

**NORFOLK ISLAND  
THIRTEENTH LEGISLATIVE ASSEMBLY  
MINUTES OF PROCEEDINGS  
WEDNESDAY 6 JULY 2011**

**NORF'K AILEN  
DIISEM MENETS LARNEN WATHING HAEPN  
INAA  
THERTIINTH LEJESLIETEW 'SEMBLE  
WENSDI 6 JULY 2011**

1 The Legislative Assembly met at 10.05 am, the Deputy Speaker, Mr Lisle Snell, took the Chair and read Prayers

2 **LEAVE OF ABSENCE FOR MS ADAMS MLA**  
Leave of absence unanimously extended to Ms Adams

3 **CONDOLENCES**  
Mrs Griffiths recorded the passing of –

**Anthony Dennis Johnston**

4 **QUESTIONS WITHOUT NOTICE (10.09 AM)**

5 **ANSWERS TO QUESTIONS ON NOTICE**  
**Responses were provided to:**

**212 Mr King to ask the Chief Minister -**

Is it a fact that significant delay with obtaining Commonwealth government funding was occasioned through significant delay in the Chief Minister's office in on-forwarding necessary data to Commonwealth officials?

**213 Mr King to ask the Minister for Community Services -**

Will the Minister explain in clear terms the difficulties encountered in filling medical officer position with the Norfolk Island hospital?

**214 Mr King to ask the Chief Minister -**

- (a) Can the Chief Minister explain why as part of the proposal to increase tobacco duty, the expected increase in the average cost of a packet of cigarettes was not advised to the community or to the House as part of the Chief Minister's debate?
- (b) Did the Chief Minister not consider that such disclosure was an integral part of the debate? and
- (c) What possible social impacts were identified and considered as likely to result from a doubling of tobacco duty?

**215 Mr King to ask the Chief Minister -**

Can the Chief Minister advise the House what he has identified as the date by which public funds will be exhausted if Commonwealth funding is not received, and identify to the House the consequences of such an occurrence?

**216 Mr King to ask the Minister for Community Services -**

Given the Minister's acceptance that e coli readings in the islands surface waters are above acceptable limits and represent a public health risk how does the government possibly justify postponing measures to determine sources of contamination, such as the audit of the water assurance scheme?

**217 Mr King to ask the Chief Minister -**

Will the Chief Minister advise what consideration the government has given to the outflow of young local workers to the mainland mine industry; what is the level of loss now and projected for the immediate future and what has the government identified as the likely social and cultural consequences of such out-flow?

**218 Mrs Griffiths to ask the Chief Minister -**

It's been implied recently that the Norfolk Island Government hasn't fulfilled its obligations under the funding agreement. Can the Chief Minister confirm or deny this? If there are indeed obligations that we haven't met, can the Chief Minister explain why we haven't been able to meet them?

**6 PRESENTATION OF PAPERS**

The following papers were presented:

- 1) Chief Minister, Mr Buffett – **Virement of Funds ending 30 June 2011**
- 2) Chief Minister, Mr Buffett – **NIA Yearly Report on Customer Complaints Handling System - 2010**
- 3) Chief Minister, Mr Buffett – **NIA Yearly Report on Customer Complaints Handling System – 2011**
- 4) Chief Minister, Mr Buffett – **Public Moneys Act 1979- Transfer of Appropriation from FY 10-11 to FY 11-12**
- 5) Minister for Community Services, Mr Sheridan – **Employment (Amendment) Regulations 2011**
- 6) Minister for Community Services, Mr Sheridan – **Employment (Amendment No 2) (Minimum Wage) Regulations 2011**
- 7) Minister for Tourism, Industry and Development, Mr Nobbs – **Airport (Amendment) Regulations 2011**
- 8) Chief Minister, Mr Buffett – **Goods and Services Tax (Amendment) Regulations 2011**
- 9) Chief Minister, Mr Buffett – **Customs (Amendment) Regulations 2011**

**7 STATEMENTS**

The following statements were made –

1. Chief Minister, Mr Buffett – **NI Roadmap Submissions – Feedback Summary**

**Paper tabled:** Mr Buffett tabled the **NI Roadmap Submissions – Feedback Summary**

2. Chief Minister, Mr Buffett – **Preferred Model for Territory Self Governance**

**Paper tabled:** Mr Buffett tabled the **Preferred Model for Territory Self Governance**

Mrs Ward moved –

**THAT the statement be noted**

Debate ensued

Question put and agreed to on the voices

3. Chief Minister, Mr Buffett – **Update of Immigration Policy and Guidelines**

Mr King moved –

**THAT the statement be noted**

Debate ensued

Debate adjourned (Mr King) on the question - THAT the statement be noted

4. Chief Minister, Mr Buffett – **Census**
5. Chief Minister, Mr Buffett – **Explanation re Goods and Services Tax (Amendment) Regulations 2011 – Hire car insurance**
6. Chief Minister, Mr Buffett – **Official visit by Speaker Adams to CPA 100<sup>th</sup> Anniversary and to Isle of Man for cultural and tourism promotion**

**8 MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR – NO 15**

The Speaker reported –

**Message No. 15** from the Administrator advising that on 28 June 2011, acting pursuant to section 21 of the *Norfolk Island Act 1979* he declared his assent to the following proposed laws passed by the Legislative Assembly : Supply Act 2011 (Act No 4 of 2011), Fiscal Charges and Impositions Act 2011 (Act No 5 of 2011) and Departure Fee (Amendment) Act 2011 (Act No 6 of 2011)

**9 REPORT ON THE PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE**

Mr King (Chairman) gave a Report on the Public Accounts and Estimates Committee noting that no funds had been allocated to the committee in the Supply Bill 2011

**10 EMPLOYMENT ACT 1988 - APPOINTMENT OF MEMBER TO THE EMPLOYMENT CONCILIATION BOARD**

Minister for Community Services, Mr Sheridan, moved –

**THAT for the purposes of subsection 65(2) of the *Employment Act 1988*, this House resolve to appoint –**

**Polini Bosteo-McNeil**

**being a person with relevant qualifications and experience, to the Employment Conciliation Board for the period 7 July 2011 to 6 July 2014**

Debate ensued

Question put and agreed to on the voices

**11 SOCIAL SERVICES (AMENDMENT) BILL 2011**

Minister for Community Services, Mr Sheridan, pursuant to notice, presented a Bill for an Act to amend the *Social Services Act 1980* and moved –

**THAT the Bill be agreed to in principle**

**Paper tabled:** Mr Sheridan tabled the Explanatory Memorandum to the Bill

Debate ensued

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

**12 HEALTHCARE (AMENDMENT NO 2) BILL 2011**

Resumption of debate (Minister for Community Services, Mr Sheridan) from 22 June 2011 on the question – That the Bill be agreed to in principle

Debate ensued

Question put and agreed to on the voices – Mr Snell abstaining

Mr Sheridan moved –

**THAT the Bill be agreed to**

Question put and agreed to on the voices– Mr Snell abstaining

**13 OMBUDSMAN BILL 2011**

Resumption of debate (Chief Minister, Mr Buffett) from 27 June 2011 on the question – That the Bill be agreed to in principle

Debate ensued

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

**14 ROAD TRAFFIC (AMENDMENT NO 3) BILL 2010**

Resumption of debate (Minister for Community Services, Mr Sheridan) from 22 June 2011 on the question – THAT detail stage amendment No 2 be agreed

Debate ensued

Mr Sheridan proposed that the contentious items in Clause 2 be voted on individually then the remainder of the Bill as a whole

Question – THAT Clause 2 item 15 (wearing a prescribed cycle helmet) – put

The House voted –

**Ayes 5**

**Mr Sheridan**

**Mr Buffett**

**Mr Nobbs**

**Mr King**

**Mr Anderson**

Motion agreed

**Noes 3**

**Mr Snell**

**Mrs Griffiths**

**Mrs Ward**

Debate ensued

Question – THAT Clause 2 item 16 (definition of prescribed cycle helmet) – put and agreed on the voices

Debate ensued

Question – THAT Clause 2 item 17 (travel on open tray of a truck or utility vehicle) – put

The House voted –

**Ayes 5**

**Mr Sheridan**

**Mr Buffett**

**Mr Nobbs**

**Mrs Ward**

**Mr King**

**Mr Anderson**

**Noes 2**

**Mr Snell**

**Mrs Griffiths**

Motion agreed

Debate ensued

Question – THAT Clause 2 item 18 (Wearing of seatbelts by drivers) – put

The House voted –

**Ayes 5**

**Mr Sheridan**

**Mr Buffett**

**Mr Nobbs**

**Mr King**

**Mr Anderson**

**Noes 3**

**Mr Snell**

**Mrs Griffiths**

**Mrs Ward**

Motion agreed

Debate ensued

Mr Sheridan, by leave, moved –

**THAT Clause 2 item 29 be amended by deleting “40” from the words “Following section 40” an inserting “40D” and two lines down, deleting “40A” and inserting “40E”.**

Question – THAT Clause 2 item 29 (renumbering) – put and agreed on the voices

Question – THAT the remainder of clause 2 as amended be agreed to – put and agreed on the voices

Question - THAT the clauses as amended be agreed to – put and agreed on the voices – Mr Snell dissenting

Question – THAT the remainder of the bill be agreed to – put and agreed on the voices – Mr Snell dissenting

Mr Sheridan moved -

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

Question put and agreed to on the voices– – Mr Snell dissenting

## **12 FIXING OF NEXT SITTING DAY**

Mr Anderson moved –

**THAT the House at its rising adjourn until Wednesday the 3<sup>rd</sup> August 2011 at 10 am**

Question put and agreed to on the voices

## **18 ADJOURNMENT**

Mr King moved –

**THAT the House do now adjourn**

Debate ensued

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

**AND THEN the House at 12.40 pm adjourned until Wednesday 3<sup>rd</sup> August 2011 at 10.00 am**

Gaye Evans

**Clerk to the Legislative Assembly**

**MEMBERS PRESENT:** All Members were present except Ms Adams by leave