

**NORFOLK ISLAND
TENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 21 MAY 2003**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
TENTH LEJESLIETEW 'SEMBLE
WENSDI 21 MIEH 2003**

1 The Legislative Assembly met at 10.12 am. The Speaker (Hon D.E. Buffett) took the Chair and read the Prayer

2 CONDOLENCES

Ms Nicholas referred to the passing of –

**Leila Annie Millicent Dale
Thomas Peter Irwin**

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

3 LEAVE OF ABSENCE – MR JOHN BROWN MLA

Leave of absence from the sitting was unanimously extended to Mr Brown. The Speaker on behalf of Members extended condolences to Mr Brown, and his family, on the passing late last week of Mr Brown's mother

4 QUESTIONS WITHOUT NOTICE

The Deputy Speaker took the Chair at 10.47 am

5 ANSWERS TO QUESTIONS ON NOTICE

Answers to questions on notice were provided as follows:

No. 40 (Mr Brown to the Minister for Community Services and Tourism) – re. Health Care Scheme issues

6 PRESENTATION OF PAPERS

The following papers were tabled:

1) Mr G Donaldson, Minister for Finance –

- a) Detail of expenditure funded from the Revenue Fund and the Administration Undertakings for the purpose of overseas travel;
Mr Nobbs moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- b) Directions given by executive member since the meeting of the House on 19 March 2003 for virement of funds

Mr Smith moved -

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- c) Detail of exemptions from payment of customs duty approved by the executive member under section 2B(2) of the *Customs Act 1913*

2) Mr D. Buffett, Minister for Community Services and Tourism –

- a) Determination No. 1 of 2003 (amended) dated 10 April 2003 from the Public Sector Remuneration Tribunal

- c) Inbound passenger statistics for April 2003; the Bureau's Marketing, Branding, Destination Advertising Activity Planner 2002/2003; and Graphic Summary of Inbound Passenger Statistics for each year between 1999 and 2003

Mr Nobbs moved –

THAT the House take note of the papers

Debate ensued

Question put and agreed to on the voices

7 STATEMENTS

1) Mr David Buffett, Minister for Community Services and Tourism –

- a) Gave a progress report on planning for Bounty Day;
- b) Advised that Mr David McCowan had been appointed as the new Hospital Director and reported that very real progress was being made to reduce the current debt level at the Hospital;
- c) Updated Members on the proposed review of tourist accommodation which the law requires be carried out at two yearly intervals commencing in June 2003

8 MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

The Deputy Speaker reported the following Message:

Message No. 16 from the Administrator advising that on 16 April 2003 His Excellency the Governor-General declared his assent to the Planning Act 2002, the Norfolk Island Planning and Environment Board Act 2002, the Subdivision Act 2002, the Heritage Act 2002, the Roads Act 2002, the Land Titles Amendment Act 2002 and the Subdivision (Moratorium) Act 2003

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

Mr Ivens Buffett, in the absence of the Chairman, provided the House with an interim report on the Committee's progress with its Inquiry. Mr Buffett took the opportunity to remind the community of the importance of the Committee's work and encouraged people to make oral and/or written submissions. He undertook to republish the Terms of Reference in this week's Islander

10 APPROPRIATION BILL 2003-2004 – MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

The Deputy Speaker reported Message No. 17 dated 19 May 2003 from the Administrator recommending to the Legislative Assembly the enactment of a proposed law entitled “A Bill for an Act to authorise expenditure from the Public Account for the year ending on 30 June 2004”

11 APPROPRIATION BILL 2003-2004

Mr Donaldson, Minister for Finance, pursuant to notice, presented a Bill for an Act to authorize expenditure from the Public Account for the year ending on 30 June 2004 and moved –

THAT the Bill be agreed to in principle

Debate ensued

The Speaker took the Chair at 12.02 pm

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

12 DEPARTURE FEE AMENDMENT BILL 2003

Mr Donaldson (Minister for Finance), pursuant to notice, presented a Bill for an Act to amend the *Departure Fee Act 1980* and moved –

THAT the Bill be agreed to in principle

Debate ensued

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

13 CUSTOMS AMENDMENT BILL 2003

Mr Donaldson, Minister for Finance, pursuant to notice, presented a Bill for an Act to amend the *Customs Act 1913* and moved –

THAT the Bill be agreed to in principle

Debate ensued

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

The Speaker adjourned the House at 1.20 pm until 2.30 pm

The House resumed at 2.34 pm, the Deputy Speaker taking the Chair

14 EMPLOYMENT ACT 1988 – APPOINTMENT OF MEMBERS TO EMPLOYMENT CONCILIATION BOARD

Mr Donaldson, Minister for Finance, pursuant to notice, moved -

THAT for the purposes of subsection 65(2) of the *Employment Act 1988*, this House resolves to appoint, Richard Kleiner, and to re-appoint Michael Angelo Zande, being persons with relevant qualifications and experience, to the Employment Conciliation Board for the period 21 May 2003 to 20 May 2006

Debate ensued

Question put and agreed to on the voices

15 NORFOLK ISLAND HOSPITAL ACT 1985 – RE-APPOINTMENT OF MEMBERS OF THE BOARD OF MANAGEMENT

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

THAT for the purposes of subsection 12(1) of the *Norfolk Island Hospital Act 1985*, this House resolves that:

**John Edgar Christian;
Stephanie Victoria Anne Jack; and
Chloe Barbara Nicholas**

be re-appointed by the Executive Member as Members of the Board of Management for the period 21 May 2003 to 30 June 2003

Debate ensued

Question put and agreed to on the voices, Mrs Jack and Ms Nicholas abstaining

16 COURT OF PETTY SESSIONS ACT 1960 – PERSON APPOINTED FOR PURPOSES OF SECTION 73 OF THE ACT

Mr Gardner, Chief Minister, pursuant to notice, moved –

THAT for the purposes of section 73 of the *Court of Petty Sessions Act 1960*, the House resolves to revoke the appointment of Patricia Robin Cowles and appoint Graham Charles Rhead for the purposes of section 73 of the Act, as a person to whom will be transmitted all information, examinations, depositions, statements, recognisances and other documents sworn, taken or acknowledged in a case

Debate ensued

Question put and agreed to on the voices

17 SUPREME COURT ACT 1960- PERSON APPOINTED FOR PURPOSES OF SECTION 23 OF THE ACT

Mr Gardner, Chief Minister, by leave, moved –

THAT for the purposes of section 23 of the *Supreme Court Act 1960*, the House resolves to revoke the appointment of Patricia Robin Cowles and appoint Graham Charles Rhead as a person who may file an information for an indictable offence triable before the Supreme Court

Debate ensued

Question put and agreed to on the voices

The Speaker took the Chair at 2.44 pm

18 PUBLIC RESERVES ACT 1997 - APPROVAL OF DRAFT PLANS OF MANAGEMENT FOR NORFOLK ISLAND PUBLIC RESERVES

Debate resumed (Mr I. F. Buffett, Minister for Land and the Environment) on the question – That the motion be agreed to

Question put

The House voted –

AYES, 6

Mr Buffett

Mr Gardner

Mr Donaldson

Mrs Jack

Mr Ivens Buffett

Mr Smith

NOES, 2

Mr Nobbs

Ms Nicholas

Motion agreed to

19 CUSTOMS AMENDMENT (FUEL) BILL 2003

Resumption of debate (Mr G. Donaldson, Minister for Finance) on the question -

THAT the Bill be agreed to in principle

Debate ensued

Question put

Bill agreed to in principle on the voices

Detail stage:

Mr Donaldson moved –

Clause 2, Delete and insert

“This Act is deemed to have commenced on 16 April 2003”

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

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

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

Mr Donaldson moved –

THAT the Bill as amended be agreed to

Question put

Bill as amended agreed to on the voices

20 FIXING OF THE NEXT SITTING DAY

Mr Nobbs moved –

THAT the House at its rising adjourn until Wednesday 18 June 2003 at 10.00 am

Question put and agreed to on the voices

21 ADJOURNMENT

Mr Smith moved –

THAT the House do now adjourn

Debate ensued with Mr Gardner and Ms Nicholas participating

Question put and agreed to on the voices

AND THEN the House at 3.32 pm adjourned until Wednesday 18 June 2003 at 10 am

Robin-Eleanor Adams

Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present except Mr Brown by leave