

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

NOTICES

MR GARDNER Thank you Mr Speaker. I give notice this morning of my intention to introduce at the next formal sitting of this House legislation to amend to Norfolk Island Legislative Assembly Act 1979. The drafting instructions for the amending legislation are primarily aimed at establishing Australian citizenship requirements for future enrolment on the Electoral Roll of Norfolk Island and reducing the time period before which an Australian citizen resident in Norfolk Island can enrol to vote from the period of 900 days approximately 2 and a half years Mr Speaker to a period of 18 months. Thank you.

QUESTIONS WITHOUT NOTICE

MR NOBBS I have a question for you Minister, several in fact, but I'll start with the Chief Minister if I may. Some weeks ago a proposal was to be brought to Members in relation to the Cyber Centre by a local resident of the island. Has this proposal been received.

MR GARDNER The proposal has been received and was a matter for discussion my understanding is Mr Speaker during the month of September with a change in the senior management within the Administration, I haven't as yet had an opportunity to discuss with the Acting CEO that proposal and to advance it any further at this stage, but it is my intent to do so.

MR NOBBS A supplementary. Have any Government funds been expended on the Cyber Centre proposal during the current financial year, and if so what amounts and for what services were the funds expended.

MR GARDNER Thank you Madame Deputy Speaker. I'm not aware of any funds having been expended.

MR NOBBS I ask the Minister responsible for the Public Service. Is the Minister prepared to provide details of the recent termination of the Chief Executive Officer, particularly the payouts at termination of the CEO's contract.

MR D. BUFFETT Madame Deputy Speaker there hasn't been an intent to do that at this time.

MR NOBBS Supplementary. Will the Minister please provide to the community details of the figure of payout, at least if no other details.

MR D. BUFFETT Yes I'll examine to what extent that might be done.

MR NOBBS I ask the Minister again, this examination and the likes. Will he please answer the question yes or no.

MR D. BUFFETT I've answered the question Madame Deputy Speaker. I'll examine as to whether I can do that.

MR NOBBS I ask the Minister responsible for the Public Service. Has the process set in place some time ago of job evaluations within the Public Service been completed as yet, and if completed when will details of the process utilised in the job evaluation be available to both the Public Service as well as the remainder of the community.

MR D. BUFFETT Madame Deputy Speaker I do understand the major part of the job evaluation process has concluded. There is a small grouping of jobs which still require to be finalised and I understand that there are processes going on now that will achieve that, and as I understand when that process is complete then it will be appropriately displayed within, certainly within the Service. I am just a bit unclear at this moment as to whether each individual in the Service and their particular salary arrangement is a public document. It is not my understanding that that has always been the case, so in terms of if that is what is being asked of me I would need to make some consultative processes to see if that is appropriate or not. But the context of the overall evaluation is certainly that something needs to be brought forward and can be brought forward.

MR NOBBS I ask the Minister a supplementary. Is the original estimate of cost related to the evaluation was that in more probability the results would ensure that the recommendations are cost neutral, is there an indication that that is so at the present time, and if not why not.

MR D. BUFFETT Yes Madame Deputy Speaker it's not for me to dictate as to whether the evaluations will be or will not be cost neutral. Certainly the process is to be a objective assessment as to whether salaries might move up or down and when that is complete then one sees what the answer is, but most certainly I understand that at the commencement of the process there was recognised that there would be some areas that would rise and other areas that would fall. Where that stands at the end of the day can only be determined once we have completed the project and it is almost there.

MRS JACK Thank you Madame Deputy Speaker. It's directed to the Minister with responsibility for the Airport and I believe that CASA has just been here doing reports, I was wondering is it possible to know what the reports were on and will those reports be tabled or can we find out now.

MR DONALDSON Thank you Madame Deputy Speaker. There's 2 reports that have been done recently, I think the one Mrs Jack is referring to is one done by the, it's the Annual Aerodrome Technical and Safety Inspection. It's done for CASA by a certified company. It was actually carried out by Aerodrome Operations Support Pty Ltd, it's accredited by CASA to undertake such a survey. It was carried out in November 2002. The result of the survey was there were 9 minor recommendations made for improvements to procedures up there but in general terms the summary that they provided us with reads; The aerodrome is maintained and operated to a very high level and meets the current standards. The Management and Staff are keen and efficient and are to be commended on the knowledge they display and the enthusiasm with which they carry out their duties. It goes on to say the results were that there were 9 minor recommendations made though none of them related to vital safety issues. I wasn't intending to table it at this meeting but I'll table it at the next meeting, I've only just received it. There is a bound report provided.

MRS JACK A supplementary if I may. Those 9 minor recommendations, do they involve the purchasing of new equipment and do we have a time limit in which to carry those recommendations out.

MR DONALDSON Thank you Madame Deputy Speaker. No the Report I'm talking about is really only the technical and safety inspection and deals with things like recording maintenance in log books, the provision of paint marks on the runway, the trimming of obstacles that are in the path of the aircraft and those type of things. There has been another report done which I'll speak on now and that's one that's done by the Department of Transport and Regional Service on a 3 monthly basis and was done in June, September and it was done in December. It's only just been finished. In each of those Reports they've commented on the safety issues, the security issues of the Airport. The two major issues that have been raised in each Report and are subject of action at the moment are the screening equipment, especially the carry on? And baggage x-ray, it barely passed the standard calibration test and even if the x-ray can be recalibrated it must be replaced in the very near future. The second point they raised was the passenger screeners have not undergone their annual accreditation training. That was a point they raised in the June one. I understand there was some retraining done in September for the passenger screeners. They go on to say that it's currently a nation wide review of security measures at all Airports in Australia both international and domestic and there will be a need to upgrade the x-ray equipment to what they call threat image projection system. That will probably cost us about \$350,000 to install and it will be needed to meet the requirements. There's also a requirement that all checked in baggage be x-rayed by the end of the year 2004, that's 2 years away. So that's another hurdle we've got to get over. There has been a paper distributed to Members dealing with all these matters and further information can be obtained from that paper.

MR BROWN I direct this question to the Minister with responsibility for the Hospital. Have audited financial statements for the Hospital been completed for the year ended June 2002 and if so, when will those financial statements be tabled in the House.

MR D. BUFFETT Madame Deputy Speaker the figures for the hospital for the period just mentioned is complete and is available. To be quite frank I thought I tabled them at the last sitting but if I am in error about that I will remedy it, but I'm pretty sure I did.

MR NOBBS In relation to the Hospital as well I ask the Minister, some months ago you brought to the MLA's a proposal that the Hospital would require an additional \$300,000 subsidy for the current financial year that brings the Hospital subsidy to nearly \$1m for this year. Can you advise the reasons for this additional request given at the time we were only a few months into the financial year.

MR D. BUFFETT Yes Madame Deputy Speaker I did foreshadow that situation with Members when it became into my knowledge. I have since received a document which I have lodged with the Chairman and the Board at this moment of the Hospital, to examine that situation and to give me some advice so that I might then bring it forward to Members in whatever context needs to be brought forward, but there is a foreshadowing that there will be further funds required at the Norfolk Island Hospital to meet its commitments in the financial year that we are in at this moment.

MR NOBBS Supplementary to that. Just I'm a bit aghast at the last bit of your statement Minister in relation to the additional funds, because given the time lapse since your previous statement has there been an increase in the additional \$300,000 subsidy sought.

MR D. BUFFETT I'm not too sure that I perfectly understand the question that has been raised. When I earlier foreshadowed a particular figure which

was an approximate figure I have not increased that foreshadowed figure to my knowledge if that was the question.

MR NOBBS But I mean has it been increased. To your knowledge is there more than the \$300,000 additional subsidy required at this particular point in time or are we still running with the \$300,000 additional.

MR D. BUFFETT Two things. One the \$300,000 is and approximate figure. The second thing is that the earlier foreshadowed figure is as I still understand the case to be.

MR BROWN Could I ask a question of the Minister with responsibility for the Hospital along the same lines. Is it a fact that approximately \$340,000 of the difficulty at the Hospital is due to the Director in his two paged hand written budget submission having omitted all of the administrative expenses at the Hospital together with certain other expenses, firstly and secondly, is it a fact that the Director's two paged hand written budget submission included the benefit of approximately \$127,000 of additional revenue which he proposed to earn by increasing all of the Hospital charges, and finally is it a fact that the Legislative Assembly told the Director that when the Hospital is running properly he can come back and talk about increased charges but until then he should not even mention it.

MR D. BUFFETT Thank you Madame Deputy Speaker. In terms of those 3 sub questions, the last yes that was said to the Director. In respect of the second matter the \$127,000 to be earned from increased fees, that has not occurred for the reasons that I've answered already. In terms of presentation of estimates for the budget, it certainly does appear that there was some missing arrangements when those papers were lodged.

MR BROWN A supplementary if I may. Could I ask the Minister whether \$340,000 plus \$127,000 still totals \$467,000 and if so is it a fact that the figure of \$300,000 mentioned a short time ago by the Minister has in fact blown out to something not less than \$467,000 and finally is it a fact that the Director has endeavoured to manage within his allocated funds by using monies provided to him for capital purposes, including urgent capital purposes to fund recurrent expenditure while ignoring the capital requirements.

MR D. BUFFETT Madame Deputy Speaker it's not been reported to me that there has been any gnawing of capital expenditure although obviously money is tight in terms of such purposes. The figures that have been mentioned to me, yes if you add them up like that in just as bald figures they do give a figure that is more than \$300,000 but obviously as time has gone on there has been an effort to make savings as well, and I really just want to come back to my first statement in terms of this matter. I have received a report from the audit people and I have passed this to the Hospital Board so that it may evaluate that and give me some advice and so that I might then bring that forward to Members. Whilst one can talk about and toss figures back and forth it really needs to be seen in the context of bringing those proper documents to Members and that is under way.

MR NOBBS This is also for the Minister for Health. Has the Hospital sought I understand to purchase in the current financial year an autoclave to replace the current one used to sterilize instruments etc. Was this included in the additional \$300,000 sought.

MR D. BUFFETT Yes as I understand it was.

MR NOBBS Two supplementary's. Has the purchase of this piece of equipment been approved.

MR D. BUFFETT I'm unsure whether, it hasn't come to me for approval at this moment. Whether it has been approved in some other sphere I will need to check upon.

MR NOBBS Supplementary. Minister have you investigated the advice I gave you earlier, not today but in the last few weeks I think, that that piece of equipment the autoclave is included in the funding provided to the Hospital in the last financial year and thus why was the equipment not purchased in the last financial year and what happened to the funds so provided.

MR D. BUFFETT yes I'm not able to give an answer as to why it wasn't purchased in that particular financial year, I wasn't the Minister in that financial year. What I'm endeavouring to walk through is the period of time that I do have responsibility for and that is within the figures that are being examined at this moment.

MR NOBBS Is it correct Minister that you don't want to look at historical problems that may have occurred and seek out

MR D. BUFFETT That's not what is being said. I just said what the real situation is. Whether or no it was in the last figures, it wasn't purchased in that particular period of time and what I need to look at now is the purchase of needed equipment in the financial year that we're about, whatever the historical documents says, it doesn't change the present situation.

MR NOBBS A question for the Minister for Immigration please. Does the Immigration Act provide for prohibited immigrants and if so what is a prohibited immigrant.

MR GARDNER Thank you Madame Deputy Speaker. I don't have the benefit of having the legislation in front of me and as Members would be aware it's a fairly substantial document so as not to mislead the House in any way by giving a definition of it I'll certainly have those extracts out of the Act printed and I'll table that for the next sitting of the House.

MR NOBBS Supplementary. Are there any persons within the category of a prohibited immigrant currently residing on Norfolk Island and if so, why have these people not been served a notice to leave the island.

MR GARDNER Thank you. Madame Deputy Speaker I'm conscious of, or I understand that there is 1 person on the island that falls into that category. The way that the appeal mechanism operates under the Immigration Act is that an appeal has been made to the Commonwealth Minister as is provided for under the legislation and the Commonwealth Minister as is usual practice has requested that no further action take place until that appeal has been heard.

MRS JACK Madame Deputy Speaker I address this to the Minister responsible for the Absentee Landowners Levy. I'm wondering what percentage of this levy has been paid and what procedures are in place with those unhappy with the new levy and it's rather large increase.

MR DONALDSON Thank you Madame Deputy Speaker. Two parts to that question. As of about a week ago the total levy outstanding was \$190,000, that's quite alarming because the total levy levied was only about \$216,000. So there's a substantial amount unpaid, but I add there that the due date for payment was the 23rd of November, so we're not talking about 3 months later there's still \$190,000 outstanding, we're talking about 7 days late there's still \$190,000 outstanding. As to the 2nd part of the question there is provision in the Act for people to apply for a review of their valuation or a review of the amount of the levy or a review of the fact that should or should not have to pay the levy. We received about 50, I think it was 51 actually applications for review and they are being dealt with at the moment. Regrettably most of them were complaining or appealing against the valuation of the land and it's been pretty well established that under the terms of the Absentee Landowners Levy Act the valuation of the land is accurate and the cheapest levy is applicable. That's a technical matter I've got no discretion in that particular area at all. The only discretion I've got is where there is some form of financial hardship being experienced by the person where I can waive or reduce the levy.

MR NOBBS I ask the Minister for Health what's the actual cost of malpractice insurance cover to the Hospital.

MR D. BUFFETT I don't have that answer at my fingertips Madame Deputy Speaker. I seem to remember that it is something like we pay on a monthly basis and I seem to remember that that figure is in the vicinity of \$11,000 a month which we have been paying and I think we will continue to pay for something like 9 or 10 months of the full financial year and so we pay it progressively but we don't pay it every month of the full year. I can provide you with that figure however but I'm just trying to be helpful in giving some recollection of it and I'm afraid that it's not at the tip of my tongue.

MR NOBBS Is it correct that the malpractice insurance actually clicks in, the insurance payments actually click in at \$50,001 of any claim, whereas the remaining up to the \$50,000, below that figure is covered by the Hospital. Is that correct.

MR D. BUFFETT Yes that is as I understand it Madame Deputy Speaker.

MR NOBBS So it's disaster cover then Minister.

MR D. BUFFETT It's in the context of the financial figures that you've mentioned.

MR BROWN I direct this question to the Minister for Finance and it relates to Absentee Landowners Levy. What consideration has the Minister given to phasing in the recent increase over a period of years rather than applying the whole of the increase immediately. In asking that question I appreciate that it may require an amendment to legislation for the Minister to follow that course.

MR DONALDSON Thank you Madame Deputy Speaker. I did give some consideration to it but regrettably everything was in place by the time it became apparent that the evaluations were so high, the levy notices had gone out, that would require an amendment to the legislation to allow that to happen. There is a provision in normal payment systems within the Administration for people to pay off their debts and that's about the only relief that can be offered at the moment.

MR BROWN A further question on that same subject matter. What action does the Minister propose to take to review the question of whether or not the legislation should be amended so that those massive increases are phased in over a period of years rather than applied instantly.

MR DONALDSON Thank you Madame Deputy Speaker. There's definitely an intention on my part to review it but there is already provision in the Absentee Landowners Levy Act for land to be reviewed on a periodic basis, every 5 or 10 years and to be incremented by some index system each year. This hasn't happened. The last valuation for most of the blocks of land that were valued for absentee landowner purposes was done in 1994, some as long ago as 1988/89. It's mainly because of this 8-10 year 8-12 year delay in reassessing the value of the land that they've climbed so dramatically which appears to be one years increase but it's not, it's like I said an 8-12 year increase.

MR BROWN Is the Minister aware of situations in which Mainland resident grandparents who are not residents themselves within the meaning of the Immigration Act hold land in Norfolk Island with the intention of leaving it to their grandchildren and are now going to be forced to sell the land because of the massive increases in the Absentee Landowners Levy and because of the Minister's failure to come to grips with the need for such massive charges to be phased in over a period of years rather than applied instantly.

MR DONALDSON There have been a couple of appeals based on that ground that people who own the land or actually hold the land in trust for their grandchildren who have inherited it from an Uncle or and Aunt or a Sister or someone like that. If they were a resident in the true sense, in fact if they had status under the Immigration Act their Absentee Landowners Levy would be limited to \$350. In the cases where they've got to pay 2% of say \$100,000 which is \$2,000 they are clearly not residents under the Norfolk Island Act. I do accept the fact there has been a failure to phase in the evaluation of land over the last 10 years, it's certainly not going to be repeated in my time.

MR BROWN Can I please make my question a little clearer to the Minister. I'm not asking the Minister to phase it in over the last 10 years, I'm asking the Minister to look at an increase of many thousands of dollars in some cases which the Minister has applied instantly, and I'm asking him what action is he taking in relation to that individual increase to see whether it is possible for an increase to be phased in over a number of years. Let me give an example so the Minister understands my question. Let us assume the increase is \$8,000 applicable immediately for each year. What action has the Minister taken to look at whether it is possible to charge only \$2,000 of that in the first year, \$4,000 in the second year, \$6,000 in the third year and the complete increase as from the 4th year so that people do have time to rearrange their affairs without being forced to sell land to the detriment of their families.

MR DONLADSON Thank you Madame Deputy Speaker. As I attempted to answer before the system is locked in legislation at the moment which would requirement an amendment of the legislation to allow for what Mr Brown proposed to happen. If that legislation has the support of the House and if it's got the support of Members I'm happy to do it. It does create some sort of problems in 1) the Administration loses revenue it otherwise would have got and that's reasonably important in these current days and also it means that those people who have paid the levy based on the reassessed values will have to have some of it refunded. It's really a matter for further discussion rather than making a decision right now.

MR NOBBS I ask the Minister for Health what is the status of the proposed new Dental facility to be funded from a donation by a private person.

MR D. BUFFETT Madame Deputy Speaker the proposed Dental facility the funding has been identified by a very generous donor in Norfolk Island Mr Tony Redstone, the site has been set upon, there has been a building application lodged and the processes are advancing in that context. In terms of the consultative process between the donor and the Hospital Enterprise that is taking place and the last indicator of delivery of the service so to speak which will be a 2 chair Dental facility, and Members will know that the present facility only has room for 1 dental chair and so it will be a significantly improved facility. It was earlier projected to be delivered early in the new year. I have got to say that in the last 2 or 3 weeks I have not checked as to how progress is being made in terms of meeting that earlier projected period but the project is certainly continuing.

MR NOBBS Just a supplementary to that. Is there any community input to the possibly not the plan of the building but the actual location of the facility bearing in mind that there's been a proposal around for some time to if not immediately replace the Hospital but gradually replace sections of the Hospital at a time. Has there been any community input into the planning process at all.

MR D. BUFFETT Yes Madame Deputy Speaker to this date I have been advised by the people who are involved in the Dental arrangements there and by management at the Hospital and certainly by the donor, to what extent there might have been some further community participation about that I can enquire about.

MR BROWN A question to the Minister for Health in relation to the proposed Dental building. Can the Minister assure the House that he is not going to allow the construction of an orphan building at the Hospital which come the day the Hospital is eventually rebuilt, might need to be pulled down in order to incorporate it in the Hospital and can the Minister assure the House that there will be proper planning in relation to the whole of the Hospital in relation to this issue.

MR D. BUFFETT Madame Deputy Speaker I've certainly had discussions about ensuring that there is compatibility with what is proposed in that particular area. To the extent that that is achievable is not easy because there aren't agreed plans for the new Hospital Enterprise. So there is some element of estimation as to the location and there is a design certainly that it doesn't fit in the middle of the block so that other buildings that might be planned at a later time that this would stand in its way. It is at present on the parameter in terms of the planning arrangement and may well be able to dovetail onto other facilities as and when they become available. The point that you make is very valid and there has been an effort to the extent possible at this time to take that into account.

MR BROWN A further question to the Minister for Health. Is the Minister aware that the computer used by the Director of the Hospital has disappeared from the Hospital. Is the Minister aware that a Board member endeavoured to lodge a complaint with the Police about that and is the Minister aware that the Police refused to investigate that complaint.

MR D. BUFFETT I'm not aware of that.

MR BROWN Could I ask if the Minister will undertake to investigate the situation please.

MR D. BUFFETT

I can

MR SMITH Thank you Madame Deputy Speaker. Just a question for the Chief Minister in relation to third party insurance. Could the Chief Minister update us as to where that project is.

MR GARDNER Thank you. As I indicated in the last couple of sittings of the House Madame Deputy Speaker the compulsory third party legislation is progressing, progressing well. It's at a stage now where it has been deemed necessary to technically rewrite the Act so to speak to enable the introduction of compulsory third party and I'm hoping as I said I think at the last meeting Madame Deputy Speaker that I will have legislation to come forward to the House at the next sitting with some luck.

MR SMITH A supplementary to that. It's been that long since we've discussed it I can't remember just what direction it is taking. Is it still going to be in a form that it will be mandatory for a car owner to have insurance or are we looking at administration insurance to cover third party.

MR GARDNER Madame Deputy Speaker yes I'm able to provide I think a very clear answer to that. The drafting instructions were such that it would be a 2 stage process. The first stage and I think to use Mr Brown's words were to make sure that we got 97 or 98 or 99% of people covered which would require the presentation of an Insurers receipt or certificate before registration would be affected for a motor vehicle. It also includes other matters as far as registration stickers and bits and pieces are concerned. The second stage is the establishment of the nominal defendant scheme.

MR SMITH I'd like to ask the Minister for Land and Environment to give us an update on the crushing of crushed metal or crushed rock.

MR I. BUFFETT Thank you Madame Deputy Speaker. The update is there is no metal being crushed. There is an application on a private piece of land by a company in Norfolk that deals in the industry of crushing metal. That went to the ART of recent times and my understanding is that the conditions in respect of that have nearly been complied with and the anticipated date for crushing by that particular operation is estimated to be February of next year. I am aware that there has been another company on the island which is recently or in the process of making application to crush metal in Norfolk Island and that will go through the normal planning processes.

MR NOBBS I ask the Minister responsible for the tent. Is it correct that the funds have been paid and the debt cleared for the Millennium tent and if so was a letter of appreciation included with the cheque.

MR DONALDSON The financial side of the tent fell in my area. I'm pleased to report that the tent has been fully paid off and Ms Agnes Hain has been paid in full. A letter of appreciation has gone from the Service to her and I'm currently developing one on behalf of the Government.

MR NOBBS I ask the Minister for Health what progress have you made in providing comprehensive medical evacuation scheme, a project commenced last year.

MR D. BUFFETT We haven't concluded a comprehensive medical evacuation scheme Madame Deputy Speaker. I know the Hospital Board has had further discussions with an Airline in terms of endeavouring to provide a stretcher in

commercial aircraft. I've got to say that I haven't had the final report as to how that has progressed but I do know that there has been in the last few days conversations about that.

MR NOBBS I ask the Minister for Finance could he tell me what is the progress of noise omission works at the Power House.

MR DONALDSON Thank you Madame Deputy Speaker. That matter is progressing, it has turned out to be a little bit more difficult than I thought but they expect to have it finished in about a months time. The difficulty has been with there are more entry and exit points to the Powerhouse than they actually took account of in the plans and this has things like exhaust omissions going out and exhaust pipes going out and fuel coming in. They had a bills and brackets, there was a bit more work involved physically than was actually first thought but it is progressing well and it should be finished within about 4 weeks.

MR NOBBS What progress has been made with the proposed debt policy.

MR DONALDSON Thank you Madame Deputy Speaker. Regrettably it hasn't moved from the last month when I was asked the same question. There has been a debt recovery policy put forward by the Service, it has been discussed once by MLA's. One of the issues in it is whether we should be charging interest on outstanding debts and one of the issues that evolved from that is whether the Administration charges interest on outstanding debts whether legislation should be changed so that all outstanding debts on Norfolk Island can attract interest after so many days. It simply hasn't progressed due to lack of resources but it is certainly one of the issues that has to be attended to as soon as possible.

MRS JACK Thank you Madame Deputy Speaker. Just to get back to the Minister responsible for Electricity. Is it true that when the new generator was pulled apart it was found that the reason why there was extra noise was that the timing mechanism was out and when it was put back that noise problem was fixed then and there and that the expense could have been avoided because of this service that was carried out.

MR DONALDSON Thank you Madame Deputy Speaker. No I have absolutely no knowledge of that at all. I was aware that the new generators were omitting some noise from the mechanical processes within the generator rather than exhaust noise but I have not had any information at all to indicate that it was an actual fault that has now been attended to.

MR NOBBS I ask the Minister for Finance what progress has he made with the finalisation of the proposed new Liquor Licencing Act and when is he scheduled to introduce the Bill into the Assembly.

MR DONALDSON Once again this is a question that leads on from one I got last time. In the last month nothing has happened with the Liquor Licencing Act except for some minor discussions. Once again as soon as the desk clears of other issues such as the financial statements and the budget the Liquor Licencing Act can take more precedence.

MRS JACK Madame Deputy Speaker my question is to the Minister with responsibility for the Post Office and could he tell me how the selling of metal sand pails in their merchandising comes under part of the Post Office sales.

MR DONALDSON Thank you Madame Deputy Speaker I'm sorry I missed the description of the goods that their selling can you give it to me again.

MRS JACK A lovely little metal sand pail to make sandcastles with.

MR DONALDSON I'm sorry I'll have to take that question on notice. I had no idea that they were selling sand pails and I don't know how they relate to Postal operations.

MRS JACK Can the Minister look into it please.

MR DONALDSON I'd be happy to look into it.

MR NOBBS I ask the Minister for Health are the salaries of all staff members at the Hospital subject to an increase by the Remuneration Tribunal.

MR D. BUFFETT Madame Deputy Speaker there has been a recent determination by the Remuneration Tribunal in terms of the Hospital. I understand that that does mean all of the Hospital but I've got to acknowledge that I think there is a hesitancy in my mind that there may be some senior positions that may not be included in that. So may be I should give you that answer, yes there has been a recent adjustment determination by the Remuneration Tribunal. It extends certainly to most of the Hospital staff but it may not in terms of some contracted arrangements and I would be willing to check that out and give you a clarification of that.

MR NOBBS I'm just wondering if the Minister knows who sets the remuneration of contracted employees such as Doctors, Pharmacists, Dentists etc at the Hospital.

MR D. BUFFETT That's usually a consultative process a) with the applicant for the position and b) with the Hospital Enterprise and depending upon what the demands and exchanges are that may vary between the Director, the Hospital Board and in that context.

MR BROWN I direct this question to the Minister with responsibility for the Fire Service. Is it a fact that a truck chassis and cabin was recently imported to Norfolk Island for the purpose of the Fire Service, is it a fact that the truck chassis and cabin is substantially too large for the requirements of the Fire Service and leaves the Service at risk of not being able to access a large number of properties on the island, and if so what does the Minister propose to do about it.

MR DONALDSON Thank you Madame Deputy Speaker. Yes it is true. The Tenders Committee meeting met last October and approved of 1) a cab chassis to be brought over here and built up as a fire engine from parts that were on the existing fire engine and also approved the purchase of a fully fitted fire engine. Both of those purchases together came to \$301,000. The cab chassis has arrived, the other one is still being built in Yamba for us. It will arrive on the 20th of January of thereabouts by ship. I haven't heard any reports about them being too large but I am aware that there are people who put pergolas over their cattlestops and there are people with low limb branches leading up to the house. I mean we can't buy a mini fire engine to accommodate those sort of things. Perhaps a public awareness program should be put in place to make sure that houses are built below 2.5 metres or what ever the height is. I'll look into that matter.

MR BROWN I wonder if I could ask the Minister if he will please take a tape measure and compare the size of the previous fire engines with the size of the cab chassis which has been imported and in the event that the cab chassis is substantially larger will the Minister please then advise the House what he proposes to do to overcome the problem.

MR DONALDSON Thank you. I'm quite prepared to do a comparison between the 2 fire services and make a public announcement as to emerging problems if you can put it that way.

MR NOBBS I ask the Chief Minister on the 25th of September the following Motion was carried that this House requests the responsible Executive Member to convey to members of the United Nations through the Australian Government that they encourage a diplomatic solution to the current Iraq crisis. Can the Chief Minister advise what is the outcome of that following a letter from Mr Ivens Buffett standing in his stead on the 30th of September, has the Australian Government conveyed this message to the United Nations.

MR GARDNER Madame Deputy Speaker I've had no correspondence from the Australian Government on that matter. I don't know whether Mr Ivens Buffett has and to whether those feelings have been passed on to the United Nations. I can report that I have recently received communication from the Prime Minister on the matter of terrorism in general and responding to the condolences that were sent to the Australian Government and the people of Australia in relation to the Bali bombing and his stance. I hope to table that later this morning if I can find the document but his stance as far as what Australia is proposing to do in regard to terrorism in general. I know that doesn't relate directly to Iraq but my understandings are that Iraq are involved in the Prime Minister's direction.

MR NOBBS I add purely to assist the Chief Minister because I participated in this particular aspect in his absence. My recollection was that we did receive a response from the Office of the Prime Minister and my recollection also tells me that I thought that copies of that were circulated to all the Members. I haven't got the exact details of who actually responded but I can certainly make that known.

MR NOBBS I ask the Chief Minister would he please follow up on this particular issue and find out precisely what's happened and if the message hasn't gone to the United Nations would he please find out why and request the Australian Government to do so immediately.

MR GARDNER Certainly I'll follow up on that Madame Deputy Speaker.

MR BROWN I direct this question to the Minister for Finance. Is the Minister aware of an Australian policy called the National Competition Policy. Can the Minister advise whether he proposes to ensure that that policy is adopted in Norfolk Island in particular in the terms of the Post Office.

MR DONALDSON Thank you Madame Deputy Speaker. Yes I'm reasonably aware of that policy. That policy says that Government's in their dealings with the public, whether it be in supply of electricity or supply of a utility type base service or in supply of goods and services in competition to the private sector should not take advantage of their position in competing with the private sector. In other words they should calculate things at the true cost, the cost in the true overheads, the cost of

finance, the cost of taxes they don't pay and price their goods accordingly or compete accordingly on that basis. That is the basis that the current matter before this Assembly dealing with unfair competition is being considered.

MR NOBBS I ask the Minister for Health. Minister is the direction you tabled in the House some months ago requiring the Director and the Hospital Board to do certain things, is that still in place.

MR D. BUFFETT Yes Madame Deputy Speaker.

MR NOBBS Supplementary. I ask the Minister is this an appropriate way of managing under the present arrangements.

MR D. BUFFETT No, the matter of managing by Ministerial direction is not an appropriate ongoing way to manage the Hospital Enterprise and we're trying to work through issues that will put aside those arrangements and have a more satisfactory method to deliver health services in Norfolk Island. That is part of the process of conducting a review which is on foot and due to deliver quite soon and hopefully that will offer some guidelines as to handling it in a better way than that. Certainly it is not the best way but it had to be a process in the present difficult circumstances.

MR NOBBS Can you explain to the public how you actually lift a direction that's already been put in place.

MR D. BUFFETT To be quite frank Madame Deputy Speaker I don't recall ever a direction being lifted. I could be wrong about that of course, maybe it remains on the books. I would think however in terms of the present arrangements once we have alternatives one would need to see what we do about the interim arrangements, whether they are just automatically superseded or whether it requires some Executive action to withdraw those that are earlier have been made.

MR NOBBS As it's 2 months before the next meeting of the Legislative Assembly can this sort of arrangement before the end of this meeting to allow that to happen because

MR D. BUFFETT Madame Deputy Speaker I just need to ask Mr Ron Nobbs as to whether he wants me to withdraw the directions.

MR NOBBS I repeat the question if I may. Would the Minister ensure that as it's 2 months to the next meeting of this House that some process be put in place today if necessary to ensure that that direction is lifted as soon as possible.

MR D. BUFFETT No I can't give such an undertaking Madame Deputy Speaker. The directions that are in place at this time are important ones, they relate for example to ensure that contracts are properly signed and they are lodged in appropriate places within the Administration and a number of other things. It is not my desire to withdraw such a direction at this moment. It may well be Madame Deputy Speaker that at a later time those things will be superseded by other arrangements. When that time comes, yes that could be so but not at this moment.

MR BROWN I direct this question to the Minister with responsibility for the Hospital. Does the Director of the Hospital produce monthly

MR NOBBS Thank you Madame Deputy Speaker. I ask the Minister for Health. Are Doctors allowed to participate in private practice on Norfolk Island and if so, has there been a change in what was accepted as laws apparently related to private medical practice where it was thought by the community that this was not possible.

MR D. BUFFETT Thank you Madame Deputy Speaker. There are really 2 parts to this question Madame Deputy Speaker. One really relates to immigration, immigration is not in my area but with indulgence from my colleague I might just mention that particular component of it. The other relates to the Health Services which I do have responsibility for. In terms of the Health Services there are no rules, laws or regulations which says that there can be no private practice in Norfolk Island and as far as I'm able to judge and research that has probably always been the case. However there are immigration requirements for people to come into the island and obviously over the years all the Medical Services have been imported, so they are subject to the immigration processes, and so the exercise of immigration arrangements have meant that people have not come into the island to private practice but have been engaged through one of the Governmental processes, whether that has been directly employed by the Administration or employed by one of its statutory enterprises, the Hospital Enterprise for example. That situation has prevailed for many years. There have been opportunities for that to vary because we have had of recent times Medicos who have had residential status which means that they are not subject to the immigration requirements, they have the capacity to do what everyone else can do as a resident of the island and if that includes being a Medico then that would be available to them. In the main people who have had that capacity have conducted their medical clinics out of the Hospital, so there is that oneness in a sense that has continued. However of more recent times there has been an indication from a resident who is a qualified Medical Practitioner to enter into private practice and so being a resident that person has the capacity to do that, and there are no, as I've just explained no health arrangements that would prevent that, and equally under the arrangements I've described there are no immigration arrangements that would prevent that, and so there is the likelihood of that happening as I am able to understand discussions to date, there is the likelihood of that happening within a number of months in Norfolk Island.

MR NOBBS As this is a pretty important subject I think, was the Minister for Immigration prepared to add anything to that.

MR GARDNER The Minister for Tourism and Community Services is accurate in his assessment as far as the impact of the Immigration Act is concerned on the proposal. I am aware of at least 3 resident Medical Practitioners on Norfolk Island who I understand would be able to go into private practice if they so chose. I mean that's a business decision that they make. The immigration comes into play if those residents themselves wish to employ a Doctor to work in that private practice that was not a resident of Norfolk Island. Now the guidelines document that was agreed to by this House I think back in April of this year refers to new businesses and the employment of people in new businesses who have temporary entry permits or general entry permits. The Immigration Act in those guidelines do not prevent the employment but simply seek to ensure that there is a demonstrable need for the employment of those persons in such a business, now whether it be a medical practice or a new hotel or tourist accommodation or a new business in town the same criteria applies.

MR NOBBS Just a supplementary to that. The guidelines, have they been accepted by the Commonwealth Government yet, the Australian Commonwealth Government.

MR GARDNER There is no requirement that I'm aware of that those guidelines need to be accepted by the Commonwealth Government. They are guidelines that the Immigration Committee and myself work to in determining applications.

MR NOBBS So they haven't been provided to the Australian Government at all Minister.

MR GARDNER They've been ? through the Australian Government representative on Norfolk Island who is copied with all tabled documents in this House, they are in receipt of them.

MR NOBBS I ask a question of the Minister for Finance if I may please. Minister would you please give an up to date on the runway overlay which was considered previously an urgent project by advice we had last year. It's now 12 months can you give us an update as to where we're actually going, the timing and what the provision of rock and those sort of issues which are of concern in the community, and is the Airport capable of continuing for another 12 months or more under it's present arrangement if the overlay is not proposed to be done fairly soon.

MR DONALDSON Thank you Madame Deputy Speaker. Thanks for that question Mr Nobbs, that's a long answer and I've got some facts in front of me here and we'll just go back a little bit in history. Originally in November 2001 tenders were called for the Project Manager for the Airport upgrade. In February 2002 the Project Management team ? tenders recommended a tender for acceptance. In March 2002 Guttridge Haskins and Davey were appointed Project Managers. In May and June 2002 they submitted reports on the preliminary design of the runway upgrade. In July 2002 this House accepted one of their recommendations and that recommendation was resealing the main runway at the end of the crossover runway nearest the terminal and reseal the taxiway. At about the same time in August we sent off an application to the Commonwealth Government for a loan to fund the runway upgrade. That loan has been negotiated between Officers of the Administration with recent Officers of the Administration and the Commonwealth, Department of Finance we've recently received what I might refer to is informal approval for that loan an amount of \$5.8m has been approved but it's been approved subject to conditions. It's been approved on a 10 year basis and an interest free loan, but those conditions are that we develop a sinking fund so that we put money away over the term of the runway upgrade, that's the next 15 years so that we'll have money in the bank ready for another upgrade in 15 years time or whenever it's due, it might be between 12 and 18 years, so I'm saying 15. They have indicated that they will not entertain a further loan in 15 years time and have recommended that they charge a nominal rate of interest of 7.1% which is the ? rate plus 2% and that that money go into a sinking fund on Norfolk Island along with sufficient other money which is about \$100,000 a year to enable us to have enough funds to undertake the runway upgrade in 15 years time when it comes good. Another one of the conditions that they've put on that we're discussing at the moment is that those funds that are put aside in a sinking fund be jointly controlled between the Commonwealth and the Norfolk Island Government. Now quite clearly the Norfolk Island Government funds, their money that's been put aside from landing fees that we receive and in my mind there is some problem with having to have Commonwealth permission to access those funds. With regards to that there was a proposal by Guttridge Haskins and Davey that the Airport be resealed on a just in time basis which means as they need another truck load of metal to reseal the runway they get from the crusher so the crushing process and the resealing process run hand in hand. It's now been decided amongst by the Administration staff that that's probably not the best option, the best option would be to stockpile the full amount of the metal so that it's on hand and definitely assured of

delivery before the actual resealing process starts. Now we've been advised in other sectors that the crushing probably won't commence before February and could take up to 6 months to crush the 20 odd thousand tonnes that are necessary for the runway. So that's the time frame we're looking at at the moment. Those figures are slightly flexible but it has dragged on a lot more longer than we thought it would. It's taken longer to get the loan approved, it's taken longer to get the crushing issue resolved but I hope now the path is a lot clearer than it was 6 months ago. The last part of the question asked was is the Airport standing up to it. The information is that the Airport has not degenerated in any noticeable way in the last 12 months and expectations are that the Airport surface will stand up for another 12 months with just having normal maintenance procedures done on it.

MRS JACK Madame Deputy Speaker mine is directed to the Minister for Finance. Can the Minister give some information over a meeting held in Australia regarding postal services, both domestic and overseas sending and receiving and possible new procedures to be put in place, being ? of new security measures. Also how would Norfolk be treated, would we be domestic or overseas.

MR DONALDSON Thank you Madame Deputy Speaker. I am aware that the Postal Service in Australia were having extensive number of high level meetings dealing with security issues. I can't give you the outcome of any of those things. I am aware that there is a screening procedure that happens in Sydney, I think it's in Sydney only. From what I understand Norfolk is treated as an overseas destination.

MRS JACK Considering the amount of time delay that we can have in receiving mail from the Mainland let alone overseas could he try and push Norfolk's case that it wouldn't go from 2 weeks to 4 weeks to 6 weeks to receive a letter from overseas if that's the case.

MR DONALDSON Yes this issue was discussed with Minister Tuckey when he was over here and he suggested we write to the Minister for Postal Services in Australia highlighting some of the issues we've had and that is certainly intended to be done. It hasn't been done yet and if anybody's got any specific complaints it's very helpful to have those specific complaints about timing of posting letters say in Europe and what happened to them in Australia and the delay they took to get to Norfolk Island because a specific complaint can be followed up because the Express mail bags are numbered and recorded as they go in an out of various areas.

MR NOBBS Thank you Madame Deputy Speaker. I ask the Minister for Health and I ask if he can return to the private Medical Clinic issue. What impacts does the Minister see on the operation of the Norfolk Island Hospital by a private Medical Clinic.

MR D. BUFFETT Madame Deputy Speaker there may be significant impact in terms of the Hospital arrangement and I have asked the Service to undertake a study to see what the impact would be, not only on the Hospital area but on how some elements of social Welfare arrangements are delivered and a range of other ancillary things that might have a flow on affect from this particular activity. Without a doubt that may mean some adjustment in how some of these things are handled within the community and that's the reason that I have asked for an impact examination.

MR NOBBS Can the Minister advise when he would expect that to be available please.

accommodation moratorium that came into place and the fixing of a quota for tourist accommodation, which effectively prevented that concept being taken any further forward. A very similar proposal put forward by the previous CEO Ms Robyn Murdoch had talked about giving the property to corporate business in Australia for use as tourist accommodation for corporate high flyers. The same I guess issues were raised in relation to that as were raised in relation to the previous proposal for use as tourist accommodation. In other words there were issues as far as the moratorium were concerned, issues as far as the quota were concerned, issues as far as licencing and registration were concerned, planning issues that were concerned and it was viewed as not being a goer at this time. Certainly a live issue if the House and the Assembly and the community were to look at lifting the quota on tourist accommodation, those things could progress. My proposal was the utilisation, my personal proposal which I must add, hasn't got any further than those other 2 proposals, however they were points that were thrown up for discussion was the utilisation of that as an interpretive centre and the housing of records, this is Number 9 I'm talking about, the housing of records of KAVHA and interpretive centre for research to be undertaken by visitors to the KAVHA area, but that's as far as they've gone. They are matters for discussion at the moment, there hasn't been anything substantial as far as that's concerned, save for the proposal from the previous CEO as I said Ms Robyn Murdoch who was looking at using it for tourist accommodation for corporations offshore.

MR NIBBS Just in relation to the Quality Row houses, is there a proposal to phase in an economic rental for all the houses progressing at this stage with a proposal that when they became vacant an economic rental was then put on the place. Is that come to any fruition at all.

MR GARDNER Thank you Madame Deputy Speaker. Advice has been sought from local Real Estate Agents on the island regarding the rentals that possibly could be attracted local rentals that could be possibly attracted by putting those on the open market and the suggestion is that the monies that are being collected now are about a premium, are at or about a premium.

MR NOBBS Just a further one on the KAVHA area if I may. There has been considerable discussion and some advice I understood in an earlier time of the poor condition of the Kingston Pier and there was even a suggestion that there was a need to place safety fences on the Pier. Why have these precautions not been actioned and what advice can the community be given on the apparent remedial works.

MR GARDNER Thank you Madame Deputy Speaker. My understanding of the situation was that there were barriers to be constructed. I have in the last 6 weeks or so issued ministerial instructions for the development of a discussion paper to the new Executive Director of Environment and Infrastructure Mr Terence Grube. In relation to works, restoration works to the Kingston Pier I still am awaiting that advice. As Members would be aware around the table there have been 2 reports and a supplementary report that confirm the condition of the Pier and the works that are necessary to be undertaken to repair the Kingston Pier. The figures that have been bandied around to ensure that that happens have been somewhere in the region of \$4m and certainly I think there's a realisation by Members that the Norfolk Island Government is not in a position to fund that and hence the need to develop a discussion paper to work out the options that may be available, whether it's done in conjunction with the Australian Heritage Commission, whether it's done in conjunction with the Commonwealth or maybe some other philanthropical organisation, whether locally or internationally I don't know at this stage, simply that I have asked for a discussion paper to be developed to advance the matter so that it can be resolved.

MR NOBBS
Kingston Pier.

Can the Minister advise who actually owns the

MR GARDNER I understand it's an extension of part of a road Reserve, so I would imagine that it is Commonwealth property. However I would need to back that up with some formal advice which I'm happy to give to Mr Nobbs.

PRESENTATION OF PAPERS

MR GARDNER Thank you Madame Deputy Speaker. I table the Immigration Act 1980 and move that the Paper be noted.

MADAME DEPUTY SPEAKER Thank you Chief Minister.

MR GARDNER Thank you Madame Deputy Speaker. The purpose for doing that is to assist Mr Nobbs with his question he asked of me earlier today. During question time I had the opportunity to duck downstairs and get my copy of the Immigration Act. It's in relation to a question he asked of me, a definition of a prohibited immigrant under the Immigration Act. Under the Section 4, interpretation of the Immigration Act, the definition given of prohibited immigrant means a person who is or has been declared to be a prohibited immigrant by reason of the operation of or under any provision of this Act. Madame Deputy Speaker that probably doesn't mean a great deal, however when you look in the body of the Act itself there are a number of Sections within the Act that refer to prohibited immigrants and certainly when we move to Part 5 of the Act, Division 1 relates to prohibited immigrants and Sections 39 through 44 all relate to the definitions of prohibited immigrants and the affects of being a prohibited immigrant. I won't read that into Hansard I think the Immigration Act is available certainly to all Members, and members of the public if they wish to pursue that, but that's to assist Mr Nobbs in the answer to that question which I undertook to provide at the next sitting. I've done that now thank you Madame Deputy Speaker.

MADAME DEPUTY SPEAKER The question is that the Paper be noted.

MR NOBBS I understand that a prohibited immigrant is a person who doesn't have residency or a permit on the island and that's my understanding of it. I don't know whether it's correct or not and I asked the Minister earlier if there was only one in that position at this particular point in time and I don't know but I've always assumed that there are more than that and I really ask him again to check that out and also the fact that the appeal process requires us not to act on a person who has no current status on the island here, be it resident or a permit. I would have thought that they would be subject to removal from the island and then their appeal could be heard from thence onwards and I wonder if the Minister has any information for the community why people are sitting here as prohibited immigrants under appeal.

MR GARDNER As I said Madame Deputy Speaker I'm only aware of one person on the island as I gave in my answer this morning that falls into the category of prohibited immigrant, that I am aware of. If Mr Nobbs has further information, is able to identify other people certainly I would welcome his input into the situation. As far as whether or not we should be moving to deport these people, it's a standing convention that's been in place since I understand the Immigration Act came into place that we would certainly acknowledge and undertake to fall in line with the request that has been provided to us by the Minister as far as taking no further action until the matter can be heard, and I think that's appropriate and it's my intention to stand by that agreement and convention.

MR DONALDSON Thank you Madame Deputy Speaker. I wish to table the Financial Indicators for the 5 months ended 30th November 2002 and move that they be noted.

MADAME DEPUTY SPEAKER Thank you.

MR DONALDSON Thank you Madame Deputy Speaker. The Revenue Fund Financial Indicators for the 5 months ended 30th of November show that revenue is running at 101% of budget for a surplus of \$57,000 and expenditure is running at 99% of budget with a saving of \$64,000. In summary although in a slightly position financially than our budget predictions indicated and they are slightly better by an amount of \$81,000 there is no reason to relax the tight reign on expenditure as there are some issues that will impact on the Revenue Fund in the second half of the year that have not been taken into account in the original budget. I refer here to the impact of the Public Service wage claim, the additional subsidy required by the Hospital that has recently come to light and the need to release some capital funds for expenditure for major works on the roads and I table the document.

MADAME DEPUTY SPEAKER Thank you. Is there debate Honourable Members. I put the question that the Paper be noted.

QUESTION PUT
QUESTION AGREED

MR GARDNER Madame Deputy Speaker. In accordance with Section 41 of the Interpretation Act 1979 I table the Administrative Review Tribunal Regulations 2002.

MADAME DEPUTY SPEAKER Thank you. Further Papers.

MR DONALDSON Thank you Madame Deputy Speaker. I table the Paper detailing virements that have been made in the period 14th November to the 10th of December 2002. Madame Deputy Speaker Section 32 (b) of the Public Monies Act requires that I table in this House any virements that are made between votes. Such virements are an internal allocation of appropriation approvals and do not increase or decrease appropriation for the year. Accordingly I table a Paper of virements.

MADAME DEPUTY SPEAKER Thank you.

MR D. BUFFETT Thank you Madame Deputy Speaker. I table the Inbound Passenger Statistics for November 2002. These are the tourist figures that we generally refer to and these have been provided to Members at an earlier time but I just highlight some figures for general information. In the month of November our monthly total was 3,193. This compares with last year, better than last year. Last year it was 2,886. Last year was not a good year so that's not a good comparison in a sense. The year before, the year 2000 the figure was 3,654. So our figure of 3,193 this year is not quite up to that good year of the year before but obviously it is an improvement in terms of last year. Just some interesting statistics also, if you want to look at the paper you will see that we continue to get our main group of visitors from in percentage terms from NSW at 37%, from QLD 25%, and then from New Zealand at 16% and other States follow from that. Interestingly again the figure from VIC which at presently is 12.5% has shown an increase over the past 3 years from 10, 11, 12% and we will know that coming out of VIC now Norfolk Jet Express has a more or less direct flight that comes out of the Victorian State out of Melbourne, through Sydney and on to Norfolk Island. I table those figures Madame Deputy Speaker.

STATEMENTS

MR D. BUFFETT Thank you Madame Deputy Speaker. I firstly have a Statement in terms of tourism activities. Can I just provide some updated information on destination marketing and promotion. The Government's promotional arm the Tourist Bureau has continued to support wholesalers by entering into co-operative advertising campaigns with Norfolk Jet Holidays, Fastbook Holidays and Tull ? Pacific in Australia. These are not huge campaigns but they are across selected TV, radio and print media running for December, for January and for February and results reported from campaigns held in October and November are indicating good levels of response converting to bookings. An important initiative has been taken to formulate a locally based barometer and I thank Mr Brown for being active in this particular process. He raised a question with me on another occasion and subsequent to that we have had a useful meeting with people within the industry. So we're talking about a locally based barometer of forward booking levels and it's this arrangement is well under way and should be available to the Bureau as of January in 2003, so that's the commencement of the year that we're about to address. The Bureau has also supported several initiatives to gain widespread coverage of Norfolk Island through journalistic and other television exposure this last month. Of note has been firstly the exposure gained through Rhythm of the Rock, that's the Norfolk Jet Jazz Festival with the high profile Don Burroughs Quartet as headliners, and there were other noted stars that appeared during that week. Secondly we gained unprecedented coverage with the first live television broadcast from the island in conjunction with the Colonial Hotel and Norfolk Jet. This tourism initiative saw the weather report on the Channel 9 Today Show go live to air across all of Australia and New Zealand every half hour from 7.00pm to 9.00pm for both Thursday the 12th and Friday the 13th of December. A collective live time broadcast of some 40 minutes gained showing Norfolk Island in all of its different facets. Another highlight was the visit of Kim Bain to research and photograph several fishing and historical articles for a number of national and regional newspapers and magazines. An opportunity arose for the Channel 9 film crew that I have referred to being on island, to undertake a television documentary for channel 9, negotiated by the Bureau and has been filmed by presenter Sorrel Wilby. We understand that this will go to air in early 2003. There have been other Journalists who have visited recently and their work will also appear in the coming months through our Public Relations Officer at MG Media. In conjunction with the Royal Lifesaving Society of Australia and Channel 10 News the Bureau has participated in a 4 month campaign to promote "Keep Watch". This campaign promotes child safety around home swimming pools and culminated in the Great Duck Race at the weekend of the 7th of December. The Bureau put up a holiday package to Norfolk Island as first prize in return for inclusion within all the advertising on channel 10. There's been positive feedback that this is a good cause and with good support and therefore likely to give a good response for Norfolk Island. Long term branding and imaging for the tourism arrangements in Norfolk Island, Members will remember that we had a presentation of the new logo and the corporate protocol for the use of the logo and this has been launched to the industry and in Norfolk Island. I mention that it has been presented to us here. This image is now in the marketplace and it will mean that Norfolk Island has this image to project in association with other agencies. The Travel Trade and Consumer shows, we have now attended 3 Travel Shows in Coffs Harbour, Melbourne and Sydney and whilst I reported to you at an earlier time that the total numbers have been down, it is also reported that there are some quality consumers who seek alternative safe destinations and this place is Norfolk Island in an advantageous position. We do have a good alternative to the Australian market with stable arrangements here in this place. No GST, cleaner environment, and those things that people find valuable. An interesting exercise in alternative markets was undertaken with the Bureau's support of a local initiative to present Norfolk Island to the public through the recent Mind, Body and Spirit

Festival which was held in Sydney, and if this provides and generates a new niche market, the Bureau will be looking to repeat this exercise next year, and I provide that overview Madame Deputy Speaker of some current happenings.

MR D. BUFFETT I'd like to now make a Statement Madame Deputy Speaker on a visit by the director of vocational Education. From Monday just past to today the Director of Vocational Education in the NSW Department of Education and Training has been visiting Norfolk Island, this is Mr Bob Smith. Members may remember and certainly community members may remember Mr Smith is a former Head Teacher and he with his wife Barbara and family lived here probably some 14 years ago now, but did so then and he now has risen to this senior position in the Department. I had earlier written to the Department of Education about the difficulty's of apprenticeship registration and access to TAFE Colleges for Norfolk Island and the trainees that we would have that would want to participate in the traineeship arrangements. There have been recent significant Australian changes in training and apprenticeship requirements and whilst Norfolk Island had a facility at an earlier time to participate in NSW in those training arrangements, that facility has diminished of recent times, and so Mr Smith's visit is to find a solution so that Norfolk Island trainees can continue to have trainee facilities and access to TAFE Colleges. He met with Teachers, employers, some parents and citizens, he met with Members of the Assembly as you will remember colleagues, he met with the Administrator and myself as Minister. He returns today to work through the locally identified issues which as I've partly mentioned includes registration of apprenticeships and trainees, TAFE access, block release arrangements, financial implications, and when he has worked through those issues with his counterparts in NSW, he'll let me have a report and recommendations and he anticipates that this would be achieved in the new year. I would like to pay acknowledgment to Mr Smith for his visit and for the effort that he has putting in to working through these difficulties to assist us. For next years trainees should a scheme or a model for training not be available at the beginning of the year, and the beginning of the year is quite at hand, there is to be included in this process a recommendation to backdate it to the commencement of the year so students and trainees are not disadvantaged in commencing the year that is about to commence in 2003.

MADAME DEPUTY SPEAKER

Thank you. Further Statements.

MR D. BUFFETT Yes thank you again Madame Deputy Speaker. This is a significant Statement Madame Deputy Speaker, it's about the Hospital situation. For at least the last year and a half, particularly since August of last year there have been difficulties, there has been discontent, disputes and the like at the Norfolk Island Hospital. There's been much accompanying misinformation, disinformation and in some cases possible lies and deceptions. The pressure of these difficulties have visited upon patients who have become apprehensive about a number of aspects of health services. I should say, not all justifiably so but apprehensive nevertheless. Earlier this year there was a Petition to the Legislative Assembly. When I took up the Health portfolio in July I met with the Medical Officers, the Hospital Director, Hospital staff and the then Hospital Board and a significant list of difficulties were identified. I met with the key players, the Medico's and the Director, that is with Dr Kennedy, Dr Foong, Dr Fletcher, Mr David Connell and others to walk through, sort out and encourage improvements. Madame Deputy Speaker whilst undertakings were given to remedy in a range of spheres, as it's turned out there has been little improvement, and significant deterioration of relationships and performance. Since there has been staff notices of no confidence, staff and public marches, protests to the Minister and as I've mentioned earlier a Petition to the Parliament. I've consulted with my Ministerial colleagues and the wider membership of the Legislative Assembly and I did this as recently as yesterday. I have of course consulted with the Hospital Board. It's fair to say that justice in the community so

amongst these groupings opinion is much divided from all of these quarters. I have really searched and I have cajoled for some months for Medicos and Director to achieve a mutual and co-operative solution and this has failed. Escalation of the conflicts have spread to patients and the wider community to the extent that it's really tearing the people of this beautiful place apart, families and friends are fighting over their Doctors and the Hospital Director. The difficulty's cycle and they recycle. As they can't work co-operatively I need to break that cycle and my Ministerial decision which I'm talking about now is to do this. To thank these people for their services that they have rendered to the Norfolk Island community and that all 3 should conclude their time in Norfolk Island and that they should move on to their next task in life. Dr Foong's resignation will continue to be effective from tonight. The Hospital does have a Specialist Surgeon and does have Obstetrics skills available forthwith to succeed Dr Foong's role. Patients are not being left unattended. Dr Gary Lewis is present and available, now for such services. Dr Kennedy, I have this morning talked with Dr Kennedy about relocating from Norfolk Island, to be done with some promptness. Mr David Connell, oh I should say in terms of Dr Kennedy on his departure his services will be covered. MR David Connell, Mr Connell is presently off the island on recreation leave and in fairness I've got to say that I've not been able to speak to him before saying this today, but I will be saying to him as soon as I am able to speak to him and I expect that to be later today, I will be talking to him in terms of his prompt relocation from Norfolk Island. There is no magic decision available to me or my colleagues that removes angst for everyone. I'm aware there is a patient support for a particular Doctor, that support is far from universal, but in giving this Statement I do regret that I'm not able to satisfy every patient's desire for their particular Doctor. I had earlier made an effort to secure this service but it was refused and subsequent events of course have closed that option. There remains however a range of professional services at the Hospital in Surgery, in Obstetrics and GP skills. Over the months of December and January, with a variety of mixes but these people will have at various times availability, Dr Gary Lewis who I have mentioned, as being available forthwith. He is a Specialist Surgeon, he has Obstetric skills, he has worked in a number of places in a wide variety of circumstances and provided sound and professional service to the community's that he has arranged to be in and continues that here. Dr Jack Sneiman will be available in contexts also, Dr Brian McNamara will also be available and Dr Fletcher will return in January. That's not necessarily the exact sequence, I'm just mentioning those Doctors that will have availability over the period of time that I have just mentioned. The Hospital is able to perform the normal range of patient services. We do have appropriate insurance although not for elective cosmetic surgery. There is a lot of misinformation that needs correcting in terms of the Hospital, for example it's not true to say that the Hospital cannot attend to ingrown toenails, removal of moles, sunspots needing action or the like. Dr Gary Lewis, Specialist Surgeon mentioned is available at present to address patients needs. It would have been probably more professional and exact to await a report of the Hospital Review Team Madame Deputy Speaker. In all of the circumstances such a wait has proved impractical in the areas that I have addressed, hence you have this Statement today. Other aspects of the Hospital will be addressed when the Review and the Inquiry Report is received. Thank you.

MR BROWN

I move that the Statement be noted.

MADAMDE DEPUTY SPEAKER

The question is that the Statement be noted.

MR NOBBS

I'm aghast at this Madame Deputy Speaker. We've got I believe a situation that's gone on for, and I've said it persecution before and I'll be saying more on it later but I just want to make one comment, that the Minister said that he met with Dr's Kennedy, Foong, Fletcher and Mr Connell to encourage improvement and he went on to say that unfortunately there has been no improvement. I question why we are taking two Doctors out of the three and leaving the third. Surely if

they can't get on in that situation it seems fairly strange to me that you would selectively take two Doctors and leave the third there, that's the point I wish to make. I'll be speaking more on this later as I assume all the Motions will now go ahead, mine will be and including my notice of whatever it is, public concern.

MR BROWN

Madame Deputy Speaker there will be extreme community concern about this decision. This really is taking the easy way out. It is avoiding the real issues and it's disgraceful, but the Minister has the power to do that and if that is his decision then say for another matter coming later in the meeting that's how it will be, but the Minister has told us that there are competent Doctors available right now to attend to peoples needs. What I would ask is if the Minister will kindly table the curriculum vitae of each of these Doctors with a reasonably detailed list of their current experience. I think if that can be done and if it measures up in the way the Minister has said to us well that will do something to relieve people's concerns but in the absence of it I don't think it's a responsible Statement. The Minister has told us that moles and sunspots can definitely be attended to but I assume from that that the Minister has instructed the Director to revoke a notice that he circulated to the staff. In my reading of that notice was that the notice was very clear, it talked not of elective cosmetic surgery, it talked of plastic/ cosmetic surgery or anything remotely resembling it, and it is for that reason that people took a view that they were being told by the Director the only person that has the copy of the insurance policy, because it's not available to the staff to go and look at, they took a view quite understandably that they were being told that anything in the nature of plastic surgery or anything remotely resembling plastic surgery was in a no no category, and if you look at the question of what is plastic surgery or something remotely resembling it then I have no difficulty with the interpretation that that includes the removal of moles and sun spots for example. So in the event that the Minister has not issued a direction that that Memorandum be withdrawn no doubt he will do so today, and no doubt before he does so he will seek the urgent advice of the Hospital's insurers to check that the Hospital will have cover for the removal of those moles and sunspots and so forth, because my recollection is that I have seen a Memorandum from the Insurance Broker who arranged the insurance for the Hospital and that that Memorandum contained the same confusion about plastic and well as cosmetic surgery. If one looks at the Medicare Schedule of charges and that's a document which is published twice a year and you can just go into a Commonwealth Bookshop and buy it and in addition to buying the book you can buy a CD so that if you've got a computer system that can cope with that particular CD you can update all of your information about charges once every 6 months. Now that Medicare Schedule has a lengthy section in it about what Medicare pays for plastic surgery and I think it would be reasonable to take a view that everything listed there must be thought to be plastic surgery. It is very regrettable to me that the solution of shooting everyone has been the solution that the Minister has come up with. There has not been a proper examination of the situation, notwithstanding that some 6 months ago a Petition was tabled in this House and eventually the Minister of the day was asked to ensure that a proper inquiry was carried out into, amongst other things the management of the Hospital. To this very day that hasn't happened. Sure there is an inquiry going on at present but I can tell you of my experience in giving 30 minutes of submissions to that inquiry, I was limited to 30 minutes, I did not have the opportunity to deal with all of the issues with which I wished to deal but the 3 member team made it very clear to me that they regarded the problems at the Hospital as being solely due to the Nurses. So that was an easy way around that one, just blame the Nurses and say that you do not wish to hear issues about past management of the Hospital because that was the very clear impressions I was left with and I was left with the very clear impression that the panel thought that their most productive role, and this may be the case, I'm not saying that it's anything else, but they left me with the impression that they felt their most productive role was looking at the future. I said to Members yesterday if we do not look at the mistakes of the past we will

continue making those same mistakes into the future, and by refusing to review the real problems which have occurred at the Hospital we are going to allow those same problems to occur time and time again and just as has been the case over the years when there has been a large build up of people wanting General Entry Permits and every now and again we just open the floodgates and say we're never doing this again, there's too many of you ringing us up so we'll let you all in, this is a very easy way out in the case of the Hospital. Once your Minister finds it all too hard, you just say well I'll sack everybody and we'll start again but how are you going to avoid this same problem recurring if this is the course you are going to take. If there was a definite plan put to us to say look, I realise that I've mucked this up, I've sat on my bottom with my head in the sand for far too long I've allowed this to get to a situation where it's almost incapable of repair. I haven't made a real assessment of community views because from day 1 I've said no matter how many people come an support such and such I'll just be certain in my mind without making the slightest inquiry that there is a substantial part of the community of a different view. Madame Deputy Speaker this is a very sad day. If ever there's been anything that has made me fear that we are totally incapable of handling self government it has been this issue and if there has been anything that makes me fear that within a not too distant time we are going to have the East Sydney area Health Service or some such group from Sydney or Maine Nicholas or some other Mainland health management company here managing our Hospital because we are incapable of managing it ourselves, it's terrible.

MR D. BUFFETT I just wanted to provide some further information in light of Mr Brown has sought. It's not total in terms of some of the things that he has mentioned but it may be useful. I haven't a CV in front of me in respect of the Doctors but the Doctor that has most recently arrived I do have some detail which may be useful to have available in terms of information. Firstly certification of general and specialist, may I just emphasis specialist registration, this is Dr Gary Lewis and of course this registration is current and the speciality is in general surgery but I wanted to just give some idea of current and recent areas of activity. In addition this particular Doctor holds the fellowship of the Royal College of Surgeons, in other words these are additional qualifications to normal Medico arrangements which gives him particular specialty and expertise in the area of surgery and he has held that for some decades. Just to mention the years 2001/2002, in 2001 he was the Flying Surgeon based at Longridge, Director of the Jean Lithgow Central West Health Services in Longridge. He was the Flying Surgeon based in Roma, a Locum for a Doctor there also at the Mount Isa Hospital. So you will see that he has experience in a very soundly based qualification way and has operated in a number of places, some of them which have likeness in terms of relative isolation. Now I'm not trying to claim that that's all inclusive of all of the detail but I thought that that might be useful to just emphasise at this time. I hear what Mr Brown says about the insurance arrangement and I've endeavoured to give examples so that there can be some better understanding of what can be undertaken at the Hospital because there's been a lot of rumour about that. I'm of course very happy to do a double checking process with the Insurance Broker. We've gone through that process to some extent already otherwise I would not have said what I said earlier. There has been a claim of course that this is the easy way out. My goodness I think each Member will know that there is no easy way out in this difficulty and we have all, with other members of the community had to think long and hard and deliberate with huge difficulty about this. This is no easy way out, this is a dreadfully hard decision but we've got to get on, we've got to break the cycle as I have endeavoured to explain and that's where we're at Madame Deputy Speaker.

MR BROWN Madame Deputy Speaker the Minister gave us some details of one of the Doctors. The Minister said he'd been a member of one of the Colleges for decades. I don't know the particular Doctor, I don't how old he is, I don't

know what he's done through his career and I don't know what his recent experience is save that the Minister has told us that he was a Flying Surgeon in Western Queensland and did some work at Mt Isa Hospital but I really would be interested to see what the Doctor's recent experience has been because if the Doctor is highly qualified, highly experienced and absolutely current in all that he is doing, then that should be reassuring to people, but the material which the Minister has just read doesn't really tell me much. Thank you.

MR I. BUFFETT

Madame Deputy Speaker just a couple of words on the Statement that has been made by the Minister for Community Services and Tourism. I too am a little bit sad to find ourselves in this position, but I'm not surprised. The thing that surprises me most of all is that at least 2 of the people who have been mentioned in this Statement have remained. Let me tell you why. I heard some terrible things in the last couple of days said by the so called protagonists for one Doctor Foong in affect of the other people that have been mentioned. There has been a number of things said that I feel very sad to be part of this community here being said, and the question of splitting the community. I'm surprised we have any Doctor including Dr Foong, including Dr Foong, let me emphasis that. I support the position taken by the Minister because I believe, I personally believe that we have brought ourself to a position where we are going to encumber, we are going to totally encumber even Dr Foong, the person who a majority, or not a majority but at least a large amount in this community who have been supporting and asking to stay. I could personally say if I was in either of these 3 gentlemen's shoes they wouldn't see me for dust. Let me go on to say one other thing, there are 2 distinctions that we need to make here. Firstly Dr Foong has resigned. I do not have the personal details accept being told in a meeting of Members yesterday to clear his name. I'm not too sure whether the act resignation is the real way to clear one's name. Madame Deputy Speaker the decision that has been taken by the Minister responsible in respect of the other 2 people, to a certain degree plays right in the hands of some of the more audible, more audible things that I've heard in respect of at least 2 so called silent protest marchers, some certain demonstrators, some of the words that have been said and some of the emotion that has risen in respect of this whole issue, and on that basis and with as I said a certain amount of sadness I personally believe, I personally believe that the action taken by the Minister for the good of this community and more importantly, let me say more importantly for the good of the 3 people I do not question their professions, I'm not in a position to judge personally but I would have thought that having achieved the position they have achieved as Doctors, the word Doctor to me has indicated a certain degree of professionalism, dedication and time. I'm not in a position to say one is better than the other or whatever and a lot of people have endeavoured to do that but I am really surprised that anyone of them has stayed this long. The real difficulty we face, one of the difficulty's we face, we could be painting at least one of these people into a corner that he's only way is to escape. Now where does that leave all of us, having gone through all of this, it might be that it becomes untenable. Now I don't want to be in that position, I think we have the opportunity of commencing again and let me say I acknowledge the mistakes of the past. There is a strong possibility if we are to retain any of what we're doing we're going to repeat the mistakes of the past. So this is an opportunity for everybody to make this decision and move on and for those simple reasons I support the action that the Minister has taken.

MR NOBBS

I just take umbrage at what Mr I. Buffett has actually said that in relation to one person there that there was a imputation that the resignation was taken to clear his name. I just can't understand that. I thought that the name was cleared in the Court down below 2 weeks ago today and that's seems to be symptomatic of the whole situation that's been going on for months. I find it quite incredible that this action is actually being taken. It was suggested yesterday and I just couldn't believe my ears that that's what happens and it seems to be a selective way as

given that the people were only here in the complex and etc etc. I was here during the afternoon in this particular complex on Friday afternoon but I still didn't receive an indication what was happening at that particular point in time. I think the community actually needs and explanation and I don't think I'm a big head in any way in saying this that I was actually elected to this organisation by community members and I think that if their representative is excluded in any way from this particular forum there should be just reason and I believe that without that just reason that some action should be taken. I think that my own belief is under the circumstances that it may have been thought that it was appropriate as my wife was in a delegation attending supposedly a meeting with the Minister for Health which turns out to a full blown meeting with all the Assembly Members except Mr Brown and myself. They may have thought that this was an opportunity for an exclusion but I'm sorry Madame Deputy Speaker I've spoken on this issue previously in the past and I'll say it again that my wife just as anybody else's wife can participate as she so feels in these sort of discussions and I need to take my position as a Member of this Assembly very clearly and stand back from some of those issues, and I've attempted to do that in the case of the Dr Foong issue, but unfortunately due to the nature of it and I'll be speaking on it later this has been extremely difficult because there have been other members of the community involved. All I ask is that an explanation is required and apology be sought from the responsible Member who actually organised that particular meeting. Thank you Madame Deputy Speaker.

MADAME DEPUTY SPEAKER There is provision for discussion Honourable Members.

MR I. BUFFETT Madame Deputy Speaker in relation to this particular issue and let me explain how I became to participate in such a gathering. First of all I must say I did not understand or I was led to understand that it was a meeting of Members, that's the first issue. The second aspect, the Minister responsible for health asked me as an Executive Member would I be present with him as part of the Norfolk Island Government at a meeting where he was going to meet some delegates representing the Hospital I think were the words used. Madame Deputy Speaker during the time that we were present and in the presence of those delegates I was not asked to speak, make comment or questions were asked of me. That's the sole context of my understanding of the meeting. It certainly wasn't as I understood it a meeting of Members formally called or informally called.

MRS JACK Madame Deputy Speaker I too would like to clear my place or my presence there, is that when the delegation rang up and were seeking through I think the Clerk of the Assembly who took the call and who relayed the message to the Minister I was currently at that time with the Minister and I said to him if he liked I would make myself available, he said yes. There was no, as with Mr Ivens Buffett my opinion was not sought and I did not offer any during that meeting. I was there in a role if you like of observer status for want of a better phrase.

MR D. BUFFETT Thank you Madame Deputy Speaker. I've heard what Mr Nobbs has said and of course I've read the paper that he put. This matter was raised with members by Mr Nobbs on Monday and I explained to Mr Nobbs at that time the sequence of events and the implications that he is making in his paper and in his presentation is not the fact. Let me just give you this background. We all know that there was a march advertised and people attended on Thursday of last week and the group that marched and myself and others met in the Hospital grounds. At the conclusion of that there was a request that I might consider those things that were said and that a representative group might meet with me the next day, and we concluded on that basis. On the next day which was the Friday, and that's the day that is being talked about here I undertook arrangements for the representative group to meet me. I think it

was something like 4.15pm or thereabouts on the Friday, the representative group. This area that we are talking about now has huge difficulties in Norfolk Island at this moment and so I did a number of things, I invited my ministerial colleagues to be present if they wished to be present in the context of me meeting with this group and hearing and communicating with them. I also made the same availability to the Chairman of the Hospital Board and the other member of the Hospital Board and so we gathered in that context. The representatives of the Hospital collective arrived and when we had assembled actually in the room of the meeting it was mentioned that Mr Smith was outside and I said he was welcome to join us, and he was welcome to join us, and so we commenced. Now it can be seen Honourable Members other people may want to interpret that in a way that is suitable to them but it was not a convened meeting of the Legislative Assembly, whether informally or formally, it was a meeting of a collective group with the Minister and the Minister had invited people in the context that I have described to be present, and I explain that to you so that you will see that it is not meant to be offensive to any member of the Assembly who may not have been included. Those who were included were included in the context that I have described, and to try and infer that I would want to misuse the arrangements of the Legislative Assembly in that context is quite an unfair and an asked for and improper suggestion. They are the facts as I describe them to you Madame Deputy Speaker.

MR NOBBS I take offence at what the Minister with his fairly large words there. He said the interpretation was suitable to them. Now the inference is that that I'm using it for some reason. I'm using it for a reason because I've been angry ever since Friday afternoon that I heard that this particular meeting had taken place and this is the way that the Assembly is operating, I can quite see why that we are in the situation we are now at the Hospital and I have no more to say on the subject. I'm just absolutely aghast that the Minister can make such rounded statements. Thank you.

MR GARDNER Madame Deputy Speaker I'm able to confirm the situation as Mr Ivens Buffett outlined in his debate on this matter and may I say Madame Deputy Speaker it's not unusual for different Ministers, including myself to call on other members of the Assembly from time to time to accompany them to be at a meeting, to discuss issues with people, simply so that there are other points of views or people to observe what's being said and that is important, but as far as considering that there was a secret meeting or whatever inference may be given to this gathering that took place on Friday that's completely untrue and certainly in no way would I have taken it to be a meeting of members of the Assembly. I think as Mrs Jack also said we felt as though we were there as observers. I don't recall, other than the Minister, delivering any response whatsoever to those gathered in that room certainly no other member of the Assembly and that's all I have to say on the matter.

MR BROWN Madame Deputy Speaker I can understand Mr Nobbs being upset. If you get to a stage where you have 7 out of 9 Assembly members in a room, really you should think about the consequences of not ensuring you've got all 9. Now if the Minister had of rung me and said look we're having this little get together but because you acted for Dr Foong in the 2 sets of Court proceedings I'd rather you not come down. I probably would have said well as I've told you before Minister both those proceedings have been finished save for the collection of costs and I don't see there being any reason why I should not be present. I might have said that or I might have said, look if what you are having is a constructive meeting aimed at finding a solution and you think that my absence will assist you to find that solution, I might have said that's fine. But Ron Nobbs should have been contacted. Now I think it's a very important lesson for the future, I do think he deserves an apology because let me go back to just a few of the words used a moment ago. It was suggested he had put an interpretation on it that suited himself. Now that's more than a little bit antagonistic, as were the words

about unfair and whatever went after them, and I think he deserves an apology. I think that we should be careful that such things, even if they turn out to be misunderstandings don't occur in the future. Thank you.

MADAME DEPUTY SPEAKER Is there further participation. I seek a Motion from a member that

MR I. BUFFETT Madame Deputy Speaker I move that the discussion be now concluded.

QUESTION PUT
QUESTION AGREED

MADAME DEPUTY SPEAKER I believe the Ayes have it unless you'd like the House called Mr Nobbs.

MR NOBBS I would.

MR D. BUFFETT	AYE
MR GARDNER	AYE
MR DONALDSON	AYE
MRS JACK	AYE
MR I. BUFFETT	AYE
MR NOBBS	NO
MS NICHOLAS	AYE
MR SMITH	AYE
MR BROWN	NO

MADAME DEPUTY SPEAKER The result of the vote, the Ayes 7 the No's 2, the Motion is carried.

**MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR
MESSAGE NO 9**

MADAME DEPUTY SPEAKER On the 4th of December 2002 he declared his assent to the Building Act 2002, Trees Amendment Act 2002 and the Supplementary Appropriation Act 2002.

MESSAGE NO 10

MADAME DEPUTY SPEAKER On the 4th of December 2002 pursuant to Section 21 of the Norfolk Island Act 1979 I reserve the following proposed laws for the pleasure of the Governor General, the Planning Bill 2002, the Norfolk Island Planning and Environment Board Bill 2002, the Subdivision Bill 2002, the Heritage Bill 2002, the Roads Bill 2002 and the Land Titles Bill 2002. The message is signed by the Administrator A.J. Messner.

MADAME DEPUTY SPEAKER Honourable Members I have received I have received the independent Audit Report from the Norfolk Island Government Auditor Curren, Sole and Tuck in respect of the audited financial statements of the Territory for the year ended 30th of June 2002 and I table that report. Thank you Honourable Members it 12.40pm and it may be an appropriate time to suspend the sitting for a lunch break. Shall we resume at 2.00pm. That's agreed the House stands suspended until 2.00pm.

Minister being responsible for his portfolio and if he doesn't perform he needs to either resign or be replaced and in my view that's the situation we are in today. Thank you.

MR NOBBS

Thank you Madame Deputy Speaker. Two weeks ago Madame Deputy Speaker I probably would not have supported this Motion and to say that a day is a long time in politics, this last 2 weeks has been an eternity I can assure you, and it's been made an eternity for a number of reasons but the main one is the lack of direction and the lack of decision making and the implications that we're a bunch of geese is something that I really can't abide. Two weeks ago the Chief Magistrate Cahill handed down judgement and I thought that would be the end of the issues concerned, but it wasn't be any means. We had at that stage we had a clearance of a Doctors name, we had a Board that was going to be put in place but there was no withdrawal by the Minister of a direction which he'd given several months before when there was some doubt about the Board situation and then later on we saw him operating as a sole king of the castle so to speak with no Board, or one member, a Board with 2 members actually where you need 4, there was no Chairman and the Minister was just operating in isolation. I found that very difficult because it was putting the Hospital Enterprise at risk I believe because it wasn't fulfilling it's legislative requirements. However in the past 2 weeks and people have asked why has the Doctor resigned, well wouldn't you. I mean we've been through 8 months of absolute garbage of persecution I call it and as I spoke to the defence Barrister that afternoon and that's not Mr Brown, the afternoon of the Court case, he was really concerned that the persecution would continue and how right he was because it started that afternoon, again and again by people who had all the vindictive and malicious outlook on things in general, and it's unfortunate but that's what happened. The result was that the Doctor resigned in frustration I believe. He spoke to a number of people after that happened in the next few hours and then he withdrew his resignation, but it didn't stop there did it. There was no compassion whatsoever by the Minister or any of the people that dealt with that particular withdrawal of the resignation, there was no compassion whatsoever and I find it quite abhorrent that we have people in our midst who wouldn't take into consideration what has actually happened over the last 8 months, how there's been a need for a fight to keep your name, to keep working through all that and still hold the respect of the community. I don't know whether it was said this morning that there might have a majority and they might not and there might be this group and all this sort of thing of supporters and what have you, I know far and away that the majority by far and away the majority of this community has a respect for the particular Doctor. I was aghast that on the 5th of December which was a week ago last Friday it was actually on the Thursday that a memo was issues by the Hospital saying that the Doctor was to minimise his presence at the Hospital. Staff is requested to take no further appointments on his behalf. This memo I understand was not delivered until the 7th which was a Saturday. I spoke to the Minister responsible on Monday morning because I was really concerned and I thought with all the hoo ha that was going on and I believe that their course of action could proceed which could proceed actually to minimise what was actually happening in the community at that time. The Minister listened. I didn't put it in writing because I didn't think I had to. We met and he asked me for time, we met again at 6.00pm that night and I waited for him and I came up here after the meeting and we had a discussion, an amicable discussion, fine. He wanted more time. We met again at 10.00am the next morning, wanted more time. So he said he'd ring me later in the day. I was out and I was left a message at night I don't know what time it was. I spoke to him the next day on the 11th about particular issues, particularly about the Medical Superintendent issue. I didn't put it in writing. The 12th was the day of the march, that was the Thursday. At the conclusion of the March there was some instructions given that a particular Doctor was to see no further patients. I spoke to the Minister that afternoon, he said no no no no no that's not right and I said well you've got to fix it you know, you're the man, your giving directions around here. So the next morning I woke

up and I wasn't very well. The members have heard this before but I want the public to make it very clear what the situation is. I rung the Hospital at 9.15, this is on the next day. The Receptionist advised that I was unable to see Doctor Foong so I then rung down here, eventually spoke to the Chairman of the Board who said the advice was incorrect. I washed and went to the Hospital to find out precisely what was going on and I asked whether I could see Doctor Foong, no I can't see Doctor Foong. Is he in the Hospital, he was there, why can't I see him. The situation is that they'd been instructed to take no further bookings. I said well that's wrong. I went and rung the Chairman at 10.00am and advised her she had 1 hour to clear this whole mess up, otherwise things would happen. I then went to the Hospital at 11.00am and was given, it was fine then to see the Doctor. I understand that at 10.20am instructions were handed out by the then Director that the Doctor could see any patients he so desired. I had my appointment, came down here and you've heard that I was excluded from the meeting in the afternoon. I was as I said visibly upset and I spoke about it on Monday and I'm still fuming and I still find it very difficult to understand how a member of this community or the position that the Minister has in this supposedly in this community hasn't got the common decency to apologise for something which may have been an oversight or it may not have. I've got my doubts but there was an opportunity for an apology there is not apology forthcoming and that to me is the basis of all the problems with this whole organisations that's been going on for 4 months now. It's the inability to see the difference between right and wrong. I just go back. I don't want to get too upset about this but we look back further at the Chief Executive Officer position. The Chief Executive Officer was supposed to have a performance review in July or something, it wasn't done, we know that and there was a previous Minister in place. There was an opportunity when the current Minister came in to actually do that and it was progressing along the road I believed towards that, but all of a sudden the then CEO provided a letter which suggested that the Minister may have a conflict of interest. Now that's probably not a very smart thing to do when your going into a review of your contract to say to your boss, you may have a conflict of interest in this whole setup, but unfortunately the key functions and responsibilities were then the Chief Executive Officer contract at that time is to provide advice to Assembly members on the code of conduct or other professional or legislative requirements regarding conduct and disclosure. So I could quite see that the CEO at the time was ? between, but she did the right thing and then to say that all hell broke loose is the understatement of the year. How dare she and I leave it at that. Another issue and this is the 3 strikes and your our figure as far as I'm concerned but a major issue to me has been the travel undertaken by the Minister in the period that he's been a Minister. In the 4 months we've had a long trip to Africa and a subsequent trip elsewhere in a time when the Hospital has been more or less in turmoil, there's been supposed turmoil within the Public Service and all these other areas that he's responsible for and the Minister can take off, and that's fine. There were some commitments I understand in relation to a particular organisation that the Minister has been involved over the past number of years, that's fine, that's fine, but there are ways and means of getting out of that and getting round them. The biggest disappointment I had was the indication by the Minister that these sort of trips cost the island nothing, that unfortunately is not correct. We provide a sum I think of \$35,000 in the last financial year towards the Commonwealth Parliamentary Association plus there are other on costs such as part travelling allowance, accommodation here and there, taxi fares all those sort of things which cost the island a significant amount of money. I don't believe that our involvement in the Commonwealth Parliamentary Association should be anything more than a situation where a new member goes and meets contacts and has some training so to speak in the parliamentary procedures. That is the limit of it. Not to go time after time after time to these sort of organisations. So Madame Deputy Speaker I support the Motion. I mean I'm getting sick of this having to being seen as a hatchet bloke around here, I mean poor old George copped it when he was doing it and now we've got the current Minister on the same thing but I mean for heavens sake let's start

doing things a little bit properly around here because it's the worry that we will be seen by the Australian Government as completely bereft or they will use it as an excuse I mean gee you get some terrible kaffuffles in the Australian scene at the 3 levels of government but this is more visible, but the saddest part of all is the affect that it's had on this community. Minister Buffett mentioned it before that there was complete, not family fights and all that sort of thing going on but there is a complete disgust in the wider community at how this issue was handled. If the Minister is prepared to fall on his sword in an honourable sort of a way well that's fine, but I can't support him for what he's been doing. We've got a situation now that we come up with a solution, isn't it wonderful. Here we have he said before that the problems that were at the Hospital and he spoke with Doctors Kennedy, Foong, Fletcher and Mr Connell and encouraged improvements and there was no improvements. Now his solution to this is Doctor Foong, we won't allow withdrawal of his contract or even writing up another contract, Dr Kennedy he's had a few discussions with him in quick discussions and he looks like going. Dr Connell not Dr Connell, I think he thinks he is. Mr Connell he hasn't even been contacted for goodness sake and all this is coming out on air that the 3 have gone, not the 4 the 3 have gone isn't it wonderful. I mean I find that quite stupid actually that you could jump on now and announce that this is the solution. No wonder the CEO cost us \$150,000 plus so I mean in this sort of situation I just wonder what will this cost us in the long run if we haven't done things properly. So we're left in a loop at the moment. We've got real problems as far as I'm concerned and there won't be too many people cheering about what's going on down here at the moment I can assure you of that and I'm very very sad to say that I have to, I'm not sad to support it because the evidence is there but I'm really sad that we've come to this stage of the proceedings. Thank you.

MR D. BUFFETT

Madame Deputy Speaker I'm of course the subject of this particular Motion so it's logical that I would need to say some words, but I've got to mention to you at the very outset that it's not my plan to debate the issue at great length. I do want to respond to a couple of points that have been mentioned by both of the previous speakers but the reality is this. Let me respond to the couple of points first. For example Mr Brown mentioned that he had written to me on a number of occasions. Indeed he has with great regularity, in many instances and most afternoons I would get something on the fax machine about one or other of these subject matters. The matter of the administrative expenditure has been raised and I reported to the House earlier where that particular matter was at. The matter of draft financial statements was raised and I mentioned earlier that at the previous sitting I had lodged the audited statements for that particular organisation. Mr Brown is quite right that July, August and September financial statements were not available and I have more recently reported that. There are mention of a number of difficulties within the Hospital situation, we have debated those at great length. Mr Nobbs has mentioned matters where he has found difficulties in terms of the Hospital, the CEO matter. Members have sat around in this chamber and debated those issues at significant length. It's not beneficial to try and repeat those arguments on this occasion except that I recognise that Mr Nobbs and in many instances Mr Brown have not shared the direction we needed to travel in terms of some of those matters. It's probably inevitable that it would reach a stage where one didn't agree with their terms that they would want to make a move such as this to try and seek my removal. I understand that, that is part of the process that one walks through in these situations. But I should say this, that the issues have not been easy, they have not been ones that one could just find a magic answer and pluck it off the shelf. I have gone to great lengths to try and go through a consultative process including with members and on many occasions there, advice has not necessarily come forward in a very cohesive way, such is the nature of the matters we've had to deal with. So answers have not been readily available but enough from me. Really members know about the difficulties, members will need to decide on their own account as to whether they have been

handled in the best way in all the circumstances and I understand that members will need to make their judgement upon that and I leave them to do so.

MR GARDNER Madame Deputy Speaker I plan to be brief. This is the 3rd Government I've been a participant in and I haven't yet come across a perfect Minister, myself included. There are times when you make decisions and you find at the end of the day that those decisions may not have been properly founded, not entirely through your own fault but you rely on advice that is given to you and advice that is given to you by your colleagues. The job that the Minister took on in July was a pretty mammoth task with some pretty horrendous issues that he had to get to grips with and to try and find some resolution and solutions to them and he set about that task with vigour and continues to this day to do that with an enormous amount of energy. I think I need to communicate to members that I am aware and I take note of the hours that the Minister puts in to trying to resolve these issues and are significant, until well after dark on many evenings. I certainly think that it's premature to be looking at the Minister's head because I believe that we're going through a process at the moment that I hope is going to provide some insight into the problems that we experience in our health field. I know other members have touched on other portfolio responsibilities but I believe that this is the principle matter which has brought about this Motion. Mr Brown certainly may have different views to that but that's what it appears to be from my looking at the matter. To be honest, very clear and very honest with everybody around this table I don't think that any of us can say that the Minister has not consulted with this at length and very widely on all of these issues, as best as time and resources allow and we have all had an opportunity to raise issues and debate the matters that he has brought to us and I need to say that in most instances that I'm aware of that he has sought some sort of mandate from members of the Assembly. In other words the majority of members of this Assembly view to the direction that he's taking in the course. There will always be the opposing view and that's one of the pitfalls of being a Minister, you can never rely on support from every member of the Assembly at all times and very rarely do you ever get complete support from all members around the table. My view is Madame Deputy Speaker the Minister has done a terrific job in the short time that he has had responsibility for these portfolio responsibilities. There has been earlier discussion that maybe his portfolio responsibilities are rather weighty but I can only say that from what I have observed that he's managed those responsibilities very well and I cannot support the Motion.

MR I. BUFFETT Madame Deputy Speaker thank you. Let me say right up front I don't intend to support the Motion of have Mr David Buffett removed as the Executive Member. Madame Deputy Speaker it appears to me that the portfolio that encompasses itself has been a bit of a poison challis to most members of the Assembly who's taken the particular task on. Even if the Motion was supported today and the Executive responsibilities transferred to another person within this room I would ? a guess and say that within a couple of months we're going to be back in exactly the same position. Madame Deputy Speaker I'm not supporting the Motion but I am making a suggestion. Having said that this portfolio is rather a poison challis and the previous Minister mentioned it on a number of occasions that the number of significant community type issues that fall within this particular portfolio. I'm not supporting it but I'm not ruling out the question early in the year 2003 if we've survived to that particular time frame that the matters that fall within that portfolio may be looked at, either some partially redistributed or we go back to another concept which I've heard members in this chamber say and I've heard members in the community say, what is the Government doing, what is the Government leading where are they going, lead on you know with the big sword. Madame Deputy Speaker there's a concept that occurred in my mind when I first looked at this particular Motion and looked at the frequency, I emphasise the frequency of which we or people in the Norfolk Island legislative Assembly attempt to

either remove an Executive Member. Perhaps it's time we embraced a concept where there are at least 5 Executive Members and if health be the one that needs the sole concentration of somebody to get it correct, whether it be the public Service, whether it be one of these things give them that particular thing and let them work on it and let's get it right. Then if we get to that particular stage then when the Government makes a decision you know damn well it's going to be a decision because the Government has made that decision. It can't be overturned if the Government as a collective have made that decision, so we achieve a couple of those aims. Madame Deputy Speaker I can go on and on in respect of this particular issue but I won't. I said that I will not support the present Motion but I say it based on those couple of issues and I urge the members of this Assembly to consider at least a couple of those issues between now and when we next meet as a formal gathering of people supposedly representing the community of Norfolk Island.

MR DONALDSON Thank you Madame Deputy Speaker. I'll be very brief. I don't think there can be any doubt at all that the Minister inherited a very troubled portfolio a troubled portfolio that hasn't actually got any better in the time he's been in it. In fact it's probably got a bit worse, there's not doubt about that at all. I think Minister Buffett made a comment that he doesn't have a magic wand, he can't wave some magic wand over the situation and correct it. The solution is to do hard work, do research. He must address the problem in a professional and proper manner and to do that he's restricted somewhat by the circumstances on the island. First of all he's got to gather in the information and one of the things I've found in this whole issue and all the issues pertaining to his portfolio, it's very hard to find out what is the accurate information. Once he's got that information he must weigh it up and make a decision and he must make the correct decision, what he considers to be the correct decision. In this instance I don't fully agree with the decision he's made but I respect his right to make that decision and I think he's done a responsible job in that area. For that reason I don't think it's appropriate to seek his resignation from the Ministerial position at this stage.

MR SMITH Thank you Madame Deputy Speaker. I was a little surprised by this Motion when I saw it in the paper the other day but then again I'm not surprised. It does usual occur twice a year, sometimes from Mr Brown or sometimes from someone else. It used to be about me so I can chuckle about this because I'm not an Executive Member. However I'm pleased to hear what some of the Executives have said here today because the reason I'm not an Executive is because of the portfolio's that I did have earlier this year which created problems for my health, because the issues that are there are huge. It's not just the health portfolio, it's every portfolio that you have. This Assembly should never have started with that portfolio loaded the way it was and we've said that before. It was in good times, if there is good times, where everything runs smoothly probably fine. We've had some really tough issues this year, the island has experienced really tough issues this year. It caused me to be in the situation I was, I've got to admit following a Motion to suspend me at the time. David had to pick up exactly what I was dealing with which Mr Buffett had to pick that up. Some of them don't have resolutions yet, some of the issues, they are still ongoing. Who do you pass it to, do you pass it to someone else, is it Geoff or Graeme or Toon or somebody and say well here it's your turn you have a go at it. I don't know that that is the answer right now. I think what I hear in the community, not people saying it directly but I think what they are looking for is leadership from the Assembly and they always do. I know we don't always admit it, we do, we always look for somebody that you can point your finger at and say well, it's their fault or they should be doing this should be doing that and we probably all hear that a lot. If the things that are too much in a portfolio like as I believe we do have with the Minister who also is the Speaker which is an additional role to what I had in my first six months of this term, that needs to be looked at. David might

not agree with me with that but I believe that that is a course that the Government should be looking at over the next few weeks until the next sitting. I'm pleased to hear Toon say that that is a possibility that we can look at something like that, but to remove Mr Buffett out of the portfolio's because of the issues, I don't support that move today, but I am pleased to hear that there is recognition that there needs to be some changes made.

MRS JACK Madame Deputy Speaker. Prior to my being elected I'd listen to debates on the Assembly and I used to go stark staring raving mad at times over what I then saw as procrastination or jumping up and down on the spot and calling it progress that the Assembly's of the day, how they would act. But of course you come down and you see the other side of the coin and your involved in the process, and you see the importance of due process of informing your colleagues and trying to seek a majority view. I see the Motion before us today more as destructive at this time rather than constructive. I find that Mr Brown's concerns, I'd rather see them pointed towards getting far better computer equipment at the Hospital instead of having 3 different machines up there that are not compatible. That might help in getting the management accounts down in time. We're told we've spent a fortune on upgrading computers unyet we still have this incredible dilemma. That's to put it simply and I see it more destructive than constructive and I won't be supporting it. Thank you.

MR NOBBS Thank you. I'm really interested because in what was said, because Mr Ivens Buffett who's become known as the organ grinder around town because he grinds the organ and the monkeys jump, but anyhow he's looking now at how we can sort these portfolios out. This was the same thing that happened 6 months ago and they wouldn't do it when Mr Smith wanted to do it. So I find that quite difficult. 5 members as Ministers, that's great isn't it wonderful, it would be a dictatorship. We wouldn't get invited to any meetings let alone missing out on one now and again. I mean what's the go. I tell you what the problem is your ego's are too damn big, that's the problem. You want to get down off your high horses and start thinking about the community and what can be done for the community and start making decisions. That's it. A decision maker has to gather the information to make a decision. I mean saying that it's very hard to get information and all that sort of thing, that's fine but you have to find it and whether you put a direction in place where all decisions must run past the Minister you definitely have to get to the bottom of things if you want to know what's going on, and sitting around twiddling your thumbs and carrying on is fine, but if your in that position you had a situation where there was no Board that the operation of the Hospital was being run directly by the Minister, whether you like it or not that's what was happening because he'd made a direction at the, there was no Board and there was the Director was being directed by the Minister. So the Minister was running the Hospital. If he couldn't handle the situation because he didn't know what was going on I mean I find that quite impossible. Madame Deputy Speaker I haven't changed my mind. There's problems in that particular portfolio, that's fine, it was always going to be big, it was always going to huge right from the start. It was put together by the Government members. The members themselves put those portfolios together. It was their decision and look what's happened, but if you can't handle it and you can't find the information and she's too hot in the kitchen well get out. Thank you.

MR BROWN Madame Deputy Speaker Mrs Jack has just made some interesting comments. We've spent a fortune upgrading computers, indeed we have, we've spent half a million or so within the Administration. Mrs Jack's a member of the wretched Hospital Board and she doesn't understand that the Hospital is not a part of the Administration. If Mrs Jack would get a better grip on the situation before she starts bagging people we would all be a lot better off. There's 3 different machines that are not compatible. There's been different parts of the accounting system at the Hospital for a long while. There's in fact more than 3 different parts. If you look at the whole

Hospital system there's one complete separate system for patient records and it's quite right to be a separate system and it be restricted to the Doctors. There's a normal network of computers which are able to do word processing and whatever that can be accessed from various parts of the Hospital and then for years the accounting system has comprised a data base system that looks after debtors, a quick books system that looks after creditors and a Solution 6 system that looks after preparing the monthly financial statements, and if Mrs Jack and the Minister would just spend a bit more time getting to understand the situation there they would find Solution 6 still does prepare monthly financial statements. The problem has been that the staff have been loaded with so many of the Directors jobs that the staff no longer have the time to do the work that they are actually engaged to do. Some months ago I went to the Minister and I said look, if you want to sort this Hospital problem out, put me on the Board, make me the Chairman, reduce the number of members and I'll give you a seven day plan to sort the whole lot out, no response. I made the offer again, no response. The Minister didn't want the problem sorted out is the only conclusion I could come to from that, but to have a Board member complaining that there are different machines that are not compatible and that makes everything destructive and not constructive Madame Deputy Speaker is absolutely ridiculous. I'm an elected member of this House and it is a very important part of my role, just as it is of Mr Nobbs' role to hold the Executive accountable. We're here to ask questions, we're here to make suggestions and when a Minister doesn't perform we're here to put a set of number 9's onto their backside. Unfortunately once the Minister's get into the club and get their \$38,000 a year and their other perks they all start to stick together like you know what to a blanket, and whenever you get a Motion like this, all of a sudden all of the Minister's think each other is wonderful. It's probably a bit more interesting in this Assembly in that you may recall I promoted Mr Buffett's interests at the beginning of this Assembly, I urged members to appoint him as a Minister, because I thought he had worked hard as a Minister in the last Assembly. I was happy to give praise but I will give criticism when it is criticism that is required and in this Assembly he hasn't performed. At the start of this Assembly we had a policy that we were no longer going to have one person appointed both as Speaker and as an Executive Member. Because of Mr Buffett's position with the Commonwealth parliamentary Association at the time as a regional representative I urged members to leave that run its course because Mr Buffett only had something like 11 months left to run as a regional representative and I spoke to him about it. I told him that I felt members could be convinced to allow that to occur, but he's no longer a regional rep and he hasn't resigned as Speaker. Now perhaps had he resigned as Speaker various members around the table wouldn't have needed to be saying look, the poor man is so busy how can you expect him to do any more. There is either no work in the Speaker's role or it must have necessity impact on his role as an Executive Member. You hear suggestions from time to time that there should be more Minister's. We had one Assembly which had the ludicrous situation of 6 of the members being Ministers. We've had plenty where all 9 have wanted to be Ministers. How do you have accountability in that situation. There is clearly no accountability within this Government in terms of an Executive Member acknowledging that if he can't run his portfolio to use Mr Nobbs' words, if you can't stand the heat in the kitchen, get out. But portfolio after portfolio in this Government, one can write a letter to the Minister, either get no reply, perhaps send that letter off 3 times then write to the Chief Minister and he's pretty good, he responds within a day or so, and after he can't get the Minister to answer either, the Chief Minister will generally try to work the answer out and to respond to you, so I give him points for that. Others such as the Minister for Finance will get a letter will send it off to the Service, it would seem not read the Service's reply and will send a reply out and frequently it answers totally the wrong question. Others such as the Minister for Finance when faced with a situation where a particular airline flying into the island closes and then reopens with the same company, and has the same finance company owning the aircraft, one asks time and time again, Minister is it the case that the legislation provides

that you can recover either from the finance company or from the operator. I've yet to have an answer to that question. I must have asked it half a dozen time and there we have \$300,000 odd of community money not being collected because the Minister won't get off his butt to do so. Madame Deputy Speaker I would be happy to move a Motion that the whole of the Government go to be frank, looking around the table and listening to the things that are said it may be better if the whole lot of us go and give the community a chance for a fresh start, but today's Motion is simply to hold one Minister accountable who is not performing. Thank you.

MADAME DEPUTY SPEAKER Is there further debate. I put the question.

QUESTION PUT

MR D. BUFFETT	NO
MR GARDNER	NO
MR DONALDSON	NO
MRS JACK	NO
MR I. BUFFETT	NO
MR NOBBS	AYE
MS NICHOLAS	NO
MR SMITH	NO
MR BROWN	AYE

MADAME DEPUTY SPEAKER The result of voting the Aye's 2 the No's 7, the Motion fails.

NOTICE NO 2 – EMPLOYMENT OF DR DAMIEN FOONG

MADAME DEPUTY SPEAKER Mr Nobbs before you commence I'm advised that the terms and range of debate on this Motion may call Standing Order 72 (a) into force which would force closure of the House. Perhaps I could ask you to be mindful in putting the question and starting the debate.

MR BROWN Point of Order. Madame Deputy Speaker can you seek further advice in light of the fact that the Hospital Enterprise is not part of the Administration.

MADAME DEPUTY SPEAKER I have sought that advice Mr Brown. It's statutory 72 (a) deals with a statutory appointment, as you would be well aware no member may refer to the conditions or service or conduct of a named or identifiable Officer unless the House has on Motion duly moved without notice voted to exclude strangers and suspend broadcast of its proceedings.

MR BROWN And who's an Officer.

MADAME DEPUTY SPEAKER My advice is that the Medical Superintendent is appointed under statute and he is the holder of a statutory appointment on Norfolk Island.

MR BROWN Madame Deputy Speaker it's not for me to give you legal advice but I continue to be stunned at some of the rulings in this place.

MR NOBBS Madame Deputy Speaker I'm really concerned at this, because you allowed this morning a reference to an Officer within the Public Service in response to a question which I asked, the Chief Minister responded in fairly

derogatory fashion I believe to a member and named a member of the Norfolk Island Public Service. I don't want to name the particular person now, but I would suggest that it seems to be rules for one and not for others.

MADAME DEPUTY SPEAKER Mr Nobbs I seek merely to caution in debate. Nothing further I have made no ruling.

MR BROWN Further Point of Order Madame Deputy Speaker. Would you confirm that you are telling the House that the particular Doctor is the medical Superintendent.

MADAME DEPUTY SPEAKER What I'm suggesting Mr Brown is that during the terms of debate such references as may be made

MR BROWN With the greatest respect to you are you saying that the particular Doctor is the Medical Superintendent because unless you are saying that, the particular Doctor is not by any stretch of the imagination a statutory appointment, he's an employee of an entity which does not form part of the Administration.

MADAME DEPUTY SPEAKER My anticipation Mr Brown is that this debate in the interests of public information will be broad ranging and I think that there will be a number of people named during the process of this debate again.

MR D. BUFFETT Would it be useful Madame Deputy Speaker if I move that so much of Standing Orders that is 72 (a) be put aside so that this matter may proceed and be heard and all may participate in that context.

MADAME DEPUTY SPEAKER Thank you Mr Buffett. That would certainly remove any doubt. Such Motion requires the support of 6 members. How say you in support of Mr Buffett's Motion

QUESTION PUT
QUESTION AGREED

MR NOBBS Thank you Madame Deputy Speaker. I have two amendments to this Motion if I may and I would foreshadow them or move them or whatever you so wish. The first one is to replace the words Hospital Board in the first line with the Director of the Hospital Enterprise, and at the end of the Motion after, as at 4 December last, add in the following, but shall take into account the contents of a letter distributed to members at an informal meeting on 17 December related to the position of Medical Superintendent.

MADAME DEPUTY SPEAKER And the additional amendment in the Motion to direct the Director of the Hospital Enterprise replacing the Hospital Board.

MR NOBBS And the Motion now reads Madame Deputy Speaker that this House instructs the Minister for Health to direct the Director of the Hospital Enterprise to either accept withdrawal of the resignation of Dr Damien Foong dated 4 December 2002 or offer Dr Foong a new employment contract. Any new contract so offered to Dr Foong to include conditions no less beneficial to the Dr than those contained within his employment contract as at 4 December last but shall take into account the contents of a letter distributed to members at an informal meeting on 17 December related to the position of Medical Superintendent.

MADAME DEPUTY SPEAKER

Thank you, I have the text.

MR NOBBS

Thank you Madame Deputy Speaker. Just in relation to the amendments. The first one the following reading the paper the other day and you always believe what you read in the paper of course that the Director of the Hospital Enterprise is the hirer and firer at the Hospital. The other one is at the end, members are fully aware of a letter that was circulated by the Minister yesterday afternoon which made specific recommendations related to the position of Medical Superintendent. Madame Deputy Speaker this issue has been gone through on several occasions today I guess if we look at it. My concern really is that and my reason for putting this on is that I believe that the Dr in question has not had a fair go and if anybody has any different to that this particular Dr hasn't had a fair go I would most certainly like to hear it. We've been through a situation now for some considerable time. I think it started March this year in which allegations were made about contracts and the like and it went backwards and forwards and then we saw the suspension of a Dr, we saw a Board which didn't have a Chair person in there, we saw grave miscarriages I believe of justice in the way the issue was handled, the suspension proceeded to the Supreme Court which is no small issue on a little place like Norfolk for the Judge to be called into it. It proceeded to the Supreme Court. The night before the case as most people are aware and if they are not then should be aware of it Dr Foong was asked to answer some charges, criminal charges what's more, that was the night before the case. Even though the Police had taken nearly 2 months I think from memory to actually investigate the issue. I came down to watch the case purely out of interest because by then I had begun to take an interest in really what was going on. I was looking particularly at the sequence of events that went on from March onwards and I found it extremely difficult at that time to understand what the situation was really all about. So I put a sequence of events together, it's over a number of pages I think it extended eventually to about 11 pages. So I came down with interest to listen to this Court case. I was absolutely stunned when there was apparently the Police were to be put on the stand. The Judge certainly chopped that off when he said that those charges had really nothing to do with this particular Court case and on it went and we listened all day and then it was adjourned and then the next morning they wheeled the 3 Doctors in. I was stunned at one Doctor there who had about a month before I guess had given a glowing report on the particular doctor and his abilities got up and said that he had changed his mind. I really don't know, and then there were some other issues that went on. The Judge threw it out. The Doctor was reinstated costs were awarded against the Hospital. I don't know what the price is. We don't seem to hear those sort of things but the estimate was that it was close on \$100,000, I'm not too sure what the total costing was because we had private Lawyers operating for the Hospital and it was a nice old show. Then we had a Petition go around which 629 around about that in a matter of days called for an inquiry. Mr Smith fell on his sword which was unfortunate and I'm not going into that sort of situation at that particular point in time, Mr Buffett was appointed. He kept saying that he wanted to look at the way ahead. We then saw a continuation of problems at the Hospital and eventually a criminal case what's more was brought against the Doctor. The 3 charges which he was originally had to answer were thrown out and what I thought was a fairly simple charge, the 4th one simple to prove was also thrown out with no problems at all. I thought it simple to prove if there's any sort of evidence what so ever, and I'm not a Lawyer but that was just my view at the time. The issues were thrown out of Court, then the scuttlebug began and it was quite incredible and I've been through those particular issues now, I went through them a while ago what happened in the last fortnight and I found it quite dreadful and I understand now that the Doctor's gone off to New Zealand on a Medivac and so I don't know who'd employing him tomorrow and he finishes at midnight tonight. I mean it's all a shambles, it is a complete and utter shambles. If people had any decency they would be offering to accept the withdrawal of the guys resignation, that was within hours. I've been tendering it but no way hosay as

my kids used to say, no way hosay would that be done, we've got him, man we have got him, and that's why I've put this Motion on the books. ? can be counted and ladies can now be counted. I know it will do no good, we heard this thing this morning from the Minister saying that oh we're going to not accept Foongs so he's gone, we're going to do this and I've been through this before too, these other 2 guys, their history too but I haven't really sown it up yet you know but they're going and he hasn't even talked to one of them for God's sake. I mean I just find that quite difficult. I would say that the decent thing to do would be to offer this guy a contract. In the letter there's been backwards and forwards toing and froing discussions and the like over the last few days and I thought acceptance of a new contract and the conditions that were suggested yesterday would be the way to go and I was very hopeful that the Minister would do that this morning and we would be home now if that had happened, but unfortunately regrettably from the community's perspective I can assure you of that, it hasn't happened. There has been talk about a Motion going in for additional people on the Board, we haven't heard anything of that. The Minister doesn't even know how to take off a direction that's been given to the Board. We're supposed to have an operational Board now and Director and the Minister still wants to be in there and playing with it. So I find this whole issue very very difficult. It's hard on the community it will reverberate I believe right through probably the where we get our Doctors from be they NSW or QLD, this sort of issue will go on, having talked to a couple of Doctors myself about it, it's just going to go on and we're going to find it very difficult to get Doctors here because we are not air dinkum, we don't give them a fair go, unless of course they are in with the click and that's it. Thank you.

MR DONALDSON

Thank you Madame Deputy Speaker. I'd just like to say a few words and I'm going to speak in favour of the Motion that's in front of us at the moment. From my observations Dr Foong is a skilled Doctor, he's got a lot of community support, that's been evidenced by the community activities over the last probably 6 months. I know for a fact he's got the support of the majority if not all the Nurses at the Hospital. I do understand that he did resign after the Court case, he did resign once his name was cleared and about 4 hours later he requested his resignation be withdrawn. I quite accept that as being a normal process, in fact I don't of any legislation in Norfolk Island but a lot of legislation in Australia has a 3 day cooling off period where if you make a decision to buy a house or to do something and it's made in an emotional state, you've got 3 days to go back on that decision and I think 3 hours or 4 hours is sufficient time for us to reconsider his resignation and accept his withdrawal of his resignation. There's financial implications to us accepting his withdrawal of resignation, we don't have to recruit another Doctor, we don't have to go through that process and we'd have a smooth transition of work at the Hospital. Basically that's the reason why I agree that this Motion, I agree the thrust of this Motion, the thrust of the Motion is to reinstate Dr Foong either on a new contract or as existing terms of his contract.

MR SMITH

Madame Deputy Speaker I think this Motion in a sense has become redundant for two reasons. One is the decision by the Minister this morning, it kind of carries out all the things behind what's in this Motion and also the fact that Damien was offered a re-employment I think it was sometime last week by the Board and by the Minister or who ever is the person or persons that need to do that. That was rejected as I understand at the time because there was a call for someone to be the Medical Superintendent and it was being said that Damien should be that person. Since that time Damien has said that he's not particularly interested in the position of Medical Superintendent, his concern was with his patients at the Hospital. The statement this morning took away the difficulty of the Medical Superintendent position as I understand that has been a difficulty over the last few weeks. I think that this Motion even as it's amended would be confusing. People have certainly over the last week or

and for a little bit longer than that been very vocal people in the community about the Hospital situation and to the point where there was many that were looking to have Dr Foong re-employed at the Hospital because that's what the community wants, whether it be 50 or 100 or however many if that is possible. I don't see any difficulty in supporting this Motion, but the Motion as it is I think kind of confuses things. If one was to read through it to direct the Director, I understood this morning that we may not have a Director, so who does it then if there is no Director. The withdrawal of the resignation I think has gone out the window because an offer has been made last week by the Board and by the Minister. So I think that the Motion really needs rewriting. That's my view, not going into any of the issues over the past months.

MR NOBBS Can I just make 2 comments in relation to that. The statement by the Minister was a statement by the Minister, it wasn't a statement, that was what he proposed to do. The House doesn't have to accept it and I hope they won't. We do have a Director at the Hospital, the Minister said in the answering of my question this morning because I needed to make sure that we did have a Director and we have got a Director and I understand that she is operating in the full blown position and is actually on the Board and is operating as such. If the Minister was wrong in that advice well so be it but I understand that from his statement this morning that we do have that. The Motion was written a week ago and I think we have to look at it in the context. I've added a couple of things at the bottom without trying to confuse things but I seem to have confused some but the basic argument is that there should be now I believe and any new contract offered, would be along the lines of that letter as proposed.

MR I. BUFFETT Thank you Madame Deputy Speaker. Madame Deputy Speaker I don't intend to support the Motion and I don't intend to say any more than the words that I said this morning in response to what the Executive Member, the statement the Executive Member made in respect of this whole issue.

MR BROWN Madame Deputy Speaker I don't propose to enter the debate on this subject but I wonder if I could help members in light of Mr Smith's comment. Would it be helpful if the Motion was amended in this fashion. Leave in the words "that this House instructs the Minister for Health to direct the" then as Mr Nobbs has said insert "Director of the Hospital" and delete "Hospital Board". Then we have the word "to", then on the following line delete the whole of that line, on the following line delete 2002 or and delete the semi colon half way along the line and delete the words "any new contract so offered to Dr Foong to include" and insert instead of those words the word "with" so that the first part of the Motion would of that was done read, that this House instructs the Minister for Health to direct the Director of the Hospital to offer Dr Foong a new employment contract with conditions no less beneficial to the Dr tan those contained within his employment contract as at 4 December last and then one could either use the words that Mr Nobbs has suggested or instead of those words simply use the words "save for appointment as Medical Superintendent". If Mr Smith was concerned about clarity that may clarify.

MR NOBBS I appreciate what they are saying and I would have changed them myself but I thought it was fairly self explanatory but I understand where the 2 gentlemen are coming from but I still believe at the end there should take into account the contents of the letter, yesterday's letter which was somewhat different to just the straight Medical Superintendent business you know. Is that better Mr Smith.

MR D. BUFFETT I just need to briefly say Madame Deputy Speaker that the Motion with the amendments with any of the amendments does not accord with my statement of this morning and therefore I am not able to support the Motion with any of the amendments that have been proposed.

Report, what about the Almond Report. The Minister for Health, the Government must take the lead and do something about this hugely significant state of affairs on Norfolk. We have a review under way, we've had heaps of reports and also it's been legitimately said we've had reports before what have we done about them. I hope it won't happen this time. To clarify something that's been said earlier, under the terms of a Motion of this House dated the 28th of August the Executive Member Minister David Buffett has oversight of any decision or significant action of the Hospital Board of Management. It was a Motion of this House passed on the 28th of August that put that in place. In effect the Board in place today is an advisory board because of that. I don't have any real problems with that but in the present circumstances it is the Executive Member who has the ball, and as a member of the Hospital Board of Management, advisory though it might be at this time I want my short time on that Board to be productive and I'm pretty certain that Vicky Jack wants to do that too. Let us get on with what you put us there to do, get the result of the inquiry, have the Assembly make some major decisions in respect of healthcare on Norfolk Island and let us get on with it. If we need guidance from the Commonwealth or a central area healthcare system to do so, let's talk to them about it. In my opinion the problem must be handled effectively now, or we'll face the situation where the question will need to be answered and I think Mr Brown has already put it today, can Norfolk continue to manage its own affairs. Thank you Mr Speaker.

MR BROWN

Mr Speaker it's been interesting listening to Miss Nicholas, she's asked what the hell happened to the Salmon Report, well I'd say something probably ate it because it's over 20 years old. Why the hell are we worrying about something as old as that. We were told when tendered the resignation was, I'd intended not speaking about this but some of this has so infuriated me Mr Speaker that I'm going to have to. When tendered it was accepted. Well my recollection is that the Director of the Hospital has a direction from the Minister pursuant to the Act that he is not to make any significant decision, without first clearing it with the Minister. So if your saying the Director accepted the resignation, when was it cleared by the Minister, where is the evidence of that having happened and precisely when and in precisely the company of whom was the resignation accepted. If your saying the Board accepted it, when did the Board meet, if you have a Minute that you can show us about it, how many Board members were present and how many Board members voted in favour of accepting the resignation. Now I wasn't going to bring any of this up but you've chosen to allege that when the resignation was tendered it was accepted. Well if you want to make that sort of an allegation and you are challenged, for heaven's sake follow through with the information. You've said once a contract is broken it cannot be patched up, what a load of absolute poppycock, absolute poppycock. Every day of the week things happen that are breaches of contract, but unless the parties decide to rescind the contract on the basis of the bridge the world goes on. A new contract was offered and refused, well indeed I understand that a new contract was offered but it was a new contract offered on the basis that a certain Doctor would be the Medical Superintendent. Later a group of citizens delivered a letter to each of us saying well why don't you solve this thing by making neither of them the Medical Superintendent, appoint someone else. Now you never explored that, you simply threw that idea out with all of the other common sense that's been thrown out throughout the whole length of this difficulty. You've said recently there was a decision about an employee because of irretrievable breakdown and everybody now loves each other. Well if I was paid the amount of money that person was paid I'd be happy to say I loved everyone and is that what's going to occur now, are we now going to work out the maximum possible amount of money we can pay to the Director and to Doctor Kennedy so that they go away loving us. Now the Director at the moment reminds me about that TV show about the fugitive, there he is somewhere on the Mainland with a rucksack on his back and allegedly the Hospital computer sitting in there while he travels the Mainland to clear himself. No this whole thing has been an absolute debacle, the bulk of you are not prepared to face up to that, the bulk of you

probably don't even understand that, and as I said this morning if we were ever to have a scorecard marked against us in terms of our ability to run the affairs of this island, surely on this issue we would achieve something like -10 out of 5. Thank you.

MS NICHOLAS Thank you Mr Speaker. I won't attempt to debate further because there are legal issues and I am simply not sufficiently skilled to respond to legal challenges in respect of what took place. Thank you.

MR NOBBS Thank you. I think there's some interesting points brought up then and I think that I'd be looking very closely at some legal advice, some decent legal advice in relation to them, because maybe, maybe things haven't gone as well as they could have for the troops. Now this issue commenced on the 13th and 14th of March and it has gone on significantly ever since, and that's what I'm saying and people are sick of hearing it and I can see my friend Toon sitting beside me, my cousin, holding his head and carrying on, but what do you think the bloke, the guy would be if it was you. How would you be after nearly 9 months of battering. I mean gee whiz, that's why I'm saying have a little bit of compassion, not only for the Doctor but also for the community. If you'd done that I don't say that things would go away at the Hospital but they would ease, I'm sure of that, because it's a management issue. You manage them in and you manage them out and that's what you do and you've got to keep doing it. If you can't do it, don't be involved in it. That's all I'm saying and don't blame a particular Doctor for the problems at the Hospital which you have done and everybody's very please that oh, he's going at midnight tonight. I don't think they are and I find it very sad that we've come to this sort of situation.

MRS JACK Mr Speaker just as an aside that not only does one Doctor come under, as Mr Nobbs has put it incredible pressure but thanks to many people's views unfortunately some given anonymously so has another Doctor and the Director on what could be seen as a world wide forum and I think that that is a terrible aside. I don't have any problem with people expressing opinions but some of the manner in which it was used on various forums has been of great distress to various people and so it's 3 people and family's that have been affected and let's consider them all. Thank you.

MR SPEAKER Honourable Members we have 2 amendments that are in front of us. The first was made by Mr Nobbs and they occur in 2 places and Mr Nobbs has earlier read them to you, and then there are Mr Brown's amendments.

MR BROWN Mr Nobbs may have adopted part of mine and I'm more than happy for it to be handled that way. I think Mr Nobbs

MR NOBBS I'll withdraw mine apart from that last bit

MR SPEAKER OK. So what we have now is an amendment which is a combination of both of those 2 things and Mr Brown I'm interpreting that picking up yours with the adjustments that are attached by Mr Nobbs earlier. Look let me give some clarity. There is still the sentence that continues at the end which reads, "but should take into account contents of a letter distributed to members at an informal meeting on the 17th of December relating to the position of Medical Superintendent". The content component of the earlier Motion is adjusted to read that "this House instructs the Minister for Health to direct the Director of the Hospital Enterprise to offer Dr Foong a new employment contract, with conditions no less than official to the Doctor than those contained within his employment contract as at the 4th of December last", and then it continues on to what I read earlier. That is the contents of the amendment, and I put that amendment to you Honourable Members.

QUESTION PUT
QUESTION AGREED

MR SPEAKER The amendment is agreed. I now put to you Honourable Members the original Motion as amended.

QUESTION PUT

MR D. BUFFETT	NO
MR GARDNER	NO
MR DONALDSON	AYE
MRS JACK	NO
MR I. BUFFETT	NO
MR NOBBS	AYE
MS NICHOLAS	NO
MR SMITH	AYE
MR BROWN	AYE

MR SPEAKER The result of voting Honourable members the Aye's 4, the No's have it. The Motion is not past Honourable members.

NOTICE NO 3 – PUBLIC SECTOR MANAGEMENT ACT 2002

MS NICHOLAS Mr Speaker I move that in accordance with Subsection 13 (1) of the public Sector Management Act 2000 recommends that the responsible Executive Member reappoints the following persons to the Public Service Board and the respective positions appearing beside their names for the period 24th January 2003 to 23rd January 2005, Gizelle Robyn Huxley, Member, Charles Brent Hattersley, Deputy Presiding Member. Mr Buffett that is a Motion which I have moved in your name, shall we exchange place.

MR D. BUFETT Thank is the Motion Honourable members that is moved and as you will know I have consulted with you about this particular issue and proper notice has been given and the Notice Paper has appeared publicly. The present members are those that are proposed in this particular Motion. The members have offered valuable service and I thank them for the service that they have offered and have signalled an availability to continue. I commend that availability to continue.

MR BROWN Madame Deputy Speaker Mr Buffett and I are back on the same team.

MADAME DEPUTY SPEAKER I'm delighted Mr Brown. Is there further debate Honourable members. I put the question.

QUESTION PUT
QUESTION AGREED

NOTICE NO. 4 – APPOINTMENT OF SELECT COMMITTEE TO CONSIDER CERTAIN ISSUES INCLUDING ELECTORAL AND GOVERNANCE ISSUES

MR NOBBS Thank you Madame Deputy Speaker. I move that pursuant to Standing Order 24 a Select Committee of this House be appointed to consider and report upon a) laws enforcing Norfolk Island related to eligibility to vote and candidature for election to this House with particular regard to the following matters. 1)

whether Australian citizenship should be a requirement for eligibility to vote for or be elected to this House or for participating in a Referendum and 2) the time period before which a person resident on Norfolk Island can enrol to vote in elections for the membership of this House or in a Referendum and 3) the adequacy, efficiency and integrity of administrative procedure relating to the conduct of Norfolk Island elections and Referendums and b) the constitutional status of Norfolk Island, the governance of the island and relations between Norfolk Island and the Commonwealth of Australia with particular regard to the following matters. 1) the desirability or otherwise of a constitutional charter or similar legal document for the island and the means by which any such proposed document should be developed. 2) the desirability or otherwise of rendering the principles of self government on which the Norfolk Island Act 1979 is based less ? to unilateral alteration by either the Norfolk Island or Commonwealth of Australia and the means by which such an outcome might be achieved and 3) the structure of Executive Government of Norfolk Island and the administrative and public policy consequences of any proposed changes. 2) That the Committee shall consist of 5 members, 3 non-Executive members and 2 Executive members who shall be nominated by the House by separate Motion 3) That any meeting of the Committee 3 members shall constitute a forum 4) That the Committee shall have leave to adjourn from place to place, have leave to make visits of inspection within Norfolk Island, have power to take evidence and send for persons and papers 5) That the Committee shall report by 1 October 2003 and 6) That the Legislative Assembly consider and vote on the recommendations contained within the report by 25 December 2003.

MADAME DEPUTY SPEAKER

Thank you Mr Nobbs.

MR NOBBS

Thank you Madame Deputy Speaker. Members are aware that the Joint Standing Committee of the Australian Parliament which earlier this year made recommendations in relation to eligibility and conduct of our elections. Members are aware that there's been a contracted fight between the community of Norfolk Island and the Australian Government in relation to the changes. Members are aware that there have been in fact 3 Referenda which conducted on Norfolk Island, each referring in some way to the electoral matters, each Referendum recorded overwhelming opposition. Members are aware of a Petition which was recently circulated to ascertain if there remain even at this late stage significant opposition. The numbers who signed this showed this to be so. Members are aware of the recent visit of the Minister for Territories the Honourable Wilson Tuckey. The Minister spoke on the issue with the Assembly members as well as a number of other groups private individuals and of course the Norfolk Islander. Members are aware that the basic theme to the Minister's talk was that the Joint Standing Committee contain members from both sides of Australian politics and unlike in the past there was no descending views to the report when it was tabled in the Australian Parliament. It was thus assumed that there would be support for the Australian Government to incorporate the Reports recommendation in amendments to the Norfolk Island Act an Act of the Australian Parliament. Members are aware that the Norfolk Island community has always said that if there are to be changes to eligibility to be on the Norfolk Island Electoral Roll the Norfolk Island community should decide this. It is claimed that the particular issue is a Schedule 2 matter within the Norfolk Island Act. Schedule 2 specifies those responsibilities of the Norfolk Island Government. Schedule 2 says that we are responsible for the keeping of rolls and as a consequence I would suggest that that indicates who should be on that particular roll and who's eligible to vote. Members are aware that Minister Tuckey listened to the views of those he spoke with. He suggested quite clearly that in his opinion the Australian Government would in time follow through the recommendations of the Joint Standing Committee Report and make recommended changes to the Norfolk Island Act, but he put in a very important proviso, it would occur that way if we did nothing. The Minister also said that time was running out and he wanted a quick response so that he could

advise the Prime Minister of the community's views. From the Minister's various talks it became abundantly clear that Norfolk Island had more than one option to consider, in fact there appeared to be 3. The first was the Norfolk Island Government to continue to do nothing. This would ensure the Australian Government amended the Norfolk Island Act to provide for the Joint Standing Committee recommendations to occur. The second was to include the Joint Standing Committee recommendations in Norfolk Island legislation. The third option was to institute of inquiry of our own which would look at, not only the Joint Standing Committee recommendations but also attendant issues. It was interesting that the Minister referred to the roll of Ministers on Norfolk Island and in particular the Chief Minister and the apparent belief that the Chief Minister really had no powers. He suggests that to overcome the problem it may be preferable to change our electoral system to have the Chief Minister elected as Mayor, as Mayors are elected in Australia. Mayors are elected separately to the General Council Members in Australian Municipalities. Madame Deputy Speaker I think it's fair to say that not only the Norfolk Island community but also the Minister for Territories had concerns at the Australian Government amending the Norfolk Island Act in direct opposition to the wishes of the Norfolk Island people. The Minister for Territories obviously is aware of the long protracted on more than one occasion bitter fights by the people of Norfolk Island to regain control of their own affairs. Those fights go back long before my time so therefore they'd be going back long before all members of this Assembly I should imagine. What was seen as the answer was the Norfolk Island Act and self government of 1979 and whilst it was a major if not a huge step forward it was not the complete answer. There have been ongoing, for want of a better word I might say interference by arms of the Australian Government be they the Joint Standing Committee or similar, be they the Australian Government Departments or similar. The interference has continued and continues today with the Joint Standing Committee findings. For self government to work there must be a cessation of such interference, required to be established are parameters of self government. I've described it Madame Deputy Speaker as we need to put some rails on the running tracks to keep us going in the same direction because what's happening is that you'll find that some of the runners need blinkers on to keep them on the track and that's a problem in itself and there are others that are running regardless, probably turning around and going the wrong way. So the situation is we need these parameters to be put in place which will make sure that self government is actually progressing in the proper direction. I'd like to say Madame Deputy Speaker that we were blameless ourselves but I can't say that. A review of self government was supposed to occur within 5 year of 1979 when the Act commenced, it has never occurred. There are other issues that have not been followed up as well which we're all fairly well aware of. What we must do is progress the issues and with some vigour. The Territories Minister has given us what I believe in modern Parliaments is a window of opportunity and we must act on that opportunity. As a consequence this rather lengthy Motion and I apologise that it's rather lengthy and it may seem confusing, but I would suggest that if members have such problems that they read it, and it's all fairly clear. The inquiry established by the Motion is not confined to the Joint Standing Committee Report. Should the community wish for other attendant issues to be considered there is an opportunity for this to occur. It is not for me to specify those additional attendant issues. If you look at the Motion Par 1 a) looks at those 3 issues a subject of the Joint Standing Committee recommendations. It has been said that the community has really not had the opportunity to differentiate between those 3 particular issues. They definitely haven't had an opportunity to comment on the third which is the third recommendation in relation to how we run our own or rely on the Commonwealth's electoral arrangements to run our elections, we haven't had that. There's arguments whether Australian citizenship is a good thing or a bad thing and there's also the time period which people, there are some view the 6 months is reasonable, but the overwhelming majority are completely against that. So there's an opportunity to look at those 3 issues within our own context. Part 1 deals with the basic question that I believe all the community ask. How can we

stop the ongoing interference in our affairs and the upsets and the costs to the community which flow from such. If you look at the example which has forced this Motion, the electoral issue with the Joint Standing Committee have made certain recommendations has been going on for years. The cost to the island has been huge. A lot of argument and upset, 3 Referendum's, pages of submissions by private individuals as well as the Government, a string of Committee hearings, legal and constitutional advice. The dollar costs were bad enough but what about the waste to time and energy. So 1B is largely aimed at attempting to resolve the ongoing interference issues. To do that we need to establish with the Australian Government a clear game plan. It has been suggested we need to establish the ground rules and these should be encompassed within 1 document which is ours, and I would say call it what you like, a constitution, a charter, a legal document, just call it what you like. It doesn't really matter but that should be encompassed with us. That is as important to Norfolk Island as I believe the seal is and as the flag is and there's been no argument whatsoever about either of those 2 arrangements. All football teams had them that I was involved in, any other sporting arrangements, the Golf Club I think should have one here. I know the Rugby League that was here had one, they are a common thing. It tells you what's going on, what direction we're going in. So that the Norfolk Island Act is our constitution or charter or legal document is not great, it's like the Golf Club as I've said before having a constitution of operation which is run by the Bowling Club. There are many other means of achieving the required outcome which may be a recommendation of this inquiry. There is a need to ensure that the rules cannot be changed unilaterally by either party, and that is the Australian, or the Commonwealth Government as well as the Norfolk Island Government, and that will be difficult but if we don't start somewhere we may as well give the game away. At present the Norfolk Island Act is said to be a charter but we have no control over what is an Australian Act Madame Deputy Speaker. The threats the Australian Government will just bring in the Joint Standing Committee recommendation by amending the Norfolk Island Act, their Act are a perfect example of our position. One must really question self government if this is allowed to continue and I say that with a great sadness because I've always believed that self government has been an aim of the community here. I believe it can work effectively, I don't believe it's any more expensive than the situations that we've had in the past with the Administrator running the place and I think that it's been accepted in the previous Assembly's I've been in and there's a motion which is sitting at the top of the stairs out there which is fairly self explanatory on that particular issue. But as I say, if we can't sort out the differences between the Australian situation and our own particularly in relation to interference I really question self government. The final point in 1 b) reflects the Minister for Territories views that we need to look at a roll and status of Ministers and particularly whether or not we elect the Chief Minister under arrangements utilised in electing of a Mayor where Mayors are directly elected by the community. Now that's not unusual because during an inquiry which was commenced by the last Assembly but due to an election being called it was never completed. One of the issues in that was the election of Minister's directly by the community. That was put up by one member of the Committee that was established and it seemed to have reasonable support and it was a possibility that maybe it could be worked through. Maybe all Minister's should be elected in that way but it's something that the inquiry can deal with. The Committee is suggested to consist of 5 members. In the constitutional motion I'd suggested that there be 3 backbenchers only but then one of my colleagues suggested or it might have been more than one that there should be Minister's involved so OK I don't mind. We've got 3 and 2. To cut the personalities out of the nominations the suggestion, which has been actually deleted from this Motion was that the nominees be selected from each group so that the Minister's would meet and they would choose the 2 Minister's that they want and the 3 backbenchers would be selected by the remaining 5 members, and that was purely to cut personalities out of the nomination system and to make it even. Three of the five shall be a quorum. I don't know how long the inquiry would take but I believe that there

need to have a look and do some assessment of how well we are handling self government. Madame Deputy Speaker Mr Nobbs often refers to the Commonwealth Grants Commission Report that's Toon's bible, it's not my bible but it is a report that resulted from a request by the Norfolk Island Government and carried out by the Commonwealth Grants Commission where we looked how well we did a number of things, how well we financially administered the place and how well our administrative structures allowed us to administer this place. Madame Deputy Speaker some of the issues that were touched on in that particular report have been partially addressed or attempted to be addressed but we certainly haven't addressed all of them and a couple of the comments that were made in an earlier lengthy debate today, I think they clearly touch on how well we're doing this thing called self government. So Madame Deputy Speaker I would be urging that we not deal with this Motion to finality at today's sitting but that the matter be adjourned and we give some consideration, if that's the exact form we want that Motion to take prior to our next formal sitting. Madame Deputy Speaker I would be strongly urging that at our next sitting we do address to finality the matters that were foreshadowed by the Chief Minister because I am certain I'm reasonably certain on the indications that were given to us by Mr Tuckey during his visit that if we don't do something by then we may have missed that so called boat. That's all I have to say at this time Madame Deputy Speaker.

MR NOBBS

I'd like to respond to a couple of things. I think Mr Buffett inferred that the issue would go away if we had, I don't think it will go away, it will just keep re-occurring because one of the problems that we have is that and I don't want to be derogatory but it's a fact of life that the Australian parliament has a lot of people in it, a lot of members and they've got to keep them off their back so they send them to places like us on Joint Standing Committee's and that will continue to happen, and they come back with all these grandiose schemes. That's a particular issue that we have to look at. I mean as far as Toon's bible is concerned the Grants Commission Report, it's a great, wonderful document, it makes comparisons to Norfolk Island to elsewhere and it's a very fair document actually, but the problem is it makes comparisons to places where Norfolk Island has 3 Doctors or I don't know how many we've got right now but we had 3 Doctors, 2 Banks, there's places where they've got no Banks whatsoever and no damn Doctors. So I mean the situation is really that our expenditure is going in those areas where the places that they are comparing to it's different, it's not really chalk and cheese in some areas, but as I say they did a great job and it was very fair and what was said that they came to Norfolk where they were hosted in limousines and palatial places and helicopter trips and everything was laid on for them elsewhere and they arrived on Norfolk they didn't get the same reception, completely the opposite, but they still made a very fair report on the place and there are issues in there that we need to look at, but I still believe that if we sit on it we're going to get nowhere, if we just sit on this Motion. I mean if we look at that, set the Committee up, it's a fairly broad brush approach to it and say to the Australian Government we want you in there and this is what we are doing, we're fair dinkum having a look at the Focus 2003 I guess you could call it and go from there. I wouldn't like to see it sitting on the table for 2 months.

MRS JACK

Thank you Madame Deputy Speaker. Don't fall over Ronny but I agree with you. I think that this has to start being resolved. Somebody mentioned earlier that we may not have a meeting in January, I wasn't under that impression but if that did occur I'd be very concerned of repercussions that could be forced on us. The way I recall Minister Tuckey speaking was to get a move on, to do this otherwise we'll do it for you. I don't want them to do it for us, I want us to be able to do it and have it in our legislation. I had a phone call from a very concerned resident saying don't do anything, don't do anything at all and I said but the repercussions here, he said well so what, so they come in with all of this, I said how are we going to change it back,

and the answer he gave me was I found pretty far out, it was that they would be seen as a foreign power and we would go after them as having instructions forced on us by a foreign power. So I must admit I didn't take it very seriously after that, sorry, but I would like this to be looked at. I saw only 2 issues, one was that we do nothing, the other was that we did start a process in place. I agree with Mr Nobbs' concerns to over other issues, I think they need to be looked at, more as a review than a select committee. I have grave misgivings of a constitution looking at that because right now with the way the electorate feels is that they would be saying come on in Australia, because of the inept way that this Government has been looked at over the Hospital issue, over other Governments and their issues, and so I would have to go to the public right now over constitutional issues, but I hear what your saying, but no I think this needs looking at, I think it needs attending now, not later. Thank you.

MR GARDNER

Madame Deputy Speaker I support the Motion, I have no difficulty with the Motion at all but maybe to give some background and some of the reasons why I gave notice of my intent to move legislation and I haven't resolved from that and I won't resolve from that, it is still in my plan to introduce legislation into this House at the next formal sitting of this House in regard to 2 matters of particular importance that were raised by the Honourable Wilson Tuckey on his recent visit to Norfolk Island. One of those had to do with the Australian citizenship requirement, the other one had to do with the timeframes for enrolment. Now as Mr Nobbs has properly pointed out the maintenance of our rolls is a Schedule 2 matter. The amendments that I am proposing are for a Schedule 2 matter which means we have control over those and we can amend them and we can amend them by simply at EXCO requesting the Administrator to assent to that legislation. The reason for proposing to do that is that it's been made abundantly clear that if we don't do that the Commonwealth are going to do it. Now should we be bullied into that corner, well it's as simple as this, I'm not prepared to run the risk of this community losing control over those 2 very important aspects by having those matters taken away from us and cemented into Commonwealth legislation, in other words the Norfolk Island Act 1979, we can never revisit that, or very difficult to revisit it unless we were to succeed at some time with these constitutional arrangements that Mr Nobbs is proposing or that the constitutional arrangement be looked at. By us moving there is flexibility and I've discussed with the Minister's office the degree of flexibility to try and get my own mind exactly what is proposed and there is flexibility there, but no flexibility on the Australian citizenship, certainly flexibility on the enrolment period, and as I think all members around the table are aware the Commonwealth have said that they would prefer being drawn into line as a minimum with Tasmania and a 6 month enrolment period, but if we want to make a song and dance about it, don't be too surprised if you get 1 month. Now I am attempting to avoid that scenario at all costs and hence my proposal that 18 months be an appropriate timeframe for those matters. As far as the rest of it's concerned, and I mean those issues can be touched on in this inquiry and because it's a Schedule 2 matter we can come back and revisit those amendment if we need to and if we think that's the way to go, after the further discussion, but I don't want to put the community at risk over those 2 issues and have that option taken away from us entirely and that's my greatest fear. I don't want to see that happen. As far as the whether there should be 3 members of the Assembly or 5 members of the Assembly or 50 members of the Assembly, whether there should be 2 Minister's or 6 Minister's, whether there should be compulsory voting or non compulsory voting all of those issues I'm happy and it is well time has gone on, we should have dealt with these a lot longer ago. My biggest fear is we are going to get another Report from another Committee that may be probably the end of next year is about the time limit for an Assembly if you work on 2.2 years, the Report will be handed down, there will be a new Assembly and there won't be any action until the new Assembly comes in and they may take a completely different view. I'm a bit concerned about the timeframes, certainly with that number of members on it, however with a quorum being constituted by 3

members maybe there is a flexibility for those people to work a lot quicker. I'm flexible, I'm flexible as to the timeframes, I don't know whether we can bind the Assembly of having to vote on this by the 25th of December 2003, who knows what may happen between now and then which may see it sooner than that which obviously would be in line with the Motion but I don't think we can bind an Assembly if there is a necessary delay, for example if the Report is not delivered until the end of November to have to circulate that through the community and get feedback to decide on it by the 25th of December, but certainly I'm flexible about the timeframes. I'd rather see a report prepared and submitted back to this House before the 1st of October but I'd be interested to hear other members views. My proposal as far as legislation I need to emphasis it, is a matter that comes to the House, each member is going to have to make up their own mind as to whether they want to run the risk and the threat of losing control over those Schedule 2 matters but as I've said there is an opportunity there to revisit them and certainly an opportunity to revisit them when the report is handed down if that is the desire of the Assembly and the community at the time, but hopefully by then we would have made significant inroads into our discussions with the Commonwealth over the constitutional arrangements as far as Norfolk Island is concerned and certainly I agree wholeheartedly with Part B of that Motion, it's well beyond time, probably 22 years beyond time that we should have sat down and really thrashed that one out.

MR BROWN

Madame Deputy Speaker someone a while ago said we already have self government, he was actually right. If you look in the Norfolk Island Act the items about which we are unable to legislate are very few indeed. Part of our problem is that we don't realise that. Sure there are all kinds of difficulties once you get into Schedule 2 and Schedule 3 and Unscheduled matters in so far as just precisely how do you get something assented to but we have self government, so let's stop bleating about that part and actually get on with the job, but how do we get on with the job. Well first of all we've got to have a Government that understands what Government is, and our present Government doesn't understand that. We hear and I'm not being critical of Mr Nobbs we'll hear calls for a constitution for Norfolk Island and I understand why Mr Nobbs would like a constitution, but Britain doesn't have a constitution, it does have Politicians caught with plastic bags over their heads and oranges in their mouths and I don't know whether that is a result of a lack of a constitution. Members would perhaps need training to avoid that kind of situation but my point is you don't need a constitution. What you do need to understand is the conventions of Government and that's what, Government after Government, it's not just this Government don't understand. We'll hear it said oh something has to be amended so that the Chief Minister has some power, well the Chief Minister's power doesn't come from legislation anywhere, it comes from convention. If you look in the Australian constitution nowhere will you find reference to a prime Minister. If you look in the constitutions of the Australian States nowhere will you find reference to a Premier. It is the conventions of Government that we are missing and to a large extent until we get to understand them and respect them, because you can't respect them if you don't understand them, until we achieve that we're going to go on getting nowhere. Until we understand that we already have self government we're going to go on getting nowhere, but every now and again we're going to have interference. It might be interference from a Minister who must have had dinner at some Shire Council somewhere in Western Australia and thinks that it would be a wonderful think if we were a Shire Council. A Minister who thinks oh well maybe you can elect the Chief Minister. How can you elect the Chief Minister if there is no such animal. Sure if you want to move into the local Government arena you can elect your Shire President or you Mayor or whatever but Norfolk Island is different. When we're all old and grey like Mr Buffett we will still be being told that Norfolk Island is different and perhaps in the Norfolk Island situation there's some sense in electing a Chief Minister separately but do you then give to the Chief Minister the powers that Mr Tuckey want to give the Chief Minister, that is you give him a mandate to do as he

pleases and the rest of us just sit down here and play noughts and crosses and do crosswords. I'm not so sure that people would accept that and to do that you certainly would need to amend significant legislation and I would expect, you would certainly need to amend the Norfolk Island Act. Mr Tuckey is the same chap who thought we didn't need a Hospital. If only he'd been here in the last few days but he's the one who suggested to us just buy an aeroplane and fly everyone out when they are crook. Well I can tell you that's close on what they tried to do on Christmas Island, they built a beautiful new expensive Hospital and if you've got anything more than a sore thumb your at risk of being flown to the Mainland. But I think issues like this issue about Australian citizenship are important, but what is the correct response. Is it to say oh well it's inevitable we'll lie back and enjoy it, I don't think that is the correct response. If we disagree with it we should be saying so, and it matters not that we're in a situation where the Commonwealth says either you do it yourselves with this gun at your head or we'll do it to you. How are you better off by shooting yourself. The comparison is if you choose to shoot yourself your left without being able to complain, your left in a situation where forever the Australian Government can say, don't blame us that's their legislation, whereas if we say no this is not the right thing for Norfolk Island and they choose to not listen to us, they choose to not listen to our Referenda, they choose to not want to know then for the next 100, 200 or 500 years Norfolk Island will have a rightful complaint about the situation which one day will have the potential to be rectified, not necessarily quickly, but look at the Maori's in New Zealand, they just didn't give up and they have made very substantial achievements. Frankly look at the Aborigines in Australia, they didn't give up, they got their land rights, through Marbo and whatever, then very substantial Commonwealth legislation favouring them. I think we should stand up for what we believe in and if we do not believe that making Australian citizenship a compulsory ingredient of the right to enrol to vote, if we don't believe that we should say no. How do we get to the stage of figuring that out, well the Chief Minister has said he's going to introduce some Motions and that is one way of doing it, introduce the Motion, have genuine lively informed debate and I don't think the Chief Minister will go home sulking if his Motions get amended. I don't think he'll go home sulking if they are tossed out, I don't think he'll go home rejoicing if they are passed because I don't think he likes it very much but he feels that in his particular position he's got an obligation to do it. Now that's fine. Another way to do it which can run side by side is supporting Mr Nobbs Motion. I'm sure that if Mr Nobbs had have had the benefit of unlimited assistance in preparing his words he might have come up with something a little bit shorter and perhaps a little bit easier to read, but I think if you put the effort in you can understand what Mr Nobbs means. Whether 5 is the right number to have on such a Committee I'm not sure, it sounds like a lot, but a quorum is 3 and it's got to be 3 non Executive's and Executive's, people put in the effort they will make that work. I'm more than happy to support the Motion.

MR D. BUFFETT

Madame Deputy Speaker I've said on other occasions that we do need to have a product at the end of the day which cements in the conclusion of reaching the finality of the self governmental process. Self government is a process for us. We have walked through from 1979 with development of powers, exercise of them and a number of things along the way. We're still going through that process, for example the land package that is now in its final stages is one of the benchmarks in the achievement of the finality of the process. We have experienced over the years a number of occasions when the Commonwealth has wanted to come in heavy handed to be colloquial and want to introduce things that do not accord with the wishes of the Norfolk Island community. That has caused us great difficulty and one of the difficulties are in front of us now and the Chief Minister has talked about that earlier in the sitting and repeated some of it just now. The reality is that we should try and devise a final product which minimises at least if not totally eliminates, minimises the opportunity for the infliction of outside interests in Norfolk Island affairs. How that is to be achieved

is of course to be worked out, what we've got in front of us at this time is a proposal that will lead us hopefully along that track. I've got to say that I wouldn't necessarily have chosen the exact method or some of the exact words but that's neither here nor there in a sense, in terms of the principal I agree with the principal. If we've got to run with these particular words well I'm reasonably comfortable to try that, but in principal I agree the concept that is being put forward here and if there are no alternatives in terms of how we structure that and we need to tidy this today I'm reasonably comfortable to get on with that task. I make no comment as to whether the numbers in terms of members of the Committee is the right number or the magic or indeed the mix. I do have a view however that Norfolk Island is not able to make the achievement in the context that I've described on its own account. This is a 2 way thing with the Commonwealth, they hold authority at this moment whether we like it or no and it must be walked through with them and it is much wiser for us to endeavour to include them in the process than it is to exclude them, and to gain their commitment to try and achieve this process. Now this particular provision doesn't have it. Maybe it can be achieved at another time, but I think no matter where we go in the first stages we will have to tackle that component at some time otherwise it will be a non event because it must at the end be some element of agreement as to how this arrangements, whether we have to bring these people more screaming to the table than otherwise is yet to be determined but the reality is that there will have to be some element of that.

MR SMITH

Thank you Madame Deputy Speaker. Before I speak to the Motion just to quote from the Federal Minister Mr Somlyay in his letter to us on the 5th March 1998. The Commonwealth wishes to take the opportunity to tidy up some anomalies in relation to voting and election rights of Australian citizens for the Norfolk Island Legislative Assembly. Some of these anomalies emerged several years ago when voting rights for British subjects were changed. The Norfolk Island Assembly is the only Parliament in Australia Federal, State or Territory where it is not now mandatory to be an Australian citizen to enrol to the elections. That's what kicked off the current debate really Madame Deputy Speaker after the previous one of 1991 I think it was and that was nearly 5 years ago. There has been Federal elections since that time and this is our third Assembly since that time. At that very time we stated our case very strongly to the Commonwealth that we object by delegation. There was a delegation that went to Canberra and spoke to Minister Somlyay and objected to them what they were doing and rightly so because it was them that changed the rules back in 1984/85 anyway. We said that if there was going to be any change made in any form that was something that Norfolk Island should do. We said that over and over and over again and there's been 2 inquiries, there's been much talk between both sides about where we are going with the issue. There's been one attempt to put it through Parliament which failed which is probably one of the things that keeps it going because it's an issue where it's a bit of a challenge where the Government actually ? win that piece of legislation at the time which I can understand how they feel about that. It's interesting the discussion that you hear every day. We all probably hear it when we get into discussions about the Government or the Legislative Assembly or the Council back in the olden days. I don't remember much about the Council because I was too young and didn't really care much about it then. I hope my colleagues don't choke on that one, but I do remember that the Council was popular generally because everybody was basically on the same side and from what I recall there was a lot of opposition to the Chairman at the time which was the Administrator. Maybe I'm wrong about that, that's just how I recall it. But with a Legislative Assembly we have to make the decisions ourselves, sometimes that's not easy as we all know but you may often hear or I do, at least once a month that people say we're better off with the Council or better off with the Australian Government running the island and it's purely because we have to go through this democratic process of making decisions to properly by vote in the end and in a lot of cases like we've had to do today and 2 or 3 times and sometimes that makes people in the community uneasy

when they think it's down here making these decisions and sometimes wanting a higher authority to make the decisions, and I think that's fairly common. The Australian Government basically has the British Government above the top of it and when they tried to change that there was unhappiness with that in the last few years too, and I say that because there are people and I know of 5 which I won't name today who say exactly that, we should all be Australian citizens to vote, we should be integrated into Australia without them really realising what they are talking about because if we get integrated into Australia as I understand it, you wouldn't be integrated with the Federal Government you'd be integrated with the State or Territory or something like that. But while that feeling is around when you try to deal with an electoral issue people have some unusual views about where we should be going with this sort of thing. Having said that which is important with Mr Nobbs' Motion here it does carry out certain things. When we opposed this in the early stages we said we want to deal with this with our own community which we've done a couple of times since '98 with the Referendums which both rejected what was being proposed and we said we would look at the matters ourselves and we've only done it by Referendum as a whole community but it does need the opportunity for us to discuss it, whether it be by select committee or whatever with anybody that wants to in the community so they can have their say and understand what the processes are all about, and I agree with what Mr Buffett said that perhaps we should have some Commonwealth involvement in the inquiry somehow which may sound a little bit odd, but I think that may be important. I think the Motion does achieve what we've been saying all along and if the Chief Minister as he said by notice this morning he's going to bring on some legislation at the next sitting, that's fine and I think that the Federal Minister and in fact I think the Prime Minister would probably also accept that OK we're going through those processes that they are not going to rush in and write a piece of legislation and introduce it before we do. Well they would be wrong to do that, if we're having some sort of inquiry into what we're talking about and I think that we really must do that. So I do support the Motion. Thank you.

MR NOBBS

I'm relatively happy at the moment thank you.

MR GARDNER

Madame Deputy Speaker maybe I will thank you. I just raised an issue with the Clerk, it was about basically staffing for the inquiry. Having Chaired an inquiry in the past I'm just conscious of the fact that there are costs involved in this sort of thing. I just wanted to make sure that they were covered and that we didn't have to come back with a supplementary Motion at a later date but I understand that that's catered for very well in Standing Orders. It's no longer an issue.

MR BROWN

I move that the question be put.

QUESTION PUT
QUESTION AGREED

MR NOBBS

Madame Deputy Speaker I seek leave to deal with a Motion in relation to the selection process for members of that Standing Committee to allow it to commence as soon as possible. Can I seek leave to.

QUESTION PUT
QUESTION AGREED

MR NOBBS

We've already agreed but I've put it in here that the Standing Committee consist of 5 members as follows, it's a) 3 members not being Executive members and 3 members being Executive members who shall be nominated in writing to the Clerk of the Legislative Assembly by respectively for a) the non Executive members of this House and for b) by the Chief Minister. That means the 2

MR NOBBS Well I got legal advice which I haven't got with me actually and that's not what was read into the particular Standing Orders but I don't know. I'm seeking to clarify that so much of Standing Orders as necessary be set aside to allow the Motion to go through. Can I do that.

MADAME DEPUTY SPEAKER Yes with leave. Is leave granted.

MR NOBBS It's to allow the nomination. All it is, I'm sorry I haven't got it copied to you all is that it allows for the nominations to be taken by close of business next Monday instead of waiting 2 months until the next Assembly. That's all.

MADAME DEPUTY SPEAKER To suspend so much of Standing Order 200 as would allow Mr Nobbs to put this we need the support of 6 members of the House.

QUESTION PUT
QUESTION AGREED

MADAME DEPUTY SPEAKER We proceed to your Motion Mr Nobbs and your Motion is to appoint a select committee and may I alter again the word select committee, shall consist of 5 members as follows: 3 members not being Executive members and 2 members being Executive members who shall be nominated in writing to the Clerk of the Legislative Assembly by respectively for A) that is the 3 members not being Executive members by the non Executive members of this House and for B) that is the 2 members being the Executive members by the Chief Minister. Nominations to be with the Clerk by close of business on Monday 23rd December 2002. Is there further debate.

MR NOBBS Thank you. I move that it be put.

MR D. BUFFETT Is there a method to try and be more all embracing with the other parties.

MADAME DEPUTY SPEAKER I believe I have a request for the question to be put.

QUESTION PUT
QUESTION AGREED

NOTICE NO. 5 – THE APPOINTMENT OF THE NORFOLK ISLAND GOVERNMENT AUDITOR

MR DONALDSON Thank you Madame Deputy Speaker. I'd like to move a Motion appearing in the Notice Paper in my name. The Motion reads that this House advise the Administrator 1) To appoint the Auditor General of Queensland who is a registered Auditor within the meaning of Section 55 (1) of the Norfolk Island Act 1979 to be the Norfolk Island Government Auditor under Section 51 of the Norfolk Island Act 1979 with the ??? years ending 30 June 2003, 30 June 2004, and 30 June 2005 and (2) For the purpose of Section 51 of the Norfolk Island Act 1979 be determined that the terms and conditions of appointment to be a Norfolk Island Government Auditor be a) an annual based fee of \$26,350 for the financial year ending 30 June 2003 b) an annual based fee of \$27,500 for the financial year ending 30 June 2004 c) an annual base fee of \$28,500 for the financial year ending 30 June 2005 and d) the reimbursement at their actual costs of out of pocket expenses incurred by the Auditor in relation to the appointment up to a maximum of \$10,000 in any one year.

MADAME DEPUTY SPEAKER Thank you Mr Donaldson. If I could just speak to the Motion for a little while before it's opened to the House. In seeking to appoint the Auditor General of Queensland to the position of the Norfolk Island Government Auditor I'd like to acknowledge the previous Auditors Curren Sole and Tuck that have audited the Administration accounts for the previous 6 years. The change in Auditor in no way reflects any dissatisfaction with their performance which at all times has been both professional and beneficial to the Administration. A change in Auditor is recommended recognising the benefits of another view being taken of the audit and accounting procedures and the Auditor General of Queensland will bring with him extensive experience in Government audits. The appointment of a Norfolk Island Government Auditor is for a 3 year period and applies to the Administration of Norfolk Island, the Norfolk Island Hospital Enterprise and the Norfolk Island Provident Account. Appointment of an Auditor to the Norfolk Island Government Tourist Bureau requires a separate resolution by this House, and I just add there that in the original quotes that I've given the figures for here those 3 figures for the 3 years included the audit of the Tourist Bureau, the Provident Fund and the Hospital as one lump sum. There is an expectation there will be appointed at a subsequent meeting of the Assembly to the Norfolk Island Government Tourist Bureau Auditor position. I commend the appointment to the House.

MR GARDNER Madame Deputy Speaker I'm sorry I thought you were looking to Mr Nobbs but that's all right. Just a couple of quick words if I may. I would also like to echo the Minister for Finance's words of gratitude to Curren, Sole and Tuck for the role that they have played in providing auditing services to the Norfolk Island Government over that period of time and I look forward to the involvement of the Queensland Government Auditors Office in the auditing processes for the Norfolk Island Government over the next 3 years at least and I think it's important to recognise that I believe that the Queensland Government's interest in Norfolk Island was generated as an initiative by the previous Chief Minister in wanting to develop closer relationships with Queensland. Those relationships obviously are being given some grounding and some meat to them with this move and I welcome that and I welcome the relationship with the Queensland Government Auditors Office. Thank you.

MR NOBBS Thank you. I would like to echo what the Finance Minister says in relation to Curren Sole and Tuck. In my previous dealings with them I always found them very professional and their help to me was above and beyond the call of duty and I'd just like to thank them and wish the company a very merry Christmas and a successful new year, but the Finance Minister has suggested that we go down the road with the Auditor General of Queensland and I've got no problems with that at all and I wish him well in his association with them. Thank you.

MADAME DEPUTY SPEAKER Thank you. Is there further debate. I put the question.

QUESTION PUT
QUESTION AGREED

ORDER OF THE DAY NO. 1 –

MR NOBBS Thank you. I seek leave of the House to withdraw the Motion in my name if I may please.

MADAME DEPUTY SPEAKER Thank you Mr Nobbs. We're seeking to withdraw the Motion Mr Nobbs, you don't wish to have any further debate.

MR NOBBS
supersedes this one.

I think the Motion that we just discussed

MADAME DEPUTY SPEAKER
withdraw the Motion.

Thank you. Leave of the House is sought to

QUESTION PUT
QUESTION AGREED

MR D. BUFFETT
Madame Deputy Speaker I seek leave to move a Motion which is obviously not on the Paper and not on the Programme and that's why I need to seek leave. The Motion reads that for the purposes of Subsection 12 (1) of the Norfolk Island Hospital Act 1985 that this House resolves that John Edgar Christian and David John McCowan be appointed by the Executive members as members of the Board of management for the period 19 November 2002 to the 20th of May 2003. I seek leave to bring that matter forward.

QUESTION PUT
QUESTION AGREED

MR DONALDSON
Thank you Madame Deputy Speaker. If I might just briefly mention in terms of this. I have obviously not given notice on this matter because the time for giving notice had already passed Madame Deputy Speaker when the matter was lodged with me and I've got to acknowledge that I've not spoken to either at this time the proposed Board members. I have not yet been able to have some full consultation with Board members but I did undertake to bring this matter forward with the Hospital collective when I met with them on an earlier occasion and I wanted to honour that particular situation, and I seek to put this matter on the table and that we look at it at our next sitting in the context that I've described.

MR BROWN
Madame Deputy Speaker if an undertaking has been given people deserve to have it dealt with sooner than our February meeting. It would be wrong of us to pass a Motion before the particular people have even been spoken to but it would also be wrong of us to wait an unduly lengthy period of time. I would be more than happy to be one of three petitioners to convene a special meeting at some stage next week in order to deal with the Motion if both of the prospective candidates indicate that they would agree to nomination in that way.

MADAME DEPUTY SPEAKER
There may be some merit there Mr Brown and Honourable members to suspending this sitting rather than to adjourn it to allow us to reconvene in a weeks time.

MR I. BUFFETT
Well I wouldn't suggest in a weeks time Madame Deputy Speaker on the basis that I'm expecting Santa Claus on that particular day and this ain't Santa Claus.

MR NOBBS
the morning, not go all night.

I would move that we suspend until 10.00am in

MADAME DEPUTY SPEAKER
until 10.00am in the morning.

There is a Motion before us that we suspend

QUESTION PUT
QUESTION AGREED

MRS JACK I'd like to continue on with the Orders of the Day as they stand No.'s 2 and 3 and defer ? one to a special meeting at another time.

MADAME DEPUTY SPEAKER I believe it is the intention of Mr Buffett to withdraw Order of the Day No. 3 and I understand that 2 is not there.

MR BROWN Point of Order. There is a Motion

MADAME DEPUTY SPEAKER Yes there is.

QUESTION PUT
QUESTION AGREED

MR D. BUFFETT If we pass that Motion it means that we conclude forthwith, now this very minute.

MADAME DEPUTY SPEAKER I think Mrs Jack sought only to clear the Paper of the other matters but they are fairly minor I believe.

MR I. BUFFETT Well can we adjourn Madame Deputy Speaker the Motion, we can't.

MR D. BUFFETT I think there is tidiness in fixing the Notice Paper that we've got in front of us and if we've got one outstanding matter tomorrow to come back and tidy that outstanding matter then that's it. I think there is some sense in that.

MADAME DEPUTY SPEAKER So is it agreed that we suspend at this time until 10.00 tomorrow morning.

MR D. BUFFETT Well we've not finished this Paper yet. I wonder in terms of the particular matter that is in front of us, I wonder if we could pause upon that for a moment, conclude the Paper and then pick that up at the last item and then we can maybe suspend at that time so that we can come back and just attend to the one matter. I think that's logical.

MR BROWN I move that based on the question of suspension be suspended until a later time in this meeting so as to allow the House to deal with the final Order of the Day.

QUESTION PUT
QUESTION AGREED

MR I. BUFFETT To keep the formalities of the House in order Madame Deputy Speaker I seek leave of the House to withdraw Motion No. 3 in my name on the Notice Paper.

MADAME DEPUTY SPEAKER Thank you. Is leave granted Honourable members.

AYE

MADAME DEPUTY SPEAKER We now come back to the Motion to suspend. There is a Motion for us to suspend rather than.

MRS JACK Thank you Madame Deputy Speaker. As the legislation currently stands we are required to have a Hospital Board. The Director is answerable to the Board just as the Director of any public company is answerable to that Board. I see that 2 names have been put before us to consider as possible future members of the Hospital Board. I would have a considerable problem in agreeing with either name Madame Deputy Speaker and my reasons are as follows. Both these candidates are ex Hospital Director's and to have any past Director on this Board, in fact on any Board raises what could be seen as a conflict of interest. That is that any unresolved issues from their time as Director that could be seen to influence a decision. I am not saying this is what will happen I am saying I would hate anything such as this to be perceived by any member of the community. It would not be fair on either candidate. At this point in time I personally feel that what is needed in other Board members should they be appointed is expertise in the legal area or in the accounting sphere, but I'd also like to acknowledge in saying this Madame Deputy Speaker that I will abstain from voting on this issue as I do not want to be seen to be influencing the make up or the membership I currently serve on. Thank you.

MR BROWN Madame Deputy Speaker we've just heard yet another story of conflict of interest. People get sick and tired of this. It's usually raised by people who don't have a clue what they are talking about and that is yet again been the case this morning. These people are no longer employed by the Hospital. There is no longer a conflict of interest, rather there never was a conflict of interest. The only conflict is that Mrs Jack might not like the thought of someone coming along that might have a different view to hers. These people are quite entitled to stand for appointment to the Board and quite entitled to be their own people when they do so. Having said that it's an unusual situation to be employing a former Chief Executive as it were as a Board member, but these are unusual times, very unusual times and at least for the foreseeable future I can only see benefit from these 2 gentlemen being appointed to the Hospital Board. There would still on my count be only 5 Board members. The legislation provides that there should be 6, and I'm not sure why it is that the Minister still continues to ignore that difficulty. Certainly it is the case that the Board is able to meet notwithstanding that there is a vacancy in its membership but that doesn't mean that you plan the vacancy to continue for ever. I think you need to look a little further than just appointing 2 people to the Board, I think you've got to get an understanding of the legislation and very few of the commentators of recent years seem to have understood the legislation. Some people have gone to great lengths to try to say that the legislation is unworkable. The legislation is only unworkable in terms of the people who are trying to work with it. The legislation is quite simple, it sets up the Hospital Enterprise, it provides for the appointment of a Board which is to run the Enterprise and the only function that the Board cannot be involved in is the function of actually applying medical expertise. The Board can't tell a Doctor what he is to do clinically or tell a Dentist what he's to do clinically, and then there is the Director and the Director is responsible for the day to day management of the Hospital but that doesn't mean that he has that responsibility to the exclusion of the Board and those who have tried to suggest that over recent years have probably been responsible for a very large part of the trouble that we are presently seeing at the Hospital. Having said that I despair as to whether the Hospital is capable of being run properly until such time as there is a willingness to do so, and by willingness to do so I mean that people have to get their heads out of the sand and respond to difficulties when they arise. I mean also that when appointments are made to the Hospital they've got to be sensible appointments. It's time that references started to be checked, it's time that there are inquiries made of previous employers and had that been done in the case of a senior staff member who is presently overseas with a backpack on his back, he'd never have been appointed. The inquiries that I have made and the information that I have obtained indicate to me that that person should never have been considered for 5 seconds for the position that he held, and

through holding of that position he almost destroyed not only the Hospital but also the Government. Similarly in terms of employing Doctors. There's a bit more to it than just saying have you ever done a Caesarean Section and then having an argument as to whether it was 2 years ago or 26 years ago that it was last done, that is having that argument once he's on the island. There's more to it than that and in particular there has to be a very definite and determined effort to make sure that the people who are employed are not only capable of doing the job but are capable of getting on with other people. There cannot be a repeat of what's gone on over the last year. Not only has it been dreadful but it's been a disgrace and it's also been a disgrace that the Government has not been prepared to stamp on it, because had it been stamped on early in the peace and the Board been stamped on early in the peace the director stamped on and the Medical Practitioners we mightn't have been in anywhere near the difficulty that we're in at the moment. So in terms of all of the staff references need to be checked, but in terms of all of the staff we need to ensure they can actually do the job not just fill out a piece of paper and as I said we've got to make sure they are capable of getting on with people, leading people, leading by example and actually having a dedication to getting the job done. Having said that I fully support this Motion, notwithstanding the reservations that I would normally have in terms of having previous Chief Executives move onto a Board. I think that your going to find it extremely difficult to get another Director in terms of Chief Executive to come and work for you in the present situation. I think your going to find it very difficult to get Doctors for quite some time until people are satisfied that a real effort is being made by the Government to ensure that the place is run properly, but I'd say just one more thing. If it does not come clear in the next few months that this Government is capable of running the Hospital properly for heavens sake stick your hands up, go and find some corporation on the Mainland that's prepared to run it and out source the whole job because the community health it is far too important to allow ego's and stupidity to put it at risk. Thank you.

MR NOBBS

Thank you Madame Deputy Speaker. I support the Motion obviously because these 2 gentlemen actually nominated earlier in the year when the present Government's policy of requesting those who wish to serve on Boards, they put an application out and I know that these 2 gentlemen responded at that particular point in time. So it's not a late entry into the organisation. I think that it's great that a person has a view and doesn't go along with it with the run of the mill thing and is prepared to stand up in public and say something instead of running around behind people's backs shafting them. Now the other thing is that what you need here is for the Board to actually operate as a Board and under the current arrangements it's not operating under a Board. The Minister is running the Hospital full stop, that's what's going on and it will never work, so I mean the Board is actually a waste of time until these directions that have been put in place have been pulled off by the Minister and allow the Hospital Board to actually proceed and run the Hospital as it should be run. There have been questions about the Act and the perception of some that the certain things in the Act should be run one way and others with a perception that it should be run another way, clear it, we need to clear it up. Clarify it and make it simple so that everybody understands where they are going. There are still going to be differences, there's still going to be people running to the Act and putting their own interpretation on it and those sorts of things but let's simplify it. I support the Motion but I really question under the current arrangements with the Minister running the Hospital what the Hospital Board is going to do. Thank you,

MR DONALDSON

Thank you Madame Deputy Speaker. I too support the Motion but I'd just like to speak a short bit on it. I see it very beneficial to have people on the Board who have got actual experience on it and can provide some sort of reality check to the actual business of the Hospital Enterprise and I recognise the 2 people who have been put up have had extensive experience at the Hospital, know the

need to be made in that area and I will be calling on the community to assist in that. Madame Deputy Speaker there are still some challenges within my portfolio area for the forthcoming year and what I hope to do early in the new year is to at least set some of those out, so that we as a community can deal with them, because they are all community type activities. Things for example in the public health arena, which we all need to address. Madame Deputy Speaker finally I wish my colleagues and all in the community a merry Christmas and all the best of health for the forthcoming year.

MR DONALDSON Thank you Madame Deputy Speaker. I'd just like to thank those people who have been working with us throughout the year, with particular mention to the participants of Focus 2002 that have put in a big effort to achieve what has been achieved. It's been a bigger task than was first imagined, it's been a more difficult task but they are putting in the effort, we are getting there. I'd also like to thank the members of the Liquor Licencing Board for their work the members of the Employment Conciliation Board and the members of the Employment Review Committee. I'd also like to thank all members of the Public Service who have helped me and other members of the Assembly in achieving their goals throughout the year, and finally I'd like to wish everybody on Norfolk Island a merry Christmas and a happy and prosperous New Year.

MR NOBBS Thank you Madame Deputy speaker. I'd like to on behalf of Marlene and myself to wish all those on Norfolk Island including my colleagues and work associates a very merry and a happy Christmas and a successful and prosperous New Year. I'd also like to personally myself like to thank those I have worked with in the area of the Legislative Assembly and also within the Public Service and associated instrumentalities. I would like to pay special reference to the work done by the DAA Working Group which has continued to meet on a monthly basis and we are very hopeful that in the New Year, or we intend in the New Year to actually bring a Counsellor in for a limited period. The funding has been provided for that and we're just waiting for the Salvation Army to approve a person to actually come in here. As I say it will be for a limited period to see how the issues are evolving at that particular point in time and how we can progress that. I've also provided to the Minister for Health from a sub working group a draft policy on smoking which is a suggestion. I know the issue was dealt with by the Assembly. The DAA Working Group have progressed that and that document is now with the Minister for Health to do with what he wishes obviously. On the other side of it with that group as I say we are still continuing to meet and I thank them for their efforts to date and wish them well into the future. There have been others within the community that given me particular support and in relation to a number of issues that I've had to deal with, they've given advice and I'm very thankful for their support and I also with them a special merry Christmas and thank you. Apart from that I'd just like to wish all the people in this particular room the very best for Christmas and the New Year. I think that the next year will be a very important one for Norfolk Island, the electoral issues I don't think should be allowed to go away and I'm not beating the drum here, I'm just being factual. I believe that we need to get this group together on Monday and progress it very quickly in the early part of the New Year who ever may be selected to go on that particular group. They have my total support and I look forward to that being progressed and particularly any outcomes being implemented because it seems to be in the past and particularly with the Hospital that we are now in our 3rd inquiry in a matter of a couple of years at the Hospital but the other reports have never been progressed. So on that note Madame Deputy Speaker I would like to say thank you, wish you well and that's all.

MR SMITH Thank you Madame Deputy Speaker. I think that the year of 2002 has been one of the most unsettling years that I have seen on Norfolk Island with all the things that have occurred but not only on Norfolk but in other

places as well with some countries, with some of the more powerful countries talking about making war with smaller countries and things like that. Some of it through the mediums that we have here of television and newspapers that it becomes part of our lives which probably never used to occur quite the same years ago, and anyway that's sad but that's our progress I guess. I hope that next year brings resolve to a lot of the conflict that appears around the world and I guess that would be silly to think that that is going to happen but who know, but I hope that with all of the events that have occurred on the island over the last 12 months or even longer are all behind us and we can look forward to a strong and positive year, particularly from the Assembly's point of view that we can get on with the other things that we probably have not been able to focus on over the last few months, some of the more major issues, the more long term things that the island needs to look at for example do we need to raise extra revenue which I think is becoming an important issue, things like that we can come to grips with through good strong discussion around the table and there's been some good strong discussion around the table in the past 12 months and I sincerely hope that that does occur next year and it's up to us to really work hard at that and we have to work hard at it. We need to show the community the leadership that we need, we as the community need and I hope that works out that way, and finally reiterate the comments of other members, a merry Christmas to all on the island and I hope they have a good New year and I hope that 2003 brings good positive things and to all my colleagues merry Christmas and be safe. Thank you.

MRS JACK Thank you Madame Deputy Speaker. I serve on Boards and Committees, Planning, Hospital and Social Services and I'd like to take this time of year to thank all my fellow members of the Boards, take time out to wish them all a very happy Christmas as well as those members of the Public Service that help us and assist in the carrying out of our duties, thank you all very very much. I must acknowledge also the, not just those members but all the Public Service that assist my colleagues and the Minister's on this Assembly on which I serve. Recent issues have been extremely upsetting for many people and I know that family's and friendships have suffered, I just wish these people to take time out at this time of the year and reignite those friendships and bring back together the family's. I wish those that celebrate Christmas a very joyous time of year and those that don't recognise Christmas also to have a very pleasant break and have a safe and happy one and that may next year be prosperous for you all, and the same goes for all these colleagues of mine around the table, may you all have a very pleasant break and I look forward to seeing you all in the New year.

MR BROWN Madame Deputy Speaker I would certainly like to endorse the words of all of my colleagues in terms of wishing well to each other and to the community and to the visitors who are with us now and those who will be with us over the Christmas season. I certainly hope that all of my colleagues will be showered with the blessings of compassion and understanding over the Christmas period and that next year will be a much better year for the island than this has been, and when I say understanding I hope that my colleagues will emerge from the Christmas period with an understanding that the way the Island has been governed this year has not really been the way to do it. We have deliberately planned to allow our infrastructure to run down by adopting a budget which provides for wages and provides for some other recurrent expenditure but really does dismally little for the maintenance of the infrastructure and for the necessary capital works to ensure that the island is a place which gives the appearance of being well governed and the appearance of being capable of surviving into the future. I would like to issue an apology Madame Deputy Speaker, an apology to Dr Damien Foong, his wife Tamara and their daughter Maylin. For all that has been done to them during the last year and for the near total lack of support they've received from the Government and I'd like to just tell members about something that happened

yesterday. Yesterday you'll recall that the Minister announced that Dr Foong would not be re-engaged and that the Director and another Doctor would be leaving the island in the very near future. Yesterday in spite of that on what in the Minister's view was to be Dr Foong's last day of employment in Norfolk Island he escorted a patient who required medical evacuation to New Zealand. He had worked until 11.00pm a few nights ago in order to care for that particular patient and tend to the quite substantial injuries which that patient had sustained, and yesterday despite all that's gone on Dr Foong escorted that patient to New Zealand. He's there today probably wondering what the hell he did it all for, seeing himself as now unemployed and as an unemployed Doctor he can't even get back to Norfolk Island until Sunday. Through all of that yet again he demonstrated his commitment to his profession and his commitment to humanity no matter what was thrown at him. I'm sorry Dr Foong for what's happened but particularly to you Tamara and Maylin I hope that the Christmas period is a very happy and peaceful period. Thank you.

MADAME DEPUTY SPEAKER Thank you Mr Brown. I'd like to thank the Speaker and his staff, the Clerks, wish all staff within both Old and New Military Barracks a joyful festive season and 2003. There has been a suggestion that we sing a Christmas Carol but I'm not convinced that this would be a good note on which to conclude so may I put the question. The question is that the House do now adjourn.

QUESTION PUT
QUESTION AGREED

MADAME DEPUTY SPEAKER This House stands adjourned until Wednesday the 12th of February 2003 at 10.00am.