

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

LEAVE

SPEAKER: Honourable Members, leave is sought for Mr Nobbs. Is leave granted? Thank you Members leave is granted?

CONDOLENCE

We move to condolences, are there any condolences this morning? Ms Nicholas

MS NICHOLAS Mr Speaker it is with regret that this House records the following condolences: Doris Wood, Eric Adams and Cec Barkman. Doris Wood. Born in Essex, England in May of 1923, Doris, with her family - as they came along - moved first to Australia, then to New Zealand and finally to Norfolk Island in 1965. Around 25 years ago the family set about creating Silky Oaks Stables. This required Doris' enthusiasm, practical determination, and faith in herself and her family. They all worked hard to realize the dream and found real happiness in the home they created together. Doris' life revolved around her family. Her children describe her as practical, strict and fair, and unanimously support her son Norm's comments that, as a mother - 'they couldn't have had any better'. Encouraged by her daughter Kaye, Doris learnt to ride in her mid forties. She loved the horses and became a very adept horsewoman, winning ribbons with her riding in the picnic races and in show events. Her love of horses, is a love shared by the whole family from Norm, Kaye, Donna - and Linda in her short life - right through to her only Granddaughter Ashley. There was nowhere else in the world Doris would rather be than Silky Oaks. Norfolk Island and she passed away there peacefully, on Monday 24th November, 2003. To Doris' family, Norm, Kaye, Donna and grand daughter Ashley, this House extends its sympathy.

It is with regret that we record the passing of Eric Cyril Adams who was born on Norfolk Island on the 25th March 1920. Eric had a sister Mary (now deceased) and a brother George perhaps better known to us as Kick. Eric spent his early years on Norfolk Island. In 1940, at the onset of WWII, he joined the Australian Army, first enlisting with the Army Engineers, but finishing the war with the Army Smallships, running supplies to East Timor. He was demobilised from the Army with the rank of Acting Warrant Officer, Class II. (2). After that Eric trained as a Ford Mechanic with Hastings Deering in Sydney. This was where he met and married Kath in 1954. In 1958 their only son Robert was born and they decided to return to Norfolk Island. Eric built a home for his family at Cascades and worked at the Whaling Station. Shortly after its closure in 1962 Eric and his family moved to Ball Bay, rebuilding the old island home where his family lives today. Eric retired in the late 1970's and, being talented with his hands would fix just about anything. He was a keen gardener and took satisfaction from giving much of his farm produce away. He loved fishing, from his boat or off the rocks. Eric Adams died on Thanksgiving Day with his family around him. To his son Robert and his brother Kick and their families, this House extends it's sympathy.

Cecil Barkman was born in Sweden in 7th July, 1920. He left as a teenager and worked in both New Zealand and Australia. Coming to Norfolk Island on a holiday in 1965 after reading about it whilst in New Zealand, he stayed - and bought the property known as

Longlands next to Hundred Acres where he started growing passionfruit and other produce. Late in 1966 Cec bought his land in Captain Quintal Drive and called it Buglands – named for the previous property because he claimed it held every bug imaginable. He was known as the Banana Man, growing bananas and avocado pears most successfully. Cec also had a big planting of Kentia Palms and donated the proceeds of harvests to various charities. During his life on Norfolk Island Cec, was reclusive. However, he was generous to his friends, to organisations and to members of the community generally, much more than is known, giving without seeking recognition for his good deeds. Cec passed away at the Norfolk Island Hospital - following a long standing illness - on Thursday 11th December 2003. He is survived by his twin brother Tom and family living in Sweden. Mr Speaker, Cec was known for his great height, but also for his quiet, unassuming manner. He was well respected in this Island - to his family, his many friends and his neighbours who will miss him greatly, this House extends its sympathy.

SPEAKER Thank you Ms Nicholas. Honourable members as a mark of respect to the memory of the deceased, I ask that all members stand in silence please. Thank you Honourable members.

PETITIONS

Honourable Members are there any petitions this morning?. There are no petitions.

GIVING OF NOTICES

Are there any Notices?

QUESTIONS WITHOUT NOTICE

We move to questions without notice - Are there any questions without notice

MR SMITH Thank you Mr Speaker. A question firstly to the Chief Minister, responsible for Intergovernment Relations in relation to the JSC Report which we've now received. I've been asked by a Member of the community whether due to the delay in the community getting the copies of the report whether the Chief Minister would ask the Committee to delay their visit by a week or so to give the community time to absorb the report

MR GARDNER Thank you Mr Speaker I've no problem in making those representations to the Joint Standing Committee. I know that there are a number of people in the community who are keen to have or hold discussions with the Chairman and the Members of that Joint Standing Committee and if it's appropriate that the report be provided to the wider community in its entirety for them to be able to consider it I certainly would have no difficulty. I would however, draw Members and the listening public's attention to the fact that there will be included in my statement later on this morning that the content of the report is available both on the Commonwealth Parliamentary website, I don't have that particular website address at the moment, however I'm sure that could be accessed through the office of the clerk if any person is interested and I understand that the report in its entirety is available on the Norfolk Island Government website

MRS JACK Mr Speaker I direct this question to the Minister for Finance. Minister I refer to the recent Joint Standing Committee report and the fact

that in it the committee made a significant number of references to the Focus 2002 Report and I ask, Minister do you hold the Focus 2002 to be so relevant

MR DONALDSON Thank you Mr Speaker. Without going into specifics because the question deal with specifics, yes, I hold the Focus 2002 report to be relevant to the extent that it identified expenditure on Norfolk Island, possible savings, but the end result was that there wasn't a massive amount of savings that could be made without major changes to the way we do things on Norfolk Island but sure, it will take further discussion on the matter between the Focus Report findings and the Joint Standing Committee findings and any other reports that are also in the pipeline or have been done in the past

MRS JACK Mr Speaker as a supplement, you mentioned that the report looked at savings within the service and also looked at possible new revenue sources. I ask have any of the recommendations regarding possible savings within the service and Assembly areas, been implemented, and at what stage are we in looking into new revenue sources

MR DONALDSON Thank you Mr Speaker. Some of the recommendations that the Focus 2002 have made in savings have come into being as part of the change in structure in the Administration and the change in approach to which they do things. I can't be more specific than that I'm afraid. The question's come out of the left field a little bit. As to additional or new revenue sources the Focus Report didn't touch very heavily on those but that matter is being addressed with a revenue base investigation that I think commenced about last June but really got its impetus in October when two officers from the Federal Treasury came across and investigated the economy of Norfolk Island is probably the best way of putting it. They're preparing a report which was meant to take six or eight weeks to prepare. They have had correspondence with the staff of the Administration including the CEO, they have sought further details and they have sent some interesting papers across but the report has not yet materialised. I was informed this morning that the report on the revenue base investigation will be received some time early January and it will contain a discussion of all possibilities and a recommendation as to which possibility we should travel with as having the ability to achieve the best possible outcome for the least possible effort. It won't go into how we implement it, that's stage two of the report. For instance if it comes back and says we need land tax or if it comes back and says we need retail sales tax or GST or a value added tax, then the next stage is implementing that. But it is looking at the logistics of implementing each revenue source that's being investigated and it is looking at the possible financial outcome of each one, thank you

MRS JACK Mr Speaker a further supplementary. Minister you mentioned the time factor of six weeks until their report. Would that report be coming out early in the new year in time for a January sitting if we have one or for fairly robust discussions with Members if we were to delay it until the February sitting

MR DONALDSON Thank you Mr Speaker as I said the officers were over here between the 22 and the 25 October. They gave a timeframe of six to eight weeks, at that stage, which means the report should be materialising about now. I've heard this morning that the report won't be coming until the first week in January. I think it would be premature to say well lets' schedule a meeting of the MLA's for sometime in January to discuss the report. I think it's a matter of playing it as it occurs

MR BROWN I direct this question to the Minister for Finance, Minister have you considered arranging for an independent and fearless report to be prepared in relation to potential savings within the Administration

MR DONALDSON Thank you Mr Speaker in one word no, I haven't considered an independent and fearless report. I need more definition as to what an independent and fearless report actually was

MR BROWN Could I refer the Minister to the Oxford Dictionary Mr Speaker

MR DONALDSON Yes, you can refer me to the Oxford Dictionary

MR BROWN I direct this question to the Minister for Finance. Is the Minister aware of telephone tapping in Norfolk Island. If so. Is the Minister aware of any telephone tapping other than by way of lawfully authorised interceptions pursuant to an order of the Supreme Court Judge

MR DONALDSON No. My only awareness of telephone tapping on the island is some allegations that were made in submissions to the Joint Standing Committee. Mr Brown has actually provided me a Question on Notice on that issue which I've prepared an answer for. I'll be answering that in Questions on Notice, but I'm not aware of any legal or illegal telephone tapping actually taking place on Norfolk Island

MS NICHOLAS Thank you Mr Speaker. The Minister for Land and the Environment apropos jet skis. I'm sorry Minister but due to the proliferation of jet skis and their attendant towing vehicles using the beach at Emily Bay, has the Minister located the Memorandum of Understanding of 1992 mentioned in the police column of the Norfolk Islander dated 6th December last, and does he believe that the agreement could be renegotiated so as to bring it up to date in order to deal with present perception of pollution and nuisance

MR I BUFFETT Thank you Mr Speaker in short I haven't located that. I have enquiries outstanding with the Records Department of the Administration of Norfolk Island who've been unable to produce that to me but what has come to me is this Mr Speaker, that in 1992 the then Executive Member with responsibility for the Environment advised the then Assembly that some rules of conduct had been arrived at, at a public meeting held between jet ski owners, wind surfers, glass bottom boat operators and Members of the community and that was an informal public meeting. I've spoken to a couple of people who attended and they said it was one of the more interesting ones that they went to and what arose from that was that jet skis were not to be used in Emily Bay or Slaughter Bay except for travel to or from the beach to the open sea, jet ski drivers will kneel within the confines of the bay area and motorised craft including jet skis shall not exceed three knots within the bay. Since that time I agree that the jet skis have increased significantly. I cannot find the written document that puts that into a Memorandum of Understanding unfortunately. That was a meeting as I said, that was held between the then executive member and those people. If it's a wish, I will need to find the legal means by which we can put a Memorandum of Understanding that effects the waters of that particular bay but I caution, I express a word of caution, that because of the extent to which we can legally extend jurisdiction off Norfolk Island into the waters surrounding Norfolk Island and entering into arrangements for the use of the waters within that area. It's not a matter that I've brushed under the carpet; it's simply that nobody has been able at this stage to produce to me the alleged Memorandum of Understanding that witnessed those things. I am looking and will continue to look and

hopefully the next time we meet I may have something on paper to produce or give to Ms Nicholas

MS NICHOLAS Thank you Mr Speaker. A further question if I may to the Minister for Land and the Environment and again I refer to a recent item in the Police column which indicated significant fines for persons walking their dogs in the vicinity of the beach. Will the Minister please examine the Dogs Registration Act 1936, the Dogs Registration Regulations 1994, the Public Reserves Act 1997 and the Plans of Management for the Norfolk Island Public Reserves as passed by this House in May of this year 2003 and advise whether they compliment each other or are in conflict with each other

MR I BUFFETT Thank you Mr Speaker I'll undertake that examination

MR BROWN I direct this question to the Minister for Finance, can the Minister advise the amount of payments received from staff of the Administration for their private use of Administration internet facilities during the last twelve months

MR DONALDSON Thank you Mr Speaker. I undertake to make enquiries on that. I've got no information on it whatsoever at this stage

MS NICHOLAS Thank you Mr Speaker. I actually would like to put a question to you when you return to the floor. I've taken the precaution of writing it out for you. It's fairly long. May I draw your attention as Minister for Community Services and Tourism with responsibility for roads to the Police News Column of the Norfolk Islander dated 29th November 2003 and reference to the "soon to commence construction of a pathway which is to be created alongside Queen Elizabeth Avenue. Is it intended that the pathway be used by pedestrians or by cyclists, and if the latter, what is to prevent the pathway from becoming a speed track. If it is to have barriers constructed so as to prevent its use as a speed track, what is to prevent pedestrians injuring themselves on those barriers and how will the path be negotiated by those in wheelchairs. If the pathway is to be lit, who is to pay for the lighting both installation costs and ongoing costs, and does this then become a high priority listing in terms of funding. If you would be kind enough as Minister to address that on your return to the floor

MR D BUFFETT I'll do that immediately I do so thank you

MR BROWN I have questions of yourself Mr Speaker

MR SMITH Thank you Mr Speaker I have one of the Chief Minister. Some months ago you kindly invited me to a meeting of the Norfolk Island Government to discuss the funding and construction of a new youth facility to basically replace the one that we used to have there which was the Prince Philip Youth Centre. I'm fully aware that discussions have been going on for the past couple of years and it has been progressing well, but could you give the community an update of just where that project is up to considering that the Government has given its full support to the project

MR GARDNER Thank you Madam Deputy Speaker in response to Mr Smith's question it would probably be more appropriate if I were to pass the question to the Minister responsible for community services as it is in his area of portfolio responsibility for the development of that project and he's been working closely with

officers of the Administration and developing and further that project. If the Minister is comfortable with taking that. Otherwise I can give you to the best of my knowledge where it is but certainly I wouldn't want to leave anything out of the loop

MR SMITH
that question

Thank you Madam Deputy Speaker I redirect

MR D BUFFETT

Thank you Madam Deputy Speaker I wonder if I could just tackle the question that you raised and then maybe Mr Smith will reiterate what he has mentioned and I'll endeavour to respond to that. The first question relates to the pathway on Queen Elizabeth Avenue and I should just give you this information. There has been some concern for quite some period of time now about some difficulties of travel along Queen Elizabeth Avenue mainly by people riding bicycles and people who might walk in that particular area. The police have also expressed some concern. The police in some of their charitable activities have offered funding to try and erect a cycleway in that area. There wasn't early consultation with the Government about this, but that should not in any way detract from the activity on its own account. When this came to my notice as the appropriate Minister I asked a group of people if they would come together to brief me about the proposal and that has happened. That happened about a week and a half ago now and so there were representatives from the Police area, from the Works area, from the Senior Management in the Administration and some other areas. It became clear at that time that whilst there had been talk about various activities, and I'll explain what they are, there had been no drawn plans or finalisation as to how it all should be at the end of the day but there had been talk about a walkway, there had been talk about a cycle path, there had been talk about whether or not there should be provision of lighting, there had been talk about whether there should be arrangements that would allow wheelchairs to use the area, there had also been discussion about whether there was a need for the like of barriers so that it did not become another speedway. Now at the time of discussion there were not solutions to all of those things necessarily, but there were identified as items to be provided for in terms of solutions. So the matter at this stage is that, that group will come back to me with more definitive plans and some more definitive answers and recommendations and how to address those various factors. One of the things that I have asked the group to take into account is that Members have expressed to me their difficulty in trying to combine both a cycle path and a walkway and maybe the addition of wheelchairs might add another dimension to that as well. Now as I said, there isn't an answer to that at this moment, except that there is examination of that. I think that's where it all stands if that is useful in the process. The matter of funding, I mentioned at the outset that there was some charitable work and the funds from the charitable work to be apportioned to this activity but there will still, it appears to me, if this is a project that proceeds, it still will probably require some element of Administration funding. It has been clear that if there is a need for lighting, whether it be low lighting or lighting of another sort, that that is not part of the charitable raising of funds for the lighting component. Members will probably also have observed that there is some work going on in Queen Elizabeth Avenue at this moment. The work there is related more to telecom, electricity and the sewerage system or if not all three, at least a couple of them and the idea is that once that work is complete, that they might leave that particular site in a state that it might be suitable for erecting a pathway if that is in fact how the project runs. I wonder if I could just now ask Mr Smith if he would be kind enough to raise the question that he earlier raised

MR SMITH

Thank you. Could I ask a supplementary on that last answer. In relation to the Queen Elizabeth Avenue that the Minister talked about, if there is difficulty in formulating a plan for that particular project could some consideration be given to actually widening the road at the most dangerous area of

Queen Elizabeth Avenue which is on Charlie Fish Hill, if it got to the point where it became too hard to do the project, could some consideration be given to widening the road

MR D BUFFETT Thank you Madam Deputy Speaker that could be another option in terms of this and I would be happy to ask the group to consider that factor as well

MR SMITH Thank you Madam Deputy Speaker I'll try and put it in the same context. Some months ago I was invited to attend a Government meeting where approval was given to the funding and construction of a replacement youth facility to basically replace the Prince Philip Youth Centre that was taken away some years ago. As much discussion has occurred over the past couple of years about it, and it has been progressing well, it must be getting to the point where it is imminent and I would if the Minister could give the community an update as well as me, on just where that project is

MR D BUFFETT Thank you Madam Deputy Speaker where we stand at this moment is that there is basic in principle approval to such a facility. It's the details that is yet being pursued and principally that means the size of the building and some of the surrounds in terms of the building arrangement. Since the first proposal for that facility came forward there have been a number of other happenings that relate in part to some youth activities and before that is finalised it may be wise for us to dovetail in some of the other happenings, for example there is a youth and other area counsellor that we have engaged for a period of twelve weeks, and that twelve weeks is currently running and there may well be some outcomes from that report that might be useful to the youth facility concept so in terms of seeing whether that would happen, we would like to do that. The other of course is that there are funding aspects in terms of selling another property and prospectively putting those funds towards this particular project and there are some not necessarily huge intricacies, but there are some intricacies that are being tackled in the budget review process to address that. That's where it is

MR SMITH Thank you Madam Deputy Speaker a supplementary in relation to the counselling. The fact that the Minister mentioned the counsellor is doing a report. Will this project depend on this report, whatever it may be, going ahead or does that mean that plans that have been proposed to date may be changed on the basis of other advise, and secondly does the Minister expect that the building size will be reduced and for what reason

MR D BUFFETT The outcome of the project does not depend upon the counsellor activity. We've said that we will undertake this project. Again it is the detail. And depending upon how recommendations are viewed from the counsellor, it may mean some prospective adjustment in the youth facility area. One doesn't know how that will come out but in fact it's like, if you have some forewarning that an area might accommodate other things as a compatible arrangement then it might be of benefit in the long term if those two things have an opportunity to dovetailed in lieu of one going on a tangent on its own and that's what is trying to be done here. Not trying to delay the project however

MR SMITH I wasn't suggesting that the Minister was trying to delay the project at all. With the counsellor's input as the Minister is suggesting, if it's necessary for this facility to have a clinic that will be available for the young people in this youth centre, does this also mean that every other facility that deals with our young people will have to have those same facilities provided

MR D BUFFETT Thank you Madam Deputy Speaker I'm not in a position to respond to that at this moment. I've endeavoured to say that these are some prospects that are around and I'm trying to give opportunity for those prospects to be properly examined. To ask me to try and pre-empt them at this moment, I'm not able to do

MRS JACK Thank you Madam Deputy Speaker just for the Minister for Community Services and Tourism. I ask the Minister, a Drug and Alcohol Counsellor has been on Norfolk Island for some few weeks now and I ask what are her findings thus far regarding drug and alcohol use and abuse on the island

MR D BUFFETT Thank you Madam Deputy Speaker the counsellor that we have has been engaged initially for a period of twelve weeks. We provided money in the budget in this financial year that we might have such a counsellor not all of the time through the year, but on a cyclic basis throughout the year and this is the first twelve week period. That person has addressed Members not in this forum, in an open session, but nevertheless has spoken to Members to give an overview at the commencement. I have scheduled that the counsellor will come and give a further brief to Members when we come together again and that will be within the next fortnight. I would prefer that the counsellor give first hand information to Members then me try and relay them at this time. But certainly what has been identified is that there is a great need for public education on the difficulties with drug and alcohol and to try and give some thought as to what support services might be useful in the community over and above those things that may exist at this moment. There are some recommendations that have been formulated and in the timeframe that I have mentioned for the drug and alcohol counsellor to come and speak to Members they will be available for consideration

MRS JACK Thank you Madam Deputy Speaker as a supplementary please. Minister is there seen to be a need to extend the period that the counsellor is over here and if there is, will it come under the budget review process

MR D BUFFETT Thank you Madam Deputy Speaker Mrs Jack is really asking me to give some sort of more definitive response about something that I really need to have some consultative process about before that happens however I can try and be helpful and say this. That certainly there are indicators that we would be better advised to have somebody not just on a cyclic basis but available more full time over a continuous period of time. I'm attracted to that idea but it will depend upon me going through some further consultative processes before such a decision can be made. It would also depend upon Members of the Legislative Assembly in the budget review process, being comfortable to allocate further funds so that there is funding for those periods of the year that are not anticipated in the funding process at present

MR SMITH Thank you Madam Deputy Speaker just one for the Chief Minister. Is there to be any discussion on the Joint Standing Committee's report today

MR GARDNER Thank you Madam Deputy Speaker as I earlier indicated I have a comprehensive statement to make in relation to the Joint Standing Committee's report

MR BROWN I direct this question to the Minister for Community Services and Tourism, Minister can you advise whether there is a protocol in

existence within the Administration in relation to the private use of the Administration's internet facilities during working hours. If so, can you provide a copy of that to Members. If not, can you advise what is proposed to be done to compensate the Administration for lost employee time for privately using the internet and what is proposed to be done to compensate the Administration for the cost of that private internet usage

MR D BUFFETT Thank you Madam Deputy Speaker I'm not aware that there is a protocol in place, but there may be. What I am able to do is enquire and advise the Members about it

MRS JACK Thank you Madam Deputy Speaker I ask this of the Minister for Community Services and Tourism about the Gatekeeper Report and when will that finalised and brought before this House

MR D BUFFETT Thank you Madam Deputy Speaker . The Gatekeeper Report is a report about tourist accommodation industry in Norfolk Island. As all Members will know, in terms of tourist accommodation, accommodation is licensed and there is a quota and accommodation places cannot be registered if in fact the quota is to be exceeded. The Gatekeeper group is to meet periodically and it has been given a brief to meet now and this is what this is about, to review the quota and to give recommendations as to whether the quota should be adjusted. The cyclic arrangement for that is two years unless the executive member says that it should be more frequent than that and the cycle that is going now is on the two year cycle. The report was asked to be delivered before today but there have been good reasons why that has not been possible and the group has asked me for an extension of time. I have granted an extension of time and the extension is to expire at the end of this month and so by the end of this month I can expect that they will deliver a report to me. When that is done I then go through processes of a consultative arrangement by providing that report to the Legislative Assembly for its consideration and then it gives me instructions in terms of whatever it thinks about that report when it comes but that's where it's at and that's the time frame

MR SMITH Thank you Madam Deputy Speaker a question to the Minister for Community Services and Tourism who has responsibility for various things but firstly with the road project motion that I moved in the House some months ago. That motion resulted in the Minister saying that he was going to bring back a comprehensive report, hopefully by the December sitting. I would like to know what progress has taken place to this point, and whether that report will be available in some form today

MR D BUFFETT Thank you Madam Deputy Speaker that motion was introduced a couple of sittings ago. It was only however finalised at the last sitting. It did ask whether I could come forward with something today. Will there be a report today. Regrettably there won't be a report today. The timeframe has been quite restrictive in terms of being able to achieve that and I apologise to the House for not being able to deliver it today however, there has been considerable work reported upon to me by the Chief Executive Officer not in written form but he has given me a brief about how it is progressing and I would hope that at the next sitting I would have something definitive to report to Members but work is progressing on it but no regrettably I won't have a report in a formal sense to deliver to the Legislative Assembly today

MR SMITH Thank you Madam Deputy Speaker with those indications that you've already had, is there an indication of just where this report might

run, in the ways of funding perhaps for the roading or whether contractors will be used or is there any indication at all in what has been reported to you so far

MR D BUFFETT Thank you Madam Deputy Speaker that really is the substance of the report and I've indicated that really no, it hasn't reached the stage of being useful to me in terms of a final decision or a final recommendation. I can't be pre-emptive about that

MR SMITH Thank you Madam Deputy Speaker similarly there was a discussion held on buses some months ago in the House and as a result of that there was a review to be done on the size of buses I think at that time. I would just ask the Minister if he could give us a report on where that review is

MR D BUFFETT Thank you Madam Deputy Speaker I have a statement on that for Statement time

MR SMITH Thank you Madam Deputy Speaker a similar question to the Minister for Tourism. The new school building addition, is there any progress on that particular project that will complete the project that has been ongoing for the past couple of years

MR D BUFFETT Thank you Madam Deputy Speaker that building project, I'm just trying to put the detail together in my mind, has been gazetted in terms of calling for quotations, tenders for the building, I am unsure whether those tenders have closed and have been considered. I have to make some enquiries to see where that stands but that's about the stage it's at. In other words, bids have been called for the building itself

MR SMITH Thank you Madam Deputy Speaker a question in relation to an Memorandum of Understanding addressed to the Minister for Community Services and Tourism, and MOU was signed as I understand, last year, as a result of an agreement between the Teachers Federation, the Department of Education and the local Government in relation to teachers who are seconded to Norfolk Island, that their time here would be restricted to a maximum of three years. Is it true, without casting any reflection on any of the teachers, that there is a way of bypassing that MOU by one applying for one's position again even after one has been here for the maximum time of three years. Is it true, without casting any reflection on any of the teachers, that there is a way of bypassing that MOU by one applying for one's position again even after one has been here for the maximum time of three years

MR D. BUFFETT Madame Deputy Speaker an MOU does exist of course with the Department of Education in NSW. We have a long standing arrangement with the Department of Education in NSW for something like 70 or 80 years, although the MOU is not necessarily of that vintage. Last year an MOU was signed between the Norfolk Island Government and the Department which set out the arrangements for Teachers coming to Norfolk Island for periods of time. That particular document encompassed a number of things that happened and has happened for a long period of time, it also tightened some areas that on previous occasions were more flexible. The situation this year in the recruitment process has meant that some Teachers who were here on a normal term, have under the normal recruitment process reapplied for the job that they have had for the past 2 or 3 years and in a couple of cases with success. So that has meant that they will have a further period of time under the new engagement arrangement. Now whether that means that it bypasses the MOU, I probably wouldn't want to use that terminology but there is a question mark as to

recently made by members of the Commonwealth Parliamentary Joint Standing Committee under National Capital and External Territories to the effect that telephones are tapped in Norfolk Island. That's the question. The question arises from a section of the Joint Standing Committee Report where they said and I quote what they said in the Report. "Based on evidence presented to it the Committee now has grave concerns that a culture of fear and intimidation has taken root on the island to the detriment of the majority of the community. It is alleged for example, that "and I'll stop the quote there. There were four examples given but the one we're talking about now is really only the phone tapping so I'll quote that one. "Interference with mail, e-mail and monitoring of telephones and other more subtle forms of intimidation have allegedly been used against people perceived as questioning the conduct of public affairs or who simply disturb the status quo of island life". Madame Deputy Speaker this statement contains serious allegations, the serious allegations as has been pointed out the serious allegations contravene the law as it exists today. As a result of such allegations I have written to the Joint Standing Committee Inquiry Secretary and copied the letter to the Federal Minister for Territories and Local Government and asked to be provided with further information as to the source and nature of the allegations. I have also asked the Administration's Chief Executive Officer to make inquiries within the Administration as to the veracity of such allegations. Madame Deputy Speaker it may be helpful if I table a copy of the letter I've sent to the Joint Standing Committee and I so table that letter.

MR BROWN I ask a supplementary question Madame Deputy Speaker of the Minister for Finance. Is the Minister yet aware of any information which would support the allegations made by the Commonwealth's Joint Standing Committee.

MR DONALDSON Thank you Madame Deputy Speaker. No I've got no instances what so ever have been provided either by the Joint Standing Committee Secretary or any other source that confirm telephone tapping, internet interference etc on Norfolk Island.

MR BROWN Can I ask a further question. Has the Minister checked through the various open submissions which were made to the Joint Standing Committee to see if any of those submissions contain such allegations and if not, does the Minister have any knowledge of the number of secret or confidential submissions which were made to the Committee in which event it could well be assumed that the allegations were made in secret in denial of natural justice and without the so called accused person having the slightest opportunity to respond.

MR DONALDSON Thank you Madame Deputy Speaker. I have printed out all the submissions that were available and to answer that part of the question there were 48 submissions made to the Joint Standing Committee, 13 of those 48 which is slightly more than 25% were confidential, we were provided with no information as to the nature of the submission or the person who made it. We can't respond to any allegations that were made in there. Of the remaining submissions that were available of the transcripts of some of the interviews, the face to face interviews between the person and the Joint Standing Committee and the Report itself have all been scanned by myself, not read in detail but I haven't been able to identify anything to substantiate the claim of such allegation being made.

MR D. BUFFETT Thank you Madame Deputy Speaker. There was a question that was directed to me on Questions Without Notice, it's question number 48, there is 2 parts to it. It says will the Executive Member please advise the number of houses which have been burnt down in Norfolk Island in each of the last 10

years, and the second part is will the Executive Member please also advise the Coroners findings in relation to each of these fires. Madame Deputy Speaker my inquiries have shown that over the past 10 years there have been 8 house fires that have completely destroyed houses. Of those only one, only one was the subject of a Coronial Inquiry. The outcome of that particular one was that the Coroner dispensed with the inquest on the grounds of a report submitted by a member of the Police force. I additionally however, I think that really is a summary answer of what was asked but I'm going to provide some other information so that it might just elaborate and hopefully be more helpful. It should be noted however that over the past 10 years, that's the period I mentioned a moment ago that there have been 12 other fires, some partial destruction of houses and other premises that have been the subject of a Coronial Inquiry. In addition the Emergency Services Co-ordinator has advised that there have been another 6 fires that have not been the subject of a Coronial Inquiry nor have they involved complete destruction of premises, so there are a number of grades of these things is really what I'm trying to describe. By further way of explanation Madame Deputy Speaker Section 13 of the Coroners Act provides that the Coroner shall hold an inquiry into the case an origin of a fire if the Coroner is of the opinion that an inquiry into the case and origin of the fire should be held or if the Administrator requests the Coroner. So there an option on the part of the Coroner as to how he might act depending upon the circumstances and that no doubt is why some have been the subject of a Coronial Inquiry and others may not have been the subject of a Coronial Inquiry.

MR BROWN This is a supplementary question to the Minister for Community Services and Tourism. Can the Minister advise the House whether the Coroner considers each and every fire on the island in terms of whether or not an inquest should be held.

MR D. BUFFETT I think I should get some further advice about that as to what extent something might be on fire because I mentioned partial fires in some of these and some of them are completely destroyed. I am unsure as to how the mechanism of the Coroner examines partial fires for example, but I can make some further inquiries to try and be further useful about that.

PRESENTATION OF PAPERS

MR DONALDSON Thank you Madame Deputy Speaker. I table the Financial Indicators for the 5 months ended 30th November 2003. Madame Deputy Speaker in summary the Financial Indicators report a favourable result in that we are \$800,000 ahead of our budgeted position within income running at 101% of budget and expenditure being contained at 87% of budget. As the original budget provided a \$278,000 deficit the net result is we're in an actual surplus of \$688,000. It is also pleasing to note that income is up 14% on this time last year or \$667,000 and it's coincidental that the visitor numbers of tourists to the island is also up about 14% for the same period.

MRS JACK I wish the Paper to be noted. Can I ask the Minister when he gave the first monthly indicators they were a grouping from the first 3 months of the year and that showed the Customs Duty was 17% down, was it 17% then of the first indicator, well anyway we're still 18% down of what was expected for Customs Duty and I'm just wondering how he sees after the first 5 months of this year when he expects the Customs Duty to start actually meeting its budget.

MR DONALDSON Yes, thank you Madame Deputy Speaker. That fact hadn't escaped me, I will at the half yearly budget review, it starts tomorrow be investigating why the Customs Duty is down but coincidentally once again, it's down about \$350,000 which equates to the amount of duty they get from 1 ship, although the ships vary obviously from ship to ship, on an average they get around 300, to \$350,000 duty. So that's a possible explanation as to why Customs Duty is down but that matter will be more deeply investigated in the next couple of days.

MRS JACK Thank you, another question. The earnings from the Government Business Enterprises I see are slightly up, is that mainly the Liquor Bond.

MR DONALDSON The earnings from the Government Business Enterprises are rather structured in that the earnings part are part of a management fee and part of a dividend that's paid throughout the year. They are taken on a 1/12 each month from the Government Business Enterprises and put in the Revenue Fund, that's why most of them come out at about 41 or 42%. I assume and I haven't got any information to back it up but the Liquor Bond is at 46% of the total budgeted amount because the Liquor Bond is performing better than it is but once again that's something that I'll have to look into in the next couple of days and maybe I can discuss it with Mrs Jack and if there is a favourable performance by the Liquor Bond I'll certainly be pleased to report it back to the House.

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

QUESTION PUT
QUESTION AGREED

MR I. BUFFETT Thank you Madame Deputy Speaker. I table the Norfolk Island Heritage Register that I made on the 9th of December 2003 and move that the Register be noted.

MADAME DEPUTY SPEAKER Thank you.

MR I. BUFFETT Madame Deputy Speaker the establishment of a sound Norfolk Island Heritage regime is a requirement of the Commonwealth and the Norfolk Island Government under the Joint Land Initiative Package that we've been working on now for some 2 or more years. The Norfolk Island Heritage Act and Regulation provides for the establishment of the Norfolk Island heritage Register. It has been agreed between the Commonwealth and the Norfolk Island Government that to commence the first Norfolk Register, the Register will commence with those places that were already listed on the Register of the National Estate in respect of Norfolk Island. Madame Deputy Speaker in accordance with the Act written submissions were invited regarding the draft Register in August and September of this year and a total of some 15 written submissions along with oral submissions were received on the proposed establishment of the Register. At the completion of the public submission period the Chief Executive Officer referred the Heritage proposal, supporting documents, submissions received and a report to the Norfolk Island Planning and Environment Board for consideration, pursuant to the provisions provided for in the Heritage Act of 2003 and the Regulations thereto. Madame Deputy Speaker the Board held 7 meetings, made site inspections, consulted with some of the persons who's land were being affected and then went through the process of assessing the sites against the criteria contained in the Act for entry on the Norfolk Island Register. Madame Deputy

Speaker as a result of that process the Board has recommended that some 14 places be placed on the Register and they are contained within the draft Register that I have tabled. It is important that I emphasise that none of the areas recommended in this first draft Norfolk Island Register are new sites in terms of being listed, they are new sites in terms of the Norfolk Island Heritage regime but they are the sites that were already listed on the Register of the National Estate. Madame Deputy Speaker the draft Register is a disallowable instrument and therefore it will lie on the table of this House for a period of some 65 days. A copy of the Register may be inspected at the Registry Office, the Post Office and the Library providing that it's agreed to as a part of this process that I go through in tabling it. I will not be reproducing multiple copies of the Register for general circulation. Madame Deputy Speaker I must thank the Planning and Environment Board for the considerable amount of work that has gone into the production of this Register and the effort put in in the preparation and consideration to bring it to the stage where we can table the document. Madame Deputy Speaker the tabling of this Register and hopefully it's adoption after the specified period that it will lie on the table of this House will effectively complete the Joint Land Initiative that is perhaps one of the last major hurdles in completion of the Joint Land Initiative. Hopefully, early after that period that I will be in a position to communicate with the Commonwealth that we have completed that task and then the Commonwealth be in a position to honour the offers that have been made to landholders on Norfolk Island for the transfer of those lands where specific offers have been made. Madame Deputy Speaker that's all I have to say at this point and the Register is tabled.

MADAME DEPUTY SPEAKER

The question is that the Paper be noted.

QUESTION PUT

QUESTION AGREED

MR DONALDSON

Thank you Madame Deputy Speaker. Section 2 (b) 2 of the Customs Act 1913 makes provision for the Executive Member to exempt goods from duty where duty payable is less than \$200. Section 2 (b) 5 of the Act requires where the Executive Member has exercised this power he shall lay a copy of the exemption on the table of the Legislative Assembly. I table those exemptions. Just in talking to the exemptions there is 5 of them and they are only brief, I'll read them out. The sum of \$155-90 was waived on the importation of crane wire and shackles by the Norfolk Island Fishing Club, a sum of \$54-57 was waived on the importation of life jackets by the Norfolk Island Rescue Squad. The sum of \$50-27 was waived on the importation of mobile trunk telephone batteries for the Norfolk Island Rescue Squad. The sum of \$88-70 was waived for the Lions Club Christmas cakes that were brought to the island and a sum of \$70 was waived for Girl Guide cloth badges on badges brought to the island by the Norfolk Island Girl Guides. That's about \$420 all up that's been waived and I table that document.

MRS JACK

May I move that the Paper be noted. I just have a problem with the Fishing Club being allowed to have a duty waived when a lot of them are commercial fishermen and yes they may help with the upkeep of the crane but I just disagree with that one, I'm sorry even though my husband is a member of the Fishing Club, I strongly disagree with that.

MR DONALDSON

Just a quick comment if I may Madame Deputy Speaker. These duty waivers are actually done by the Administration and in accordance with established policy. I'm assured that established policy has been complied with on the Fishing Club instance. I understand the Fishing Club is actually connected to a wall? from once the wire goes on the Fishing Club it loses it's control by the fishing club

or it's ownership, it is a community service but if other Members have strong views on this I'd be glad to investigate it further.

MADAME DEPUTY SPEAKER

Thank you the question is that Paper be noted.

QUESTION PUT

QUESTION AGREED

STATEMENTS

MR GARDNER

Thank you Madame Deputy Speaker. I have a couple of Statement to make this morning, I'll deal with the shortest one first but by no least of equal importance. Madame Deputy Speaker Norfolk Island recently hosted the 5th round of discussions on the delimitations of maritime boundaries on Norfolk Island, those discussions and negotiations taking place between 2 teams, one from the Commonwealth of Australia and one from New Zealand. Madame Deputy Speaker as I've reported to the House and under questioning in the House on previous occasions I need to reiterate that I am a signatory to a non disclosure agreement about the content and the passage of discussion that took place during those negotiations. However to provide Members around the table and members of the community with a better insight into how the I guess the boundaries are being considered by Australia and New Zealand under the United Nations Convention of the law of the sea I am able to table a couple of public documents that will give better I guess explanation or coverage to the areas being discussed for delimitation, the principles under the United Nations Convention that are extended to these discussions and negotiations, in other words the guiding principles and international law that extend to these negotiations dealing with the exclusive economic zones around the 2 States and also in regard to claims over the extension of the continental shelf in this region. Madame Deputy Speaker I therefore table a Report from New Zealand that was put out by their GO Science people entitled The New Zealand Continental Shelf Report which is Newsletter 6th June, 2003 which gives a comprehensive insight into the continental shelf around New Zealand, their exclusive economic zone and the discussions that have, for quite some time and will continue to take place between Australia and New Zealand and a second Paper Madame Deputy Speaker entitled The Outer Limits of Australia's Resource Jurisdiction off Eastern Australia, which gives Australia's view on the extension of continental shelves, the exclusive economic zones around those places and certainly will help to provide some clarity on the issue of just what these discussions are about. Madame Deputy Speaker I can report that those negotiations will continue, they have not finalised yet, however there is an aim in 2004 to have those discussions finalised and a series of meetings to conclude those negotiations will take place both in Australia and New Zealand in the early part of next year. Madame Deputy Speaker I would like to thank especially Ms Alma Davidson from the Assembly Offices for the work she did in organising and co-ordinating the visit of both delegations to Norfolk Island and as I indicated to Members earlier on this week both leaders of both delegations had asked me to pass on my compliments to Members of the Legislative Assembly and the community of Norfolk Island for the tremendous hospitality that was extended to them during those talks and I table both of those documents Madame Deputy Speaker.

MR GARDNER

Madame Deputy Speaker I have a fairly lengthy Statement in relation to the publication of the Joins Standing Committee on the National Capital and External Territories Report into governance on Norfolk Island. Madame Deputy Speaker Members of the Assembly and the community of Norfolk Island will be aware of the Report of Norfolk Island governance which was tabled in the Australian Parliament on Wednesday the 3rd of December by the Joint Standing Committee on the

National Capital and External Territories. The Norfolk Island Government welcomes this Report and has begun to analyze it's implications. We note that it is a Report of a Committee of Backbench Members and has not as yet been considered by the Australian Government. Madame Deputy Speaker there has been discussion in the community that I've been made aware of there is an indication that seems to be coming to the fore that the publication of this Report is in some way contributing to a significant breakdown in the relationship between our respective Government's, that's the Government of Norfolk Island and the Federal Government and has taken that relationship to an all time low. I need to stress that this is not so, I need to stress that this is a Report of a Committee of the Australian Parliament, not a Report and has not been endorsed in any form or fashion by the Australian Government. Madame Deputy Speaker as with all previous Joint Standing Committee Reports and other Reports that have been commissioned, both jointly and independently by either the Norfolk Island Government or the Commonwealth Government those Government's will need to obviously give consideration to the content and recommendations that are contained in those Reports and I am pleased to report Madame Deputy Speaker in my discussions with Senator Campbell that the Australian Government have undertaken to discuss in detail the content of those Reports and recommendations with the community of Norfolk Island separate from the Joint Standing Committee's consultation with the Committee, directly with the Norfolk Island Government and the community on the content of that Report and the recommendations contained therein, that is before they respond and before moving to implement any of those recommendations if they move to implement any of those recommendations at all Madame Deputy Speaker. Madame Deputy Speaker as I've already alluded to I have held discussions about the Report by telephone with the Federal Minister for Territories Local Government and Roads the Senator the Honourable Ian Campbell and as the community would be aware Madame Deputy Speaker by the publication of the Honourable Ivens Buffett's Statement in the Norfolk Island of the weekend following the publication of this Report, he too has had discussions with Senator Campbell on the content of the Report and Madame Deputy Speaker the Norfolk Island Government will be providing to him a full response on behalf of the Norfolk Island Government. Madame Deputy Speaker we are a progressive Government, committed to principles of democracy, transparency and accountability and will work with the Norfolk Island community and the Australian Government to continue our reforms in these areas. That said we strongly reaffirm our commitment to self government for Norfolk Island and will continue to put our case for it's continuation to the Australian Government and Parliament as persuasively and as often as we are able to do so. Madame Deputy Speaker the Norfolk Island Government is preparing a comprehensive response to the Report which it will forward to the Federal Minister and make public to the community hopefully before Christmas. Today I wish to place on record some preliminary responses from the Norfolk Island Government both to the Report itself and to the public Statements of members of the Joint Standing Committee. In doing so I will first briefly reflect on the procedures used by the Committee to undertake its review and to arrive at the 32 Recommendations which it has made. Madame Deputy Speaker much of the evidence on which the Committee based its findings was given in camera, in other words confidentiality and secret hearings. While it might be argued that this process provided some protection for those giving information to the Committee it also posed a range of problems for the Norfolk Island Government in seeking to respond to the issues apparently raised since we could not know the details of the material which was before the Committee. I believe that the taking of such secret evidence also raises issues about the quality of the allegations made, the credibility of the witnesses on their material and whether there has been any factual corroboration of the information. Madame Deputy Speaker I do need to qualify that statement however. I do appreciate that some persons do find it difficult to appear in public and make public submissions and therefore choose to give their submissions in camera, partly because

they may be shy, and not adept at public speaking etc and certainly Madame Deputy Speaker that statement is not intended to be a slur on those persons character. In fact I believe those persons in most of those instances are in fact very credible witnesses. I am however Madame Deputy Speaker very concerned at the implication of the Committee's procedures on law enforcement and good governance in Norfolk Island has been impossible for the Government to set in train appropriate measures to deal with what, on the face of it may be serious criminal matters or instances of corruption, because the Committee has consistently refused to provide any details of these matters. Madame Deputy Speaker the Speaker and myself both specifically asked for such details when we appeared before the Committee in person during the hearings held in Canberra in July. The Committee declined to provide any details. Shortly after Madame Deputy Speaker I wrote to the Committee Chairman again seeking detailed information to enable the Norfolk Island Government to commence appropriate action. Once again the request was denied. Madame Deputy Speaker I table my letter to the Chairman of the Joint Standing Committee Senator Lightfoot dated 11th August, 2003 and his reply of 15th August, 2003. Madame Deputy Speaker in those letters I proposed that the Committee if it were not in a position to release detail of serious allegations, taking into consideration the Parliamentary privilege provisions etc that if they are not in a position to provide detail of those allegations to the Norfolk Island Government then I encouraged them that they should, if evidence suggested that any wrong doing or criminal activity was taking place on Norfolk Island that that Committee refer those allegations to an appropriate Police Authority for investigation. Madame Deputy Speaker the Chair in his letter, the Chair of the Joint Standing Committee Senator Lightfoot in his letter, in his response to my letter of 15th August, 2003 undertook to do exactly that. To date following recent inquiry I understand that neither the Norfolk Island Police or the Australian Federal Police have had any matter or such matter referred to them. Madame Deputy Speaker since the tabling of the Report both the Minister for Finance and the Chief Executive Office of the Administration of Norfolk Island have written to the Committee Secretariat asking for details of specific allegations of improper or unlawful conduct to allow us to institute action aimed to ensure proper law enforcement and the maintenance of the highest standards of probity and public administration. We await responses to those letters with interest. Madame Deputy Speaker I strongly believe that the Committee has denied natural justice to Norfolk Island in the way in which it has handles its investigations and the Report. The Government and indeed the entire Norfolk Island community has been smeared by the implications of the Report and the comments of Committee members, but we have not been permitted to know what evidence was taken in secret or the motivations of those who gave such evidence in camera. There is now way for us to test the quality of truthfulness of that evidence or to weigh it up against the open evidence and submissions given in public. Committee have then had the temerity to imply that they speak for the silent majority, and that any negative reaction to their processes or findings would thus not be legitimate. If the Committee expects the Norfolk Island Government to be transparent and accountable it could start by applying those principles to its own actions. Madame Deputy Speaker in addition the Committee failed to give the Norfolk Island Government the chance to comment on or respond to many of the issues which its claims to have distilled from the secret evidence. This meant that it made a wide range of recommendations on matters which were not put to the Government, Legislative Assembly or the Norfolk Island community for comment. Among these are most of the areas where the Committee recommended changes to electoral procedures, the roles of Minister and Members of the Assembly, the role of Executive Counsel and the possible appointment of non elected Speaker and Deputy Speaker from outside the Assembly. Madame Deputy Speaker I welcome the initiative of the Committee in deciding to distribute their Report to all household post office boxes on Norfolk Island. It's unfortunate that, despite the public statements of Committee representatives that these printed Reports were available to

all, it's taken 2 weeks for the promised supplies to arrive. In the absence of these copies I commend the Norfolk Islander for printing large sections of the Report and the Administration of Norfolk Island for making an electronic version available on the Norfolk Island Government Information website. Madame Deputy Speaker I turn to the public comments made by Committee members. Many public statements have been made in the past 2 weeks by the Chairman of the Joint Standing Committee, Senator Ross Lightfoot and the Committee member Senator John Hogg. Unfortunately much of what has been said by these 2 spokespersons does not accord with the findings of the Report. Senators Lightfoot and Hogg have clearly failed to understand the dynamics of a small closely knit community and to give credit for the major achievements of the Norfolk Island Government and her people. There are many of these but I'll mention just a few as examples. I believe that Norfolk Island has a vibrant economy and a prosperous and public spirited business community. We are a popular tourist destination, noted for a diverse range of enjoyable holiday experiences, high class accommodation, a wide variety of local tours, friendly retail outlets and exceptionally warm hospitality. We have full employment and those who want to work can readily find jobs, a situation envied in Australia and by other Pacific neighbours. Madame Deputy Speaker this runs contrary to Senator Lightfoot's and Senator Hogg's press statements that we are failing, we are unable to support ourselves and lacking in the capacity to administer ourselves and raise adequate revenue. Madame Deputy Speaker that runs contrary to the Grants Commission Report that was produced in 1997. Madame Deputy Speaker I turn to a couple of statements or a couple of quotes from both Senator Hogg and Senator Lightfoot. Senator Hogg I think in his statement to the ABC online on the 4th of December, 2003 talks about the atmosphere of fear and intimidation that exists on the island second to none. Madame Deputy Speaker he goes on to say he's not blaming the Government for it, that's fine and I turn to the Foreword of the Report, the Inquiry into Governance on Norfolk Island and in that Foreword it goes on to say that the Committee is in no doubt that the majority of the community, the majority of the community are peaceful and law abiding, hardworking, conscientious, possessing a strong sense of civic duty and within an inherent ethic of supporting those in the community who may be less well off. Madame Deputy Speaker if we are all such angels, the Government and the majority of the community then who is it, I ask of this Committee who is it that they are pointing the finger at, yet they are tarring the whole community, the whole Government, the whole Assembly, the whole of the Administration with the same brush in their statements. Madame Deputy Speaker in a range of areas we offer better levels of services than many parts of Australia. There are numerous examples including the lack of Hospital waiting lists and high levels of literacy. Many social ills common in Australia are unknown here or are at very low levels, including homelessness, mal-nourishment, substance abuse and suicide. Overall Norfolk Island has an economy which is much more sustainable and self supporting than those of many larger island nations which unlike Norfolk Island receive high levels of foreign aid. I believe that we also perform much better than other Australian external Territories, which are fully funded by the Commonwealth which create significant burdens on Australian taxpayers but still attract many complaints about the levels of services and living conditions in those Territories. Madam Deputy Speaker, I will challenge any Member of the Joint Standing Committee who claim that the plight of persons in their own electorates or States is any better than those of people on Norfolk Island. I don't think that there is one of them who could say that and to use one case in point Madam Deputy Speaker, certainly the claims that we are at least as well off as any persons within those States, Territories and electorates within Australia are supported in the evidence that I gave before the Joint Standing Committee in Canberra in regarding the level of health services on Norfolk Island. I can refer to that evidence Madam Deputy Speaker, at the hearings in Canberra in July when the Speaker and myself attended to give evidence before the Committee, we were able to refute the nonsensical quotes and

utterances from Ross Lightfoot in relation to the delivery of health services in Norfolk Island. I turn to the evidence that was given in the appendices to the report, which is the list of exhibits that were provided. Madam Deputy Speaker, at that sitting I provided I think seven items as exhibits to refute the claims that Lightfoot had made. There is not a single reference to any of those exhibits in the body of the report. There is not one Member of the Joint Standing Committee who has come out and condemned Ross Lightfoot for making misleading comments to the press. I think it is an atrocious display by a Joint Standing Committee who I believe maybe are in fear and intimidation of the Chairman himself, to not come forward and speak up in relation to matters which have been deliberately misleading.

MR BROWN Point of Order Madam Deputy Speaker. If the Chief Minister is wishing to suggest that Senator Lightfoot is putting people in fear and is intimidating people, I wonder if that is an appropriate comment to be made in this place no matter what one may think of the situation

MR GARDNER If you are more comfortable Madam Deputy Speaker I'm quite happy to withdraw that remark

DEPUTY SPEAKER Or moderate perhaps Chief Minister

MR GARDNER Thank you Madam Deputy Speaker. On behalf of the Norfolk Island Government I don't intend to be drawn into a public slanging match through the press, on television, or where ever it may be and to enter into a public argument with the two Senators who have in my view, distorted the evidence that was placed before the Committee, indulged in a systematic campaign of sensationalism and made unsubstantiated claims about the culture and community life and Government of Norfolk Island but I must say this; we the Government and the people of Norfolk Island are insulted by the attitudes and statements of Senators Lightfoot and Hogg and the unjust slurs that they have cast on our community as a lawless rabble, unable to govern itself and living in fear and intimidation. Their reckless statements have the potential to cause much harm to our social cohesion, to damage the authority of Government and to put our tourist industry at risk. I completely reject these insulting and demeaning remarks and call on the two Senators to retract them and apologise for the hurt that they have caused our community. Madam Deputy Speaker, I reject the contention that instances of misuse and abuse of political power are commonplace. That crime is rife or that telecommunications are illegally intercepted. The two Senators have totally failed to produce any substantive evidence of this, and as I said earlier, if they have any evidence which could withstand scrutiny they should immediately honour their own promise to bring it to the attention of an appropriate law enforcement body. To the best of our knowledge no such evidence has been produced and no reference of any alleged criminal activity has been made by the committee or its public spokespersons, to the Government or the Police. If the evidence does not exist or has not been corroborated the Senators should cease their statements forthwith. If it does exist, I call on the Senators to bring it forward and to assure them that any allegation will be fully investigated by the Government or Police and appropriate action instituted. Madam Deputy Speaker, Senators Lightfoot and Hogg have made curious statements about the undemocratic nature of petitions and referenda on Norfolk Island. We have a system which allows citizens to petition for a referendum which is held if sufficient voters sign their names to a particular proposal. This process of direct democracy is not available to other citizens of Australia. Our referenda are held on the basis of full adult franchise with a secret ballot and we welcome external observers to ensure that the process is free and fair. It is beyond belief that the two Senators in some way interpret this as against the interests of good Government and democracy and at that point Madam

Deputy Speaker, if I could refer to the title of the report on the Enquiry into Government on Norfolk Island, *Quis Custodiat Ipsos Custodit*. I can provide an answer to that in this our democratic society on Norfolk Island it is the community who provides the answer to that question. I'll turn to the recommendations of the Joint Standing Committee report. The Norfolk Island Government accepts the principles underlying many of the recommendations and supports implementation of some as they stand and of others with modifications. Some recommendations are unworkable without substantial amendment. Others are based on false premise or lack convincing arguments and we oppose some recommendations entirely. In many of the broad areas covered by the committee report the Norfolk Island Government has already taken action or steps are underway. The Committee has mostly failed to acknowledge these steps or failed to check that Norfolk Island Government action was in train before reaching its conclusions. A clear example relates to electoral reform. The Legislative Assembly established a Select Committee to consider electoral changes and invited the Australian Government to participate. This invitation was declined by the former Minister for Territories, the Hon Wilson Tuckey MP who advised that any Australian participation in the Select Committee process would be inappropriate. The Legislative Assembly passed legislation to modify qualification periods for enrolment, voting and standing for election in March of this year. That legislation was considered by our own Executive Council and forwarded to the Commonwealth for assent on the 23rd March this year. The Federal Government has not yet taken any decision on that matter but I note that on the 4th December the Federal Minister Senator Campbell introduced the Norfolk Island Amendment Bill 2003 to implement substantial changes to our electoral procedures. Madam Deputy Speaker, the Minister claimed in conversation with me on 2nd December that he had no knowledge of our legislative initiative and made no mention of the legislation awaiting assent in a second reading speech to the Australian Parliament in relation to the introduction of his legislation on the 4th December last. In this matter the Committee's recommendations are therefore irrelevant since the Federal Government has already moved to make major changes to the way in which Norfolk Island's electoral law will operate and that was clearly indicated to us Madam Deputy Speaker, by the previous Federal Minister, Hon Wilson Tuckey that, that was his intent. The Norfolk Island Government has already commenced on a comprehensive package of Administrative Law and Administrative Review mechanisms. Discussions have taken place with the Commonwealth Ombudsman, the Chief Magistrate, the Administrator, and Federal Ministers amongst others. The Commonwealth Ombudsman made a submission to the Joint Standing Committee and in subsequent discussions have indicated that he will visit Norfolk Island in February 2004 to advise the Government and assist us to develop an appropriate legal and administrative framework. I'm confident that this will result in greater public access to Government information, protection of personal privacy and the availability of external review of administrative decisions and actions. The Government has already commenced steps to widen the jurisdiction of the Administrative Review Tribunal and to add further external Members. When we turn to the transparency of the Legislative Assembly and its sittings it is clear that the committee is ill-informed. As is clearly known throughout our community all formal sittings of the Legislative Assembly are open to the public. Full details of every sitting are publicised well in advance on Radio Norfolk and in the Norfolk Islander including publication of the full notice paper with the text of all motions and notices. Sittings are held usually on the third Wednesday of each month and are broadcast live to the Island and are re-broadcast the next day. No Members are ever excluded from attending sittings. In the event of a special meeting of the Legislative Assembly, full public notice is given in the same way as for regularly scheduled formal sittings. Naturally Members often meet informally away from the public gaze to discuss contemporary issues and overall strategies as do Members of the Commonwealth Parliament and no doubt parliaments all over the world. Such political activity is normal and healthy but I stress

that no such informal discussions can or do make law, or take decisions which bind the Legislative Assembly or the Government. It is clear that the Norfolk Island Legislative Assembly goes out of its way to be much more accessible, open and transparent than the Commonwealth Parliament or the parliaments of the States and other self-governing territories. In the area of immigration the Government has recently held consultations with Commonwealth officers to more closely align our assessment of applications and their procedures with those of Australia. While willing to be convinced I am of the view that the Committee's contention that land and planning laws alone can ensure population sustainability and prosperity is yet to be proven. In the meantime, the Norfolk Island Government will continue to argue strongly that we should retain the administration of immigration in order to maintain the harmony, prosperity, environment and ecology of the Island. I find it somewhat astounding that the committee has recommended that Norfolk Island should fall within the Australian Immigration zone or Migration zone as it is better known, when the Federal Government has taken so much action over recent years to excise offshore islands and external territories for immigration purposes. The Committee makes a number of recommendations about audits with insufficient reference to those already performed by the Queensland Auditor General after the Commonwealth Auditor General withdraw several years ago. Full audits of the Administration of Norfolk Island, the Hospital and the Tourist Bureau have been signed off by the auditors and presented to the Legislative Assembly. I believe that the Committee's comments are an insult to the competence and professionalism of the Queensland Auditor General and namely the comments by Senator Hogg. However the Norfolk Island Government is committed to continuous improvement in finance and performance audits and will discuss the committee's views with Minister Campbell and undertake further discussion with the Queensland Auditor General. I believe that I am duty bound and I shall in the interests of our developing relationship with the people of Queensland and the Beatty Labour Government draw Senator Hogg's criticism of the role of that State's Auditor General's place in our affairs, to the attention of that Government. The Norfolk Island Government is strongly opposed to committee recommendations which would increase the role of non-elected Australian appointees in determining political outcomes on Norfolk Island. Unlike Australian States and self-governing territories we have absolutely no role in the appointment of our Administrator yet the Committee proposes to give the Administrator greatly enhanced powers to appoint or remove elected officials including the dismissal of the Chief Minister and in effect the whole Legislative Assembly. The Committee further proposes that unelected appointees should preside over sittings of the Legislative Assembly and that appointees of the Australian Government should have powers to investigate elected Norfolk Island Ministers and Assembly Members. As well, the Committee proposes a role for the courts in reviewing the political decisions or actions of Ministers, in breach of the conventional doctrine of separation of powers. None of these provisions apply to the Federal Government and few apply to the States or other self governing Territories. The proposed changes are in my view anti-democratic and have no place in a free and robust democracy such as Norfolk Island. They will be resisted by the Government and we shall be making strong representations to Minister Campbell on these issues. Other Committee suggestions on electoral matters are ill conceived and might achieve opposite results to those it predicts. For instance, the suggested changes to purportedly widen the franchise by allowing temporarily resident workers to vote after six months of residence may well be counteracted by the concurrent enforcement of a strict Australian nationality test for enrolment and voting. This is likely to lead to a decrease in the numbers of the electoral roll, not the rise predicted by the committee. There would also appear to be little potential benefit in the move to force Norfolk Islanders to vote in the Federal seat of Canberra unless this results in the unlikely outcome of some minimal representation of the interest of the island in the Commonwealth Parliament. The Government welcomes recommendations to investigate allegations of corruption or

conflict of interest but the measures suggested by the Committee are cumbersome, bureaucratic and expensive. We intend to enter into negotiation with the Federal Government on workable mechanisms, appropriate to the needs of Norfolk Island so that we can achieve improved accountability and good governance in the interests of all. Certainly I am pleased to report to the House today, that my discussions with Senator Campbell, he is of agreeance that in a place such as Norfolk Island we need to cut our cloth to suit the situation that we find ourselves in and that was based on his experience certainly in corporate governance affairs in Australia and his comparison between big business and small business and the comparison between Government on Norfolk Island and Government in much larger jurisdictions such as the Commonwealth. The Norfolk Island Government would be happy to accept the offer of Commonwealth assistance in law review and reform and will seek discussion with the relevant Federal Minister's as soon as is practicable. I need to report there that we have over the years had quite a good relationship with various other Governments as far as drafting provisions are concerned and my discussions with Chief Minister Stanhope of the ACT have come to a position that they are keen too, to pursue an ongoing relationship in that area. The report contains thirty-two recommendations in all and I have commented on most of the main areas. The detailed response under preparation by the Government will more fully address each and all of the recommendations. The Norfolk Island Government intends to work co-operatively with the Federal Government to achieve better governance for all the people of the island. We seek to do that in a climate of reasoned discussion, and in full consultation with the entire community. We have as I said earlier, invited Minister Campbell to come to Norfolk Island early in the new year of 2004 for detailed consultations on the report and our package of reforms. I am confident that with the support of the people of the Island the Norfolk Island Government can overcome the distress caused by the unguarded remarks of Members of the Joint Standing Committee and move forward in co-operation with Australia to deliver better services and to uphold the high standards of transparency, accountability and democracy. Thank you

MR BROWN

I move that the Statement be noted

DEPUTY SPEAKER

The question is that the Statement be noted

MR BROWN

Madam Deputy Speaker, this is a pretty long report. Most of the Members of the Joint Standing Committee are Members of more than one committee. They all have extensive responsibilities in their electorates, they all have extensive responsibilities in their parliamentary parties. I don't think that we should for a moment take a view that these words are as to each and every word, endorsed by each and every Member of the Joint Standing Committee so I would not like what I'm saying to be taken to be a personal criticism of any of the Members of the Joint Standing Committee although I think that it is fair to say that Senators Lightfoot and Hogg have chosen in a very public way to be extremely critical and it is not unreasonable to expect them to put up or shut up at this stage. We don't know how many Members of the Joint Standing Committee actually agree with this report. We don't know how many of them were on the verge of putting in dissenting reports. We do know that finding the time to prepare a dissenting report would be very difficult for most of them. If one take the emotion away from these things, there are some fairly sensible recommendations in parts of the report. Some of them interestingly are recommendations that we do things that we are already doing or that we have already commenced to do. The last two Legislative Assembly's have passed motions supporting the concept of an ombudsman. The last two Legislative Assembly's have passed motions supporting the concept of freedom of information. We have always had a respected auditor and the current auditor, the Queensland Auditor-General was chosen because we felt that it was

appropriate that from time to time the Auditor changed. No-one said that they were dissatisfied with the previous Auditor but we felt that it was time to make a change so that any onlooker could see that we took the audit role seriously. I spoke in recent days with one of the Members of the Joint Standing Committee and we talked about the audit situation and I said what's wrong with what we are doing now with the Queensland Auditor-General and he said, what about the Queensland Auditor-General. And I said, well that's who audits our accounts now. He said I'm sure the Committee would be happy with that. The Chief Minister mentioned some other things that he Committee should have known about and didn't but when you look at a report like this you've got to say who writes it? I can tell you one thing. Senator Lightfoot would not have had the time to sit down and write it. Senator Lightfoot and Senator Hogg are on totally different political parties and I doubt that they sat down together to write it and I greatly doubt that Senator Hogg wrote it out and said, Here, Lighters ole boy, shove this up 'em. I don't really think that happened. What frequently happens is you have some left wing employee who writes it for you and if you're a lazy committee Chairman you go through and you say, ooh jolly good, bit of Latin on the front cover, that'll get Colleen McCullough going and yep, yeah, I like that typestyle, that looks pretty good, that's a good font and yeah it all looks pretty good to me. And it gets signed off. This doesn't necessarily have a lot of thought put into it by the Members of that committee and I think all of that is a shame because I think that this report together with what's been said on radio by Senators Lightfoot and Hogg has done such damage to the community's perception of the relationship between the Norfolk Island Government and the Legislative Assembly on the one hand and the Commonwealth on the other that it has set us back perhaps twenty years. Members will all recall that it's only a few years back that the Legislative Assembly was having great difficulty with Canberra and some within the community said listen we've got to improve this, and some candidates stood for election on the basis that they were going to adopt a different view in dealing with Canberra and I think it's fair to say that this Legislative Assembly has done its best in that regard. It's been kicked in the teeth. That's how it's been thanked for having done so. But it's not a situation where we have a Legislative Assembly that has at all times been antagonistic to Canberra. It's not a situation where we have a Legislative Assembly that has been irresponsible in the way that it's gone about things. I think it's a shame that personnel difficulties within the Administration over recent years with a former Chief Executive Officer, a former Deputy Crown Counsel, difficulties at the Hospital with the Manager there, and so forth, have really made life difficult for the Government. The Government has not had the benefit of being able to promptly obtain legislative drafting services. There's been changes and there's yet another change occurring at the moment. A Government can't get about a legislative programme if it doesn't have the appropriate drafting services. It can't get about a legislative programme if within its Public Service at the upper echelon there is absolute turmoil and it certainly can't do it where you have a Chief Executive Officer, and I'm talking of a former one, telling the Government words to the effect, yes I'll go, but I'll cause you a hellova lot of trouble when I do. This Government's had a very difficult job. I think that it's a shame that we didn't bit the bullet earlier. Clean up the personnel difficulties and analyse precisely what support we need in order to get the job done. This Committee is able to say well you might have decided you were going to do something about an ombudsman and you were going to do something about freedom of information but you didn't get around to it. The didn't get around to it criticism I think is valid. I can understand the reasons, but I think it's fair to say we should have tackled those reasons. I think it's fair to say that some of the criticisms we've brought upon ourselves. An observer at this stage I think would take a view that it is time for us to get away from a situation of having a Speaker who is also an executive Member. I think it's fair to say that we have matured enough now to move towards a full time Speaker who doesn't play musical chairs and who handles the Speaker role and Ministers who handle their ministerial roles. But if that's all that this report was going to say, that's not a

serious criticism. We've heard criticism of referenda. I think it's ill informed. Our referenda are appropriately conducted. There is no way that you can suggest that there is room for anyone to be intimidated in terms of voting at an election or a referendum. It is genuine secret voting. We don't have the reputation that the Labour Party has. There's no room for branch stacking in our situation. There's no room for dead people voting quickly and voting often. There's none of those things. We have two polling booths. Those who man the booths know most of us. They rule a line through the name when someone's voted. There's no room for people to vote twice. There's no room for people to be threatened outside the polling booth and we do not have a situation where one must run the gauntlet through the representatives of the various political parties just outside the polling booth ramming how to vote cards into your hand. That doesn't happen. I think it's true, on occasions in Australia one might be at a function or a club and some Labour person, the late Johnno Johnson, I shouldn't say the late, Johnno Johnson the former member of the Upper House in New South Wales was known as Mr Raffles. He shoved a raffle ticket book in front of anybody's nose and he did a wonderful job of raising funds. Is that any different to shoving a petition in front of someone's nose and saying here, would you like to sign this. Whether they sign it or not will make absolutely no difference to the result of a referendum. I am sure that in Australia when a petition is signed, the same criticism could be made. Let's assume I'm a greenie, and there's a greenie petition being taken around. This particular one I don't want to sign because I mightn't feel that such a such tree or bird or whatever is endangered. But I get it put in front of my nose and I'm shamed into signing it because I don't want to say no. We've got to be realistic. That can happen anywhere. What counts is what happens at the referendum and the referendum is properly conducted. Madam Deputy Speaker, just over 24 of the submissions to this enquiry were confidential. As the Chief Minister has said, some of the people will make a confidential submission because they are shy. Not necessarily hiding from anyone, because one can look at the list of submissions at the back of the report and then look at the list of exhibits and we can see that there are some people against whose name an exhibit is recorded, who aren't in the list of submissions. Now there's nothing wrong with that. Those people have gone along and have said, here's what I want to say. And here's my bits of paper. But when you look at it you can't see anything in that list of exhibits that you could imagine supporting the allegations that have been made, but again, you find in the list of exhibits, exhibit 3, confidential, exhibit 5 confidential, exhibit 10 confidential, exhibits 18-24 confidential. I think that I said something to the Joint Standing Committee about my views in relation to confidential or secret evidence. I believe I said to them that I felt that, that constituted a gross denial of natural justice. It cannot have a situation where someone is encouraged to come along in secret, defame another person or a group of people and be able to do that without the person being defamed having the opportunity to know what has been said and to respond. Not all of the confidential submissions will have been made in Norfolk Island. It's possible that some of them were, I understand it's likely that some of them were made on the mainland. But when a confidential is being made the public is excluded from the meeting. Some very bitter and twisted people were seen walking into the Joint Standing Committee's hearing at a time when it was closed to the public and it can only be assumed that those people were there to give evidence. One doesn't need to be Einstein or Sherlock Holmes to work that out. I'm not going to name the people but those of which I am aware were at the time, and probably remain, very bitter and twisted. It makes it even worse that the Joint Standing Committee has listened, believed and condemned on the basis of this. And you know one of the funniest things is that Mr Lightfoot has said, we have substantiated these allegations. Well I call on Mr Lightfoot to confirm or deny that he has substantiated one confidential submission by listening to a second confidential submission and in my view, that falls a long way short of corroboration. I urge all Members to not fall into the trap of being made simply, cranky, furious, annoyed, whatever the word might be by this

report. This report might provide us with opportunities. There will clearly be opportunities to discuss its recommendations and its contents. There will clearly be opportunities to put forward contrary points of view. There will be opportunities I might add, to put forward contrary points of view still without the knowledge of what has been said to the Committee and what has caused them to come up with all of this, but there will be the opportunity to talk and at the end of the day, Joint Standing Committee's aren't necessarily there to prepare great works. Joint Standing Committee's aren't necessarily there to have their Reports accepted. I'll tell you one of the real reasons for Joint Standing Committee's. It gives backbench Members the odd trip away but it also saves idle hands from causing trouble. It allows the leadership of the parties to get on with their day to day activities while sending all of these ladies and gentlemen, off on little trips. I guess the Governments in particular hope the reports won't be too long because they do need to read them, but I don't think any of us should fall for the trap of thinking that just because this report has been prepared it will be adopted by the Government. Our task now is to calmly and intelligently review, tell the Federal Minister what we agree with, where we do agree with something, let's get on and do it. Let's not have a continuation of legislative programmes every since months going in the rubbish bin because there hasn't been time to get things done. Let's once and for all show the Commonwealth that given the time to do things, that is, without interference from more of these enquiries, we are able to get on and do the job but at present we quite rightly say how can we get on and get things finished when you continue to bombard us with your enquiries, but unless we show that we are capable of getting things finished, that's a difficulty argument. But this is an opportunity in disguise and I urge each and every one of my colleagues to treat it that way and to ensure that we achieve the very best possible result from it rather than simply jumping up and down and finding at the end of the day that parts of it are rammed down our throats purely because we don't properly deal with it, thank you

MR I BUFFETT

Thank you Madam Deputy Speaker. Firstly I applaud the statement that was made by the Chief Minister. I think it reflects a lot of what needs to be said. I also totally agree with Mr Brown in that I think this report provides an opportunity. Madam Deputy Speaker, I reiterate the words I said when interviewed by the regional radio in respect of this report. This Norfolk Island Government and the Legislative Assembly and the people of Norfolk Island are not scared of what's in a report, but we are disappointed in the manner in which the report is being sold orally to the community of Australia and abroad. I made the point at the time and I think it is emphasised by what Mr Brown has said, that back in 1979 one of the clear basis on which the Norfolk Island Act was formed was that we needed to look at what happened with the Norfolk Island Act five years after it had been introduced and perhaps look at what needs to be revised and reviewed in that Act to allow us to progress along the path of self Government that we are aspiring to and have achieved in my view over that time. I hope the community does not become emotional nor run off and see advantages which have not, and I stress that, advantages which they believe are in this report which they have not fully costed. Now I want to emphasise that. I hope certain Members of this community don't believe that this report is providing them with alternates that is going to make it a lot easier for them to exist in a place whether it be Norfolk Island or some other place, by what may or may not have been read by them into this report. Now I don't say that lightly. I think if the community have some of those particular questions then certainly I think it is open for us to accept and investigate them as part of what we do in addressing the recommendations of this report. We need to present the truth to some of the people who have been asking questions. Well okay, this report mentions things like the welfare. There's other areas mentioned, about how much you will be better off by accepting some of the recommendations in the report. We need to address those issues. From my point of view I hope we don't run from this report. I

totally agree with Mr Brown. We should see it as an advantage. We should take those issues and as I previously expressed, when you look at the report closely, what that report says is that they are recommending out of thirty-two recommendations, twenty two possible amendments to the Norfolk Island Act. We are not saying the Norfolk Island Act shouldn't be amended, we are saying let us make sure that these proposed amendments are based on fact. That they are achievable and as for some of the other recommendations, well some of them are clearly not. I don't find a basis for them. I too am a little disappointed that 41% of the exhibits that were provided to the report were confidential exhibits and that means that we do not have the access to look at them and to see what they contained, because it may be that in some of those exhibits, that some of the things we need to investigate have been documented but we haven't got that access. 41% of the exhibits are confidential. I urge the community look at this report with a rather open mind. To embrace the report is something we need to do based on the fact that we did back in 1997 ask for enquiries into our financial capabilities, we asked for an enquiry into how well we administer ourselves. We have the Commonwealth Grants Commission Report. We have addressed a number of those issues and that in conjunction with the matters that we need to address arising from this report I think will certainly provide the basis for an ongoing relationship with Australia and one that I certainly stood for election to this Legislative Assembly on, and that is a better relationship with Australia but what we must achieve, is respect of each other. At the moment I think the respect is all one way and that's from Norfolk Island to Australia and if we are going to have Senators of the calibre of Senator Hogg and Senator Lightfoot making statements to our community then I don't believe that respect is a two way thing. We have an opportunity. The present Minister who is responsible for Norfolk Island is in fact the leader of business in the Senator, Ian Campbell. I think we have an opportunity to discuss with him some of those issues and to work through all of the things that have been said in this report for a better outcome for both Norfolk Island and Australia

MR D BUFFETT

Thank you Madam Deputy Speaker. Three very brief comments. Firstly I endorse and I applaud the Chief Minister's statement to the House today. Secondly, I just emphasis that in this exercise that is obviously in front of us now, we need to recognise two things; much of it has been stated but I nevertheless give it reinforcement. The first thing is that the Report that has been spoken about is a Committee Report, a Committee of the Australian Parliament and whilst that has elements of which we have concern it is not that Committee which makes final decisions. The final decisions in terms of that Report will be made by the Australian Government and so whilst we have these concerns and we would want to express concerns about them we need to continue our repour with the new Minister to ensure that the result of the Report is properly evaluated and that Norfolk Island's real situation is clearly seen by the Australian Government, because it's the Australian Government, not the Committee, the Australian Government that will have the say in terms of this situation. It has been said that this is an opportunity in disguise and indeed I recognise that no matter how difficult a difficulty is that there are opportunities for pluses but I've got to say that the opportunity in this particular situation is exceptionally well camouflaged. We are now in a situation whereby we as the Members of the Assembly with our various resources are collating a measured response to the recommendations, and they will do a number of things no doubt, identify areas that are already receiving attention, it will indicate those areas that are matters that are quite patently wrong and other areas will be identified in various other categories. That will take some number of days but that is happening as the Chief Minister has explained to us. Once we have that document in front of us then we are able to go to the next step of seriously talking through with the Minister Ian Campbell how we wish to make Norfolk Island's situation

information about a review of buses in the island. The present arrangement with importation of buses is that there is a restriction on importation and registration of buses into Norfolk Island Act and these restrictions were put in place in 2001 via the Customs and the Road Traffic Act. The arrangement is that really you can't import buses into Norfolk Island if buses are longer than 7m, wider than 2.3m or a greater height than 2.8m and a tare weight of 3,500 kilograms. In an overview sense there are something like 33 buses on Norfolk Island. Since that was made there have been various discussions and various representations made to the Government as to whether that remains a sound policy or not and Members asked me if I would undertake a review in terms of the present requirement. There are a number of factors that need to be taken into account and whilst there is a reasonably formal review that is in process it's not my plan to try and deliver to you the finality of that today except to identify probably one main part which I will come to in a moment. But some of the things that need to be taken into account in this whole exercise relates to road damage, road safety, that's in terms of bus lengths, widths and the like and the width of our roads here. The matter of fleet replacement given change of models, the impact on the community in relation to infrastructure damage, that is to roads and the enjoyment of facilities in terms of others. The visual impact in terms of the environment and the communities expectation in terms of relaxation and enjoyment of quietness. There is also the difficulty that roading is a very expensive programme, notwithstanding that at this moment there are restrictions on funds and metal in terms of roads. There are a range of other things to that have impact upon that but I just mention some of them. One of the most pressing matters relates to the difficulty for those who do have buses in a reasonably acceptable form and their replacement programmes. I mentioned that the present arrangement has a limit, 7m length, 2.3 m wide, 2.8m high and a weight of 3.5 thousand kilograms. That allows people to import, speaking in general terms something like a coaster bus which has seating arrangements say between 19 and 22 seats. It doesn't allow bigger buses but allows things of that nature. One of the difficulties that we are facing now is that with change of models they don't always come out in exactly those specifications, they vary from time to time as models change and we did this in 2001, we probably measured a bus that was a few years old then and so the models that are available now for people who need to re-equip and people who are in business and sound business arrangements do re-equip their arrangements so that they have sound standards to continue are finding it difficult to get replacement arrangements using those old specifications. The new specifications are not hugely different but they are marginally more than the present and so I foreshadow with Members that there is a likelihood that I will be as soon as practical bringing forward an arrangement that might increase the height, no increase in length and no increase in width is proposed but there may need to be an adjustment in the height specifications and some adjustment in the weight of vehicles and it is likely that there will be a proposal to change the method of weight, for example from tare weight to curb weight. To just further demonstrate that the adjustments that may well be proposed are not huge, the present height arrangement is something like 2.8 and the new height arrangement has a likelihood of being something like 3.3, so they are not huge but there is an adjustment, because it is extremely difficult to find more modern vehicles that will fit into the old measurement. I just wanted to bring Members up to date as to how that matter is progressing and some prospects in terms of adjustments in terms of buses in Norfolk Island.

MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR – MESSAGE NO. 22

MADAME DEPUTY SPEAKER On the 25th of November 2003 pursuant to Section 21 of the Norfolk Island Act 1979 I declared my assent to the following, Airport Runways Loan Act 2003, dated 25th of November 2003 and it's signed by Grant Tambling, Administrator.

of the Executive Directors and the move of the Immigration Section into Burnt Pine. Madame Deputy Speaker I commend the Motion to the House.

MADAME DEPUTY SPEAKER Thank you Chief Minister. Is there further debate.

MR D. BUFFETT Madame Deputy Speaker I too compliment you in terms of the work that has already been done on the Immigration Committee and I warmly endorse the reappointment as proposed by the Chief Minister.

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

QUESTION PUT
QUESTION AGREED

MADAME DEPUTY SPEAKER Perhaps the Clerk would record my abstention please.

MR D. BUFFETT Madame Deputy Speaker I would seek leave of the House to put forward a Motion that will recommend appointment of Executive Directors in the Public Service of Norfolk Island.

MADAME DEPUTY SPEAKER Is leave granted Honourable Members.

MR D. BUFFETT Madame Deputy Speaker I move the following Motion and I just make mention although it is quite lengthy I have provided a copy to each Member of the Legislative Assembly and an additional copy which I just provide to the Clerk on this occasion if there is any further need for it to be followed. I move Madame Deputy Speaker that the Legislative Assembly pursuant to Section 39 (1) of the Public Sector Management Act 2000 (the Act) and as a consequence of the Report made by the Chief Executive Office to Members of the Assembly at their informal meeting on the 15th December 2003 recommends that the Chief Executive Officer appoints as an Executive Director the persons selected as the preferred applicant under Section 39 (2) b of the Act for each of the Executive Director positions, namely Anthony Middleton as Executive Director Corporate and Community Services and Peter Davidson as Executive Director Environment and Infrastructure in the organisational structure agreed to by the Legislative Assembly and Gazetted on the 31st of October 2003.

MADAME DEPUTY SPEAKER Thank you.

MR D. BUFFETT Thank you Madame Deputy Speaker. By way of additional background Members will recall that we have in recent times appointed a Chief Executive Officer knowing that upon that appointment there will be the processes to recruit and fill the 2 positions that in the pyramid process lies immediately under him, that is these 2 Executive director positions. These 2 positions are in terms of the organisational structure that we have agreed on another occasion. I have in addition to mentioning what I have mentioned provided to Members documentation from the Chief Executive Officer which outlines to us the processes that have been properly taken pursuant to the Public Sector Management Act to recruit these 2 people and Members will see from that that the normal processes have been followed and it has led to this recommendation. The process is one that sometimes draws comment and it is reasonably new because the Public Sector Management Act is only of the year 2000 but

in this context the letter that I have mentioned in terms of process indicates that the requirements of that piece of legislation has been followed. I therefore place this before Members with a request that we tidy the matter today so that the Chief Executive Officer may finalise appointments and those temporary arrangements that we have had in place for some considerable time now, notwithstanding that those who have acted in the position have acted in them admirably there is a need for us to be substantive in terms of filling the positions and this is what this Motion is about. I commend it to the House.

MR NOBBS

Thank you Madame Deputy Speaker. I won't be opposing or saying anything really against the appointment of these 2 particular people because I believe in the drafting and the passing by the Assembly in 2000 of the Public Sector Management Act that the ability of the Assembly to be involved in the selection of any other Public Servant than the Chief Executive Officer is not correct, and I believe that it should be changed and it was to be changed. A previous Government had it in train to actually change that. As far as the appointments are concerned I just like to make one other comment. It's just over 2 years now since the original appointments were made under this particular Act for Executive Directors. The complaint at the time was that the advert should have been placed on the island and that a selection process should take place on the island before the positions were advertised offshore and there was a considerable who harrang about it and there was a considerable concerns expressed by Members of the Assembly as well, some Members of the Assembly as well as the Public Service unyet I see in the letter that was provided to the, on the 16th of December 2003 which was yesterday, from the HR Manager was that the advertisements appeared in the Norfolk Islander on the 1st and the 8th of November and also in the Australian, local job directory on the 3rd and 10th of November, so there was an immediate applications were called for offshore and I find that quite abhorrent that after going through the who ha we went through 2 years ago in relation to the appointment of Executive Directors that we repeat the process that was one of the main complaints at that particular point in time, but as I say apart from making that comment I won't be objecting in any way to it because I don't believe that the Assembly should be involved in the appointment of any other Public Servant other than the Chief Executive Officer. Thank you Madame Deputy Speaker.

MADAME DEPUTY SPEAKER

Thank you. Is there further debate. Then I put the question that the Motion be agreed to.

QUESTION PUT

QUESTION AGREED

ORDER OF THE DAY NO. 1 – NORFOLK ISLAND HOSPITAL AMENDMENT NO. 2 BILL 2003

MR D. BUFFETT

Thank you Madame Deputy Speaker. This is bringing forward this particular piece of legislation in an effort to bring it to its finality. The purpose of this legislation just to restate what I have mentioned on an earlier occasion, the purpose of this legislation is to provide adequate arrangements, more adequate than exists in the present legislation for Deputy Members in the Hospital Board environment and when I introduced the earlier legislation I gave notice that there was room for improvement in how that arrangement was put into place and that I would in due course bring forward further amendments to endeavour to tidy and address that. That's what this Bill is about. It provides for arrangements for Deputy Members be made in respect of the 3 existing substantive Members and for them to be given appropriate appointments, that's what the Bill is about and I commend it to you.

MADAME DEPUTY SPEAKER Thank you. Is there debate.

MR NOBBS Thank you Madame Deputy Speaker. I don't want to hog the floor but although hogs not a very good word at this particular point in time I should imagine, but anyhow the Bill brings into line with other areas as the Minister has said. It's an improvement and I support it and I would hope that this type of arrangement is extended to all the actual Boards within the Administration to allow them to operate fully under a reserve situation Madame Deputy Speaker. Thank you.

MADAME DEPUTY SPEAKER Thank you is there further debate. Being no further debate I put the question that the Bill be agreed to in principal.

QUESTION PUT
QUESTION AGREED

MADAME DEPUTY SPEAKER Is it the wish of the House to dispense with the detail stage.

AYE

MADAME DEPUTY SPEAKER Thank you.

MR D. BUFFETT I move that the Bill be agreed to Madame Deputy Speaker.

MADAME DEPUTY SPEAKER Is there debate. There being no further debate I put the question that the Bill be agreed to.

QUESTION PUT
QUESTION AGREED

MR BROWN Abstain.

ORDER OF THE DAY NO 2 – WASTE MANAGEMENT BILL 2003

MR I. BUFFETT Thank you Madame Deputy Speaker. I move accordingly that the Bill be agreed to in principal.

MADAME DEPUTY SPEAKER Thank you.

MR I. BUFFETT Madame Deputy Speaker this Bill was placed into the Legislative Assembly at the November sitting of the House. At that particular time we adjourned the matter and made an Order of the Day for today's sitting. It was principally adjourned at that time because of a couple of minor issues that Members had with the Bill. My belief is that those issues have been addressed and Madame Deputy Speaker at the appropriate time I'll be moving that the amendments and detail stage amendments that were circulated on the 16th of December be agreed and at this stage I have nor further debate on the Bill.

MR BROWN Madame Deputy Speaker there is a reference to bags in the Bill. I wonder if the Minister could tell us what precisely that relates to.

MR I. BUFFETT Madame Deputy Speaker that bags, Mr Brown did write me a letter in respect of that particular issue and bags was referred there in the context of mail. If Mr Brown looks at the detail stage amendments I have changed that

equitable system than what we are proposing and for that reason I don't think I've got any option other than to vote against it. Thank you.

MRS JACK Thank you Madame Deputy Speaker. In the November sitting I asked that this Motion be put aside for this meeting for several reasons. Firstly the major problem I had was that such an important Bill, one that dealt with the introduction of a new tax to try and bring it before the House and be decided then in one sitting day I couldn't agree with that. Secondly I felt that the Bill needed to be discussed with those that it was going to primarily affect directly and that when I tried to discuss it with the various importers was not a pleasant task. Madame Deputy Speaker I think it necessary before I go on to state that my husband is an imported distributor of cigarettes and tobacco to Norfolk. He also operates a low duty cigarette shop for bona fide travellers leaving Norfolk and I assist at times in the day to day operation of both businesses. I mention this as the proposed levy is one directed at those who import goods onto the island and I feel it necessary just to state my involvement here. This is a new tax this proposal, brings a new tax, a regressive tax, one that for some is seen as being highly selective toward one group of people and not to the community as a whole. Granted that this tax does over a period of time filter down to affect all community members and tourists. The fact that a select group is being asked to pay the tax and over a period of time be reimbursed when the goods actually sell or are used for whatever purpose they are imported for is considered as an unfair burden being placed on a few for the greater community as a whole, and many ask why not have a more direct user pay system. Madame Deputy Speaker this and other Assembly's, as well as the Service are often accused of not following the kiss principle to keep it simple. This levy proposal can be seen to be keeping the collection simple and the system that virtually guarantees payment and therefore the collection of revenue. It is unfortunate that by taking this route we are failing and having the entire community take a direct involvement in meeting the operating costs recovery of the Waste Management Centre. It is not as if other methods of raising funds were not discussed, they were. We spoke in MLA's meetings of other possible ways of raising the needed funds and the problems associated with each one. Sending out a Waste Management Centre Bill similar to a rates notice I guess, the problem being that the same debt defaulters would have another bad debt with Admin was the problem that arose there, and the lack of a robust bad debt recovery policy still causes problems within the Administration and with some associated GBE's. The issuing of a land rates package set at I think it was 1996 the land values which would possibly cover funding for the Waste Management Centre and have some left over for roads was mentioned but didn't get the numbers. Outside this House people mentioned to me why not have a poll tax, everyone over 18 years to pay, a fair enough idea but you are still left with those who do not pay, cut off their phone or electricity they said to me in response. This cannot be done I said, one cannot cut off a service for non payment in another area, change the legislation, you can do it with a stroke of a pen. All was said to me in earnest Madame Deputy Speaker and all the while the problems are getting more and more involved as well as to me more and more outside the circle. So it all comes back to keeping it simple, legal and involving as much guarantee of payment as possible and the result is back to those who bring it in whether it be the retailers, people who are moving here, people who already live here and importing things privately. I know that the Minister has had some feedback from 2 of the biggest importers of goods to the island and the cost increases are lower than either anticipated for all the items listed and are expected to be nil for some items. Still though they have to wait to be reimbursed for while the product sells. I disagree somewhat with some of the things that Mr Brown said and agree with some of the things he did say though but to me the Centre was badly needed. However I agree that the fact that we have a collection centre and then taking it out and disposing it in some ways just as we used to do is defeating the

purpose. Yes it's the beginning but when are we going to change over and become more dedicated to what I saw as the need for the setup of the Waste Management Centre that of being more environmentally aware and environmentally self conscious of what we are actually doing and having the responsibility to bring those actions to bear. At the start of this Assembly emotions in some areas within the community were running high over the need for this Centre and the need for it to be progressed to move away from the then Headstone and Top Tips. Arrangements when they started in their day was seen as acceptable and appropriate. So we have this new Centre, it's operational and it cost a lot of money to operate. If it is to be self funding then I worry about what happens if we have another Pilot strike, where will the funds come from, will the levy be increased automatically, what are the safeguards for the importers that the intent with which this Bill is being introduced will carry on. It's just problems I have and I look forward to some of them being answered by the Minister and perhaps being discussed by other Members. Thank you.

MR NOBBS

Thank you Madame Deputy Speaker. When this whole operation was mooted, there were a couple of issues that really came to the fore and that one of the problems was that one of the problems was that there was a danger of another little empire being developed within the Administration. There was the danger of a high cost operation which would not be really effective apart from cleaning up some little odd issues. I haven't been here for a couple of months, and so I haven't been able to follow the progress of the actual centre since it was virtually started just before I left, so I haven't seen it but I did notice it coming in on the plane this morning and I thought to myself, gee they've shifted the top tip around here. And that is a danger of placing it in that area I believe that, it's fairly open and there is a danger then that the visitors will see it is they arrive and depart, whereas I guess there would have seen it on their trip around the island anyhow but it's just a point that I wanted to make. The worries I have with the levy situation, I accept that we have to pay for it. I mean if this is a user pay island it should be a user pay situation for a lot more things than just this and I don't agree with putting a cost of the cubic metre of goods brought in and I would just like to see that as everybody's has become very conscious of things at the moment I would just like to say that from time to time I bring in a couple of things, not very many. I also bring in animals from time to time, every couple of years and I notice that their on that list too, so that people may say that I've an axe to grind. But the situation really is that it will increase the cost of goods. It must increase the cost of goods whether it increases some not at all and others so much, that's irrelevant. It will increase the costs of goods. What impact that will have on the RPI I'm not too sure. I don't know whether anybody's looked at that. We were very concerned about them when these issues were discussed a couple of years ago because if you impact on the RPI the social services, increases, for no other reason than the cost of the goods have actually gone up which is fair enough, but it also impacts on the fee unit and that means that we have a double whammy. The second part is that in the costing of arrangements and I don't say all do it but a lot of businesses elsewhere tend to add in that additional cost and then take their profit on that additional cost as well because they feel that they've paid that money out so if they put 50% on the unit they put 50% on that as well, they put 50% on the duty as extra then it goes into the cost of the goods to go on the shelf and then they put their mark-up profit margin on top of that. So we were concerned at the time with all these additional issues needed considering. Its unfortunate that there is no debt policy at the moment as Mrs Jack said, well that hasn't been developed fully, that's fine. The issue is that people bringing goods in, take the goods straight from the wharf without having to pay anything, so why can't we have a debt there. It's exactly the same as the debt, looking at it from the other issue. If you have a policy of a levy on each particular house on each business and what have you,. Well then there's no greater risk of a debt possibly then you would have under this particular issue. I think that there should have

been greater consideration given to a levy on a particular house, or housing unit and businesses and it should have been a monthly or quarterly payment or what's needed, but that was considered a fairer way of doing it. The cost of collection would be less than the present arrangement. Now there will be an additional cost in the collection process with the proposal that is put under the bill that we are discussing so I'm unable to support this proposal. I don't think there's been enough gone into it. I don't want to duck the issue. We need to get on with it and put a costing somewhere but I believe there are alternatives that should be looked at. From memory and it goes back several months now, we were given, if you don't like it this way well you're going to get the other one. I think we had two options but I think there are others that the community should be given the opportunity to discuss and look at. The minister may have done a PR exercise on these issues whilst I've been away but as I said, I haven't had any feedback on it so I can't speak clearly on that but at the present time I would have great difficulty in supporting, not the bill, but the actual section which I think is subclause 8 which deals with the levy

MR BROWN

Madam Deputy Speaker, firstly less there be any misunderstanding on the part of Senator Quis Custodiat let me declare a pecuniary interest. From time to time I import goods into Norfolk Island and on a regular basis I purchase goods on Norfolk Island. The goods I purchase will, if this is passed have been subject to this particular impost and each and every one of us will be in the same position and each and every one of us along with every other importer on the island imports something will be in the same position, but let there not be any suggestion that I have not recognised that. Let there also be no suggestion that I don't realise that everyone of us is in the same position. But Mr Nobbs has said something that is important. He's made mention of the RPI. He could have made mention also of the BAS and anything of a similar nature. One of the real problems that I have every time we increase a tax or introduce a tax is if it impacts on the RPI we are going to have the Public Service come along to the Public Sector Remuneration Tribunal and say "We need a payrise". And some of my colleagues will say "Too true". Those within our community who receive social service benefits will not need to do that because their rise will come automatically. Who at the end of the day is going to pay? How bright is it until such time as we become intelligent enough to create a system that quarantines certain things from Public Service pay rises. How bright is it to just introduce a tax and then a few months later have the Public Service come along and say "Well no tax should apply to us, we're Public Servants. We're the chosen creatures. We need a payrise". That's another reason why we all should vote against this. Because it needs to be better thought out. Thank you

MR DONALDSON

Thank you Madam Deputy Speaker. The discussion so far on this particular Bill seems to be cantering around clause 8 of the Bill which says that a levy may be prescribed at a rate imposed on goods imported by sea, imported by air or imported in bags. That's not what the main issue is in front of us at the moment. The main issue is in considering the bill and passing it. The levy that will be imposed will come from the Regulations but I would just like to draw to Members attention that when we did the budget at the beginning of the year, that we put in the budget a \$100,000 subsidy for the Waste Management operations. That was meant to carry it through until it became self sufficient and could look after itself. The longer we delay it, the more we are going to have to find money from the revenue fund to keep it alive. I urge Members not to be too picky about not passing the Bill today because we can deal with the Regulations at a subsequent sitting. If there is a better way to raise the revenue than an impost on inward freight I would be pleased to discuss it but I think given all the consideration that have been put before us this, although not a perfect solution is probably the best of the lot and I intend to support it

MR GARDNER Thank you Madam Deputy Speaker. The Minister for Finance has probably hit it on the head and I tend to agree with his assessment of the situation that we find ourselves in. I've heard about the potential impact that this new tax may have on the RPI but I think we have to be realistic and realise that somewhere, somehow this has to be paid for. We had lengthy discussion this morning about the enquiry into governance on Norfolk Island. I think that there is a realisation that some of those improvements and accountability and transparency and some of the things that we are progressing are going to have a cost attached to them and it's something that we have to be conscious of. I remember not too long ago when we were going through I guess the process of trying to establish exactly where we were going with Waste Management and what we wanted to achieve, it's not too long ago, three or four years, that we were facing similar criticism that were attached at the time to the debate on discussion on electoral reform on Norfolk Island where the Commonwealth were keen to impose their will and I remember the Democrats writing to us saying "Gee we might have to support this, because we've got a real problem with the way you do Waste Management on Norfolk Island and maybe if you clean that up we may take a different view". I mean, these are reasonable things that there has been an expectation generation within the community that we are going to address Waste Management and yes, certainly there are going to be a lot of people in this community who have different views about the best way to go about composting, the best way to go about crushing a can or crushing a bottle or doing whatever we're doing with Waste Management but really at the end of the day there is an expectation that we were going to improve what we are doing whether its on the top of the cliff out at Headstone or at the airport, it doesn't matter, but in my view it's a darn good thing to be in the public eye so that all the visitors to Norfolk Island can say "Well hang on here, Norfolk Island does take a responsible attitude to Waste Management" and I think that's a strong selling point for Norfolk Island, especially when we are trying to defend ourselves against some of the incursions in different Commonwealth areas. I've heard about the impact on RPI and I think I've addressed that. Whether we do it by this tax or whether we do it by having to as the Minister for Finance has pointed out to us, by addressing it in the budget by either attaching another 1% toy duty or maybe looking at playing with some of the other fees and charges, or maybe re-imposing the Absentee Landowner Levies to the levels that they were or maybe trying to enforce those, somewhere, somehow we've got to get the money to do it. There will be a natural flow on from that but there's a couple of other things that we don't consider in how we import goods and like Mr Brown and others around the table, I too am an importer and I'll declare that, I have no problem declaring that, people know that, and I consider that we import in our businesses a fairly significant quantity of good into the Island each year. I sat down when the Minister was first proposing this to see what sort of impact it may have on my business, and like businesses and the cost that would be involved and the impact. I understand from not only my feedback but feedback from other businesses on the Island, that the actual cost at the end of the day on goods imported into Norfolk Island from the figures proposed were minimal. However, I note that the percentage increases in the cost of goods on shelves range from 0% increase depending upon the product up to a maximum of just under 2% on some of the bulkier items. We haven't the time today to go through every article imported into Norfolk Island but one thing that I take into consideration are the charges put on by shipping companies. CABAF. Now that's a bunker charge and its to cover you for fluctuations in international exchange rates etc that's based on the US dollar. There has been at least a 40% minimum improvement in the exchange rate between the Australian and the US dollar in the last twelve months but that hasn't been reflected in CABAF and if you start looking at the percentages that are imposed under the CABAF you will find that they are significantly greater than any of the imposts proposed by this. Also the exchange rates between Australia and New Zealand. We're

looking at \$12 or \$15 per tonne or cubic metre on goods imported. It just needs a minimal change in the exchange rates between Australia and New Zealand and lets face it, the bulk of our goods come out of New Zealand as far as food essentials, and certainly the bulk of good that I as a business person import into the island, a very minor change in those exchange rates has a greater impact on the RPI and the costs of goods on Norfolk Island than this Waste Management levy does and in fact the situation for Norfolk Island from reading the submissions that some businesses are on the line and that this minor adjustment to cost, this one or two percent adjustment to their final bottom line, they're going to go out of business. Well I put it to you that if that was the truth they would have been out of business twelve months ago when they were 40% worse off against the US dollar and probably ten or fifteen percent if not more worse off against the New Zealand dollar. I've been involved with the development of this for a long time. I think it is a responsible approach to addressing Waste Management problems on Norfolk Island. It has received a lot of positive feedback not only from local people but from people visiting the island, it encourages me that that sends the word off the island that we are dealing with those matters responsibly and I support the direction that the Minister is taking, I support the legislation, I agree with the Minister for Finance. If there was a more equitable way of dealing with it, please for goodness sake, let me know because I would be only too happy to give consideration to that but we're running out of time. We've got to find some money. If we don't do it by this method we are going to have to look at raising revenue somewhere else to cover the cost of Waste Management and I don't believe that it is a matter that we can just say oh look, it's too big, it's too crazy, let's just chop it back and let's go back to the way we used to do it. I don't believe that's appropriate in this day and age, thank you

MR BROWN Madam Deputy Speaker, let me give some suggestions. First of all close it down. Continue with what we've done in the past and simply approve what we are doing. Rent the Waste Management Centre out for storage and turn it into an income stream. There's the first suggestion. Second suggestion. With the greatest of respect to the Chief Minister how can something which has increased have a 0% increase. Minimal I will accept. Let us say a very tiny, low weight box of something perhaps a little piece of jewellery, I'll accept not a high increase, but it can't be zero. The CABAF surcharge. Yeah. That can be annoying. But what has the Government done about it. Tell me of one occasion when the Government has spoken to the Shipping Companies and said, "Hey fellas, the A dollar's gone up against the US dollar and this is all US dollar related. Why hasn't it come down?" Well I can tell you the first thing they'll say is, "Where did you get this idea that it's all the US dollar that causes it. But once you've got through that shock, let the Government say to them "Well fellas, justify this". In earlier times any increase was justified by the shipping companies but in recent times, that hasn't been the case and it's time the Government insisted that it be the case. Fuel. What has the Government done to ask the fuel companies to just check whether there might have been a bit of a mistake in the calculation of fuel prices for Norfolk Island. I have asked that to be done on enough occasions. Nothing has happened Madam Deputy Speaker. The more I'm hearing the more firm I am in my view that I have no choice but to vote against this Bill and that's what I'll be doing thank you

MR GARDNER Maybe if I could just respond to the zero percent increase. As I said I've been provided with some detail. I can see how there can be a minimal increase where there are lightweight small products that don't hold a high value where for the sake of the absence of one and two cent pieces on Norfolk Island things are either rounded to the nearest ten or five cent piece and in those instances on the shelf price that is predicted there would be a zero percent increase on the shelf price because of the impact of the levy

MR NOBBS So that means Madam Deputy Speaker, that, that charge would in fact be passed on to the next item so I mean it's not a saving at all. We're talking waffle at the moment. What I would like to know is has the Government discussed this issue that was brought up just a while ago, the CABAF, with the shipping company. Has there been any discussion?

MR I BUFFETT Thank you Madam Deputy Speaker is this related to this particular Bill may I ask?

MR BROWN We can raise it, with respect

MR GARDNER If it's any assistance Madam Deputy Speaker, I in a private capacity have raised it with the shipping company. I'm not aware whether the Government have raised that issue. Certainly it's no different to airlines when they look at increasing rates and whether you try to lobby them to reduce rates or not. Any transport, any provision of any service to the Island one would believe would be based on a concept that there needs to be some negotiation between the relevant parties. Certainly between the Government and those servicing the Island but there is a time and a place for those discussions to take place to make sure that we are not impacting or trying to impress our will and our desire on private enterprise. I think that sometimes there is a line that needs to be drawn in the sand within regard t that, however, certainly I'm not saying that there isn't a need and probably a chance to have a long hard look at the CABAF charges and maybe some representation from Government at this stage wouldn't be amiss

MR SMITH Thank you Madam Deputy Speaker . it appears obvious from the debate here that when some of these non executives don't support something then usually its because they don't have all the information. Now maybe I've mislaid the paper or I haven't been listening but I don't know what the total cost of running the Centre is and maybe the Minister has explained that to Members on various occasions. I don't recall seeing the paper that sets out the charge against what it costs to run the Centre. If those papers are available and if he has them with him here it may help Members to see where he's coming from, because there's no doubt in the end that however we pay for the Centre it will be paid through the business community anyway in whatever form we charge but I will be keen to hear what the Minister has to say in relation to those matters

MR I BUFFETT Firstly I'm mildly surprised and that Mr Brown would recommend that we do away with this thing and go back to where we were before because if you wanted to report that I had had to agree with this then I would have to agree with the Commonwealth to take that over. Environment Australia has made it quite clear that we cannot continue the practices that we've been doing for all those years, of just without sorting, without doing anything, just continually burning and throwing everything into the sea, that's that issue. I think we've just about resolved that one so that was quite amazing to hear that said and that's been included in a couple of pieces of correspondence that's been well represented here today. Madam Deputy Speaker, the levy that I'm suggesting, let me give you an example. I spoke with two of the large importers in Norfolk Island and in a basket of good s that ranged over for example Colgate toothpaste, Watties baked beans, Coldpower, Kelloggs Cornflakes, 1.5 litre bottle Coke, Arnotts Tim Tams, six pack toilet paper, disposal nappies, the importer suggested the impost would be negligible for the toothpaste, but as Ron says it would be passed on, but on the whole basket of goodies that we looked at the Coldpower would increase by about ten cents, the Purex toilet paper six pack by ten cents, so that's less than 1.8 cents per toilet roll, the coke would be five cents, and it probably should be

twenty cents to stop the kids drinking it, the Arnotts Tim Tams it probably wouldn't even be bothered increasing the price of that because of the quantity and the Treasures Ultra 24's which is one of the worst contributors to the waste stream, works out to about twenty cents, so across that basket of goodies the costs that would be shared and distributed throughout the community would be almost negligible but let me make the point that it is distributed. I think it is a little exotic to suggest that the poor importers are sitting there paying for this thing. I think that if the importers are doing that then I applaud that they are not going to pass the cost on, if that's the impression that everybody's been given today, that's absolute nonsense. What a lot of nonsense. Its mean mentioned that they probably multiply it by two and then distribute the cost amongst the community. Madam Deputy Speaker, let me remind the community that 98% of all we consume in Norfolk Island is imported. I suggest that 98% is imported and that 98% of the stuff that generates waste is distributed amongst the local community, it's distributed amongst the visitors and everybody contributes to the waste stream and I think that the basis of the levy that we've suggested is probably the most equitable. I can't say that I can personally support a poll tax that takes away all the children, assuming that children are not going to make waste, take 300 out of the total of 2000, all the people on the social welfare a couple of hundred take them off it, what have you got less, say 1500 divide it by what you want and then impose a poll tax. That's a proposition that's been put to me. I believe that's an absolute nonsense which works out to about \$133 per month per able bodied person. That's a nonsense. I don't think that's equitable. We cannot attach the debt to a service so therefore, I don't think we are going to achieve any better return by trying to do that because it simply won't work. The Waste Management Centre its been commented on that the current situation is in a state of development still. The matters that Mr Nobbs refers to, certainly I agree with him, it's not the prettiest of sights at the moment but these things have got to be developed as we go along. We cannot imagine that we are going to get it right, right from base one, and there are other developments at that site which are currently being carried out that will take care of most of the comments that Mr Nobbs said regarding the incoming flights and looking across there. The comments I've had from the community are these, that they believe the Waste Management Centre in its present form is probably the best thing that's happened in Norfolk Island for a long while. The majority of the community believe that we cannot and should not continue to do what we were doing at Headstone or the top of bottom tip. I believe that if we were to go back to that practice then I think that would be self defeating in terms of any comment we need to make on the latest report in terms of continuing self Government if we are going down that track to go back to that situation. It think we are showing a responsible attitude to how we dispose of our waste. I believe that the levy I'm proposing is equitable on the basis that 98% of the waste is imported. It will be redistributed, and it will be redistributed across the whole of this community that consumes the goods that are imported. I will say no more but I intend to support the Bill and hope that I have a majority who will support it

MR BROWN

Madam Deputy Speaker, if the Minister thinks that this increase is not going to be passed on to social welfare benefits he's kidding himself. If he thinks the Public Service is not going to apply for a pay increase to compensate it he's kidding himself, but let's get on with it, I move that the question be put

DEPUTY SPEAKER
principle

I put the question that the Bill be agreed to in

QUESTION PUT

Would the Clerk please call the House

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

The result of voting Honourable Members the ayes seven the noes two, the Bill is agreed to in principle, We move now to the detail stage. Mr Buffett has foreshadowed certain amendments

MR I BUFFETT Thank you Madam Deputy Speaker I move that he detail stage amendments dated the 16th December 2003 be taken as read and agreed as a whole

DEPUTY SPEAKER Is there any debate on the amendments
Honourable Members

MR D BUFFETT Thank you Madam Deputy Speaker I just want to seek some clarification. I thought that the Minister earlier foreshadowed that after the decision on the Bill in principle he would introduce amendments which are these then they would sit on the table

MR I BUFFETT No. I asked that the detail stage amendments be taken as read and agreed to as a whole. That's what I intended to do so that they may be progressed and finalised today

MR D BUFFETT I misunderstood that

MR NOBBS Yes. I would have thought, and I've been away Madam Deputy Speaker, but these amendments were dated the 16th December which was yesterday and I would have thought that the community would have had some opportunity to look at them before they were discussed. That's all I can say, but I would have thought that they would be left on the table

MR BROWN Thank you Madam Deputy Speaker, I must say that I agree with Mr Nobbs. I accept that these are dated yesterday. I received mine this morning but it could have been in my box late yesterday. It certainly doesn't leave you time to speak to anyone about it. I don't want to delay the whole things because I can see that the majority of Members are blindly in support of it. Sorry, I'll retract the word "blindly". Are totally in support of it but nevertheless I do think that the amendments are aimed at clarifying what were errors and I think that the community is entitled to consider that clarification, not to have it dropped on the table at two seconds notice

MR I BUFFETT I made reference to the amendments earlier. The amendments are not substantive amendments to the intent nor does it materially affect the contents of the Bill. The amendments that were put in today are amendments that were discussed at the November sitting and it was specifically raised and debated by yourself in the whole list of issues, they dealt with renumbering of some clauses and

where a “t” had been left off “at” for example, and they were not substantive more did they materially affect any of the major sections, or did it change the nature of the Bill and that is why I propose that we deal with them as a whole because they have materially changed absolutely nothing

DEPUTY SPEAKER
circulated be agreed to

The question is that the amendments as

QUESTION PUT

Would the Clerk please call the House

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

The result of voting Honourable Members the ayes seven the noes two, the amendments are agreed to

I now put the question that the clauses as amended be agreed to

QUESTION PUT

MR NOBBS	NO
MR BROWN	NO

AGREED

The clauses as amended are agreed with Mr Nobb's and Mr Brown's dissent

I put the question that the remainder of the Bill be agreed to

QUESTION PUT

MR NOBBS	NO
MR BROWN	NO

AGREED

The remainder of the Bill is agreed

MR I BUFFETT
the Bill as amended be agreed to

Thank you Madam Deputy Speaker I move that

MR SMITH
Thank you Madam Deputy Speaker too often we get amendments like we have today on very important pieces of legislation, things that get dumped into the House at the last minute and Members are expected to, under pressure, to agree to things that they are not sitting comfortably with. That seems to have happened a lot in this last twelve months. It's something that makes it really

difficult for a back bencher or a non executive when you are dealing with legislation, particularly where there's money involved, like this one here, I still didn't get an answer to the question that I asked before on the cost of running the Centre which if I knew what it was I might be able to say "Yes, the proposed imposed levy is reasonable concise ring the costs". I just mention that in this part of the debate as a protest of this happening more and more with legislation coming into the House

DEPUTY SPEAKER Further debate? No further debate Honourable Members? Then I put the question that the Bill as amended be agreed to

QUESTION PUT

MR NOBBS	NO
MR BROWN	NO

AGREED

The Bill as amended is agreed to with Mr Nobbs and Mr Brown dissenting

EMPLOYMENT AMENDMENT BILL 2003

We resume at the detail stage on the question that the amendments be agreed to and Mrs Jack you have the call to resume

MRS JACK Thank you Madam Deputy Speaker I will just mention that I introduced certain aspects of changes to the Employment Bill prior to this and this brings into action the possibility of maximum penalty units for people failing to adhere to the wearing of uniforms and the providing of uniforms so I'll leave it for Members to discuss it and I'll listen with interest thank you

MR GARDNER Thank you Madam Deputy Speaker as I've indicated in the past I will continue to abstain from voting on this matter and participating in debate because of my role as an employer

DEPUTY SPEAKER Thank you Chief Minister. Is there further debate. No further debate Honourable Members?

MR SMITH Thank you Madam Deputy Speaker this is the one that I have been saying for some time that I don't support and Mrs Jack is aware of that. I continue with that view

MR NOBBS I haven't had the opportunity to really study it very closely really Madam Deputy Speaker, because it wasn't sent to me like the others have been but I am also an employer from time to time as most people are here and I think that provision of uniforms and those sort of issues are fairly standard and I know that some places on the island provide them now so I've got no problem with it

DEPUTY SPEAKER Thank you Mr Nobbs. Is there further debate.

MR D BUFFETT Thank you Madam Deputy Speaker this Bill covers a number of areas as Mrs Jack has told us, such as uniforms and I don't have any difficulty with uniforms, and the employment of people in certain age brackets, I don't have any difficulty with that but there is the area that talks about what percentage

in respect of overtime and I still have difficulty with that particular component and I just identify it being as such

MR SMITH Thank you Madam Deputy Speaker likewise I suppose I should explain what I said before. The two parts of what is being proposed, I don't really have any difficulty with. The third part is in relation to a new regime for workers being paid overtime. I still say what I said in an earlier meeting that as Mr Brown had proposed earlier in the year where a different regime would be more acceptable to me rather than what is being proposed here

MR NOBBS Are we talking about a detail stage amendment dated the 14th of the eleventh month 2003

DEPUTY SPEAKER 14th November 2003, that is correct

MR NOBBS Well there's no provisions in relation to salaries and wages in this

MRS JACK That was discussed in November and then I put this one which you have there

MR NOBBS Okay thank you I was just wondering where this had actually got to because that's the first one I received a copy of. The second one I hadn't received a copy of that's why I was asking

DEPUTY SPEAKER Mrs Jack will attempt to assist you Mr Nobbs. Resolved? We are dealing with the amendments as they appear dated the 14 November and the question is that the amendments be agreed to

QUESTION PUT

Would the Clerk please call the House

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

The result of voting Honourable Members the ayes five, the noes two, and two abstentions so the ayes have it. The amendments dated 14th November are agreed.

I move to the clauses as amended being agreed to. Is there debate

MR SMITH Thank you Madam Deputy Speaker if I may comment on the clause that refers to the overtime provisions is the part that I object to and the reason I voted against. There's probably no opportunity for me to actually vote on them separately

DEPUTY SPEAKER The amendments as a whole have been agreed to

MR SMITH Thank you Madam Deputy Speaker did we do that?

DEPUTY SPEAKER Honourable Members is there further debate. No further debate Honourable Members? Then I put the question that the clauses as amended be agreed to

QUESTION PUT

MR SMITH	NO
MR BROWN	ABSTAIN
MR GARDNER	ABSTAIN

AGREED

The clauses as amended are agreed. We put the question that The remainder of the Bill be agreed thank you. Is there any debate. No. then I put the question that the remainder of the Bill be agreed to

QUESTION PUT

MR SMITH	NO
MR BROWN	ABSTAIN
MR GARDNER	ABSTAIN

AGREED

The remainder of the Bill is agreed thank you.

MRS JACK Madam Deputy Speaker, I move that the Bill as amended be agreed to

DEPUTY SPEAKER Is there debate Honourable Members. There being no debate I put the question that the Bill as amended be agreed to

QUESTION PUT

Would the Clerk please call the House

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

The result of voting Honourable Members the ayes six, the noes one, and two abstentions so the ayes have it. The amended Bill is agreed to. Thank you

FIXING OF THE NEXT SITTING DATE

MRS JACK Madam Deputy Speaker I move that the House at its rising adjourn until Wednesday 11 February 2004, at 10.00 am.

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

QUESTION PUT
AGREED

ADJOURNMENT

MR DONALDSON Thank you Madam Deputy Speaker I move that the House do now adjourn

DEPUTY SPEAKER Is there any debate Honourable Members?

MR GARDNER Thank you Madam Deputy Speaker as is usual at this time of year I would like to pass on my very best wishes to a very happy and prosperous Christmas and New Year and festive season to my colleagues around the table, the staff that service the Legislative Assembly within this compound, the Chief Executive Officer and his Executive Directors and senior staff and the Administration staff in its entirety the community of Norfolk Island and also the visitors that will be with us over that period and I wish them all a very merry Christmas, a happy and prosperous New Year but before I sign off Madam Deputy Speaker, I also would like to pay some tribute to Members of statutory boards that I'm associated with in my executive capacity including Members of the Immigration Board, the Gaming Authority, the Legal Aid Advisory Committee and other statutory bodies on this Island and thank them sincerely for their efforts over the last twelve months. That of course does not exclude persons such as the magistrates, who in that role are also Members of our Administrative Review Tribunal also includes persons such as the Coroner and the Director of Gaming. I wish you all well for the festive season and look forward to working with you in our last twelve months or so as the Tenth Legislative Assembly after the New Year period thank you very much, and a very fond farewell at this time to my colleague who as I spoke about at the last sitting of the House has been a tremendous inspiration to me over my term as a Member of the Legislative Assembly of Norfolk Island, to you George, good luck, good health and better golf

MEMBERS Hear, hear

MR NOBBS Thank you Madam Deputy Speaker I would like to wish all Member of the community a very merry Christmas. I believe that each Member of the community contributes to the community of Norfolk Island equally and also to Mr Smith I wish him the very best but what I would like to say Madam Deputy Speaker, I wasn't here for the Joint Standing Committee Report this morning and I would like to express a couple of views if I may at this time. The views are, I haven't had the opportunity to judge the community's reaction to it apart from a couple of emails I've had, but I would like to say that in combination of the past commitments and expectations of the community some personal experience and also the policies and utterances of the candidates at the last elections and the performance of the current Government in the two years that they've been in office. I find the report fairly cynical and I find it somewhat of a disaster as far as the Norfolk Island way of life is concerned. It's a disaster in two specific aspects. The first is that there are some good points in it and they are overshadowed by an unacceptable and very poor points. The good points are the issues developed and discussed by previous Assembly's. They've never been

finalised and some of these examples are the role of the Speaker, the voting, other issues like that in relation to the Assembly particularly go back for years and these sort of issues are our failing, and the failing of successive Assembly's which I've been a Member of and they are also a failure of the community who have continually elected those Assembly's. the report Madam Deputy Speaker, have some very concerning issues in it and I would note from some reports in the press in Australia that these issues have been brought out. There are claims of corruption. These are very difficult to counter as we do not have specific corruption controls. Arguing that there's no corruption is really not an answer. It's really irrelevant. We need to prove there's no corruption and require of course basic legislation. It's talked about. What we have in place at the present time is fairly useless. The community has fought for years since 1890 not just recently, to control our own destiny and I believe that there are indications that this remains. my personal experience is that the report is contrary to the belief of the community that we work for and I would like to say a couple of words on the policies and utterances of the last election. The previous Government was criticised for the poor relationship with Australia. This was quite contrary to what was actually happening. The Norfolk Island Government was subjected to some fairly concerted attacks by the Commonwealth particularly through its advisors. I guess, and I will say it now and I make it very clear that the Administrator was the most politicised person that I've seen for a long time in a role similar to that. We had the words "an integral part of Australia" and the push at the last election

MR BROWN Point of Order Madam Deputy Speaker. To such extent as the title of Administrator has been used I would suggest with the greatest of respect that is inappropriate and that reference to the title of the Administrator ought properly to be withdrawn

MR NOBBS Madam Deputy Speaker the Administrator has a role as an advisor to the Government and as a consequence I'm saying that in that role it was politicised considerably

DEPUTY SPEAKER Mr Nobbs, Standing Order 60 says that no Member may use the name of Her Majesty, Her representative in Australia or the Administrator disrespectfully in debate nor for the purpose of influencing the House in its deliberations

MR NOBBS Madam Deputy Speaker in view of that I withdraw it but I would say that the representative of the Australian Government and some of their advisors have politicised the arrangements and that's gone into the realms of the Department in my experience and in that point in time and now this report sees in my view the full integration of Norfolk Island into the Australian system. What it really means I believe is that we become a suburb of Canberra and that might sound fine to some but in reality if you look at it closely the Legislative Assembly will revert to a council, it will be controlled and directed by the secretary representing the Minister for Territories, whoever is appropriate and the report sees a loss of all gains since 1896. We've been under this, in the present Legislative Assembly there's been some concern and I think it shows on the record that there was a need to push for some action in relation to this particular Joint Standing Committee. This was eventually done but I believe that we have not been as active in the present Legislative Assembly as we should have been. There's financial criticism in the Report and let me say that the report was compiled on the advise given obviously by representatives as I don't think that the particular Members had it as their view, it was based on advise. What I would like to say is that no Public Service anywhere ever claimed that they had adequate funding. The Commonwealth Public Service of which I was a Member at one stage is a

very good example of this and I would say that within the Norfolk Island Public Service there's probably the same view. We've also got the situation under the present arrangement where three Ministers are ex public servants so that I'm not the only ex public servant around here. I found quite arrogant the criticism of the Focus Proposal that the Focus Committee should be reasonably satisfied with current expenditure on Norfolk Island but then they would look to the additional requirements and then plan how to raise and expend additional requirements. I ask very simply what's really wrong with this although in the report it seems to have come in for some considerable criticism. The current Government has actually increased revenue and I think the expenditure is approaching 20% in the last two budgets on the budgets before that so really the increases, there has been an increase in the take on the Island here and also that money has been expended as we seem to have had in the last two financial statements we've finished about square or over-expended. What's really come out of this report Madam Deputy Speaker, is the criticism that Norfolk Island is corrupt, incompetent and broke. And I don't accept that. I never have and I never will. Unless things change considerably. There are issues in that report which are quite reasonable and we should get on with it and fix it but there are other issues which I cannot accept and I would like to wish you all a merry Christmas. We had a black Christmas last Christmas when this Committee was set up and the Minister at the time Mr Tuckey gave their terms of reference, and I believe that we have a black Christmas this time because it really will change Norfolk Island considerably and it will change it from a place that I've grown up in and known to one which I will find very difficult to support

MR SMITH

Thank you Madam Deputy Speaker. I would like to wish everyone around the table here a merry Christmas, a happy New Year and a productive New Year. I would like to thank everybody who's been supportive in my term and this term in the community and where-every else. It's been an interesting term. As you all know I've enjoyed my time in politics as I hand in my letters MLA today, in about five minutes I'll be finished unless I become MLA emeritus. Regretfully I'm leaving down here and participating in the good affairs of Norfolk Island. I'm going to miss that for a while until I try to venture back into it, sometime in the future. It would be very easy for me to sit here and bag the Legislative Assembly at this time but it's not appropriate. We've had our ups and downs and when I say "we" it's the eight of you and me on some issues. If I believe in something as strongly as I should I pursue it to the end if I can. Sometimes that works, sometimes it doesn't. I would like to think that the Legislative Assembly would look at its last ten or eleven months which is all that's left of this one to be as productive as possible. I think there is very much a danger in an Assembly's time when you get into your third year which we are already in that it becomes nothing and that's happened in many Assembly's. With respect to all those Members of the Legislative Assembly's of that time as I've seen it and it's quite easy to do because your time runs out, we have a Christmas period and the next thing there's an election around the corner but I would like to hope that some people in the Assembly could carry on some of the things that I've been trying to focus on with Norfolk's young people, I think that's very important that they don't get overlooked as happens too often and I really look to Graeme and Geoff who are parents in the Legislative Assembly here for that age group, to support the Youth Centre Project to support the Youth Assembly, where kids are being given the opportunity to understand what Norfolk Island is about, to understand the politics if they can, because it's not that far away before anybody of that age group is a working part of the community or worse, if they are not a part of the community they are a part of somebody else's community. I would like to hope that somebody would carry that on. In fact it would be great if all Members did and gave full support behind things that matter the most to the longer term future of Norfolk Island. I'm not trying to be smart or anything but it is very important. It has been important to

me and I hope it is to the rest of you. To everyone else, merry Christmas and a Happy New Year

MR I BUFFETT Thank you Madam Deputy Speaker I would like to wish the community, all those I worked with over the last twelve months, on the Planning and Environment Board in particular we've had a busy and interesting twelve months, I believe we've achieved a lot and all of the community a very happy Christmas and a healthy 2004

MRS JACK Thank you Madam Deputy Speaker likewise, to all the community members, to all those on boards I wish nothing but the best for this season and the following year. To George I would like to wish him well in his change of occupation. I hope it's all that you want it to be and also Madam Deputy Speaker you yourself became a grandparent just prior to the last sitting and I would like to wish Toon and Shelly all the best in their new roles as grandparents and I hope that, that little bundle of joy bring you nothing but joy, thank you

MEMBERS Hear, hear

MR BROWN Madam Deputy Speaker, could I endorse the words of my colleagues. I would certainly like to wish all my colleagues, the community, to our visitors and to all those families who will be returning over the Christmas period all the best for a very happy and very safe Christmas and let's hope that for Norfolk Island and personally for all of us next year will be peaceful and prosperous and I said my farewell to George last meeting, I don't need to add to that, other than simply to say God Speed George, good luck in your new job and when you get fed up with that, I guess you'll be back

MR DONALDSON Thank you Madam Deputy Speaker I would like to wish all residents and visitors to the Island, present and future, a very merry Christmas and a happy and prosperous New Year and extend my good wishes to George in his new venture and look forward to still dealing with him every now and then on political issues and seeking his advise on certain matters. Thank you George

MR D BUFFETT Thank you Madam Deputy Speaker I too would like to contribute appreciation to all Members who are around the Chamber here this afternoon for their participation in the parliamentary process over the year that is concluding and wish everyone sincerely a merry Christmas and a happy New Year and I would like to add greetings to officers of the House, the Clerk, Deputy Clerk, and those who work for the governmental arrangements within this compound, those who are involved in the public service in the island and particularly those who undertake voluntary work on statutory boards and statutory committees and say thank you for their contributions throughout the year 2003 and equally wish them a merry Christmas and a Happy New Year. May I extend that also to all people who live in Norfolk Island and the strangers who are within our gates at this Christmastide. Christmas greetings from myself and from Margaret and I know that comes from us all here and I hope that everyone will have a successful fruitful and a satisfying new year in 2004. At our last sitting I endeavoured to say farewell to Mr Smith also and on this occasion that he sits in the House especially in the Tenth Legislative Assembly on his last occasion can I again acknowledge his time amongst us, not only as a Member but as Chief Minister and as Speaker of the Legislative Assembly. He has been a long term Member but to thank him for his participation in the parliamentary processes in Norfolk Island, compliment him on getting his new job and wishing him well in his new job and give him some undertaking from my part in the areas that I might have some responsibility that I

will endeavour to pursue some of the projects that have been worthwhile. He asked me a number of questions today for example, about the Youth Centre and I would hope that I can make some contribution in moving that along in accordance with those earlier answers that I gave. I wish you well Mr Smith, through you Madam Deputy Speaker

DEPUTY SPEAKER Thank you. As the last speaker I can't help but be repetitive, but to all those in the Old and the New Military Barracks as well as to statutory bodies and other Administration and Government Business Enterprises organisations, and to all those in the community who celebrate Christmas may you have a peaceful Christmas and a prosperous New Year. Is there any further adjournment debate Honourable Members? There being no further debate I put the question

QUESTION PUT
AGREED

Therefore Honourable Members this House stands adjourned until Wednesday 11 February 2004, at 10.00 am.

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