicators later in this meeting. The financial indicators will show, and I won't say too much about them now if that's all right, if I can answer it later, do show that we are heading for a deficit, although we did budget for a deficit this year. At 5 months into the year the deficit is smaller than the pro rata 5 months deficit would have been had we been on budget. The reason for that is simply because expenditure hasn't come up to the levels of expenditure that we budgeted for in the first 5 months. It's difficult at this early stage to actually say that 5 months of expenditure is going to extend itself out to 12 months. We've had a difficult time with airlines and service charters over the last 5 months and I think these do reflect in the figures, but although there's reason for alarm they are not a disastrous set of figures but I will save the rest of that until I table the financial indicators later.

MR BROWN Can the Minister confirm that he has just told us that there are reasons for alarm.

MR DONALDSON I think alarm is probably the wrong word. There are reasons for us to review the way we're going and there are reasons for us to tighten our belts and explore, there are reasons for us to review the budget process and maybe redirect some of our expenditure and maybe reassess some of our income, but as I said if things progress the way they are going now the budget deficit will be less than was actually budgeted for.

MR BROWN I direct this question to the Chief Minister. Can the Chief Minister please advise the present status of the introduction of compulsory third party motor vehicle insurance.

MR GARDNER Thank you Madame Deputy Speaker. We as of today haven't had a complete and thorough briefing on all of the matters before us and one of the matters which has been widely circulated in the community has been the matter of compulsory third party insurance for many years. I will be in a position during the remainder of the briefing sessions to provide some detail on the exact state of play. I can get that to you Mr Brown, of course you'll be involved in those briefing sessions but certainly I will undertake to ensure that those comprehensive papers are circulated to all Members as part of that briefing process.

MR BUFFETT Thank you Madame Deputy Speaker. I ask a question of the Minister who has responsibility for the Airport. Can the Minister provide a situation report on the Airport resealing programme, to include detail about the components of the programme, the cost, the source of funds, the contractors if indeed there are any contractors at this moment, and the availability of rock.

MR DONALDSON Thank you for that question. We did have a briefing session the other day and I understand the situation with the Airport is that it is due for a reseal. The position we're at at the moment is that applications for project management of the reseal process have been called. Quite a few applications have been received and are currently in the process of reviewing those applications for project

management. Funding I understand will come mainly from the Airport undertaking, although I understand that there may be a need for alternative sources of funding. This is something that is fully known to Members of the previous Government. It's only early days now and I can't really contribute much more than that to say the process is in place but it is early days.

MR BUFFETT Supplementary if I may Madame Deputy Speaker. Is the Minister able to elaborate upon the cost detail in terms of the present situation. It appears that there have been a number of cost indicators and I'm wondering if the Minister is able at this stage to refine that to the more current projected cost.

MR DONALDSON Thank you. No I regret I haven't got that information at my fingertips at the moment. I'll have to take that part of the question On Notice.

MR BUFFETT Supplementary if I may Madame Deputy Speaker. Is the Minister able to let us have a timed programme for the delivery of the resealing programme.

MR DONALDSON Thank you again. I can't provide that to you right now but I'll undertake to do it as soon as possible. Like I said the process has commenced, it has been set in train, there are a few obstacles in front of us in obtaining the funding, obtaining the material for the resealing but yes I'll take that On Notice.

MR BUFFETT My next question is to the Minister who has responsibility for Airlines that operate to and from Norfolk Island Mr Smith. Is the Minister able to provide the latest information to the House on Air Nauru, in other words whether its aircraft will remain available to Norfolk Jet Express in its flights to and from Norfolk Island.

MR SMITH Yes Madame Deputy Speaker. I have been advised by the Administrator that or through those channels that the situation with Air Nauru is that they apparently did owe some maintenance money to QANTAS. Those funds have been transferred to QANTAS from Air Nauru and as far as we know, at this point in time the situation is stabilised.

MR BUFFETT Could I ask a supplementary question Madame Deputy Speaker. There are rumours Madame Deputy Speaker, and I ask the Minister whether he's aware that there are rumours that Air Nauru in fact may wish to use their aircraft not in its lease arrangement to Norfolk Jet Express but for other plans for Air Nauru, and if this is the case, are there contingency plans for a seamless change to alternate aircraft if in fact that happens to be true. So the Minister may want to talk about the rumour itself and secondly if there is any substance to it in response to the detail.

MR SMITH Madame Deputy Speaker yes there has been many many rumours around, not just recently but for quite some time about air services to Norfolk Island and particularly with the Air Nauru situation. As I understand it it's not something that I'm privy to in a large sense in relation to Norfolk Jet and Air Nauru. I mean that's a business connection between those two companies but as I understand it if anything did develop with Air Nauru along the lines that Mr Buffett is relating the rumour to be to is that Norfolk Jet does have other options in place in case there was a situation where the Air Nauru aircraft was no longer available. I haven't spoken to Greg in the last few days about it so that's the situation as I know it but I assume that would still be in place.

MR BUFFETT Madame Deputy Speaker given that the situation is quite volatile can the Minister undertake to keep the House regularly informed

and the community regularly informed as to any adjustments or changes that might happen in the market place concerning the airline matter, and also offer support for the local airline in that it's the sole operator from the Australian scene to and from Norfolk Island at this moment.

MR SMITH Madame Deputy Speaker certainly. I don't mind at all. In fact it's part of my role just to keep the House informed and the community informed where things are real. I won't, won't contribute to rumours about situations with the airlines in trying to ? those every time one comes around. I was put into a situation recently where I was asked at night about a certain, I better rephrase that I suppose. I was informed quite late that one of the Air Nauru crew who was here on the island had said that they would not be flying here the next day, a typical rumour that we hear. I immediately rang the CEO of Norfolk Jet Greg Prechelt who was quite angry at the fact that somebody that was on the ground here, particularly part of the airline making such stories which proved to be untrue. I mean the aeroplane did fly here again the next day and has been ever since. I don't want to keep pursuing Greg and asking him every time I hear some rumour. I do assume and he has done it to date if there is anything that he needs to tell me, he certainly lets me know. There are other people that do keep me informed of the situation. We have to treat it as that everything is normal unless something becomes abnormal as is what happened just recently with the QANTAS Air Nauru situation.

MR BUFFETT A final I think supplementary on this particular matter Madame Deputy Speaker. Could I ask the Minister whether he accepts that regular factual information, in fact scotches rumour.

MR SMITH I'm not too sure Madame Deputy Speaker if Mr Buffett's asking me an opinion on whether something will work or won't work. I'm very keen and I've said that before that I'm happy to give any information to the community that is factual. I do not want to keep going and making statements that everything is all right, when everything is all right because if I keep making statements on rumours we perpetuate the rumour, but I see where Mr Buffett is coming from and I'm not trying to be difficult with his question. Of course we all feel the same way about it, we all want the Air Nauru situation to be stable, we want Norfolk Jet to be able to use that aeroplane for every service they've got and keep this industry going, and we've got to be really careful that we don't help spread rumours by talking too much about difficult situations.

MR BROWN Thank you Madame Deputy Speaker. I direct this question to the Minister for Community Services and Tourism in relation to his public service role. Can the Minister please advise whether the contracts of employment for the senior positions in the Public Service are performance based contracts and if so, can the Minister please advise what mechanisms have been put in place to ensure that there is accountability in terms of those performance based contracts

MR SMITH Thank you Madam Deputy Speaker. As my colleagues will be aware, the contracts are performance based for all the executive positions and I think Mr Brown is referring to the executive directors and the CEO's positions. They are performance based. The accountability for the Legislative Assembly and therefore the Government is through the CEO. The Legislative Assembly or the Government should not be involved in running things in the public service. As far as personnel is concerned, but if the question really is saying if these people don't perform have we the ability to do something about it or can we make them accountable and the answer to that is yes

MR BROWN I ask a further question to the Minister for Community Services and Tourism. If the answer to my previous question was yes, can the Minister please advise how the performance will be held accountable

MR SMITH That's a bit of a hypothetical I guess, if Mr Brown is asking the question in context that is somebody is not performing how will we know. Well I'm sure we are going to be advised in the first place by the Chief Executive Officer unless it is the Chief Executive Officer herself and that is something that I as the Minister will be naturally keeping an eye on and will be expecting that the CEO would be doing the same with the executive director's positions but I'm quite sure that Mr Brown as I would know, would soon find out if there is non performance

MR BROWN I direct this question to the Minister for Finance. Can the Minister please advise whether the funds owed to the Norfolk Island Airport by FlightWest Airlines have yet been recovered and if not, is the Minister able to advise the amount of any likely write off

MR DONALDSON Thank you Madam Deputy Speaker and thank you for that question. I have recently received advise from the Administration that they've received advise from the liquidator of FlightWest that they will not be able to pay 100 cents in the dollar in the next twelve months. In fact, that's the formal advise. The informal advise is that wages paid to employees will not rank at 100 cents in the dollar which virtually means the ordinary unsecured creditors will not get anything. That's quite a worry for the Administration because there's a total bill owing by FlightWest to the Norfolk Island Administration of \$297,799. \$292,000 of that is landing fees, \$5,500 is customs out of hours expenses and \$168 dollars is hire of equipment. The matter is with the legal department. We have lodged proofs of claim with the liquidators. In fact we've lodged 535 claims with the liquidator. I wish I could say to you we're going to get some of it back or we're going to get all of it back, but at this stage it must be considered that it is a possible bad debt

MR D BUFFETT Thank you Madam Deputy Speaker I ask the Minister who has responsibility for waste management a question. Solutions to the waste management has been under examination and review for some years. Can the Minister provide a situation report on completion of the waste disposal machinery and a halt to the unsatisfactory practices presently being continued

MR I BUFFETT Thank you Madam Deputy Speaker I can't immediately present that report. I too have also recently been briefed on the situation in respect of waste management. I will undertake to do that. I'm having some continuing discussions with the officers concerned including some discussions with some people in this community who are interested in waste management and I undertake to provide answers to those questions at the next sitting of this House

MR D BUFFETT Thank you Minister for that response and I look forward to that report when it comes. Could the Minister elaborate on the community consultation process that he's alluded to just now

MR I BUFFETT Thank you Madam Deputy Speaker at the moment I think one of the matters that I did raise in my policy statement that I put in the press prior to being elected to this Legislative Assembly was that I needed to know who the stakeholders were in a number of issues. The issues that fall in my portfolio area I intend to discuss with Administration officers who have had carriage of this matter whether all the consultation processes have taken place in the community. I suspect that a lot of work has been done without consultation in the widest sense in specific areas of waste management. I have a further individual briefing by those officers some time in the near future, hopefully before the next sitting and I will then be able to put a programme forward for that further consultation on the waste management with stake holders in this community

DEPUTY SPEAKER No further supplementary Mr Buffett. In that case, gentlemen you may care to remove your jackets before we hear from Mrs Jack

MRS JACK Thank you Madam Deputy Speaker. My question is addressed to the Minister for Planning. Minister with regards to the overview of the Planning Act can the Minister advise that when visual upgrades of old accommodation houses occur that the behind the scenes upgrades such as water storage and sewerage also occur. Can he have this view included in any possible reform

MR I BUFFETT Thank you Madam Deputy Speaker they are issues which are currently being discussed as part and parcel of amendments to the Acts, that is the Public Health Act, the Planning Act and included in the associated package of legislation in respect of the new plan for Norfolk Island. They are matters which are of concern to myself. I am aware they have been around for some considerable time and if it may assist Mrs Jack I've already had some of these preliminary discussions with officers on those exact subjects since being elected to this Legislative Assembly and hopefully the answer will be yes and we will be able to collectively look at what are the requirements in those areas that are being mentioned

MR BROWN Thank you. I direct this question to the Minister for Community Services and Tourism. Minister for the benefit of the people involved in the tourist industry, are you able to advise when Ansett Holidays is expected to be making payments to those to whom it owes money on the Island and are you able to provide a best estimate as to the number of cents in the dollar which will be paid

MR SMITH Thank you Madam Deputy Speaker. I have no idea. It's probably a matter between Ansett Australia and anybody who is in that situation. I haven't been told of anything by anybody in relation to Ansett itself. Maybe I should have been told but I haven't

MR BROWN I direct this question to the Chief Minister. Is the Chief Minister able to advise the House of the present situation in relation to the establishment of a cybercentre in Norfolk Island

MR GARDNER Thank you Madam Deputy Speaker. I've had recent discussion with some of the officers involved from an early stage in relation to the establishment of a cybercentre in Norfolk Island. As I think members would be aware there has been a change in focus from the development of an offshore finance center to something more akin to a cybercentre. To actually put your finger on exactly what a cybercentre is, is a difficult matter at this stage because there is no tangible model that has been developed but it appears from international experience and consultations that have taken place that that is the direction in which we should be heading. There will be a more comprehensive briefing provided to all members in relation to the development of a cybercentre. I have had recent discussions with a company involved in similar activities, certainly have arms into a number of areas dealing with IT, gaming, cybercentre and those sorts of areas. They are going to be providing some sort of further information towards the middle of January upon a likely model or potential model for Norfolk Island which will be addressed through the relevant officers in the Administration and then come before the Legislative Assembly for some discussion and in relation to that yourself Madam Deputy Speaker have indicated a very keen interest in participating in the development of a cybercentre model and I have asked the officers of the Administration to assist you in your endeavors to further the advance of a cyber center model for Norfolk Island so I guess in a short way to answer that question Mr Brown, there will be some papers forthcoming they are just not available immediately and I await the response of the company that I've had discussions with recently

MR D BUFFETT Thank you Madam Deputy Speaker if no-one else is raising this matter. It is the matter of the current situation about rock crushing so I ask the Minister who has responsibility for rock crushing. There has been a number of statements and comment in the community about rock crushing over the last week or so. Is the Minister able to give us a definite up to date situation report about the rock crushing programme in Norfolk Island

MR I BUFFETT Thank you Madam Deputy Speaker the short answer to that is no, I cannot give you a definitive statement about rock crushing in Norfolk Island because rock crushing have a number of aspects that at the moment are still in the process of being finalised both by this Legislative Assembly, by myself as the Minister responsible and by other parties who have interest in this particular topic. In the Saturday paper of the 15th January I published a statement which was a position which the majority of members of this Legislative Assembly took in respect of one aspect of crushing or of operations pertaining to rock crushing. That is the position at the moment. For the benefit of the Members and the wider community there are some further briefings and some further discussions to be held on the topic of rock crushing and I will be in a better position to discuss and make a definitive statement on the overall question of rock crushing at a later date or hopefully by the next sitting of this House

MR BROWN A final question for the Minister for Finance. Has the Minister had time to examine the trends in relation to the Financial Institutions Levy. If so, can the Minister advise whether the collections from that levy are in fact decreasing year by year and finally can the minister advise whether he has examined the possibility of doing away with or reducing the Financial Institutions Levy

MR DONALDSON Thank you Madam Deputy Speaker. Thank you for that question. In answer to your first question I've had a very brief look at the trends this year for the Financial Institutions Levy and I can tell you that this year for the month of November we've received \$49,000. Last year we received \$56,000 for the same month. On a five year cumulative total for the first five months of this year, this year we've received \$316,000, last year we received \$346,000 so there appears to be a downward trend. I can't tell you if that downward trend in the collection of the Financial Institutions Levy is due to less commercial activity or more avoidance and we all are quite aware that there are many ways to avoid the Financial Institutions Levy. On the second part of the question as to whether I have any plans or desire to reduce or eliminate the Financial Institutions Levy I certainly have but I don't know if it is possible to do it in the life of this current financial year. The Financial Institutions Levy as I see it is an unfair tax. It's a tax on transactions not a tax on profits. It's a tax that can be avoided by a lot of people who can bank offshore, use EFTPOS or use the cash system only. It was never designed for that and it was never designed to be a tax at 1%. It was originally designed to be 15 cents in every \$100. I haven't come to grips with whether reducing it by half or three quarters will increase the activity and we'll get compensation for the lesser rate by an increased activity or not but I would be very open to any suggestions from anybody here or anybody in the community who could suggest an alternative way of raising revenue to the Financial Institutions Levy, thank you

SPEAKER Further Questions Without Notice?

PRESENTATION OF PAPERS

We move to Presentation of Papers

MR SMITH Thank you Mr Speaker. I would like to table the Inbound Passenger Statistics for November 2001 and move that the paper be noted

SPEAKER
noted

Thank you. The question is that the Paper be

MR SMITH

Thank you Mr Speaker. The results of the November travel of visitors to our Island shows a downward trend which we were expecting and the total for the month was 2886. In comparison to last year of 3654 and the year before of 3456 so down 400-500 in November this year. Interesting parts of those statistics is that out of New South Wales there were 1267 compared to 1518 last year, Victoria almost the same at 334 and 383 last year, Queens land down significantly from 951 to 579 this year. New Zealand numbers still not very good. 416 compared to 556 and 608 the year before. Mr Speaker the previous Legislative Assembly and the Board recognised the difficulty and I think I spoke about this at the last sitting of the last Legislative Assembly that the Legislative Assembly had agreed to provide additional funding for the Tourist Bureau in this financial year to the tune of \$50000 to kick off a campaign which we hope will arrest the downturn of the tourist numbers into Norfolk Island. The downturn is due to a number of factors as we are all well aware. The demise of FlightWest, the 11th September situation which gave a lot of people a fright when it came to flying, shortly after that the demise of Ansett, the difficulties with Air New Zealand and I think I can say that we're really quite lucky that we have been retaining a reasonable number of our visitors to the Island but still the indicators were that the early months of next year were looking pretty sad and as members will recall from yesterday with the briefing we had from the Tourist Bureau that at one stage the January bookings were as low as 400 for the whole month. The campaign has been put in place and it started last week with the last two weekends advertising a radio campaign with 2UE which is proving to be hugely successful as we are told and has already generated an additional 700 passengers for January besides the bookings coming up anyway, so January as I understand it, although I haven't seen the actual figures in recent times, the January figures are going to look much healthier than what we had expected. I once again don't want to be negative about the situation but we have to be positive that it's going to improve and as I understand it, from late February-March things are quite healthy but it's this period in between that is of concern. Also of concern is the issues that you yourself Mr Speaker raised this morning in relation to Air Nauru, the airline and their airplane and the stories we hear about all the time. I would like us to be positive in thinking I guess or in hoping that the aircraft will stay in the situation it is in being flown to Australia from Nauru and being chartered by Norfolk Jet and providing our only service out of Australia at this particular point in time. I know it can be quite distressing when you hear of stories that airplanes are not coming in this weekend or whatever the rumours may be but I don't want us to get into a situation where we are trying to justify every rumour that comes along in relation to the airline. I think they have a tough enough time as it is. I'm very keen to see that they keep providing the amount of services that they do and I wouldn't be surprised if they make adjustments to their regular schedule to adjust for the number of passenger who are available to come to the Island. I guess we've just got to hang in there and hope that the campaign is going to do what we expect it to do. Of course the campaign as large as what we are doing, which is with all the contributors is going to be worth about \$140,000. It is aimed at the January February period but of course there is always going to be the effect of providing visitor numbers further down the track as well. All in all, with November, just going back to that, not a particularly good month but possibly not as bad as what it could have been, thank you

SPEAKER
before us is that the paper be noted

Thank you. Debate. No debate. The question

QUESTION PUT
AGREED

That paper is noted

MR DONALDSON Thank you Mr Speaker. I tabled the Financial Indicators for month of November 2001 and move that the paper be noted

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

MR DONALDSON Thank you Mr Speaker. I would just like to make a few comments on the Financial Indicators for the first five months of this current financial year, that is the five months ended 30 November 2001. Firstly, the financial indicators are for the revenue fund only and excludes the Government Business Undertakings. I hope to be able to provide monthly indicators for the Government Business Undertakings as well as the Revenue Fund at each sitting of the House. However at this early stage I can only comment on what is provided in the Revenue Funds figures. The Revenue Funds financial indicators are prepared under accrual accounting and report income on and earned rather than received basis as well as expenditure on an incurred basis rather than a paid basis. On a year to date that is the first five months basis, total income is 95% of budget and total expenditure is 90% of budget or expressed in dollar terms we budgeted for \$4820m dollars of income but have only received or earned \$4556m being a shortfall of \$264,000. On the expenditure side we budgeted for \$5.2m but have only incurred or spent \$4.7m being a shortfall of \$515,000. That is favourable as it means that we have not spent as much as we budgeted to spend in the first five months. The effect of both income and expenditure being below budget is that we are ahead of budget by \$251,000. What that means is that we are performing better than budget but doing so by under spending not by exceeding our income targets. The original budget was a deficit budget and if we proceed at the current rate of income and expenditure there will still be a deficit budget at the end of the year although less than originally anticipated. With the exception of welfare expenditure and education all expenditure for the first five months is below budget. Welfare is 131% of budget or \$156,000 overspent to date whilst education 5% above budget or \$31,000 overspent. The net results of the Revenue Fund activities for the first five months is a \$149,000 deficit. Just as a further comment on that, there is no doubt that the results for the first five months of this financial year have been adversely effected by the withdrawal of FlightWest on the 18th June, the terrorist attack in New York on 11th September and the collapse of Ansett on the 14th September. However, it is somewhat comforting to know that our economy did not suffer a lot more than it did from these events and it is hoped that with careful planning and teamwork we can look forward to a more prosperous second half of the year for both the public and private sectors. Thank you Mr Speaker

SPEAKER Thank you. Debate. No debate. The question before us is that the paper be noted

QUESTION PUT
AGREED

That paper is noted. Are there any further papers for presentation this morning

STATEMENTS OF AN OFFICIAL NATURE

We move on to Statements. Are there any Statements this morning. Chief Minister

MR GARDNER Thank you Mr Speaker. I have a statement in relation to the hosting of the recent South Pacific Mini Games on Norfolk Island . As members are aware the 6th South Pacific Mini Games were hosted by Norfolk Island from the 3rd to 14th December 2001. The success of the Games were summed up by South Pacific Games Council President, Mr Ric Blas, in his address at the closing

ceremony, when he declared the 6th South Pacific Mini Games to be “The best Games ever in the history of the South Pacific Mini Games”. These words confirmed the positive comments and applause that circulated locally and internationally during the two weeks of the Games – from the words of praise from Mr Kevin Gosper, Vice President of the International Olympic Committee, at the opening ceremony; through various written and electronic media; from Chef de Missions, South Pacific Games Council representatives, officials, competitors and spectators alike. I would like to take this opportunity on behalf of us all to congratulate the Games Organizing Committee and their many and varied band of helpers. Special tribute to the President – Mr Dan Yager, and Secretary, Mr Tom Lloyd for leading and co-ordinating a magnificent team effort which produced an outstanding result. The teams involved in meeting and greeting at the arrivals hall, transport, accommodation, food preparation and supply and venue preparation are all to be commended. The roll and support of many facets of the public service are worthy of note – their contribution and co-operation ensuring delivery of services on time and of a high standard, laying the foundations for success of these Games. To you Mr Speaker, special mention of your participation in the success of the Games in your previous roll as Minister for Sport in the immediate past Government - for providing comprehensive reports to the Assembly in the lead up and your efforts to meet and greet each arriving aircraft and team delegation. Thank you. Congratulations to Mr Bruce Walker on his skilled organisation of the Opening and Closing ceremonies and to the Norfolk Island Central School teachers and children for their participation in making the Opening Ceremony one of which we can be justly proud. To the Norfolk Island athletes, 25 medals in total placing Norfolk Island 6th overall from 19 competing nations, in the medal count. Thank you for your participation. It would be remiss of me not to make special mention of Miamiti, also known as Cameron Christian. Dressed as the Games mascot, often in sweltering conditions, he met and greeted all arriving teams, assisted at differing venues, fed and watered participants, and mixed freely with athletes at events and evening functions, became the most photographed participant in these Games, and endured all the trials and tribulations of his role with tremendous dedication right through to the, at times, very moving farewells to our visiting teams. An outstanding effort Cameron. Minor hiccups did occur, however, these were not significant, and were overcome by the sporting spirit of all athletes and friendliness of everyone involved which, I am sure, will be long remembered by the athletes, officials, supporters and spectators from all of the participating Pacific nations, who visited Norfolk Island for these Games. All involved have done Norfolk Island proud. We now – through having hosted the Games, and the attendant successes, - can hold our heads ever higher. We have, I believe, stamped an indelible mark in the thoughts and minds of the sports people and others throughout the Pacific, that Norfolk Island can bid for, organise, host and successfully deliver projects of the magnitude we have witnessed and in doing so continue to forge ever closer relations with the nations of the Pacific. Well done and congratulations to all concerned. Mr Speaker, I hope to be in a position to provide a further statement, at another time on the financial aspects of the Games once the Organising Committee have finalized those matters thank you

MR SMITH
the Statement

Mr Speaker, I move that the House take note of

SPEAKER
Statement

The question is that the House take note of the

MR SMITH

Thank you Mr Speaker. I reiterate a lot of the comments that the Chief Minister has passed but I would also like to say to the people who kept the faith about the games over the last five years I think it was when we were first asked if we would support running the South Pacific Mini Games here. There was a lot of doubt through the years but for all those people who did keep the flame burning for all that time good on you for doing that because in the end we proved that Norfolk Island can do it

MR I BUFFETT Thank you Mr Speaker. I had intended to make some short comment regarding the Mini Games in the adjournment debate but perhaps I could do that now. They are short and relatively to the point. I would also like to congratulate all those who participated in making the recent Mini Games such a success in Norfolk Island. I think the reason that they were a success was because all the elements that make up this community worked co-operatively and they worked co-operatively for the Island's good and the short words that I wish to say is that I hope this type of co-operation can continue so that we can achieve some of the aspirations and some of the targets that this community is trying to achieve

SPEAKER Thank you. Any further debate? Then I put the question that the Statement be noted

QUESTION PUT
AGREED

MR SMITH Mr Speaker, I would like to make a short statement in relation to one of my new responsibilities which is Health which includes Healthcare and the Hospital. I would like to report that I have met with the Director, the Chair of the Board, the doctors and Members of the Hospital Board over the past week and up to yesterday. Mrs Vicky Jack who has a strong interest in health issues as well as other things of course, has joined with me at most of the meetings to also get an understanding of where things are at right now. It is my intention to meet up with each of the Hospital staff next which should take place over the next couple of weeks. I need to say that I'm looking forward to working with all the people involved with the Hospital and I hope that I can be of assistance to the overall goal of providing good health services to this community. I do realise that there have been some traumatic times for the Hospital and the Board over the past months and trust that from here on in between us all things can be settled down to a normal pattern of life for all those involved in providing health services. It is quite obvious to me that all those involved are people who really care for the community's health and the hospital and should not have to have any added pressures on top of what they have already had to do and I will do whatever I can or whatever I need to do to assist them in their roles and I'm sure Vicky would reiterate that. I expect there to be some really good positive things coming up in the health area this year with the Griffith's Report expected sometime early next year, the possibility of Commonwealth assistance in some form and other things that the Board will propose in their strategic plan as well. Similar to the Tourist Bureau it is not the role of the Minister to become involved in day to day running of the Hospital but where I can give help, as I said before, with Mrs Jack's assistance I'll do whatever is required of me thank you

SPEAKER Thank you. Are there any further Statements. We move to the Notice Paper that's in front of us Honourable Members

APPOINTMENT OF THE HOUSE COMMITTEE

MR GARDNER Thank you Mr Speaker I move that this House pursuant to Standing Order 19 in addition to the Speaker ex officio appoints Stephanie Victoria Anne Jack; and Ivens Francois Buffett to be members of the House Committee. Mr Speaker the House Committee is a standing committee of the House comprising the Speaker and two other members. The traditional role of this Committee is to advise the Speaker on the facilities to be made available to members and staff within the areas allocated to the House

SPEAKER Thank you. Any debate on this matter. There being no further debate Honourable Members I put the question that the motion be agreed to

QUESTION PUT
AGREED

The ayes have it thank you that motion is agreed

APPOINTMENT OF THE BUSINESS COMMITTEE

Mr Smith Mr Speaker I move that this House pursuant to Standing Order 20 in addition to the Speaker ex officio appoints Chloe Nicholas and Ivens Francois Buffett to be members of the Business Committee.

SPEAKER Thank you. Debate. There being no further debate Honourable Members I put the question that the motion be agreed to

QUESTION PUT
AGREED

The ayes have it thank you that motion is agreed

APPOINTMENT OF THE STANDING ORDERS COMMITTEE

MR IVENS BUFFETT Mr Speaker I move that this House pursuant to Standing Order 17 in addition to the Speaker and Deputy Speaker appoints Geoffrey Robert Gardner, Graeme Donaldson and George Charles Smith to be members of the Standing Orders Committee

MR GARDNER Thank you Mr Speaker. I probably should have entered into debate in the last two, for those listening as it's important that they understand the roles of the different House committees. The Standing Orders Committee in particular I think have quite a significant task in the life of this Assembly to review our Standing Orders and to assess whether they are still appropriate in their current form or need an overhaul. I'm looking forward to participating in that committee and in looking at our current Standing Orders and making a contribution to that committee

SPEAKER Further participation in debate. There being no further debate Honourable Members I put the question that the motion be agreed to

QUESTION PUT
AGREED

The ayes have it thank you that motion is agreed

APPOINTMENT OF THE COMMITTEE OF PRIVILEGES

MR BROWN Mr Speaker I move that so much of Standing Orders be set aside in order that a Committee of Privileges is not appointed pursuant to Standing Order 18. Mr Speaker this has been a tradition of this House. Standing Order 18 provides for the appointment of a Committee of Privileges to enquire into and report upon complaints of breach of privilege which may be referred to it by the House but we do have the power to set Standing Orders sufficiently aside in order to not do so. We

can always come back at a later date and nominate people for a Committee of Privileges if that is required. It has not been required that I can recall in the whole of the time I've been on the Legislative Assembly

MR NOBBS Thank you Mr Speaker. I won't be voting in favour of this. I believe there is a need for a Privileges Committee to be seen as there's a perception that there has been problems within the Legislative Assembly from time to time and that such a committee can be easily put together as Mr Brown said but I believe that there should be one in place anyhow and I won't be voting in favour of the motion thank you

SPEAKER Thank you. Further debate. There being no further debate Honourable Members I put the question that the motion be agreed to

QUESTION PUT
 AGREED
 MR NOBBS NO

The ayes have it thank you that motion is agreed

IMMIGRATION ACT 1980 - APPOINTMENT OF MEMBER OF THE ASSEMBLY TO THE IMMIGRATION COMMITTEE

MR GARDNER Mr Speaker I move that for the purposes of section 6(4) of the Immigration Act 1980 this House recommends to the executive member that Chloe Barbara Nicholas and David Ernest Buffett be appointed as Members of the Immigration Committee. Mr Speaker the Immigration Act allows for the appointment of five members in total to the Immigration Board, two of whom may be members of the Legislative Assembly and I've chosen to pursue the appointment of two members of the Legislative Assembly to the Immigration Committee in this House Mr Speaker simply because of the importance of wanting to finalise the Review of our Immigration procedures and matters. I think it is important especially with Ms Nicholas's enthusiasm to get on with the job and your vast experience in the area of Immigration that we have really set in place the foundations to adequately deal with the Review of Immigration and to finalise that matter thank you

MR SPEAKER Thank you. Further debate. There being no further debate Honourable Members I put the question

QUESTION PUT
 AGREED

The ayes have it thank you that motion is agreed

HEALTHCARE ACT 1989 - APPOINTMENT OF A MEMBER TO THE HEALTHCARE CLAIMS COMMITTEE

MR SMITH Thank you Mr Speaker I move that for the purpose of section 22(2) of the Healthcare Act 1989 this House resolves to choose Stephanie Victoria Anne Jack to be a member of the Healthcare Claims Committee.

SPEAKER Further debate. There being no further debate Honourable Members I put the question

QUESTION PUT
 AGREED

The ayes have it thank you that motion is agreed

PLANNING ACT 1996 – APPOINTMENT OF MEMBER TO THE PLANNING BOARD

MR IVENS BUFFETT Mr Speaker I move that pursuant to section 49(1) of the Planning Act 1996 this Legislative Assembly nominates Stephanie Victoria Anne Jack as its member of the Planning Board and requests the executive member to appoint Stephanie Victoria Anne Jack pursuant to section 50(1) of that Act

SPEAKER Debate. There being no further debate Honourable Members, I put the question

QUESTION PUT
AGREED

The ayes have it thank you that motion is agreed

HEALTHCARE LEVY ACT 1990 – PAYMENT OF HEALTHCARE LEVY BY INSTALMENTS

MR SMITH Mr Speaker, I move that this House (1) resolves that the Healthcare Levy Act 1990 be amended to provide that the healthcare levy may be paid by a liable person by monthly installments; and (2) recommends that the responsible executive member investigate a method of deducting the healthcare levy by installments from the wages of a liable person by agreement between the employer and the liable person. Mr Speaker this is an issue that I've raised at various times in the past in relation to the difficulty that some people, particularly lower wage earners have in finding the Healthcare Levy when it comes up, particularly if it's a couple where they need to find \$500 at two points in the year as the levy is \$250 per person twice a year. I know that people do have difficulty in finding the levy at times and I've been looking for a way that would make it easier or more simple for people to be able to keep up with their Healthcare payments. I've thought about it a lot and I've talked to quite a few people about it in relation to whether it's a good idea or bad idea and whether it's going to put any extra work on the Administration and any difficulties such as those that may be raised. One of the things that might be misunderstood in my motion at first is that it makes it look like when the levy period comes up you can start paying off your healthcare levy. That's not the intention. The intention is for example, if this was to be agreed to at some point by the House and the next levy period say was February that the levy would have to be paid as normal but you would have the opportunity of being able to start making payments for the next levy period. It works out at about \$41 per month and by the time the next levy period comes around that person would have in fact paid the healthcare levy that was due at the six month point after the February point. The second part of the motion is a concept which I thought may make it easier for employees if it was acceptable to an employer to be able to have the levy paid on a weekly basis out of wages or salaries. If the employer and the employee were of the mind to do so. It is not my intention to have this passed today but I would like to move an adjournment at some point so that it can sit on the table until the next sitting to give not only the members but people in the community the opportunity to comment and think about the proposal that is in front of us. One of the things that went hand in hand with my thinking on this was announced late in the last Legislative Assembly that the accounts branch was heading towards a system where we would get one single invoice sent from the Administration accounts branch in the future with all your electricity telephones etc on one invoice and if that was going to be the case it would be a simple matter of doing the same with the healthcare levy. I do understand after talking to Steve yesterday and other people that that is not going to happen within the next few months but probably by the end of the financial year that may be getting closer to being in place. Now whether that effects the thinking on this particular motion or not I'm not sure but I would really like to hear what

members have to say about it and I would like to say again that I would like to adjourn this at a particular point to take it over to a subsequent sitting thank you

MR GARDNER Thank you Mr Speaker. Just a few brief comments. I haven't got any great opposition to what the Minister has proposed here and it is refreshing that we are looking at ways of attempting to make payment, collection of levies and outstanding debts more efficient. The Minister in a previous role in a previous Government had approached me about this matter. At that time I understood that there was no feasible way of putting such a proposal into place at the time, simply because the computer system didn't allow and the Minister has touched on that. Also because instead of stuffing envelopes twice per year with a levy notice it would require taking on extra staff and extra resources to stuff envelopes twelve times per year or whatever the proposal was going to be. I'm interested in that the proposal is to place the onus for collection upon the employer. That raises some interesting thoughts, especially in the recent briefing that we've been told that one of the difficulties that we are faced with now with say the Workers Compensation Scheme is the inability or the non desire of some employers to want to collect that or in fact not collecting it at all so there's another issue that needs some thought given to it. I was interested in the Minister's comments regarding the fact that there is difficulty with some families in paying the healthcare levy twice per year. I understand that. I think everyone has difficulty in finding \$500 per a family at two points in a year but there are also a number of other significant bills that are outstanding in the community. Phone bills. You get those twelve times per year. Rego one a year for your car. Electricity four times per year. Home insurance. You can pay that by installments certainly. You can pay all these by installment if you place them on your credit card and pay them off but I guess are we really starting to open up this box of worms and looking to in a more increasing way, putting the onus upon employers to collect all of those levies, fees, charges and everything else and in a de facto way become the tax collector for the Administration. I don't know. As I said, I'm not against this. I think it needs some expansion on it and we need some of those questions answered and I would be only too keen to have a look at a more in depth proposal and whether the service in fact are in a position to be able to actually implement something like that

MR BROWN Mr Speaker my recollection is that the Employment Act in fact prohibits any deduction from an employees pay apart from a deduction for rent in certain circumstances. So what the Minister is proposing would certainly require an amendment to the Employment Act. But I agree with what the Chief Minister has said. I think we have to be very careful that we don't just load the employers with more and more responsibilities and more and more paperwork. Let's think about it for a moment. There are about 1200 members of the Healthcare Fund. If we are going to expect the employers to deduct \$10 per week from each employees pay and to send it down to the Administration we're going to be creating a hell of a lot of paperwork which is going to in fact cost more than \$10 per week to do. By the time the employer makes appropriate notations on the employees pay slip, separates the pays out, spends 20 cents of stamp duty drawing a cheque, however many cents of bank fees for the cheque to be processed, uses an envelope, addresses it, puts on a ten cent stamp, sends it down to the Administration, someone opens it, someone sends it to the Accounts Branch, someone receipts it, someone enters it into the computer, dearie me for \$10 that's not really good thinking. I certainly agree that it would be worthwhile amending the Employment Act so that if both the employer and the employee agree that a deduction should be made from and employees pay, it should be possible. Really, what right have we got to dictate that it be any other way. So I don't have a difficulty in amending the Employment Act so that deductions agreed between the employer and the employee can be made. In terms of amending the Healthcare Act I'm a little puzzled by the wording. This says that we resolve that the healthcare Act be amended. Well I don't think we can do that. We can only amend the Healthcare Act by the passage of a Bill. We can resolve to ask the responsible Minister to bring a Bill before the House aimed at

doing such and such but we can't just sit here and by normal motion resolve to amend the act. Let's look at the wisdom of that anyway. The Minister is telling us that he 's not intending to change the present situation in which the levy is paid six months in advance. He's intending that twelve months in advance you can start making monthly payments. Well probably you can do that now. There is absolutely nothing to stop you doing that now. We don't need to amend any legislation if someone wants to make weekly monthly quarterly whatever payments towards any of their Administration accounts, if they want to put that account into credit, that's their business. They can put it ten years into credit if they wish to. But I think we've got to be very careful in anything we do that we do not create a paperwork nightmare and that we do not simply make the whole system turn into a muddle. I have difficulty in supporting part one of the motion. I will only support part two of the motion at the appropriate time if an employer and an employee are going to be able to agree on whatever they like in terms of deductions thank you

MR I BUFFETT

Thank you Mr Speaker I think Mr Brown might have seen some of the signals on my forehead but I did speak to the Minister responsible and expressed some of the concerns I think Mr Brown has already mentioned and the first is that it is entirely up to the individual and the system we have at the moment does allow them to nominate what they are paying and at what time they want to pay it so I'm not too sure whether we need to make it mandatory that the Legislative Assembly says well, why don't we all go and do that. I'm just wondering what the Minister had intended by part one of that. Shall there be a levy on a monthly basis because that changes the concept slightly and it gets back to what Mr Brown has been saying, do we issue invoices each month and without prolonging the discussion on it I think they have that facility already. You can go there and nominate whatever amount of money you want to pay and whatever debt you want to pay. The second aspect of this particular motion, the thing that concerns me just a little is that even if we amended the Act the Employment Act to do this we have still this question of enforcement and we've still got the question of making sure we get these things and I would prefer that during the period of adjournment that we proceed to that, that the matter be referred to the Service and we get some comment regarding the likelihood of enforcement and successes in collecting the levy. That's all I wish to say at this point Mr Speaker

MS NICHOLAS

Mr Speaker I'd better come in quickly or around the table everybody's going to be saying the same thing because I, as well as Mr Buffett and Mr Brown am on the same track I think. I support the overall aim of this motion but I'm certainly having difficulty with the nuts and bolts of it. As others have said before me, I understand that monthly payments may be arranged with the Accounts Department now but I particular have reservations about part two. We are asked to recommend to the Minister for Community Services and Tourism, that an investigation into the possibility of, in effect, placing a garnishee on someone's wages, to enable collection or payment of the Healthcare Levy take place. It is to be mutually agreed according to this motion. I've yet to be convinced that such a deduction can be made without due process and Mr Brown has alluded to that. How will it be administered? What guarantee that the employer will pass on the amount to the Administration Healthcare Levy coffers? This has already been mentioned. Perhaps there would be perceptions of problems with the employment levy. This appears to me, to be down the track, potentially draconian legislation to collect something in the vicinity of what I see of about \$14,000 dollars in outstanding debt per year and that's according to page 91 of the recent financial statement. I also see it as being the thin edge of the wedge, what other tax collection by this method will come next? This is what some of the furore in Australia has been about with employers being asked – required – to collect tax for the government. Already the banks are having to do it here for FIL. There are multiple work load factors here. Administration's accounts department will probably have to lock into sending out monthly accounts in respect of Healthcare Levy payments. As Mr Buffett has said, we are potentially changing the system. The Accounts Department will probably have to lock onto sending out monthly accounts in respect of Healthcare Levy because we can't

change it for some and not for others. Yet another sheet of paper, another envelope, another accountancy procedure, all of which cost dollars and the Chief Minister has referred to that. The employer will need to calculate deductions from wages and account for them. Then I suppose he will be expected to post off a cheque to Administration as well. If monthly payment of the Healthcare levy is seen as a good option, let it appear as one item on a list of consolidated accounts. And I hate to tell you but we've been talking about consolidated accounts to my recollection since 1982-83. One piece of paper, one envelope to each of us coming out of Administration every month. When can we bring that system on line. We are being told perhaps at the beginning of the forthcoming financial year. Do we also get organised for Bpay or Direct Debit. Sorry Mr Speaker I'm probably off on a tangent and I am prepared to be swayed by debate and shall listen to what others in the community have to say on this issue, thank you

MR SMITH Thank you Mr Speaker and thanks for the comments from the Members around the table. One or two points I might need to clarify. Part Two of the motion says or recommends that the executive member investigate. Now what I intended with that, and maybe that needs a slight amendment. Investigate whether it's possible or what method could be done so that it doesn't necessarily impact too much on the Administration if that was the case or on the employers or whatever. I think Mr Brown is right. The first part of the motion where the motion reads that the House resolves to make a change to the Healthcare levy, that isn't the right wording. Maybe that needs amendment too but those are just housekeeping parts of the motion and I'm quite happy to make changes or members might want to propose changes. But as far as the philosophy behind this I'll just quote from a letter that's in a ministerial here from the Finance Manager. I refer to our conversation concerning the difficulty with the collection of the healthcare levy. For the year ended 30th June 2000 I've written off bad debts totaling \$21,253 and made provision for doubtful debts of \$24,000. Since the year ending 1995 \$100,800 has been written off. \$100,000 has been written off for the healthcare levy. He puts forward the suggestion to assist in the reduction of bad debtors that people can pay their healthcare levy six months in advance at the time of approval. That's in relation to Immigration and with that in mind and with what I'm proposing and with what is going to be happening with the accounting systems where there is a monthly invoice I see this as an opportunity to make it a little bit easier for some people in our community that do have difficulty finding the money at any time, let alone when it comes into lump sums throughout the year. Maybe I'm looking at that in the wrong way. Maybe somebody can explain to me why we don't think that's a reasonable thing to do for people who are on lesser incomes in the Island. As far as the deduction from wages, my intention was that if an employer and an employee agree or want to do that, they should be able to have the ability and the systems in place in the Administration that they can do it. There was some suggestion that this would be like introducing some sort of taxation system. That's not what I'm talking about at all. I'm talking about making it easier for somebody's employee. It could even have the advantage I suppose of employees looking for extra money at a time when the healthcare levy is due and putting pressure on their employer for extra wages. If it is spread over a period of time like twelve months, it must take the pressure off the employer and the employee. But it was to be voluntary. If any employer wanted to do that and probably as members say, it could be done now. Mr Brown has just pointed out that as he said with the Employment Act, it is not possible for the employer to deduct things from wages and salaries unless it is specified in the Act and there are two or three things covered at the moment but if we were to go down that track we would need to amend the appropriate legislation. The concept is there. The philosophy is there. I don't mind us amending the motion to make it read better or if it is not going to work the way it is, I don't mind amending that but as I said before, I would like to move an adjournment and I would like to reconsider the way that I've written the particular motion and discuss it again at the next meeting, but I look to members today to see if they support the philosophy and if they don't then there is no point in my adjourning it, but maybe it would be better to put it to the vote in that particular case, but I do flag that I would like to adjourn it until the next sitting

MRS JACK

Mr Speaker I have trouble with what Mr Smith has just said because if we've written off so much already as bad debt, then I see these people as chronic bad debtors. If we already have in place a system where they can partially pay that money and they haven't made use of that system, I can't see that by making it monthly weekly whatever installments that these people are going to assist us by paying this bad debt. I also see trouble with the employer. We already have trouble collecting the workers comp. I see further invoicing making a paper trail. Mr Smith also said to investigate a method that doesn't impact too much on the employer. Well I think any impact is going to have repercussions in that it will effect the ability and capability of employers to collect that levy, to furnish it Down Town. I couldn't at the moment agree to it

MR NOBBS

Thank you Mr Speaker. I don't support the motion as put. I support the proposal. The problem I see it as there's no reference in the motion to paying in advance and it actually reads as though you are paying it off a month at a time during the period of the levy and that can be changed of course but what we have now is that you are paying six months in advance is what Mr Smith is talking about I think. It will be possible in time to organise a similar arrangement as this with all billing and I understand, and actually I was a bit taken aback, that we won't be having all the accounts consolidated onto one bill form until next June because as the previous Minister responsible I was promised that it would be in by last February and then it would be June and then it would be the end of the year and now it's mid-year. I'm quite disturbed at that because it's something that's needed, it's costing a fortune for the Administration and it's something that should be progressed as quickly as possible. On the other side of it, deductions from the employer I have no problem with arrangements being made with employer deductions and we should put in place whatever is required to enable that to happen. I think the bad debts from what I can gather are those under some sort of Immigration status and that's an area where we need to do some tidying up. At this stage I couldn't support the motion although I do support the concept. The concept's fine but what it usually does is there's an encouragement for people to pay well in advance, like if you've got some billing arrangements, if you want to pay it off monthly, it costs you x but if you want to pay it off twelve months in advance then it's x minus whatever the percentage savings in costs would be in providing for the monthly service so I think there's quite a deal to be looked at. I know Mr Smith's been carrying this around for a few years now, this particular concept. There's been some opposition from the Service in the past from a practical point of view, not from a concept point of view, and I think before the next meeting, I see there's one to be in January, there's quite a deal of work that should be done on this to come up with a proper proposal and amendments to the motion if the Minister wants to proceed down this line and as I say, I support the concepts but the actual mechanisms that he's suggesting in this motion I believe, leave a bit to be desired, thank you Mr Speaker

MR I BUFFETT

Thank you Mr Speaker I seem to recall that this particular topic has come up at least once or twice before in previous Legislative Assembly's. I personally believe that there is probably another aspect in respect of what we are discussing this particular day and that aspect is this. If we look at the period of the debt you see the same quantum of outstanding or bad debts in respect of the healthcare levy that accrues each period of twelve months. I'm wondering if as part and parcel of some of the work that the Minister has been asked to do, if he would also have an analysis of what those debts and who those debtors are because I strongly suspect, given the nature of the animal that if it's a healthcare levy there may be some social welfare aspects in that debt and perhaps with accrual accounting and looking at what social services does really incur in Norfolk Island and I think that perhaps we are not saying that we are writing off a bad debt but we may well need to take a different view of some of these aspects when we call them bad debts because I have a strong feeling that some of them are social welfare issues and no matter how well we put regulatory

procedures in place to enforce those debts you are still only going to catch those people who are able to pay and the bottom line is there are probably a whole lot of people who are totaling unable to pay and we should view them from a different perspective and that is from the perspective of social welfare rather than just straight as a debt collection process

MR BROWN Mr Speaker the Minister for Land is quite right in what he has said to us and there is another factor that we should bear in mind. Many of these people who don't pay the levy have in fact left the Island and many of them might have left the Island one week, two weeks, one month after the levy notice was issued. Now the levy is for the following six months. Had they paid and sought a refund we might find that this \$20,000 figure broke down into \$10,000 of social welfare type expense, \$9000 that would have been refunded and perhaps only \$1000 of absolute loss. I'm not saying that I know that breakdown of figures is correct because I don't but I think that the social welfare component does need to be taken into account before we panic about the amount and so too does the possibility that a large part of it might have actually been refundable had an application been made, thank you

MR SMITH Thank you Mr Speaker and I agree with what Mr Brown has said too and that's some of the things that we can look at and some of the things that Mr Buffett has raised that needs investigation. I haven't gone to that extent with the motion at this point but there are two points I would like to make and one is, when we are talking about the healthcare levy it's a leftover from the public works levy as members will recall which used to be one or two calls a year and I'm wondering if there is a little bit of reluctance in our own minds of actually changing something that is so out of date it's ridiculous. If we turned our arguments around and said okay, we'll just collect our electricity accounts and our telephone accounts twice a year to save a lot of expense and work for the Administration. If you see that concept and see that I'm trying to reverse that I then don't see it as a silly idea. Certainly some things need to be looked at and I'm quite prepared to do that over the coming period until the next sitting if members want to and I'll propose that adjournment motion and if it doesn't succeed then I'll pull my head in with it and I so move that adjournment debate

SPEAKER I put the question that debate be adjourned and the resumption of debate be made an Order of the Day for a subsequent day of sitting

QUESTION PUT
AGREED

That motion is so adjourned

PUBLIC SECTOR MANAGEMENT ACT 2000 – APPOINTMENT OF EXECUTIVE DIRECTOR COMMUNITY SERVICES AND TOURISM

MR SMITH Mr Speaker I move that notwithstanding the Motion of this House passed on 15 August 2001, this House, pursuant to section 39(1) of the Public Sector Management Act 2000, and as a consequence of the report made by the Chief Executive Officer to members of the Legislative Assembly at their informal meeting recommends that the Chief Executive Officer appoint as the Executive Director Community Services and Tourism the person selected as the preferred applicant for the position under section 39(2)(b) of the Act, subject to proper appeals provisions, and that the Chief Executive Officer proceed to negotiate a performance based contract in accordance with her responsibilities under section 40(2) of the Act and relevant immigration provisions. Mr Speaker as members will be aware from the briefing we had earlier this week, this completes the corporate management group appointments subject to the things spelt out in the motion and that's where it stands

MS NICHOLAS

Thank you Mr Speaker. We appointed the Executive Director of Environment and Infrastructure at a special sitting held on 7th December last. Less than two weeks ago, and just about everything I said then, in support of that appointment, could be said again here today. Essentially, in this appointment of the Executive Director Community Services and Tourism, we are following the recommendation of a locally based selection team, backed up by a team member in Australia, who has spent time on Norfolk; who has knowledge of Public Sector Management, especially what is known as "change management", which is a process we are going through now, and who has participated in I believe all of these selection processes. Waiting in the wings are two local applicants for the position of Executive Director in Training. It is an integral part of today's appointment that one of these people will be "trained up" to take over this position in due course, hopefully within a year or two. The Executive Director will work closely with the Minister for Community Services and Tourism and right now he's being referred to as The Minister for Everything so I feel reasonably certain he will welcome this appointment. Granted, present legislation asks that the Assembly make recommendation in respect of these appointments. But the Assembly also willingly and conscientiously adopted the Public Sector Management Act, it approved the new Organisational Structure and the adoption of a Human Resources Policy it appointed a new Public Service Board. That's what has led us to today's appointment of the third Executive Director. The previous Assembly approved the appointment of All the Executive Directors positions in August of this year and it had originally been hoped that the appointees would be in place by September last, and as I said a couple of weeks ago, for various reasons this has not been accomplished, but we're almost there. It is my intention to wholeheartedly support the motion Mr Speaker.

MR BROWN

Mr Speaker I'm in two minds. I'm not convinced that the process that we are following is quite what we need. I have difficulty with endorsing the appointment to a senior position when we've not met the applicant and when frankly the locally based component of the interview committee hasn't met him either. The only person to have met the applicant is the gentleman in Sydney. Now I don't know how much knowledge of Norfolk Island that gentleman has. I've got no doubt that he's doing the job in good faith but I've got no doubt that the locally based people are doing the job in good faith. But only a few of those locally based people have lived in Norfolk Island for a long time. I'm disappointed that there has not been a local person recommended for the job and I wonder whether that is because the bar might have been set a little too high. We've all spoken about this. Perhaps we would have been better giving more thought to whether or not perhaps a slightly lower level of qualification held by someone who is a local person might give a better result. But the other side of all of this is that we appointed a Chief Executive Officer and she is on a performance based contract. We've now endorsed the appointment of three directors and this is the final director and they too are all on performance based contracts. Regrettably we do not seem to have worked out what a performance based contract means. We don't seem at this stage to have the slightest intention of ensuring that the community gets value for its dollar. We don't even have a system whereby the Chief Executive Officer will report monthly to the Government. We don't have a system where we will see monthly reports from the directors to the Chief Executive Officer. We don't have a clue what we are going to do if we decide that the Chief Executive Officer just isn't managing the job. We don't even have a clue how we will decide whether or not the Chief Executive Officer is managing the job and Mr Speaker all of those things need to be addressed urgently. This has been a long process. A lot of effort and a lot of money has been put into it and I think it would be difficult to now turn the clock back in terms of the appointment of this final director. I am prepared to support the appointment notwithstanding my disappointments but I ask that each member of the Government and in particular the Minister for Community Services and Tourism who has responsibility for the public service, advise us as soon as possible as to just how they propose to keep an eye on

those performance based contracts and how they propose to tell us if it turns out to be the case that someone isn't performing, thank you

MR SMITH Thank you Mr Speaker. I hear what Mr Brown is saying. He's been here through the last three or four years when this whole process has been gone through. The performance ratings for any of these positions was something that was agreed to by the different Legislative Assembly's and this is the third one that we've been going through this process with and I'm interested in taking up what Mr Brown has said about the accountability of our executive management. I find it a little ironic because in the beginning of this whole process the idea of getting these positions put in place was to make the Administration accountable and it was obvious from discussed at that time that not everybody thought the Administration was accountable at that time. We've gone through all this process where we have professional people to actually carry out this role and I hope that we are not suggesting that the professional people that we are employing are being said to be not professional enough to be accountable and that's what I'm basing my decisions on and if we are wrong about it, then I'll be the first one to stand up and say gee, we were wrong in the end. But I don't really see that happening. I reckon this is what's been put to us, it's a recommendation from one of our professional people, it's the Chief Executive Officer to complete this corporate management group. Mr Brown said that this is the fourth one. Well we have the Chief Executive Officer and there are three executive director's positions. I understand that the candidate for this position is going to be here on the 2nd January as was requested to a degree by the members the other day, so that they can get to see him and he can get to see the Island, him and his wife will be here for three days. I would just like to make a point that may have been missed not necessarily around the table but within the community that when you consider that three senior managers of the public service are now on the Legislative Assembly and that's happened within the last twelve maybe even within the last six months, there's a bit of a hole in what we did have before. We don't have two Mr Buffett's who are now on the Legislative Assembly and also Mr Donaldson who were senior managers in the Administration so taking on these other people may help to fill that gap

MR I BUFFETT Thank you Madam Deputy Speaker just a short comment. Perhaps the electorate had a better selection process

MR D BUFFETT Thank you Madam Deputy Speaker I have concerns which will surprise no-one around this table and indeed probably will not surprise most members of the community because I have said most of this before in the context of this particular motion and bears some element of repetition. I'm concerned about two factors. One is process and the other is principal. I'm concerned about the process here. We haven't seen a CV for this person. We've had a report from the Interview Panel and I have no doubt about the genuineness of the Interview Panel in wanting to get about their task however, they need to operate in the environment which has been set for them. We have not seen a CV for this person. We've not met the applicant. Indeed the panel have not face to face that is, all members of the panel, met face to face the particular applicant that is being pursued with us. There is talk about performance based arrangements but there are not clear guidelines as to how assessments will be undertaken so the process I see as difficult in this person being presented to us. The matter of principal is of course the principal of local employment. The principal of local employment is embedded in a number of areas including the Immigration Policies that we have in which we endeavor to give opportunities to local people to be engaged in local tasks in the whole range within the community. Certainly it's accepted from time to time that we may need to go offshore. When we commenced this process of recruiting for senior management in the Administration I certainly asked time and time again accompanied by others as to whether there would not be at least a mix of local people if in fact they felt there needed to be some element of importation for skills that may not be available on the basis that local knowledge was an important and

recognised component in somebody fulfilling the task. Now regrettably we are coming to the very last of these four jobs. The four jobs are the CEO and the three executive directors. The CEO has been engaged and the first two executive directors have been engaged and this is the third and therefore the final one in the process and regrettably as predicted, and I was certainly hoping that I would be proved wrong, but at each step there were the difficulties that I'm explaining to you now. Right at this last step, none, none are local appointments and so the element of local expertise being part of that team, because it has been expressed to us that this is a management team, the local component in that team doesn't exist and therefore the principle hasn't been followed with that result. I happen to think that the principle is important and whilst others around this table may think oh, it's gone a bit far for me to try and make some remedies to this, it's not an argument that I find convincing. I think if the principle is important you've got to stick to it and work at it until you ensure that the processes you are going through subscribe and meet the demands of the principle. This motion doesn't. I am opposed to it.

MRS JACK

Madam Deputy Speaker I continue on with the words that I said at the appointment of the previous executive officer in that I support this appointment. I have to support the CEO and the selection committee in order to finalise this last executive position and to give Mr Smith much needed support in his ministerial role. I do find it satisfying that this person is a mentor in order to train a possible future director of this office. I understand Mr David Buffett's concerns and I take them on board but I feel that this appointment should go ahead and is needed

MR NOBBS

Thank you Madam Deputy Speaker. I support the proposal as put. I've got full faith in the selection panel. I've got quite a deal of faith in Mr Smith, that's the guy who was on the selection panel, who has actually met this gentleman. There's been talk of local recruits and that's something that everybody really aspires to but what worries me is the suggestion that maybe we should lower the bar. I don't believe that that should occur. I think we should set our height at what we really want to achieve. That is something and that's why we have change going on in the public service and will be continuing and we also need to bring the staff underneath up to the level of the bar that we are actually aiming at, the height that we set and that is something that we've been assured will occur with the executive director process in place which is great because really, in a public service situation and as people know I've been involved in that sort of situation for quite a number of years, there's always a particular fear that maybe somebody knows a little bit more than I do and maybe they're going to jump over the top of me. Particularly in the changes that have occurred in the public service elsewhere in that the length of service is no longer a real consideration. So you do find in other places that training and those sort of issues are put on the back burner. We know here on Norfolk Island and it's been accepted I think by the Legislative Assembly that training has not been a major consideration here. That will change. There is money in the budget this year to progress that. There's quite a considerable sum actually in the first year. It is unfortunate that it's taken so long for the executive directors to be appointed but I look forward to the New Year and really seeing these people get on with it. As far as the accountability of the CEO, in the CEO's contract as members have seen there is provision in that for accountability and the major one, and I don't want to tell Mr Smith his job but the major one is at the end of the first twelve months and whilst that may seem a long time under the current arrangements it's probably ideal because I should imagine by June next year which will be about the twelve month period for the CEO that a review of her operations will be ideal. As far as the others, as I understand it the other contracts flow from that with accountability a major consideration. I support it. I wish him well and I would hope that not only the service gets behind the senior management team but the Legislative Assembly does because it's most important that they have the faith of not only the service itself but also the Legislative Assembly and particularly with a view to giving them a go and seeing how they give them time. We all want changes in the matter of minutes but it's not

always possible and one of those is a proper training programme, implementation of it, some will start the programme and probably drop out, others will keep going and that will all take time but I think that the CEO by providing for an executive trainee person to come on line is a major step. I should imagine that something of that nature will show its head in all those various sections and that hopefully in the not too distant future we will have adequate locals trained and ready to take over those particular positions but I'll support the motion and I wish all the executive directors and the CEO the best of luck as they settle down and get about it, thank you Madam Deputy Speaker

MR I BUFFETT Thank you Madam Deputy Speaker I wish to just make two short comments. The first is that I support the motion for all the reasons that I think we went through when I had my maiden speech in this particular House and that was in respect of the previous appointment. The second matter I wish to touch on which perhaps is some of what Mr Speaker has said, my recent reading of a lot of reformation in corporations points to one of the things that have now emerged is that it is really good to reform a corporation but one of the issues that most of the guru's in the question of reform are now revisiting is the total loss of corporate knowledge and having said that I move that the motion be put

DEPUTY SPEAKER Honourable Members I put the question that the question be put

QUESTION PUT
AGREED

Thank you Honourable Members, and I now put the question that the motion be agreed

QUESTION PUT

Deputy Clerk would you please call the House.

MR BUFFETT	NO
MR GARDNER	AYE
MR DONALDSON	AYE
MRS JACK	AYE
MR IVENS BUFFETT	AYE
MR NOBBS	AYE
MS NICHOLAS	AYE
MR SMITH	AYE
MR BROWN	AYE

DEPUTY SPEAKER The result of voting Honourable Members, the Ayes 8, the No's 1, the Ayes have it, the motion is agreed

FIXING OF THE NEXT SITTING DATE

MRS JACK Thank you Madam Deputy Speaker I move that the House at its rising adjourn until Wednesday 16 January 2002, at 10.00 am.

DEPUTY SPEAKER Is there any debate. The question is that the Motion be agreed to.

QUESTION PUT
AGREED

The ayes have it

ADJOURNMENT

MS NICHOLAS
do now adjourn

Thank you Mr Speaker, I move that the House

SPEAKER
Adjournment debate Ms Nicholas?

The question is that the House do now adjourn.

MS NICHOLAS
In adjournment debate I would like to refer to a number of matters which I brought forward as a matter of my policy statement. The first one was our Relationship with Australia and the Chief Minister has given a report at today's sitting in response to my question that he does intend to move things forward and that as soon as the Commonwealth Parliament resumes that matter will be dealt with hopefully as quickly as possible. In my election statement I expressed a desire to pursue the idea of a Cyber Centre and that's been mentioned here today. This can be high value quality business that can be done on Norfolk Island without a detrimental impact on Norfolk Island's environment, and the way of life. A Cyber Centre could be established that would meet such needs using the power of telecommunications technology. There is demand for such facilities when they are based in areas providing suitable advantages and a stable political environment. Norfolk Island could be such a place. This is an economic opportunity based on Cyberspace and would provide a much needed alternate revenue base for the island and, in the long term, employment for local people skilled in computer, clerical and accountancy work. The framework for such a proposal already exists and also a great deal of support from major institutions. However the process is ongoing and continues to change. I hope that with support, progress can now be made by this Assembly in developing the facility for Norfolk Island and the Chief Minister has carriage of that matter. Communication: VL 2 NI is to be made more widely accessible to the Government and Members of the Assembly. Members and other Community Based people will be able to make statements on radio and the station's talk-back facility is to be activated. Members of the public will continue to be encouraged to register their questions with the radio station and all these moves should lead to a better informed community with a much more open government structure. It's a wonderful thing and I hope that it continues and is used by these members and by members of the public. The Public Service we've just dealt with. Change is already under way with a full organisational review to be completed within four weeks of the last of the Executive Directors appointed today being in place. Ads for young Legal Eagles wishing to try their wings have appeared recently in The Norfolk Islander and there is a move towards succession planning coupled with staff training development. We've seen the beginning of that today with the appointment of the Community Services and Tourism Executive Director. The Executive Directors comprise the group of people who will provide advice to government and the Assembly – the quality of advice which is required in order to have peace, order and good government on Norfolk Island. Thank you Mr Speaker

MR GARDNER
Thank you Mr Speaker. I'm very pleased that Ms Nicholas has gone into some detail about some of those matters and certainly I think has explained very clearly I guess the initial feelings of the membership of the Legislative Assembly in a number of those areas and I would like to endorse her positive comments about some of those issues but the opportunity to use adjournment debate is primarily to wish all of my colleagues around the table, the staff of the Legislative Assembly, the staff in the Administration, the residents of Norfolk Island and all the visitors who are currently on her shores a very happy Christmas and a very prosperous New Year and I look forward to working very closely with this community in the New Year to try and achieve some of those long awaited goals being set by different Assembly's and certainly will be set by this Assembly in the next few months to the benefit of all people who are living on Norfolk Island

MR I BUFFETT Thank you Mr Speaker, my adjournment debate is short and simple. I would like to wish all my fellow colleagues a Merry Christmas and the best of health for the New Year and to the community of Norfolk Island as a whole a Merry Christmas and healthy 2002

MR BROWN Mr Speaker Her Majesty's loyal opposition would like to join in those words in relation to the festive season and the New Year and in particular I wish all of my colleagues and their families well

MR NOBBS Thank you Mr Speaker before I get on to the greetings. I just want to correct a couple of issues that came out following the last election and one was raised this morning and it's in relation to the former Minister for Environment and Health Mr John McCoy and also some that was directed to myself and there were two issues that I want to correct now. The first one and I think this was covered by Mr Gardner earlier, there's been no offer of \$3m to fix up the Kingston Pier. I want to make that perfectly clear. There was no offer at all. The second one is in relation to the Hospital. There's been no offer from the Australian Government to build a new Hospital for the people of Norfolk Island. It was never put as a formal statement and it was never turned down either by the previous Minister for Health and Environment Mr McCoy or myself. I can assure you of that. There was mention made of course of this in relation to the Committee that came over to Norfolk Island. Wouldn't you like a new Hospital. We did it for Christmas Island. Christmas Island in its package got tax and all those other things that are involved so that there has never been a formal and I don't think the Committee can speak on behalf of the Australian Government so those are the two issues that I just want to clarify. Finally I just like to wish all members of the community including members of the Assembly and the staff down here at the Assembly particularly, a very Merry Christmas and a happy New Year

MR SMITH Thank you Mr Speaker. This week sees the end of the school year at the Norfolk Island Central School. This year particularly has been an excellent year for education of our students at the school. As I understand it this year has been the highest in enrollment of 335 kids with a good solid number of those kids taking on Years 11 and 12 in this last year. The performance of the students from most levels of the school have been excellent and generally above state average with some exceptional results being recorded. I expect that I will have a full report on that before the beginning of the next school year for members Mr Speaker but today I would like to record my appreciation of all the teachers at the Norfolk Island Central School who have put their hearts into providing education this year or providing actually what Ken Boston the Director General of New South Wales called Education at its best at the Norfolk Island Central School and that's a real credit to the teachers and the kids and the supporters of the school. Of course that doesn't mean we can't do better next year but it does show that education has moved to a higher level which is a really important thing for Norfolk Island. My main point of this is that we are losing some of our teachers this year and I would like to thank them publicly for the role that they have played in our young people's development. We are losing Kerry and Bob Welham, Daryl Irvine and Geoff Seawell who are leaving to positions at other schools. The Welham's have been here for four years with Kerry being the Primary Executive Teacher who has had a very big influence on our primary and therefore some of our secondary kids during her time here and I thank her and Bob very much for what they have done as well as the other teachers like Daryl and Geoff. And of course thanks to all the teachers and the kids who are at the school for their support and I wish them well for the future and I reiterate the things that other members have said in wishing everybody a Merry Christmas and a great New Year

MR DONALDSON I would like to take this opportunity to wish everybody on the Island, the residents the tourists a very Merry Christmas and a happy

and prosperous New Year and look forward to working together with my Assembly colleagues as a good strong team in the coming three years thank you

MRS JACK Mr Speaker thank you. On a lighter note and in response to Her Majesty's opposition I would just like to wish everyone on the Island from the representative of one sex all the best for Christmas and the New Year to the other sex on the Island as well

MS NICHOLAS Thank you Mr Speaker. Yes, I would echo Mrs Jack's sentiments and also the others expressed around this table. A peaceful festive season and a great 2002

SPEAKER Is there any further debate Honourable Members? If Members have said those things that they wish to say could I also join in wishing the community all the very best for Christmas in 2001 and for the New Year of 2002 and again join in those best wishes for people who have worked within the precincts here, the Clerk, the Deputy Clerk, the officers within this compound, officers of the Service obviously who have provided resources and their substance to the doings of the Assembly and obviously to the Government in Norfolk Island, thank you for your work in the year that has passed and we look forward to the work that is to come in the future in 2002. Can I reciprocate the greetings that have been mentioned around the table of the members one to another and say from Margaret and myself, warm wishes for Christmas and the New Year to each of you. Honourable Members the question before us is that the House do now adjourn and I put the question

QUESTION PUT
AGREED

Therefore Honourable Members this House stands adjourned until Wednesday 16 January 2002, at 10.00 am.

