

INAUGURAL MEETING OF THE TENTH LEGISLATIVE ASSEMBLY

MADAM CLERK Please be seated. Good morning. Your Honour the Administrator, Mrs Messner, Members of the 10th Legislative Assembly, Ladies and Gentlemen, This meeting, the first of the 10th Legislative Assembly of Norfolk Island is convened pursuant to the following notice which appeared in the Norfolk Island Government Gazette dated 4th December 2001:

"I, Anthony John Messner, Administrator of Norfolk Island, under subsection 40(2) of the *Norfolk Island Act 1979*, do by this notice convene a meeting of the Legislative Assembly of Norfolk Island, being the first meeting of the Tenth Assembly, to be held at the Legislative Assembly Chambers, Kingston, on Wednesday 5 December 2001 at 10 am" and that message was dated the 3rd December 2001 and signed A J Messner, Administrator

PRAYER

REVEREND HADFIELD Let us pray. Almighty God, we pause now to acknowledge that you are the ultimate source of power and authority. It is you who has established this government and you through the people of Norfolk Island has brought each and every member to this point. We thank you for past governments. We now pray for this Tenth Legislative Assembly. May each member understand and live out the servant role for which they are called, serving the Island's population and environment. May they quickly and completely grapple with the issues that face them. Grant them wisdom and courage to make hard decisions, patience when things take time, grant them foresight and skills to govern fairly, justly, honestly and definitively. We especially ask this for the executive members. We pray for the relationship of Assembly Members with each other and with the Australian government that it would be open and advance this Island. Heavenly Father by the plans and actions of these leaders may your kingdom come and your will be done, in the name of Jesus Christ the Saviour, Amen

RETURN TO WRIT FOR ELECTION

MADAM CLERK Thank you Reverend Hadfield. Please be seated. I have received a Return to the Writ for the election of the Legislative Assembly held on the 29th of November 2001. By the endorsement on the Writ it is certified that the following Members have been elected:

- Geoffrey Robert Gardner
- David Ernest Buffett
- Ivens Francois Buffett
- George Charles Smith
- Graeme Donaldson
- Stephanie Victoria Anne Jack
- Chloe Barbara Nicholas
- John Terence Brown
- Ronald Coane Nobbs

I lay the Return on the Table of the House.

OATHS BY MEMBERS

MADAM CLERK I now ask the Deputy Clerk to approach each Member in turn, starting with Mr Buffett, so that they may make and subscribe the oath of allegiance and the oath of office

DEPUTY CLERK Mr Buffett, please take the Bible in your right hand and read and subscribe the oaths

MR BUFFETT I, David Ernest Buffett, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, David Ernest Buffett, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

DEPUTY CLERK Mr Gardner, please take the Bible in your right hand and read and subscribe the oaths

MR GARDNER I, Geoffrey Robert Gardner, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, Geoffrey Robert Gardner, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

DEPUTY CLERK Mr Donaldson, please take the Bible in your right hand and read and subscribe the oaths

MR DONALDSON I, Graeme Donaldson, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, Graeme Donaldson, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

DEPUTY CLERK Mrs Jack, please take the Bible in your right hand and read and subscribe the oaths

MRS JACK I, Stephanie Victoria Anne Jack, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, Stephanie Victoria Anne Jack, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

DEPUTY CLERK Mr Buffett, please take the Bible in your right hand and read and subscribe the oaths

MR BUFFETT I, Ivens Francois Buffett, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, Ivens Francois Buffett, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

DEPUTY CLERK Mr Nobbs, please take the Bible in your right hand and read and subscribe the oaths

MR NOBBS I, Ronald Coane Nobbs, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, Ronald Coane Nobbs, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

DEPUTY CLERK Ms Nicholas please read and subscribe the affirmation

MS NICHOLAS I, Chloe Barbara Nicholas, do affirm that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law.

I, Chloe Barbara Nicholas, do affirm that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island.

DEPUTY CLERK Mr Smith, please take the Bible in your right hand and read and subscribe the oaths

MR SMITH I, George Charles Smith, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, George Charles Smith, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

DEPUTY CLERK Mr Brown, please take the Bible in your right hand and read and subscribe the oaths

MR BROWN I, John Terence Brown, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law. So Help Me God!

I, John Terence Brown, do swear that I will render true and faithful service as a Member of the Legislative Assembly of Norfolk Island. So Help Me God!

MADAM CLERK I will now ask His Honour the Administrator to sign the form attesting to the making and subscribing of the required oaths by members of the Tenth Legislative Assembly

ATTESTATION BY ADMINISTRATOR

ADMINISTRATOR Thank you Madam Clerk. The attached oaths were made before me at the Legislative Assembly Chamber, Kingston, Norfolk Island, this 5th day of December 2001. May I now congratulate those who have been elected. I have absolute confidence that all of you will uphold the best of tradition and honour of the Westminster system of parliamentary government which is the strong tradition of Norfolk Island. I wish you all the best in your endeavours.

ELECTION OF SPEAKER

MADAM CLERK Thank you Your Honour. The next business is the election of a Speaker of the Assembly. Are there any nominations please? Mr Brown

MR BROWN I nominate David Ernest Buffett to be Speaker of the Norfolk Island Legislative Assembly and do now take the Chair as Speaker

MADAM CLERK Mr Buffett, do you accept nomination.

MR BUFFETT I accept nomination.

MADAM CLERK Are there any further proposals? The time for proposals has expired and I declare that David Ernest Buffett has been elected Speaker and would ask Mr Buffett to now take the Chair

ELECTION OF DEPUTY SPEAKER

SPEAKER Thank you. Honourable members, I would thank you all for the great honour that you have accorded me in electing me Speaker of the 10th Norfolk Island Legislative Assembly. The next business is election of Deputy Speaker of the Legislative Assembly. Are there any nominations please

MRS JACK Thank you Mr Speaker and congratulations on your appointment. I would like to nominate Chloe Barbara Nicholas to be Deputy Speaker

SPEAKER Ms Nicholas, do you accept nomination.

MS NICHOLAS I do Mr Speaker

SPEAKER Are there any further proposals Honourable Members? The time for proposals has expired and therefore I declare that Chloe Barbara Nicholas has been elected Deputy Speaker of the 10th Norfolk Island Legislative Assembly. Congratulations Ms Nicholas. Honourable Members that completes the first two formal elections amongst Members of this legislature

SPEAKER I now invite His Honour the Administrator to address this newly formulated Assembly of Norfolk Island. His Honour the Administrator

ADMINISTRATOR Mr Speaker, Members of the Legislative Assembly. It gives me great pleasure to open the first meeting of the tenth Legislative Assembly. I would like to commence by offering warm commiserations to the unsuccessful candidates and to encourage them to remain interested and involved in public life on Norfolk Island. Please do not forget that this involvement is vital to the effective functioning of our democratic process. Without participation, alternative views may not be put before the community for debate, dissection and analysis. To not hear them reduces the opportunities for the community to come to an informed and reasoned decision. I would also like to thank all the candidates - successful and unsuccessful – for the manner in which they conducted themselves during the election and campaigned in a measured and restrained manner. To the members of Tenth Assembly, I offer my congratulations and best wishes in facing the challenges that the future may bring. May you not only apply your talents and abilities generously to the tasks in front of you but also enjoy the satisfaction of seeing the results and progress, which your efforts will help to bring about. In meeting the challenges that lie ahead, it is vital to remind ourselves that the Legislative Assembly is the focal point for the Norfolk Island community. The Assembly is both the symbol and principal instrument of self-government. Here is where the community's aspirations are articulated, debated and determined and laws

enacted. All of us who hold public office owe a duty of trust to the present and future generations of our community to put the pursuit of the common good above personal ambition or sectional interests. Therefore, let us be mindful of the community's expectation that the Assembly will represent all on Norfolk Island. Thus, there is also a need to seek and secure consensus within the Assembly and the wider community. While acknowledging that in terms of the day-to-day government of the Island, the role of the Administrator is a most limited one. I would hope that you might indulge me if I digress from the usual practice to speak a little of what I believe to be of great value to the successful development of the Norfolk Island community. In this regard I will speak chiefly of the more practical aspects of Government and inter-government relations. However, let me be absolutely clear that above all of these, is the need to preserve, enhance and increase awareness of the unique values of Norfolk Island. As we on Norfolk well know and recognise, the Island is well endowed with history, heritage and pride in its forebears and their achievements. It also needs to be recognised elsewhere. While it is true that the unique values of the Pitcairners is recognised in the preamble to the Norfolk Island Act, sometimes its significance can be lost sight of in the day to day affairs of Government. I see it as an important part of the duties of the Administrator to see that these important values are not overlooked or abrogated. In doing so, there are two fundamental things that need to be considered. The first is the continuing desire on Norfolk Island for the extension of self-Government. The second is the style and substance of the continuing relationship with the Federal Government. As many of you know and appreciate, my view on both these issues is to see them as not mutually exclusive. Indeed, in order for the first to be achieved successfully, the second needs to be appropriately defined clearly and understood. It is unfortunate that there has been in the past, some misunderstanding about the Federal Government's role and the nature of its commitment to the Island. But let me say at the outset that I have been at pains during my term here to try to ensure that the two Governments work cooperatively together. It seems to me that it is in the Federal Government's interests to encourage the self-reliance of the Norfolk Island Government by assisting it financially or otherwise – where appropriate. Over the last few years there have been many examples where that cooperation has brought achievement. The Cascade Cliff project, Waste Management funding, Communications funding, Mount Pitt road repairs, funding and other assistance with aged care and with the Land Initiative. Further challenges, already aired publicly, centre on the infrastructure issues such as the re-pavement of the Airport runway, the repair of the Kingston Pier, and the much-discussed need for the extension of the Island's hospital and medical services. It is not for me to suggest any kind of agenda for the incoming Government. However, I would see it as part of the role of the Administrator to liaise - and where appropriate - to support proposals to work towards mutually satisfying outcomes through possible assistance from the Federal Government. In this way self-Government is enhanced, not diminished, since it strengthens the ability of the Norfolk Island Government to collect its revenues, more effectively determine its spending priorities and implement its practical policies and services for the community. On examination you will find that the Legislative Assembly is well equipped for this task. The Norfolk Island Act 1979 confers wide-ranging powers on the Legislative Assembly. Subject to the following, the Norfolk Island Legislative Assembly can pass any law with respect to 'the peace, order and good government' of Norfolk Island. The exceptions are laws with respect to euthanasia, the unjust acquisition of property, the raising of a military force or authorising the coining of money. This means that the Norfolk Island Legislative Assembly can enact laws on virtually any topic that it chooses. Further, once the Assembly enacts a law, the Norfolk Island Government is equipped with broad executive powers and responsibilities to administer and enforce that law. The Norfolk Island Act does provide for consultation with the Federal Government in respect of certain types of laws proposed by the Assembly. Laws on topics that are not listed in schedule 2 of the Norfolk Island Act must be referred to the Governor-General or the Federal Territories Minister for consideration and advice. However, this does not mean the Federal Government generates policies for Norfolk Island in these areas. As I said earlier, the Assembly retains comprehensive

powers to enact laws on virtually any topic and the Norfolk Island Government retains the capacity to administer and enforce those laws once enacted. All the reference requirement means is that proposed legislation touching upon a limited number of areas is referred to avoid any conflict with relevant federal policies or programs or the Federal Government's obligations under international law. I believe that this referral process can be effected most efficiently through early and meaningful consultation between Ministers and officials from both Governments in the development of legislation by the Norfolk Island Government and the Norfolk Island Legislative Assembly. My Office stands ready to help. I am often asked what are the Federal Government's broader interests on Norfolk Island that underpin its relationship with the Norfolk Island Government and community. Let me set out my understanding of what these interests and responsibilities are. Firstly, since the Island is a Territory for which the Federal Government has some responsibilities under the Constitution and as a large majority of the Island's permanent residents are Australian citizens, it follows that there is the natural obligation to oversee and contribute to the wellbeing of the community. Secondly, there are the strong connections between the Australian Commonwealth - particularly the states of NSW and Tasmania - with Norfolk Island stemming from a shared history of discovery and settlement. My view is that the Federal Government shares with the Norfolk Island Government an interest in the sustainable management and conservation of the Norfolk Island's environment and heritage. This includes Norfolk Island's Pitcairn heritage, which is recognised in the preamble to the Norfolk Island Act. It is this interest and responsibility which partly prompted the Norfolk Island Land Initiative which led to Norfolk Island and federal officials working together to develop new planning and land management laws for the community. Moves are also afoot to implement Norfolk Island heritage laws to replace Federal administration of the heritage values so obviously evident. Thirdly, there is the responsibility for ensuring that the marine resources around Norfolk Island are managed in a sustainable manner and conserved for future generations - including future generations of Norfolk Islanders. The discussions concerning the transfer to Norfolk Island of responsibility for management over the inshore fisheries - an area of some four thousand square nautical miles around Norfolk Island - are a case in point. Fourthly, there is the consideration of future defence requirements - including the federal obligations for the defence of Norfolk Island as a Territory of Australia - which hopefully will never be invoked. Lastly but not least of all, I consider that the Federal Government retains an interest in how government is delivered to the residents of Norfolk Island and in the Island's economic development. This interest stems in part from the fact that the Federal Parliament devolved legislative and executive power to Norfolk Island, to elect its own government, to have its own Administration and be responsible for raising its own revenue. It also stems from the fact that, as with other Australian States and Territories, federal financial and other assistance may be required should the Norfolk Island's resources ever prove insufficient or be overwhelmed - for example, in the case of an emergency, natural disaster or economic shock. These interests have had practical outcomes for Norfolk. They have prompted the financial and other assistance and the wide variety of cooperative efforts that I alluded to earlier. Some have recently called for this cooperative relationship between the two Governments to be formalised by an inter-governmental agreement. Others have called for the return of the annual grant that the Federal Government provided to Norfolk Island prior to 1979. I note that there are precedents elsewhere for this sort of approach. The Federal Government has, for example, arrangements with the States and the other self-governing Territories whereby the Federal Government provides general grants to the State and Territory Governments. It is then for the respective State and Territory Government to decide in what way it wishes to spend this grant. It is not for me to propose or imply any kind of agenda for the incoming Government by noting such suggestions. In mentioning them, I do not speak on behalf of any Government, Minister or official. It is not for me to do anything more than note this possibility as perhaps one potential means of empowering self-Government on Norfolk Island. I do so in the belief that, for a truly effective cooperative relationship to work, a basic foundation needs to be put in place. The building block is a solid

understanding by each of the other's motives, ambitions, aspirations and most importantly, the influences that are likely to determine attitudes. However, understanding is only the start of this process. The next step is acceptance. So in order to implant a mutual trust between parties, to generate a genuine atmosphere of cooperation, understanding and acceptance must be firmly rooted as one plant in fertile soil. It must be so dedicated that it has only one clear job to do. It has to nurture and grow the vine of confidence between the two Governments. This can only be done by people – people who are imbued with goodwill and who are themselves dedicated to the achievement of goals for the benefit of the governed. Give and take are obviously part of such a process but the respect of one for the other's views must be at the core. I have said it before in other contexts, and I repeat it, since I believe it represents one of the truest descriptions of the attitudes which need to be adopted by people in dealing with others. It is simply – each of us - all of us - have value. The recognition of that article of faith will determine the effectiveness of the cooperative relationship. Without it, any democracy will fail. Any partnership whether personal, economic or governmental lacking this essential ingredient will fail to realise the aspirations of its individual members. Without wishing to preach, I conclude by trusting that these considerations will be part and parcel of the approach this Tenth Assembly will adopt in its future relations with the Norfolk Island community and with Canberra. In whatever way I can, I will work to ensure this is rewarded with reciprocity. I wish you well in your endeavours in moving forward for the welfare of Norfolk Islanders.

SPEAKER'S ADDRESS IN REPLY

SPEAKER Your Honour, we of the Tenth Norfolk Island Legislative Assembly welcome you and Mrs Messner here to the Chamber this morning. We do offer our compliments upon your statutory swearing in of all members and do appreciate your kind greetings and words of congratulations and encouragement in the address that you give us and we pledge our service to the Norfolk Island community this morning and commence our duties here. We as members have a responsibility to represent the Norfolk Island people to enable the vision of the unique Norfolk Island Act of 1979 to which you referred Your Honour, to be fulfilled to bring stability, give strength and provide capacity to enable the tasks of today to be undertaken and the community's aspirations to be achieved. There is much honour in being chosen in these tasks and we have prayed this morning, we have subscribed to oaths this morning or affirmed our commitment to give service to the Norfolk Island people. Thank you Your Honour for your address this morning and we have been privileged that both you and Mrs Messner have come to join us today

Honourable Members the House will briefly suspend and I would ask that members stand

PRESENTATION OF GIFT TO THE REV IAN HADFIELD

The Reverend Mr Hadfield, you will leave us in about a month's time and during your term you have attended upon the Legislative Assembly and offered prayers on those occasions for our wellbeing and the community's wellbeing. On each Sunday I have noted that equally you have offered prayers for our wellbeing and we wanted to say thank you for your participation and your relationship with the Legislative Assembly and to wish you and Mrs Hadfield well when you go to other parts and other places, thank you

REVEREND HADFIELD

Thank you very much Mr Speaker

SUSPENSION OF SITTING

SPEAKER Honourable Members, the House will now briefly suspend. I would ask that Members and guests please stand whilst the Administrator leaves the Chamber. Thank you.

RESUMPTION OF SITTING

SPEAKER Honourable Members, the House now resumes and I move now to the next item of business on the Programme which is to acknowledge a message from the Office of the Administrator.

MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR - NO 1

SPEAKER Honourable Members, I have received the following Message from the Office of the Administrator and it is Message No 1 which reads that on 9th November 2001 pursuant to Section 21 of the *Norfolk Island Act 1979*, and in accordance with the instructions of the Minister for Regional Services, Territories and Local Government, he withheld assent to the Immigration (Guidelines) Amendment Bill 2001. The reasons for withholding assent are set out in the Minister's instructions which are attached to the Message and which I now table, and that message was dated the 4th December 2001 and signed A J Messner, Administrator

EXECUTIVE OFFICES

SPEAKER The next item of business Honourable Members is to determine the number of executive offices and their respective designations. This is an arrangement pursuant to Standing Order 243. Ms Nicholas

MS NICHOLAS Thank you Mr Speaker, I move that, under section 12 of the *Norfolk Island Act 1979* – (1) All previous resolutions under that section be revoked; (2) there be four executive offices; and (3) these offices have the following designations -

- Chief Minister and Minister for Intergovernment Relations
- Minister for Finance
- Minister for Community Services and Tourism
- Minister for Lands and the Environment

SPEAKER Thank you Ms Nicholas. Do you want to address the motion

MR NOBBS I will not be voting on this issue. As Members will know at private meetings prior to this meeting the decision was taken that four executive members would be sworn in. My belief is that there should only be three and as with the public service reforms there should be reforms within the Legislative Assembly not only on the number of the voting system, there also should be on the membership and operations and efficiencies within the Legislative Assembly. These were commenced in the last Legislative Assembly and were not completed. I thought this was an ideal opportunity to progress those. One of the issues that was under discussion in relation to that was with x members and also with a working group was that the Legislative Assembly should be reduced to seven. There was also a belief that the non executives should outnumber the executives and therefore that would then provide for three executives and I thought it was an ideal opportunity to start the process in train. Whether the finalisation of all the proposals come into being has yet to be seen but I thought that was a key issue that we could address at this particular time and whilst I don't want to digress from our proceedings at this stage Mr Speaker, I do advise that I will be abstaining from voting. I'm not against any particular executive position and I will support the four positions and the executives from henceforth, but I need to make that point public

SPEAKER Thank you Mr Nobbs. Any further debate?
Then I put the question that the motion be agreed to

QUESTION PUT
AGREED

MR NOBBS ABSTAIN

The ayes have it, that motion is agreed thank you

APPOINTMENT TO EXECUTIVE OFFICE OF CHIEF MINISTER AND MINISTER FOR INTERGOVERNMENT RELATIONS

SPEAKER We move onto the next item of business, the proposing of Members to fill each executive office that has been determined by the motion that has just been passed and I call for nominations for the position of Chief Minister and Minister for Intergovernment Relations

MR I F BUFFET Mr Speaker, I move that Geoffrey Robert Gardner be chosen to be Chief Minister and Minister for Intergovernment Relations and that the Administrator be advised accordingly

SPEAKER Thank you. Mr Gardner, do you accept nomination

MR GARDNER I do Mr Buffett

SPEAKER Is there any further proposal? Is there any further debate Honourable Members, then I put the question

QUESTION PUT
AGREED

The ayes have it thank you, congratulations Mr Gardner

APPOINTMENTS TO EXECUTIVE OFFICE MINISTER FOR FINANCE

SPEAKER Thank you. The next process through the executive offices Honourable Members is the process for the position of Minister for Finance. I now call for nominations for the position of Minister for Finance. Ms Nicholas

MS NICHOLAS Mr Speaker, I move that Graeme Donaldson be chosen to be Minister for Finance and that the Administrator be advised accordingly

SPEAKER Thank you. Mr Donaldson, do you accept nomination

MR DONALDSON Yes Mr Speaker I accept nomination

SPEAKER Thank you. Is there any further proposal? Is there any further debate Honourable Members

MS NICHOLAS Mr Speaker I would I like to say that Graeme Donaldson is a Chartered Accountant who has been with the Norfolk Island Administration for seven years and of the elected members he is best qualified for the position of Minister for Finance

SPEAKER Thank you. Further debate? Then I put the question

QUESTION PUT
AGREED

The ayes have it thank you that motion is agreed to. Congratulations to you Mr Donaldson

APPOINTMENT TO EXECUTIVE OFFICE OF MINISTER FOR COMMUNITY SERVICES AND TOURISM

SPEAKER Continuing to move through the Ministries Honourable Members I now call for nominations for the position of Minister for Community Services and Tourism. Mr Gardner

MR GARDNER Mr Speaker I move that George Charles Smith be chosen to be Minister for Community Services and Tourism and that the Administrator be advised accordingly

SPEAKER Mr Smith do you accept nomination

MR SMITH I do Mr Speaker thank you and I thank Mr Gardner for nomination

MR BROWN I wish to nominate a different candidate Mr Speaker. Chloe Barbara Nicholas

SPEAKER Thank you. Ms Nicholas do you accept nomination

MS NICHOLAS I decline to accept Mr Speaker

MR BROWN I wish to nominate a further candidate Stephanie Victoria Anne Jack

SPEAKER Thank you. Mrs Jack do you accept nomination

MRS JACK I will decline that

MR BROWN I wish to nominate a further candidate David Ernest Buffett AM

MR D E BUFFETT Thank you Mr Brown for the generosity of that nomination. You will realise that that is a proposal that has been talked about amongst us in more informal session and the majority of members have declined the proposal that you have made and therefore it would not be productive for me to accept nomination but I thank you for the courtesy

MR BROWN Mr Speaker I nominate myself, John Terence Brown be chosen to be Minister for Tourism and Community Services and I accept nomination and I would like to speak to the nomination if I may. Mr Speaker in the days before the last election everyone of those elected was asked whether he or she would stand for executive office if elected. Not one said no and now, minutes after our swearing in the moment of truth has come. While I understand your position Mr Speaker two of our other members have failed their first test. In those same days before last weeks election every one of those elected had the opportunity to comment on the desirable criteria for selection as an executive. Not one favoured such appointments being made on the number of votes cast in a persons favour. Not one indicated that the criteria should be anything other then the best qualifications for the job. Mr Speaker I would like to say a few words about yourself if I may. I think that it is relevant. You have told us that you have declined because members have met and decided to appoint someone other than yourself. But you Mr Speaker have been a members of every Legislative Assembly from 1979 to date. You have previously served with distinction on the final Advisory Council and in the various Assembly's as Chief Minister, President, Speaker and Executive. You presently hold appointment as a Regional Representative in the Commonwealth Parliamentary Association. Several years ago Mr Speaker I was privileged to be introduced to his Royal Highness Prince Phillip the Duke of Edinburgh whose first words to be were "How is David Buffett?" Mr Speaker you've had a lengthy and extensive experience in our public service and even your most harsh critics, and for many years I've been one of them, have to acknowledge that you represent us well when you deal on our behalf with the Commonwealth and others. You were appointed to executive office late in the life of the last Legislative Assembly and you proved to be the hardest working of all the executive members. You warrant appointment to executive office today on the basis of your experience and ability. You also received the second highest vote. But as you say, members have already expressed a view about that and they want to stick to the group that they had selected before we all got together at 8.00 am on the morning after the election. So the phones must have indeed run hot. Having said that I invite members to give this question proper thought. Not one member said to me what are your plans in the event that you are considered for executive office. For example, what are your business plans. So I didn't tell any of them that I've made arrangements to be replaced in my legal firm so that I can take leave from there and I already have managers in my other businesses. I perhaps have more time available then almost any other executive for the task. I've been a member of every other Legislative Assembly but one since January 1982. I believe that my qualifications and experience would be of assistance as an executive rather than sitting here as a back bencher. Now having said that. Mr Smith is a nice man. He's a good friend of mine but he would have been up against a very strong competitor in yourself Mr Speaker and I would like to think that members will at least give thought to who out of Mr Smith and myself would better fill the proposed role as Minister for Community Services and Tourism. I invite members to give consideration not to the number of votes that any particular candidate received but to a candidate's ability and suitability to the task, thank you

SPEAKER Thank you. Are there any further proposals. If there are no further proposals Honourable Members we have two candidates and the Clerk will forthwith distribute papers and if you would be kind enough to write...

MR BROWN Mr Speaker can I ask that this be an open vote

SPEAKER That can be done. We would need to adopt another procedure if that is the way it is to be done. What you would need to do Mr Brown is to move and amendment to the present name that is first moved and make a proposal for the second name. There would be a vote upon that and depending on how that proceeded there would be a subsequent vote

MR BROWN Yes well I would like to take such action as may be required to enable the vote to be an open vote rather than a secret vote

SPEAKER I will accept therefore your proposal Mr Brown as an amendment to the first motion

MR BROWN Thank you

SPEAKER Are there any other matters to debate Honourable Members . Then the first question I will put to you is that the amendment be agreed to. The amendment is Mr Brown's proposal. Then I put the question that the amendment as proposed by Mr Brown be agreed to

QUESTION PUT

Madam Clerk would you call the House.

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

SPEAKER The result of voting Honourable Members, the Ayes 3, the No's 6, the noes have it, that amendment has not been successful Honourable Members

We now move to the original motion which is unamended at this stage. Any further debate? I put the question that the motion be agreed to

QUESTION PUT

Did you want the House called Mr Brown? Madam Clerk would you call the House.

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

SPEAKER The result of voting Honourable Members, the Ayes 8, the No's 1, the Ayes have it, therefore that motion is agreed to. Congratulations Mr Smith

APPOINTMENT TO EXECUTIVE OFFICE OF MINISTER FOR LANDS AND THE ENVIRONMENT

SPEAKER: I now move to the final ministry of the four and I call for nominations for the position of Minister for Lands and the Environment. Mrs Jack

MRS JACK Mr Speaker, I move that Ivens Francois Buffett be chosen to be Minister for Lands and the Environment and that the Administrator be advised accordingly

SPEAKER Mr Buffett, do you accept nomination

MR IVENS BUFFETT I accept nomination Mr Speaker

SPEAKER Is there any further debate Honourable Members. There being no further debate Honourable Members, I put the question

QUESTION PUT
AGREED

That motion is agreed. Congratulations to you Mr Buffett

FIXING OF THE NEXT SITTING DATE

MS NICHOLAS Mr Speaker I move that the House at its rising adjourn until Wednesday 19 December 2001, at 10.00 am.

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

QUESTION PUT
QUESTION AGREED

ADJOURNMENT

MR NOBBS Mr Speaker, I move that the House do now adjourn

SPEAKER Is there any debate Honourable Members?

MR BROWN If I could say just one brief word Mr Speaker. Our election was held last week and there was a large number of candidates. I think that each of us should be saying thank you to all of those who stood. That we should be recognizing the importance of those who were prepared to put themselves forward to membership of the Legislative Assembly and giving words of encouragement to those who were unsuccessful as well as congratulate those who have been successful. In terms of the Ministry appointed today I look forward to working with them through the life of this Assembly and I wish them success in the difficult task they are about to pursue, thank you

MR GARDNER Thank you Mr Speaker I would like to echo the words of Mr Brown. I think it is fitting that we recognise the members from the community who were so prepared to serve the community in the best way they saw fit and to the unsuccessful candidates my commiserations and certainly my warmest welcome to the newer candidates in this Legislative Assembly and certainly to some of my colleagues that I have had the privilege and honour of working with over the last few years, welcome to you all once again and I look forward to a productive term in this Legislative Assembly for the benefit of Norfolk Island thank you

SPEAKER Thank you. Honourable Members you will all know that once we adjourn here this afternoon the formal proposals that you have made in respect of the ministries will be taken upon in formal appointments by His Honour the Administrator and those will be done this afternoon. Any further debate? There being no further debate I put the question

QUESTION PUT
AGREED

Therefore Honourable Members this House stands adjourned until Wednesday 19 December 2001, at 10.00 am.

