

**NORFOLK ISLAND  
TENTH LEGISLATIVE ASSEMBLY  
MINUTES OF PROCEEDINGS  
WEDNESDAY 19 MARCH 2003**

**NORF'K AILEN  
DIISEM MENETS LARNEN WATHING HAEPN  
INAA  
TENTH LEJESLIETEW 'SEMBLE  
WENSDI 19 MAACH 2003**

1 The Legislative Assembly met at 10.10 am. The Speaker (Hon D.E. Buffett) took the Chair and read the Prayer

2 **CONDOLENCES**

Ms Nicholas referred to the passing of –

**Dolores Silva Elizabeth Davies**

As a mark of respect to the memory of the deceased all Members stood in silence

3 **VISITORS IN PUBLIC GALLERY**

The Speaker welcomed Members of the Norfolk Island Central School Youth Assembly to the public gallery

4 **COMMONWEALTH DAY MESSAGE**

The Speaker read the Message from Her Majesty the Queen on Commonwealth Day, 10 March 2003

5 **QUESTIONS WITHOUT NOTICE**

**The Deputy Speaker took the Chair at 11.17 am**

6 **PRESENTATION OF PAPERS**

The following papers were tabled:

1) Mr Donaldson, Minister for Finance –

- a) Directions by executive member for virement of funds in the period 7 to 21 February 2003;
- b) Monthly Financial Indicators for January 2003;
- c) Focus Report, Focus Report Executive Summary and Focus Report Recommendations;

2) Mr D. Buffett, Minister for Community Services and Tourism – Inbound passenger statistics for February 2003

Mr Brown moved –

**THAT the House take note of the paper**

Debate ensued

Question put and agreed to on the voices

**7 STATEMENTS**

- 1) Mr Ivens Buffett, Minister for Land and the Environment provided the House with a summary report on his areas of responsibility as an executive member  
Mr Nobbs moved –

**THAT the House take note of the statement**

Debate ensued

Question put and agreed to on the voices

- 2) Mr D. Buffett, Minister for Community Services and Tourism, advised that the Norfolk Island Government had offered a reward of \$50,000 for information leading to an arrest and conviction in the Janelle Patton inquiry

**8 INTERIM REPORT OF SELECT COMMITTEE APPOINTED TO INQUIRE INTO CERTAIN ISSUES, INCLUDING ELECTORAL AND GOVERNANCE ISSUES**

Mr Nobbs (Chairman) provided the House with an interim report on the committee's inquiry

**9 MUSEUM TRUST ACT 1987 – APPOINTMENT OF MEMBERS OF THE NORFOLK ISLAND MUSEUM TRUST**

Mr D. Buffett (Minister for Community Services and Tourism), pursuant to notice, moved –

**THAT this House resolves -**

- 1) **for the purposes of paragraph 5(2)(b) of the *Museums Trust Act 1987* that the executive member re-appoint the following members of the Trust:**

**Albert Fletcher Buffett  
Janice Lyn Christian  
Margaret Rosemary Jowett  
Kathleen Marion LeCren; and  
Jo-Anne Emily Quintal**

- 2) **for the period 10 April 2003 to 9 April 2005; and  
for the purposes of subsection 5(1) of the *Museums Trust Act 1987* that the executive member appoint -**

**Allan David Tavener**

**as a member of the Norfolk Island Museum Trust for the period 10 April  
2003 to 9 April 2005**

Debate ensued

Question put and agreed to on the voices

**10 SUPPLEMENTARY APPROPRIATION BILL 2003 – MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR**

The Deputy Speaker reported **Message No. 13** from the Administrator dated 14 March 2003 recommending to the Legislative Assembly the proposed detail stage amendment to the Supplementary Appropriation Bill 2003 as set out in the Schedule attached to the Message

**11 SUPPLEMENTARY APPROPRIATION BILL 2003**

Debate resumed (Mr Donaldson, Minister for Finance) from 12 February 2003 on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle

**Detail stage:**

Mr Donaldson moved –

**Proposed Schedule tabled in House on 12 February 2003 be withdrawn and the Schedule dated 10 March 2003 in the revised sum of \$989,750.00 substituted**

Debate ensued

Question – That the amendment be agreed to – put and agreed to

Question – That the remainder of the Bill be agreed to – put and agreed to

Mr Donaldson moved –

**THAT the Bill as amended be agreed to**

Question put

Bill as amended agreed to on the voices

**12 LEGISLATIVE ASSEMBLY AMENDMENT BILL 2003**

Debate resumed (Mr I. Buffett, Minister for Land and the Environment) from 5 March 2003 on the question – That the amendments proposed by Mr I Buffett be agreed to

Debate ensued

Amendments withdrawn by leave

Mr Gardner, Chief Minister, moved –

**1. Clause 4**

**Proposed subsection 6(1) is amended by omitting paragraph (a) and substituting –**

**“(a) is –**

**(i) an Australian citizen within the meaning of the Australian Citizenship Act 1948 of the Commonwealth; or**

**(ii) a citizen of the United Kingdom of Great Britain and Northern Ireland or of New Zealand in accordance with the laws in force in those countries.”.**

**2. Clause 4**

**Proposed paragraph 6(1)(c) is amended by omitting “18 months” and substituting “12 months”.**

Debate ensued

**The Deputy Speaker suspended the sitting at 12.55 pm until 2.15 pm  
The House resumed at 2.20 pm, the Deputy Speaker taking the Chair**

Debate resumed

Question – That Amendment Number 1 be agreed to – put

The House voted –

**AYES, 7**  
**Mr Buffett**  
**Mr Gardner**  
**Mr Donaldson**  
**Mrs Jack**  
**Mr Ivens Buffett**  
**Mr Smith**  
**Mr Brown**

**NOES, 2**  
**Mr Nobbs**  
**Ms Nicholas**

Amendment No. 1 agreed to  
 Question – That Amendment No. 2 be agreed to – put  
 The House voted –

**AYES, 7**  
**Mr Buffett**  
**Mr Gardner**  
**Mr Donaldson**  
**Mrs Jack**  
**Mr Ivens Buffett**  
**Ms Nicholas**  
**Mr Brown**

**NOES, 2**  
**Mr Nobbs**  
**Mr Smith**

Amendment No. 2 agreed to  
 Question – That the clause as amended be agreed to – put  
 The House voted –

**AYES, 8**  
**Mr Buffett**  
**Mr Gardner**  
**Mr Donaldson**  
**Mrs Jack**  
**Mr Ivens Buffett**  
**Ms Nicholas**  
**Mr Smith**  
**Mr Brown**

**NOES, 1**  
**Mr Nobbs**

Motion agreed to  
 Question – That the remainder of the Bill be agreed to – put  
 The House voted –

**AYES, 8**  
**Mr Buffett**  
**Mr Gardner**  
**Mr Donaldson**  
**Mrs Jack**  
**Mr Ivens Buffett**  
**Ms Nicholas**  
**Mr Smith**  
**Mr Brown**

**NOES, 1**  
**Mr Nobbs**

Motion agreed to

Mr Gardner moved –

**THAT the Bill as amended be agreed to**

Question put

The House voted –

**AYES, 8**

**Mr Buffett**

**Mr Gardner**

**Mr Donaldson**

**Mrs Jack**

**Mr Ivens Buffett**

**Ms Nicholas**

**Mr Smith**

**Mr Brown**

**NOES, 1**

**Mr Nobbs**

Bill as amended agreed to

**13 PUBLIC SECTOR MANAGEMENT ACT 2000 – DETERMINATION TO AMEND THE HUMAN RESOURCES POLICY**

Debate resumed (Mr D Buffett, Minister for Community Services and Tourism) from 12 February 2003 on the question – That the motion be agreed to

**Paper:**

Mr D. Buffett tabled a revised version dated 19 March 2003 of proposed chapter 13 of the Human Resources Policy titled “Termination, Change, and Redundancy” and moved the following amendment, by leave:

**THAT the motion be amended by deleting the date “6 February 2003” and substituting the date “19 March 2003”**

Debate adjourned (Mr D. Buffett) and the resumption of debate made an Order of the Day for a subsequent day of sitting

**14 EMPLOYMENT ACT 1988 – AMENDMENT TO OVERTIME PROVISIONS**

Debate resumed (Mr J Brown) from 12 February 2003 on the question – That the motion be agreed to

Mr Brown, by leave, moved the following amendment:

**THAT the words “or 120% of the minimum wage, whichever shall be the higher” be inserted after the words “employee’s normal hourly rate”**

Question – That the amendment be agreed to – put and agreed to on the voices

Question – That the motion as amended be agreed to – put and agreed to on the voices

**15 PUBLIC SECTOR MANAGEMENT AMENDMENT BILL 2003**

Debate resumed (Mr D Buffett, Minister for Community Services and Tourism) from 12 February 2003 on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle

Leave granted to dispense with the detail stage

Mr D Buffett moved –

**THAT the Bill be agreed to**

Mr Nobbs moved –

**THAT the question be put**

Question – That the question be put – put and agreed to on the voices

Question put

Bill agreed to on the voices

**16 NORFOLK ISLAND HOSPITAL AMENDMENT BILL 2003**

Mr D. Buffett (Minister for Community Services and Tourism) asked that the matter not be called on at this sitting

**17 FIXING OF THE NEXT SITTING DAY**

Mr Brown moved –

**THAT the House at its rising adjourn until Wednesday 16 April 2003  
at 10.00 am**

Question put and agreed to on the voices

**18 ADJOURNMENT**

Mr Smith moved –

**THAT the House do now adjourn**

**The Speaker took the Chair at 3.35 pm**

Debate ensued with Mr I Buffett and Ms Nicholas participating

Question put and agreed to on the voices

**AND THEN the House at 3.44 pm adjourned until Wednesday 16 April 2003 at 10 am**

Robin-Eleanor Adams  
**Clerk to the Legislative Assembly**

**MEMBERS PRESENT:** All Members were present