

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

CONDOLENCES

We move to condolences, are there any condolences this morning? Mr Tim Brown

MR T BROWN

Mr Speaker, It is with regret that this House records the death of Alexander Kenneth Wright in Auckland city Hospital on 21st November 2004. Ken was born and raised in Wanganui, New Zealand. He had a passion for motor vehicles and traveled to England to follow his dreams of selling Jaguars, Aston Martins, MG's and the like. He did this for two years. Returning to New Zealand he worked for a brief time selling Holden's and Vauxhalls but quickly moved to the upper end of the market where he was most successful selling prestigious cars to clients throughout the country for some twelve years. Ken was an avid vintage car collector and foundation member of the New Zealand Vintage Car Club and was a board member of the Wanganui Regional Museum for many years. In 1980 Ken and Ann moved to Norfolk where he managed International Duty Free for many years but Ken could not keep away from cars. He commenced his own business selling used Japanese imported vehicles and traveled several times to Japan to select vehicles for his clients. Ken was a member of the Lions Club of Norfolk Island and a great supporter of the Norfolk Island RSL and will be sadly missed by both these organisations. To Ann and her family and to their friends this House extends it deepest sympathy

It is with regret that this House records the death of Cecily Margaret Bigg of Friday 3rd December. Cec was born in November 1943 the third daughter of William and Enid Connors and sister to Leonie, Ken Desley Nola Neil and the late Bill. She was raised and schooled in North Lismore. On leaving school she started her working life as a typist. At 17 she left to live in Parramatta and there met Keith. They were married in 1963. In 1972 with their three young sons they moved permanently to Norfolk. Cec commenced work at the OTC in a part time position then full time as Telephone Monitor for Norfolk Telecom until her resignation earlier this year, due to ill health. Cec was a very dedicated woman in everything she did. She was an avid painter and took great pleasure in her craft work on which she would spend many enjoyable hours. She was extremely proud of her home and garden in which she was most particular. Cec was an extremely private person who was always concerned about others. She had a marvellous sense of humour with light hearted mischief and her laughter was infectious. She was dedicated to her family and treasured her grandchildren. She was a gentlewoman and a lady. To her husband Keith, to Neville, Gary and Anthony, Michelle, Corey, Tyler, Lara, Lachlan and Jordan and to her many friends this House extends it deepest sympathy

MR SPEAKER

Thank you Mr Brown. Honourable Members I also record with you the death of Mr Alan Browning last week in Canberra. Mr Browning was the first clerk to this Norfolk Island Legislative Assembly in 1979 and continued until 1980. he did draft our present Standing Orders and guided us through the establishment of the structure of our new parliament. Mr Browning was a permanent officer of the Australian Parliamentary Staff and achieved the highest office in that service by an appointment of the clerk of the House of Representatives in 1985, a post he held until retirement in 1991. he did visit us at our invitation when we celebrated our twentieth year and on your behalf Honourable Members, I have conveyed condolences to his family.

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

We move to petitions. Are there any petitions this morning?. There are no petitions.

GIVING OF NOTICES

Are there any notices?

QUESTIONS WITHOUT NOTICE

Are there any questions without notice?

MR CHRISTIAN Thank you Mr Speaker, I direct my first question to the Minister for Finance with responsibility for the Public Service. Minister on the 27th October 2004 you received a letter from the Public Service Association. In that letter the Association 1) expressed concerns about the management structure of the Public Service, 2) the high cost of the management structure and 3) the lack of productivity within the Public Service as a result of this management structure. Minister will you give this house an undertaking that you will enter into serious dialogue with the Public Service Association with a view to 1) simplifying the management structure of the Administration 2) lowering the cost of the running of the Administration and 3) significantly increasing the productivity of the Administration

MR NOBBS Mr Speaker it's a fairly lengthy question. I did receive a letter from the Public Service Association. I also met with the executives of the Public Service Association subsequent to that and we had a lengthy discussion for about an hour and a half if I recall the time, if not two hours on a lot of those issues and I made an undertaking that I would propose significant changes. As you are aware my views in relation to the Government Business Enterprises are that if it is a business enterprise and I believe it was established in the first place that they be run as business enterprises and if they are to be run as a business enterprise, then they be run as a business enterprise and that includes such issues as well as management outside the Administrations current arrangements, all under say a board or some such management arrangement, and the entity's in my belief should be run with all the shares belonging obviously to the community and I will have a paper on this hopefully for the MLA's next week or if not for the MLA meeting around the New Year period. The proposal if it is accepted would then provide that Administration is really only the core section which includes things like the school, the medical side of things, social services, registry, those particular areas which are more of a social community segment which cannot receive a lot of outside funding really, customs would be retained but all the rest of it would be run more on business lines and that includes the finance section which would be run as a small business entity with places like electricity. I haven't spoken yet but there are some Government Business Enterprises that are under other Ministers and I'm not really worrying too much about them in this point in time but electricity, airport, those sort of areas should be run as a business and operate as a business. There will be a cost of course because at the present time they don't pay such things as customs duty. They don't pay such things as a fuel levy and all those sort of arrangements. If they are to be run as a business they have to be run properly and that's the proposal that I put up. I've spoken to the Public Service Association initially about that because they were really concerned about privatization. This is not privatization. Privatization is the selling of Government entities to the private sector. This is not proposed as that. What this proposes is that we create a business arrangement. There will be shareholdings in that business obviously but all the shareholdings will be owned by the community. As a result of this proposal I believe that there will be considerable change within the current structure that we have within the Administration. I've some very positive support from managers within the Government Business Enterprises that I have spoken directly to. Also there are concerns of course in relation to that. There will be a need to work through this proposal but what I really need is an endorsement for stage one of that and that's what I'm saying. I hope to have something by the first meeting in the New Year of the MLA's. we won't be meeting again until February if the proposal is that there will need to be an Act or some legislation brought in, then I would hope to have that by February. Mr Christian I gave an undertaking and I know the Chief Minister is trying to get a question in here and I'll be as brief as possible, but I gave an

undertaking to the Public Service Association that if this proposal goes ahead it would either live or die by the 30th June next year

MR GARDNER Mr Speaker a supplementary question if I may to the Minister for Finance. In relation to the proposed structure that he Minister has just outlined is it proposed therefore that the new structural arrangements for those Government Business Enterprises will include each and every one of those managers to be recruited on a performance based contract

MR NOBBS at the present time it's been suggested that this is the way to go. There will be a need to work through and that's a particular issue of what status the actual managers of those entities have, whether they still retain within the overall Government as Public Service or whether they become over time a full performance based position or whether we go for full performance based position statements at that point in time. That's something that has to be worked through. They are the difficult parts that will be because once you are dealing with people and their positions and their responsibilities in life it does become difficult and there are negotiations, there are no hard and fast rules in place that I can see at the present time, it's purely up to negotiations and a lot of consideration, not only by me but also by Members of the Legislative Assembly as these issues are brought up

MR CHRISTIAN Thank you Mr Speaker, I direct this question to the Minister for Finance with responsibility for the Public Service. Minister there appears to be confusion within the senior ranks of the Public Service on what is the correct procedure to follow when Public Service travel overseas. On one hand we have a public servant who has travelled for personal entertainment purposes on an air ticket purchased and owned by the Administration. On the other hand we have a Public Service who has purchased the ticket for work related travel on the basis that the ticket cost would be refunded. Approval for overseas travel in this instant was cancelled at the last moment notwithstanding that approval to travel had previously been authorized. The Administration has refused to refund the ticket cost and the Public Service is now out of pocket. Minister will you undertake to recover the ticket cost from the Public Servant who travelled for personal reasons and reimburse the Public Servant who acted in good faith and is now out of pocket and take steps to ensure that this shemuzzle never occurs again

MR NOBBS Mr Speaker I'm concerned at the question to a degree because the first part of it I'm fully aware of but the second part I haven't really all the details but the first one is, I can say yes, it's been sorted and there is a reimbursement process in place and there was right from the kickoff actually but nobody really knew about it and that's been a problem and it all involves the inability to cancel specific tickets and those sort of issues so I mean what has happened is that I'll write to the Minister and I intended to write to another Member who had brought it up originally now that I have all the facts. It's on my desk now and I'll also copy Mr Christian. As far as the second one is concerned I had a conversation with some people and the second instant was mentioned but I haven't all the facts on that at this point in time and I'll take that on notice

MR CHRISTIAN Thank you Mr Speaker, I direct this question to the Chief Minister with responsibility for tourism. Minister what strategies have you been able to implement to reverse the significant downturn in visitor numbers from Australia

MR GARDNER Mr Speaker I have been unable to put in place any strategies that will reverse that decline. Suffice to say that I have been doing my level best over the last month or so as the new Minister for Tourism to give myself a bit of an education by having meaningful and open discussion with all of the stakeholders involved in the tourism industry on Norfolk Island both locally based and based in Australia and New Zealand. I have been heartened to a degree by recent comments from a number of those people that say even though we are in one of those downward cycles for tourism on Norfolk Island all is not lost. They are confident about the future. Some of the reasons that they have been given for our decline Mr Speaker is the over availability of product, in other words, tourist related type

product in the market place both in Australia and New Zealand both are significant challenges faced by significant cost cutting and airfare structures out of Australia and New Zealand to other destinations in the Pacific and a number of other reasons. In regard to that, it was interesting the other day that for the first time a large wholesaler that provides a great deal of business to Lord Howe Island reported to me that for the first time in her memory Lord Howe Island is suffering a similar type of decline over their peak season and in January they are planning to run a deal of specials to try and encourage visitation to Lord Howe Island so on the one hand it is encouraging to know that we are not alone and on the other hand it is encouraging to know that all of the wholesalers and the stakeholders I've spoken to so far and it will be ongoing are happy to work as a team to try and reverse the decline in tourism numbers and that's what we will be setting our sights on doing. We have as well had been given the opportunity as Members of the Legislative Assembly to talk to the manager of the Tourist Bureau in recent days about the development and finalization of the strategic marketing plan for the years 2004 through 2006 which fill the gap between the Unity 2005 document and the promulgation of the document that will replace that and we are looking to finalise that as soon as we can. In relation to that consideration will need to be given as I have made very aware to the Bureau and the Manager and I think Members know my view here of the need to revisit the Norfolk Island Government Tourist Bureau Act 1980 to see whether it still delivers on what its promise was in 1980 to update that, to revisit the role of both the Bureau and the Visitors Information Centre and in what form and function they will perform from here on in. Mr Speaker it's a very big broad brush approach but it is necessary that the overhaul be given to that and that's what I've set my sights about doing thank you

MR CHRISTIAN Thank you Mr Speaker, I have three more questions without notice and then that will be my lot I wonder if I should just carry on

SPEAKER One more then I'll turn to Mrs Boudan then I will come back to you

MR CHRISTIAN Thank you Mr Speaker. I direct this question once again to the Chief Minister with responsibility for tourism. Minister will you undertake and urgent review of all registered tourist accommodation units and buy back or revoke all consistently underperforming bed licenses and redistribute those bed licenses to new or existing accommodation operators who can actually fill those beds ensuring that there is real economic benefit to Norfolk Island from the beds that are licensed

MR GARDNER Mr Speaker thank you. Thank you Mr Christian for the question. As far as the review is concerned I see that as tying in with my answer to the previous question asked by Mr Christian. A need to review the operations, as I said not only of the Tourist Bureau and the stakeholders but that also includes the tourist accommodation industry here on Norfolk Island. As far as the statement is concerned about tourist accommodation proprietors who can fill those beds, so much of this is heavily reliant on the industry providing persons to the tourist accommodation proprietors to be able to fill those beds and so I think we would be putting the cart before the horse if we didn't address the delivery of persons to Norfolk Island before we address the deliver of tourist accommodation proprietors who can best fill those beds. I take on board what Mr Christian has raised and there has been some discussion in this forum about exactly the matter Mr Christian raises. Certainly it is a consideration given in relation to the recent Gatekeepers Report and some of the discussion by the Tenth Legislative Assembly at the time of the presentation of the Gatekeepers Report looking into the future and I'm not sure, I stand to be corrected here, but I believe that may have been a recommendation that there was a need to look at not necessarily the underperforming side of things but the general lower standard, in other words, below the three star rating of tourist accommodation houses on Norfolk Island and whether there is a future in going for those types of properties on Norfolk Island for our future tourism industry. I guess the undertaking that I will make at the moment Mr Speaker is not necessarily to urgently go out and review that but to consider it in conjunction with the other major items that need consideration in our forward planning for tourism on Norfolk Island

MRS BOUDAN Thank you Mr Speaker. I've been requested by a Member of the public to ask the Chief Minister a question. Much has been said of the new structure of Government in which the Chief Minister was able to select his Government. Does this mean that the Minister's now report to the Chief Minister and that the Chief Minister is ultimately responsible for all portfolios

MR GARDNER Mr Speaker thank you and thank you Mrs Boudan for that question. It's useful to try and clarify that. No Mr Speaker Ministers do not report directly to the Chief Minister and ultimately the Chief Minister is not responsible for each and every portfolio on Norfolk Island. As Members would be fully aware the executive Members including the role of Chief Minister is answerable and accountable to the Legislative Assembly as a whole not to the Chief Minister. It might be useful to provide some background information into how following the results of the latest general election I was asked to select an Executive Government. Mr Speaker you would be aware of the establishment of a Select Committee into Electoral and Governance Matters in the 10th Legislative Assembly that looked at a whole range of matters in relation to those matters. Two recommendations were forthcoming out of that Select Committee Report in relation to Executive Government. The form and the function of Executive Government on Norfolk Island, the 10th Legislative Assembly agreed that there would be no change from what was in place at that time and that I believe that, that recommendation be referred to the new incoming Legislative Assembly to further consider. Secondly the second recommendation that came out of that report that as I recall was noted and again be referred to the 11th Legislative Assembly was the role of the Chief Minister in selecting for want of a better word, his cabinet, and the accountability type arrangements that would normally flow from somebody in a position like that, selecting their cabinet and actually having ultimate authority or control for the actions of their Executive Members so to cut a long story short, there are no statutory arrangements in place for the Chief Minister to select his cabinet. The overwhelming response from the surveys that were supplied as part of the select committee report did not endorse or encourage the Chief Minister having those powers or exercising those powers in any form or fashion so that hasn't happened. No statute has been raised that would put those roles in place or change those roles as we have dealt with over the last 25 years. What did happen following the election was that the Legislative Assembly came together as we normally do to consider who would fill the Executive portfolios and a unanimous agreement of all Members was that they had requested me to go away and identify the four executive Members and the roles that they would take in the formation of the new Norfolk Island Government and again that was unanimously endorsed at our first formal sitting of this House with the appointment of those Ministers to those various roles and in saying the appointment, it is the Legislative Assembly that appoints those Ministers Mr Speaker, it was not the Chief Minister I was simply asked to put a proposal together for the Membership of the Legislative Assembly to consider and they endorsed that

MR CHRISTIAN Thank you Mr Speaker, I direct my next question to the Minister for Finance with responsibility for the Government Business Enterprises. Minister the Waste Transfer Station is now publicly referred to as the Waste of Money Centre. Will you assume direct control of this facility with a view to 1) reducing the cost of its operation, 2) improving the operation to actually process waste and 3) if it becomes obvious that none of the above can be achieved, close the facility and look for alternatives

MR NOBBS Mr Speaker the waste management centre is not really in my area of responsibility. I would suggest that Mrs Jack who is responsible may wish to answer the question but I would assume that if the proposal in my area for the Government Business Enterprises was accepted by the Legislative Assembly that Mrs Jack would follow with that particular area and so if I may Mr Christian I'll pass it to Mrs Jack thank you

MRS JACK Mr Speaker thank you. Reducing the cost of its operation. It was always going to be a costly exercise to begin with and until more and more of those waste streams start being recycled I suppose one can safely assume that the issue will continue to be there. It is unfortunate that so much of that waste has to be sent off shore but we are left with waste that is a result of not previous mismanagement by any stretch but by

habits of the past such as the tanned timber which is a costly exercise to get rid off, the asbestos which is also a costly exercise, we have large costs sustained when we try and ship asbestos offshore, there's quarantine regulations in Australia, there's safety issues regarding its arrival and can only go into specific land fill. Land fill that's closed off to us, our ability to use a land fill in Victoria has been closed off. I think land fill in New South Wales is still open to us but as I said, it's a very costly exercise due to the nature of the product. And I mean, it's no use denying it. We have large accesses of greenwaste there which we are looking at buying more machinery, more costs. The tub grinder to make it into a mulch. At the same time though the end product would be a saleable product and a small but over a long period of time you'd be looking at more than the cost neutral exercise. Glass crushing is another hopeful use. At the moment that stream, glass is still thrown over Headstone but with a proper OH&S glass crusher that provides that particular standard that can be bought under the new GBE's by the electricity for the laying of cables and replacing the pull that's being placed at the moment on sand so again, you've got to spend money to try and make some of these waste streams more workable. Improving the operation to actually process waste, well that's; just been covered by some of that. If it becomes obvious as your third point, and I'll just repeat that, if it becomes obviously that none of the above is possible, close the facility and look for alternatives, well actually I think I just answered that one. I think it is possible to make it a better working installation but it just takes time. It at least is centralizing the waste, it stops a lot of burn off and the community is going to wear some costs still for another few years I should imagine. Thank you

MR CHRISTIAN Thank you Mr Speaker, I direct this question to the Environment Minister with responsible for planning. Minister will you give this House and undertaking that the Administration will not be exempted from complying with environmental conditions that may be imposed on others

MRS JACK Can I ask if you have one specific instance in mind or of course I would expect the Administration to adhere to the same conditions. It would be silly to have two sets of rules and I realise that this may relate to one instance in particular that has been raised with me through the Chairman of the Board and I have given the Chairman of the Board an answer to his concerns. I've also raised those issues with the manager for Land Use and Environment, the Environmental Officer and others

MR SHERIDAN Mr Speaker thank you. I've a question for the Minister for Immigration. It's a question in two parts you might say. Minister can you advise the House howl many General Entry Permit or Temporary Entry Permit holders are currently accessing the Social Security Department for Social Security payments and the reason why and the second part of the question, also is the Minister aware that an elderly gentlemen on a Temporary Entry Permit is currently enjoying the benefits of the verandah of the Hospital full time. Can the Minister explain the reasons behind this and why he has not been required to use his return ticket and leave Norfolk Island

MR BROWN Mr Speaker thank you. I'll deal with the second part of the question first. There is indeed a gentleman at the Hospital who receives DVA benefits and DVA pays the cost of his hospitalization. The response to my enquiries is that there is absolutely no cost to the local community in that. In terms of whether persons on General Entry Permits or Temporary Entry Permits are receiving social welfare benefits, the only benefit for which such people could apply is what we call a special benefit. That is a benefit which strictly speaking has no rules and the reason that it is designed that way is so that a benefit can be paid to someone who is genuinely in need but no-one can so structure their affairs as to come along and say please give me a special benefit. In the period since the 20th October I have only become aware of one new application from a Temporary Entry Permit holder for a special benefit. At this stage I have not approved that application. I have sought additional information before I make a decision. I propose to do my best to ensure that I am fully informed before I do that but Members and the community can be assured that it would only be in the most exceptional circumstances that I would be of a view that it is justifiable for the community's social welfare purse to be applied for the benefit of a person who is here for a short time

working. The whole concept of our immigration Policies is that you only stay here while you have a job. If you no longer have a job it's not intended to be harsh but the simple fact is, if you no longer have a job, you leave and you go back to where-ever it is that you came from and you get yourself a job there so I hope that answers the questions. I would be more than happy to speak with Mr Sheridan if he has any other particular concerns

MR SHERIDAN Mr Speaker just a supplementary on the first part there to the Minister. Mr Brown this means now that the elderly gentleman on the verandah, you say there's no cost to the Norfolk Island Government. Does that mean now that this opens the door for anybody who is wealthy enough to come over here at their own expense and pay for their own retirement you might say on the verandah notwithstanding that we have to have the nurses, the doctors attention, their people paid to supply service to these people, and it's not just a monetary thing, it's the time factor that is required to provide service to these people

MR BROWN Mr Speaker to such extent as we are delving into personalities it's inappropriate that I respond in this forum. As I said, I am more than happy to discuss any of the issues with Mr Sheridan but I don't believe it's appropriate for me to discuss individual people's private circumstances

MR SHERIDAN Mr Speaker another question for the Minister for Minister for Finance. Is the Minister aware that the Security Services at the Airport initially refused to work on Christmas Day and New Years Day at the Airport because of the Administration's reluctance to recompense them appropriately on public holidays. At this stage I believe that this problem has been rectified to the extent that the security personnel are working on Christmas Day and New Years Day only and they are being recompensed for working on those days but not for any other proclaimed public holidays. Also Minister is this the reason why the waste management centre advised opening hours have been closing for four days over the Christmas New Year period

MR NOBBS Mr Speaker thank you and thank you Mr Sheridan. No I didn't know that the Security Services weren't going to work on Christmas and New Year's Day but as it's been resolved I suppose that people thought it wouldn't be the subject of a discussion in this forum but as far as the closing of the waste management centre on those particular days, I would refer the question to Mrs Jack if I may, but I will follow it up and find out what's actually going on with the Security Services at the Airport. Strange. I usually get advised by the manager although he's actually gone off on sick leave at the present time and maybe that's been the confusion but I'll look into it and if there's anything significant which I think you should know, or if I find out anything I'll let you know

MRS JACK Mr Speaker, I can give some more information to Mr Sheridan. The people employed in the waste management centre and I believe also at the airport are employed as casuals at 15% loading. Their terms of employment use the spread of hours as part of their employment to make up their 37 ½ hour week or their actual employment conditions. That's the way they are employed under the Administration's HR Policy. As I understand it, and this year only both the Saturdays for Christmas and New Year, they'll be getting paid the temporary and casuals who are being required to work will be receiving the applicable overtime payments. Their rosters are still being reviewed and if any change notification occurs they will be issued in next weeks Gazette. Mr Sheridan did raise in MLA's on Monday the waste management centre being closed for four days. Yes it is. That could still change and if there is a change it will be published in this weeks Gazette. The days of closing, there are two days together. Saturday Christmas Day and the Boxing Day., I believe that people can hold onto their Waste over that time. I don't think it's an unfair ask. People are always keeping up to date with it over that busy time, including shop keepers, and it's happened in the past. That's it. Thank yours

MR SHERIDAN Mr Speaker I've just got a follow up on that one. The Minister mentioned that the Waste Management personnel are employed on a casual basis. Well I would like to disagree on that because that was my next question to the Minister and I

don't care which Minister answers it but is the Minister aware that the Administration part time workers particularly the Waste Management Personnel are not being paid in accordance with their contracts. Personnel are hired and paid on a casual basis, ie 15% loading in lieu of entitlements, but their contracts state that they are engaged under a Temporary Employment Contract which is signed by the Chief Executive Officer. Under the Administration's own HR Policy, temporary employees are entitled to leave conditions such as sick leave, annual leave, but these are not granted. If the Minister is aware of this situation could he explain what is being done to rectify or satisfy the employees needs and if the Minister would like to see a copy of the contract I do have one here and as you will see right at the top, Employment then Temporary employment. It does not mention the word casual at all. Thank you very much

MR NOBBS Mr Speaker the contract arrangements for temporary and casual, I've requested that they be reviewed forthwith and I would have thought that by now something would have happened but obviously it hasn't so I'll chase it up

MRS JACK Mr Speaker, I will too because I was informed this morning that no employee in the Administration was employed as a temporary, that they were all employed as casual so I'll definitely chase that up

SPEAKER Any further questions without notice Honourable Members? Then we have concluded questions without notice and we move to Presentation of Papers because there are no answers to questions on notice today

MR BROWN Mr Speaker I realise that the question was not actually placed on notice but I was asked a question at our last meeting about whether Immigration Policies could be placed on the Internet. Would it be convenient for me to respond to that

SPEAKER Would you like to make a Statement about that Mr Brown

MR BROWN Mr Speaker I'll make a statement about that

SPEAKER For two reasons. One that it would not be inappropriate to make it at Statement time, but secondly I would like to emphasise that if there are questions to be placed on notice then the proper procedure is followed and that people write that and lodge it with the Clerk so that it be given appropriate registration and in a sense publicity also on the Notice Paper. I'll turn to you at Statement time Mr Brown

PRESENTATION OF PAPERS

Before I turn to you Honourable Members, may I just report to the that the Audited Financial Statements of the Administration of Norfolk Island for the year ended 30th June 2004 have been formally lodged with me as Speaker as is required by Norfolk Island legislation. The external Auditor, the independent Audit Report is presented by the Queensland Audit Office and Honourable Members, I table that and in terms of its opinion I just read these two brief paragraphs so that you will know the content of it. Audit Opinion. I have received all the information and explanations which I have required and in my opinion 1) the prescribed requirement in respect of the establishment and keeping of accounts have been complied with in the normal material respects and 2) the statements have been drawn up so as to present a true and fair view in accordance with the prescribed requirements of the transactions of the Administration of Norfolk Island for the financial year 1 July 2003 to the 30th June 2004 and of the financial position as at the end of that year and it is signed by the Queensland Audit Office delegate. I table those documents Honourable Members,

MR GARDNER Mr Speaker I table the Inbound Passenger Statistics for the month of November and move that the paper be noted. Mr Speaker the document that I'm referring to has been circulated to all Members by way of email I think about a week or so ago and my comments are related and not too dissimilar to those I make at the last sitting of the House in relation to the decline and I gave a fairly lengthy answer to a question without notice

this morning from Mr Christian in relation to strategies for trying to reverse that decline. I've given an overview of what is proposed to happen in the interim but it is again of growing concern that the decline is in place. Certainly I have had significant feedback from Members of the community in relation not only that but combined with the new schedules that have been put out by Norfolk Jet Express in particular in relation to its service to Norfolk Island and the potential for further decline to take place. I'm more confident than that Mr Speaker that I recognize that at times people need to make appropriate business decisions in relation to certainly the capacity of seats if they are not being filled, they need to trim their sails so to speak in relation to capacity and providing a service to Norfolk Island but this will require our fullest attention and particularly in relation to what we do with promotion and marketing in the next financial year being considerate of the fact that I believe that the Tourist Bureau have committed their remaining funds for the remainder of the six months over that period and there's not a great deal of meat on the bones as far as promotional and marketing funds are concerned, however, I am confident that the Bureau have directed those funds from what I have seen in the best direction at this stage to try and reverse this decline. As I said earlier, I am in constant communication with the wholesalers and other stakeholders in relation to tourism on Norfolk Island to try and keep my finger on the pulse and at the same time to try and communicate that to Members of the Legislative Assembly so that we do not become complacent about the major industry that supports everything that we do here on Norfolk Island. In saying that Mr Speaker I table those figures thank you

MR SPEAKER
The question is that the Paper be noted.

Thank you Chief Minister. Further debate. The

QUESTION PUT
AGREED

MR NOBBS
Thank you Mr Speaker I table the monthly Financial indicators for November 2004 which have been circulated to Members and move that the Paper be noted

SPEAKER
The question is that the Paper be noted

MR NOBBS
Mr Speaker the income at the 30th November 2004 shows that the revenue funds overall income is 94% of the budget, that is, \$334,000 short. Customs duty is \$5000 ahead of budget but earnings collectively from other income categories is \$329,000 under budget. Land title fees are \$140,000 behind, FIL \$22,000 behind and departure fees \$35,000 behind. Income addition income from other charges is \$80,000 short. I am advised that some overestimation at budget time is the most likely reason but I will be following the trends very closely. In relation to Expenditure overall which includes known creditors and outstanding orders raised in 2004/2005 at the end of November 2004 is on a pro rata basis of about 11% which equates to some \$6009 under budget. At the 30th November 2004 the overall revenue fund budget is in surplus by some \$130,000. Mr Speaker just going on from that, I meant to make a statement but I'll do it now. I spoke at the last meeting in relation to a budget review, and the intention was that the review would be formally before the Legislative Assembly at its January meeting but as the Assembly will not be meeting in January then it will be before the Assembly in February. In the meantime the process is continuing and I would be disappointed if the document is not informally with Members early in January. In the process of a budget review such issues as were raised in this and the previous report to the end of October will be addressed

MRS JACK
Mr Speaker, if I could just ask the Minister. I see that welfare is slightly up. Should it be up this early in the financial year. Is there going to be a continued raise in your estimation with increase in pensions, medical evacs or anything like that. Is that going to grow well above budget

MR NOBBS
Mr Speaker I shouldn't be answering this because it's actually in the area of the Minister for Welfare but there have been some indications that there

is some requirement for additional funding in that area and that's all I can say. The Minister may be able to answer it more fully

MR BROWN Mr Speaker just to follow on the Minister has more information than I do at this stage so I'm not able to assist with any form of projection. I hope that I will receive that information in the near future

MR NOBBS Mr Speaker the information that I have is in relation to the medivacs which the Minister mentioned. That's all. I haven't any as far as actual pensions are concerned

MRS JACK Mr Speaker, I'll discuss it privately with the relevant Minister thank you

MR SPEAKER Thank you Mr Nobbs. Further debate. The question is that the Paper be noted.

QUESTION PUT
AGREED

MR GARDNER Mr Speaker in accordance with section 41 of the Interpretation Act 1979 I table the Norfolk Island Government Tourist Bureau Amendment Regulations 2004 and move that the paper be noted

SPEAKER The question is that the paper be noted

MR GARDNER Mr Speaker I advised at the last sitting of this House that it was my proposal at that time to move to have made at the following executive council meeting regulations under the Norfolk Island Government Tourist Act of 1980 to increase the number of Members on the Bureau from five as provided for in Regulations to six to allow for the immediate appointment of a member of the Legislative Assembly to the Norfolk Island Government Tourist Bureau. Those Regulations have been made and in accord with those Regulations and my statement at a previous sitting of the House I welcome the recent appointment of Mr Tim Sheridan MLA to the Bureau, thank you

SPEAKER Is there further debate? The question is that the Paper be noted.

QUESTION PUT
AGREED

The Paper is noted. Are there further Papers

MR NOBBS Mr Speaker in accordance with requirements in the Public Moneys Act I table the Financial Statements for the year ended 30th June 2004 and move that they be noted

SPEAKER The question is that the paper be noted

MR NOBBS Mr Speaker the financial statements I refer to comprise the revenue fund, the administrative services fund, that the Government Business Enterprises, the loan fund and the receipts and payments under the account of the trust fund. The financial statements of the trust fund have been prepared based on cash accounting principals. The financial statements of the revenue fund, loan fund, Government Business Enterprises have been prepared in accordance with accrual accounting principals. You may recall that the revenue fund adopted accrual accounting principals effective from 1st July 1999. I will be requesting that these, as is my normal habit, and I think it's been carried on since, that a reasonable précis of these statements will be provided in the Government Gazette whenever is

appropriate, bearing in mind that we are nearly at Christmas, so it could be the New Year Mr Speaker

SPEAKER Is there further debate? The question is that the Paper be noted.

QUESTION PUT
AGREED

The Paper is noted. Are there further Papers

MR GARDNER Mr Speaker I table the financial report for 2003/2004 for the Norfolk Island Government Tourist Bureau as required under section 19(2) of the Norfolk Island Government Tourist Bureau Act 1980 and also accompanying that is the audit report which I am required to table in accord with subsection 18(8) of the Norfolk Island Government Tourist Bureau Act 1980

MR NOBBS Mr Speaker I table, I know it's a bit unusual but I would like to table this if I may. It's a response from the Manager of Broadcasting to a question which was asked by Mr Sheridan the other day. I think I answered it pretty well but I will table it and Members can have a look at it. I won't read it out because I'll just be regurgitating a lot of what I think I said

SPEAKER Thank you. Further Papers for presentation. We move to Statements

STATEMENTS OF AN OFFICIAL NATURE

MR BROWN Mr Speaker at our last meeting Mr Sheridan asked a question about the availability of the Immigration Policy Guidelines booklet and there was discussion as to whether it could perhaps be made available on the internet. The Administration is working on a program which will enable a number of immigration documents to be placed on the internet and one of the benefits of that is that people will be able to always access the most current version of the document quite easily by going to the internet. The documents which are to be dealt with in that fashion will include the Policy and Guidelines Booklet, packages for application for Temporary Entry Permits and General Entry Permits. Copies of all of our immigration forms, copies of any other immigration brochures, leaflets or advertisements and any other publication from the Immigration area which is intended to have a general public distribution. I don't have a time for this work to be completed. My most recent advise about it came on the 2nd December from the Public Service but hopefully by the time of our next meeting the work will either have been completed or we will have a timetable for its completion thank you

MRS JACK Mr Speaker, I would like to make a statement relating to the Planning Act 2002 and on the 23rd November 2004 I signed an instrument delegating my authority under section 92 of the Planning Act 2002 to delegate my powers under subsection 41 (5) of that Act to the Executive Director for Environment and Infrastructure and Land Use and Environment Manager and I ask that the Statement be noted

SPEAKER The question is that the Statement be noted

MRS JACK Mr Speaker, this delegation refers to a development application for the permitted use variety only. It means that such applications will no longer have to be signed off by myself or by the Chief Executive Officer. It also means that such applications can be dealt with in the confines of No 11 Quality Row. The Executive Director for Environment and Infrastructure will only need to be involved should the Land Use and Environment Manager be unavailable. It is not the answer to all the problems that lie in this area but it is a start. A start that can see weeks taken off the permitted use development application time. The community has seen, and in some cases is still seeing delays in various types of development applications.

It is very hard to be patient when suffering what can be seen as unreasonable delays. All I can say is that the problems are being addressed. Yes the progress is slow but the integrity of the Act must be maintained and I will continue to report to the community on this area

SPEAKER
Statement be noted.

Is there further debate? The question is that the

QUESTION PUT
AGREED

The Statement is noted. Are there further Statement

MRS JACK Mr Speaker, I would like to make a short statement in relation to the Norfolk Island Planning and Environment Board. When the Norfolk Island Plan 2002 became reality the then Planning Board gave way to the Norfolk Island Planning and Environment Board in approximately October 2003 and the Chairperson changed from Mr Ralph Weslake to Mr Warren Langman. Mr Langman served the new Board well and it is with regret that I announce today his resignation. A resignation brought about by many factors but as others who have served on similar voluntary boards will recognize, the demands placed on the individual are high and unfortunately Mr Langman has found a need to lessen some of those demands. I would like to take this time to thank Mr Langman. He has given much time and effort in serving this community. He has set a good example in being chair of the board and I know that I have the Board's support in recognizing Mr Langman's efforts in saying thank you in this forum. Filling positions on the many statutory boards is no easy task but I would like to take this opportunity to thank Ms Chloe Barbara Nicholas in agreeing to not only join the Norfolk Island Planning and Environment Board but to also take the position as Chairperson on the Board. It is satisfying to know that she takes the role of the support not only of myself as Minister but also my fellow executives as well as each Member of the Board. I welcome her to her role and commend her continuing desire in serving her community, thank you

MRS JACK Mr Speaker, at the last Assembly meeting I informed the community that I would continue keeping them informed on the then Quarrying and Related Public Works Bill so I wish to make a brief statement on the activity which has occurred since the passage of the Quarry and Related Public Works Act 2005 at the last sitting of the Legislative Assembly in November. Substantial progress has been achieved in just five weeks since this Legislative Assembly debated the provisions of the emergency legislation designed to allow for the crushing of rock from existing stockpiles in the public interest. Many sections of the public and private sectors have united to achieve outstanding results which I am confident will substantially overcome the shortages of various grades of rock and rock products which were threatening to have severe effects on the Norfolk Island economy. Mr Speaker I have been advised by the two operators of crushing plants that they have been able to process substantial quantities of rock within the approval issues under the Quarry and Related Public Works Act. One company has operated its crusher for eight of the fourteen half days permitted and has processed around 720 tonnes of material. Around 40% of their product consisted of hardfill with the remainder being processed into a total of six products. The other operator has advised me that its plant has crushed for five and a half days up to Friday 10th December producing around 750 tonne of crushed rock in a variety of sizes. Mr Speaker given the extreme shortages of crushed rock products we were experiencing only a month ago I think these outcomes are outstanding. The two operators have worked hard to achieve these positive results so far using a little under half of the times approved. That is 13 of the 28 half days envisaged by the Act. Generally speaking the Norfolk Island community has been very supportive of this initiative and I am grateful for the many indications of support that I have received. However there have been some complaints from residents effected by noise or dust who have not been happy with the work taking place. I have received four written complaints which I have referred to the Administration's Legal Services Unit for assessment of whether the operations concerned fell within the provisions of the Act and the approvals I have granted. There has also been an action lodged with the Norfolk Island Supreme court seeking a declaration that the provisions of the Quarrying and Related Public Works Act are themselves unlawful. I cannot comment on the

details since these are subjudice. We are expecting a decision on this matter from the Supreme court this Friday 17th December. Finally Mr Speaker I want to thank all of those who have co-operated to ensure that we have been able to get supplies of crushed rock flowing again. These include the operators and their contractors, Administration staff and Legal Services Unit and my colleagues and staff at the Legislative Assembly, thank you

MR NOBBS

Mr Speaker I would like to make a statement in relation to the appointment of the Chief Executive Officer. I wish to advise that applications for the position of Chief Executive Officer have been called and closed last weekend. Fifteen applications were received. Only one applicant is a resident of Norfolk Island. This in itself is I feel, quite sad. I intend putting in place the opportunity for persons interested to undertake specialist management training which will I believe not only improve management skills but also in time provide locally a pool from which senior executive positions within the Government may be sourced. I would hope to have a complete statement for the next Legislative Assembly meeting on this initiative. Returning to the Chief Executive Officer recruitment, the selection process can now commence and I would anticipate that the Legislative Assembly at its meeting next Monday will nominate a selection panel following which the applicants will be reviewed. Due to a delay in commencing the process I'm doubtful if the process will be completed before Mr Johnson departs early in January but with a fair wind and good sails and I don't mean the New Year S-A-L-E-S I mean S-A-I-L-S, all I can guarantee is that an appointment will be made as soon as is humanly possible, thank you

MR GARDNER

Mr Speaker I just have a brief statement in relation to a letter I've received from the Minister for Local Government Territories and Roads the Hon Jim Lloyd MP. Mr Speaker in my regular discussions with the Minister, the most recent being yesterday he has alerted me to the fact that the extended loan facility that was sought for the resurfacing of the Norfolk Island airport has been approved by the Prime Minister's office and I might just read and extract if I may from the letter faxed through yesterday afternoon after my discussions with him, just for the record. It reads, I am writing about the Australian Government's loan agreement with the Administration of Norfolk Island for the resurfacing of the Norfolk Island airport runways. The former Minister for Finance Mr Graeme Donaldson wrote to me on 24 August 2004 advising that the anticipated project costs had now risen to \$12m and requested my support in resolving this matter. In view of the importance of the airport to the community of Norfolk Island and its economy the Prime Minister has agreed to my proposal that the existing loan agreement for \$5.8m be varied up to \$12m. Mr Speaker there are conditions attaching to that are not dissimilar to those that applied to the original loan facility and Mr Speaker the Minister subject to eh Norfolk Island Governments acceptance of the Australian Governments offer will finalise arrangements for a new Deed of Variation with the Minister for Finance and Administration in the Federal Government and forward it to the Norfolk Island Government for execution at this end. Thank you Mr Speaker

MR NOBBS

Mr Speaker just following on from what the Chief Minister just said I have a very brief statement on the airport overlay. As the Chief Minister has said the Commonwealth has now approved an extension of the loan and it's the loan that is required to complete the overlay. I only received details of this last night and I need to review the impact of those additional conditions imposed. All I can say is at the present time the Advisory Working Group has met on two occasions. It's been very fruitful discussions I believe and I have now requested that the GH&D, the Guthrie Haskins and Davies representatives with responsibilities for project management visit the island to brief both the Assembly Members and the working group. This will happen before any further action on the project for instance the signing of the contractual documents occurs. Thank you Mr Speaker

MR NOBBS

Mr Speaker just in relation to road safety. As I recently advised Members of the Legislative Assembly and I now advise the public that in my holding responsibility for traffic and also with the upcoming Christmas New Year period of fun and frivolity on the island if I recall I convened a group relevant to Road Safety from within the Administration including representatives from the Police, Registry, Roads and legal etc. I put to the group the need to address eight points which from my perspective, and I repeat from my

perspective, are important to road safety and do not impinge on the rights or traditions of residents. Most can commence immediately, others need progression over time. The eight points are, to review the provisions of the Road Traffic Act which are currently in force. That's to actually look at the Act and see those issues which the community has complained about which are in the existing Act which are currently in force which are not being utilized and following the review of that Act encourage implementation of provisions. It's to improve all signage related to road use and I know that the roads has commenced a programme in the centre of the town and that I believe should be continued and whilst we don't want to have signs everywhere there is a need for a little bit better signage for the tourists so they don't park in the middle of every corner around town. Conduct an inspection of all public roads. It is essential that we look at areas where there are blind corners, there are bad corners that you obviously can't see around, there are things overhanging the roads, there's poor camber on the roads and of course there's the inevitable pothole. That needs to be done and it will be progressed gradually.

FROM THE OFFICE OF THE ADMINISTRATOR – NO 2

SPEAKER Honourable Members we move to Messages from the Office of the Administrator and Message No 2 which reads that on the 16th November 2004, pursuant to section 21 of the Norfolk Island Act 1979, I declared my assent to the following, the Quarrying and Related Public Works Act 2004 which is Act No. 23 of 2004 and that is dated the 16th November 2004 and signed Michael Stevens, Deputy Administrator

MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR – NO 3

Message No 3 from the Office of the Administrator reads that on the 18th November 2004, pursuant to section 22 of the Norfolk Island Act 1979, His Excellency the Governor-General declared his assent to the following, the Legislative Assembly (Register of Members' Interests) Act 2004 which is Act No. 24 of 2004 and that is dated the 25th November 2004 and signed Michael Stevens, Deputy Administrator

NOTICES

We move to Notices Honourable Members

NORFOLK ISLAND BROADCASTING AUTHORITY ACT 2001 - APPOINTMENT OF MEMBERS TO THE BROADCASTING AUTHORITY

MR NOBBS Mr Speaker I move that for the purposes of subsections 7(2) and (3) of the Norfolk Island Broadcasting Authority Act 2001, this House recommends to the executive member that Kathleen Marion LeCren; David Robert Gerard Evans; and Peter John Wilson, be appointed as members of the Broadcasting Authority

SPEAKER Thank you Mr Nobbs. Further debate Honourable Members. There being no further debate I put the question

QUESTION PUT
AGREED

That motion is agreed thank you

PUBLIC SECTOR MANAGEMENT ACT 2000 – PROPOSAL TO AMEND ORGANISATION STRUCTURE TO DELETE POSITION OF EXECUTIVE DIRECTOR – ENVIRONMENT AND INFRASTRUCTURE

MR T BROWN Mr Speaker I move that this House requests that the responsible executive member to take such actions as may be required, without delay, in order to alter the personnel structure of the Administration of Norfolk Island so as to delete the position of Executive Director – Environment and Infrastructure. Mr Speaker these are a range

of changes which I believe are necessary. Whilst I believe that the present structure was created with the best of intentions for its success with respect to a performance point of view and so on, I don't believe that it is delivered and there comes a time when we just have to bite the bullet and face reality. We cannot afford all of these positions. If you talk to people within the Service I think that you will find the majority of them seem to support the proposal as is the case from a lot in the private sector. This week it has come to my attention that there is an intention for possible reforms within the Public Service in the upper levels and as a result I would be prepared to adjourn this motion until a later date, thank you

MR GARDNER

Mr Speaker I certainly don't support the thrust of this motion other than to have it included in an overall review of the management structure of the public service of Norfolk Island. Just for the benefit of the listening public the current structural arrangements of those at the more senior echelons of the Public Service have been in place now for about eight months and that was a move from the three executive directors positions reducing that to two. I asked a question earlier today about performance based contracts Mr Speaker. My understanding is that the Chief Executive Officer and the two current Executive Directors are on performance based contracts. If there is an issue with performances as Mr Brown alludes to, that is an issue that would need to be referred to a performance assessment in regards to the person in that position. As far as the position itself, I guess again it's a cart before the horse type thing. If the position is not performing or we can't afford the position then obviously I support that we need to review but we can't do that in exclusion of all the other senior management positions in the Public Service Mr Speaker and the question that I directed to Mr Nobbs earlier this morning in questions without notice as a supplementary question related to his proposed restructure of the Public Service a fairly hefty revamp of the Public Service which would see a number of Government Business Enterprises actually run as businesses and my understanding of Mr Nobbs' response this morning was that those Government Business Enterprises would come out from underneath the umbrella of the Administration as we know it and hence establish a number of businesses that wouldn't have the same sort of performance review mechanisms that currently exist with the Chief Executive Officer and the executive directors who ultimately have responsibility for each every one of those Government Business Enterprises at the moment so it could be argued Mr Speaker and hence my question this morning that whatever new structure is in place and if it is proposed to be that the managers are now going to be charged entirely with their managerial responsibilities in those areas and that we were to look at stepping aside from the Executive Director structure that we have at the moment then it goes without saying that therefore those managers would need to be in my view without doubt on performance based contracts in any of that new restructuring. In saying that I would propose rather than to leave something like this hanging around and causing I think not only the incumbent in that position some discomfort over the Christmas New Year period and I would hasten to add I think the discomfort that I think has been experienced by a number of other senior, very senior people in the Public Service asking the question as to who's next, that we deal with it, we ask the executive Member and at an appropriate time I would look to amend the motion and that we ask the Executive Member to review the personnel structure of the Administration of Norfolk Island fullstop and that's in line with the question without notice that Mr Nobbs answered earlier this morning and I would be fully supportive of that. If there is a general belief that the structure is not working. And again, some historical background into that. We had a Mr John Howard by my recollection back in about 1997/98 and that's not the Prime Minister of Australia Mr Speaker but Mr John Howard who was a consultant who proposed a structure for the senior management of the Norfolk Island administration and I think at that time he proposed seven if not more executive directors with a whole host of managers flowing off those then we've had different views. The Assembly at the time chose to cut that back to three; different Chief Executive Officers have come in with different views about howl the structure should be. Mr Brown has now proposed that we just do away with one of them and if cost is the issue then cost is the issue that we need to address across the board. I am conscious that we are in the throes of recruiting a new Chief Executive Officer. If we are about to pull this position we would need to refer all the Chief Executive Officer applicants to that document that was document as part of our briefing documents about the management plan for the next twelve months for the Administration of Norfolk Island and a third of that document is taken up with the position of Executive Director of Environment and

Infrastructure but we would probably need to in my view Mr Speaker if we are going to make those changes now or even have them hanging around need to either defer the recruitment of a Chief Executive Officer which I don't believe would be healthy for the Administration of Norfolk Island or to advise all applicants that a thorough and complete review of the Administration of Norfolk Island is under way and also at the same time, seek the person who is going to be appointed to that, their views in what they believe is an appropriate structure for the Administration of Norfolk Island because at the end of the day that person has to manage and work with that structure for the next two or three years depending on the length of the contract. That said Mr Speaker I think it would be appropriate and I would look to your call at an appropriate time to amend the motion and certainly would support dealing with it to finality today thank you

MR BROWN

Mr Speaker I have no difficulty with the motion. I do have difficulty with converting it to a call for a general review because frankly we don't have a great success record in actually finalizing general reviews and doing something about them. There must be review after review sitting on shelves around the place but by the time the review gets done there is frequently not enough time left to actually implement it and so my view is we need to do a bit at a time. We need to take manageable pieces of it, make decisions and implement those decisions. I heard the Chief Minister suggest that the passage of this motion might interfere with the recruitment of the Chief Executive Officer and frankly, change is something which is always occurring. No applicant for the Chief Executive Officer position would really believe that nothing will change. the Chief Minister said there's a book and a third of the book relates to the particular position that's being spoken of. Well that might be the case. No-one is suggesting that the work will disappear. What's being suggested is that the task be handled a different way without the need for that particular position. So I'm not concerned about this impacting on the recruitment of a new Chief Executive Officer. The Chief Minister mentioned a report by John Howard which was done some years ago and that was a good consultants report Mr Speaker with the benefit of hindsight it identified lots more consultancies which could be provided and it gave a sentence or two for each person that the consultant had spoken to so that when someone that had spoken to the consultant picked up the report and found their sentence they initially said I've been telling them this for years. This consultant knows what he's talking about. I don't believe that the reforms that we have introduced have actually been successful. They've certainly not been successful in cutting the cost of the Public Service. They've certainly not been successful in causing things to happen more efficiently or more quickly within the Public Service. The difficulty the Minister for the Environment is experiencing in the planning area is just one example and just recently I heard Mr Christian suggest that the real problem with the Administration is that it has constipation because lots is going in and nothing's coming out and that's a pretty good description of the problem that we've got. I think that it is time for us to show that we are actually intent on fixing the problem. Minister for Finance has given us an indication of some of the thoughts that he's working through and those thoughts are not inconsistent with the motion that's before us because the motion calls on the executive Member to bring forward certain things. The executive Member may choose to do that by bringing forward the complete package that he's described today, but I wouldn't like to just throw this out. I think that it's important that we make it clear that we are going to fix the problems that exist and the first of those problems is the structure itself. If we cut back to a Chief Executive Officer and one person at director level in effect a deputy Chief Executive Officer and then the managers reporting directly to one or the other of those two, that can only be an improvement on the present situation Mr Speaker

MRS JACK

Mr Speaker, I can't support it. I agree with the Chief Minister that to pick on one is just doing things poorly. Pick on both the Executive Directors. Pick on all the management system. Review it. Yes things do get bogged down Mr Brown but I really feel that this is pointed and ineffectual the way he's going about it. I think when you refer to what Mr Christian said and did it so well, I don't think you can always look at the top. In some of my experiences as you referred to with planning, problems can also be caused by lower down the ladder

MR CHRISTIAN

The intestine?

MRS JACK No Mr Christian. And so we need to go and train more down there. Is that a problem that the Executive directors should be bought to bear. Perhaps it is but I think it's a problem within the Administration of the lack of up skilling, of multi skilling of handling certain situations and being managers and being prepared to manage. I don't think picking on particular piece in that structure is going to fix what I see as a problem, or at times a problem throughout the Administration. I don't see it there where-ever or whenever I turn there but at certain times and so I feel that what is needed is not so much a structural review, but better training. Better training, better upskilling standards, from the lower ones up, because to me that is where some of those problems lie thank you

MR NOBBS Mr Speaker I find this quite interesting because one of the problems we had and I speak from personal experience here in the establishment as it is and on the island, is that it's a complete Commonwealth Public Service type structure. It's been that way since I was working here in the 1960's. It's continued ever since and I know being an ex Commonwealth Public Servant I'm fully conversant with the type of arrangements that we have in place. As I said before the Government Business Enterprises were established I believe to be run as businesses. They are not in the revenue fund budget. The budget is dealt with specifically by the Minister. He has not in the last Assembly, he did not in one particular year, even refer the budget to other Members. There's no requirement to do that so they were set up specifically as a business and they've been taken over by the Commonwealth Public Service attitudes that we've developed here. I believe that we need to get completely away from that and that's why I'm suggesting that the review, as I suggested in answer to a question this morning, there will be changes. There obviously have to be changes in that area. There won't be massive changes I don't believe but if you take out – I'll take a step back if I may Mr Speaker. When the review of the Public Service commenced and the Chief Minister referred to Mr John Howard, that was in about 1997. by 2000 we worked through some changes. The previous establishment for the senior management of the Administration was like this. It was the Chief Administrative Officer and three project managers. We then had this horrendous Public Service establishment put up by Mr Howard. It was cut back then to three executive directors. The Chief Executive Officer which replaces the Chief Administrative Officer and three directors who replaced the Project Managers and the salaries were virtually the same. That's what I've got to make clear, that salaries from the Project Managers to the directors as they became was virtually the same. Now they were recruited. We've now in the last, as the Chief Minister said, in the last seven months or recently in my memory, it was changed from three directors and from a Chief Executive Officer to a Chief Executive Officer and two directors and the price of those is not much difference to what we had in the first place with the old system prior to 2000. The salaries for each position. It's not much different. It might have gone up and obviously it would have gone up a little with the change in time and the purchase and power of the dollar but that's what we have at the present time now. Why I'm saying that it's come a little bit ahead, is it's not a massive change people wise, my proposal is a massive change as far as the reporting processes occur and the proposal that I'll be putting to you is that instead of these five of the six managers in the Environment and Infrastructure row under the Director, they would not be reporting to a Director of Infrastructure and Environment. They individually would be reporting to a small board. Ok. And that board should include two Members of the Legislative Assembly probably two Minister I should imagine because they've got the time and one other Member from the community. Just a small group. Now if that happens the director of Environment and Infrastructure position becomes a changed process then and then we would have to work through the two director positions, of what would actually happen from that point on so the proposal that I'm putting is to move things into this other area which is outside. Administration would then be the school, tourism and those sort of areas that are social or community type organizations whereas the rest would be run on business lines, and that is when I believe there will be a need for change and negotiations as to where we put management positions that we have under the current arrangements, and its' that time. This is just a few weeks too early. If this proposal goes ahead. To do this now would be a need for a major change in relation to the reporting process that's currently in place and that's why with my proposed reporting process, we'll need legislation and we can't get a look at the proposal until probably the end of January so we'll be lying in limbo for about six weeks at least if this

proposal goes ahead and that's why I'm a bit concerned about it. There are persons who will be affected by the motion and I think that is a consideration which I would personally feel should be dealt with in the mix of all the proposal not just the one of and I understand and I understand where Mr Tim Brown's coming from but I would prefer that it be dealt with a little differently

MR BROWN Mr Speaker the Minister for Finance has given us an additional amount of information in relation to his proposal. I would have no difficulty in supporting the adjournment of this motion until our February meeting if that would give us an additional amount of information in relation to his proposal. I would have no difficulty in supporting the adjournment of this motion until our February meeting if that would give the Minister time to flesh his thoughts out a little further because it may well be at that stage that the Minister suggests an amendment that may well be able to encompass much of what he wants to achieve. Perhaps that's the better way of dealing with it today

MR GARDNER Mr Speaker again rather than leave it sit and obviously cause a degree of discomfort I think it would be more appropriate that I continue to seek to amend the motion at the appropriate time asking the Executive Member to review the structure in accord with what he has outlined with us today and report back to this House at his earliest convenience

SPEAKER Are you making a proposal in terms of an amendment

MR GARDNER Mr Speaker not at this stage. I would like to hear from others first

MR CHRISTIAN Thank you Mr Speaker. I support the motion as it stands today and the principle reason that I support the motion is nothing to do with any individual that might hold the position, it's purely a structural problem that I see within the public service. The organizational structure has created some unintentional bottlenecks where there simply are too many people involved in the decision making process and that often results in decisions being made when they are out of date basically. It's not timely and that's no good for any organization. I have just recently been provided with information about current restructuring that's taking place within the Civil Aviation Safety Authority of Australia and what they have done is moved away from the very system that we have in place now. We have our Executive directors, immediately under the Chief Executive Officer and if I understand the process correctly, those people make up what we call in Norfolk Island the Corporate Management Group. In the Australian sphere what they have found is that Corporate Management Groups are really outdated because another name for that is collective decision making. Another name for that is decisions by committees and all it really provides for is an opportunity to blame somebody else when something goes wrong and there's never any accountability so what the Civil Aviation Safety Authority has done, is exactly what we should do in Norfolk Island and that is, managers should manage and they should live or die by the quality of their decisions. If they make good decisions you hang around and you make poor ones, you are out the door and I don't see why the community of Norfolk Island should accept anything less than that principle. We have heard the Chief Minister earlier refer to performance reviews. And performance reviews relate to individuals and as I said previously, we are not talking about individuals. We are talking about structural performance and there is no mechanism in place at the moment to review structural performance of the Public Service. I share the view that has just been expressed by Mr Brown that wholesale review quite often throws up more problems than they resolve and any changes we make should be incremental ones as the problems become apparent. That's where I sit in the matter. I also have concerns about the cost and I mentioned this to the Finance Minister in recent days that during 2002 when this process of change was happening we were told that it was going to be cost neutral and the finance Minister has today again painted a structural picture that we have now and we had back then and he has made reference to project managers and I think they were probably program managers but the thrust is still the same. The major difference however is Mr Speaker that those program managers were program managers whilst doing their normal jobs within the

Administration. The three executive director positions that were put in place were additional positions . nobody left the service of the Public Service as far as I am aware so the funds could only have been additional funds therefore it could never have been cost neutral. It's impossible. Someone may have been getting higher duties allowance but what we actually created was totally new additional positions so it's the structure that I'm concerned about and what I'm really concerned about is that if we don't do something about it now, the entire life of this Legislative Assembly will have gone and nothing will have changed and service delivery to the community for which they pay dearly will not have improved so I support Mr Tim Brown's motion. Thank you Mr speaker

MRS BOUDAN I can't support the motion. I really feel that we need to do a review on the present structure and to do a review are we going to be aiming at any one particular position or are we going to do a review of the structure as a whole. To delete any one position from the public service I thought would require a full investigation into such a position which would result in a report to come from the Chief Executive Officer to the Government. I'm not sure on that. I might need to stand being corrected on that. Thank you

MR SHERIDAN Mr Speaker just a brief comment on the motion on the table at this point. Just listening to everybody's conversation around the table, I believe that they are all correct in everything they say. There has to be a problem with the organization down there somewhere. As Ron stated prior to the changeover he believes that nothing changed. Nothing changed as people as people were reorganized into positions so the problems are still there. From my own personal perspective it does seem that the structure is very top heavy and that takes a lot of time to get information up to the top and back out again . but to that point I could not as Mr Brown stated, you have to fix the problem, but of course you have to identify the problem first and I think without identifying the problem first we will be just creating many other problems. If we were just to delete one position I think the ramifications of that and the problems that would create could outdo the time that maybe a review would take to review the organization as a whole and come up with a new concept that would make the flow of traffic to the top and back again less cumbersome so just with those few brief words as the motion stands at this point in time I could not support it but again as the Chief Minister said, I would support a proposal to amend it or leave it on the table for further discussion later on. Thank you Mr speaker

MR BROWN Mr Speaker we've spent abit of time on this now and it's fairly clear that the majority of Members seem to be of a view that the Chief Minister's suggestion is the preferable course to take. All the suggestions are aimed at achieving the same result. If the Chief Minister wishes to move his amendment we can probably get this off the table fairly quickly

MR GARDNER Mr Speaker I spoke earlier today about executive members being held accountable by the Legislative Assembly as a whole. I see it that I have two choices in either proposing and amendment or simply asking that the question be put so that the Minister who has undertaken to do the review goes away and does that and reports back to this House w3ithout necessary the need to have a motion making him to that. He's given his word in public that that's going to be undertaken. That would suffice as far as any concerns I have about it are concerned and if Members were of a view that we are going to trust the Minister I certainly do, to do that, then I would ask maybe not to consider an amendment but put the question on that motion have it taken off the books so the Minister can get on with his job, people can rest in comfort knowing that there is going to be a review that it can't be read or be a perception that this is targeted at any one position or any one individual or whatever the case may be and that review happened and we as Members of the Legislative Assembly undertake our duty as responsible elected Members to deliver to the community of Norfolk Island services on the most cost efficient basis that there is and I certainly understand Mr Christian's views about structures and things in this day and age and some of them might well be outmoded and outdated. We certainly will have discussion later on I'm sure about matters in this House that just because it's done somewhere else in this House doesn't mean that we must necessarily do it here and it could be argued that, that applies equally to this

motion that's before us. We have to design something that is going to work for Norfolk Island at the end of the day. So I would be interested in Members views as to whether they would consider an amendment to it, which is just asking the Minister to do what he's undertaken to do anyway. If that doesn't happen, certainly bring the motion back on or revise the motion at an appropriate time. I'm happy to do that if there's not action at the next sitting of the House if that was the preferred action of Members

MR NOBBS Mr Speaker I appreciate the Chief Minister 's trust in me but I would really like a motion if I may

MR GARDNER Look I'm happy with that if the Minister is more comfortable with that. We might need to play with the words a bit because we are trying to do this on the run, but Mr Speaker my proposed amendment would be to read as follows, that this House requests the responsible executive member to take such actions as may be required without delay in order to review the personnel structure of the Administration of Norfolk Island to reflect the Minister for Finance's proposal to restructure the Government Business Enterprises as outlined to MLA's during the formal sitting of 15 December 2004

SPEAKER thank you Chief Minister. Honourable Members, that's the amendment that is in front of us. Is there any further debate on the amendment before I put it to you

MR GARDNER I move that the question be put

SPEAKER Yes I think I'll directly put the amendment. The amendment before us is as the Chief Minister has read to us

QUESTION PUT
AGREED

We have an agreed amendment Honourable Members, to the original motion. Is there any further debate in terms of the amended motion before I put that question to you

QUESTION PUT
AGREED

The question before us Honourable Members, is that the amended motion be agreed to

QUESTION PUT
AGREED

The motion as amended is agreed Honourable Members, thank you

LEAVE TO MOVE MOTION

Honourable Members, we are still at Notices. I have some informal advise that you have some matters that you seek leave to bring forward. Could I just turn to you at this moment. I understand that you have a motion and two bills

MR BROWN Mr Speaker I have a motion and a bill. Mr Speaker I seek leave to move the motion which I have circulated to Members today seeking to appoint Candice Anne Nobbs to the Hospital Advisory Board

SPEAKER Is leave granted. Leave is granted

NORFOLK ISLAND HOSPITAL ACT 1985

MR BROWN Mr Speaker one of the Members of the Advisory Board, Mr John Christian, has given notice of his resignation and the first thing I would like to do is to pay tribute to Mr Christian for the work that he has done for the community on the Hospital Advisory board over what has now been a fairly lengthy period and Members will recall that at an earlier time Mr Christian had worked as Director of the Hospital. I am keen Mr Speaker to fill the vacant position as soon as possible. I've consulted with the Advisory Board and with the Director of the Hospital and it is with some pleasure that I move that the Legislative Assembly in accordance with paragraph 12(1) of the Norfolk Island Hospital Act 1985 recommends that the responsible executive Member appoint Candice Ann Nobbs to be a Member of the Norfolk Island Hospital Advisory Board for the period from 15 December 2004 to 19 August 2006 inclusive

SPEAKER Thank you Mr Brown. The question is that the motion that you have moved be agreed to

MR BROWN Mr Speaker Members will all know Candice. She has in recent times spent some years away from the island studying and she has now returned to the island and commenced practice as a veterinarian. I'm sure that Members will be keen to support a young Member of our community being appointed to the Board. A young Norfolk Islander and a person who through her veterinary training will I am sure, have the ability to contribute significantly to the workings of the Hospital Advisory Board and I seek the support of Members in that regard

SPEAKER Thank you Mr Brown. Debate Honourable Members. The question is that, that motion be agreed to

QUESTION PUT
AGREED

LEAVE TO PRESENT BILL

MR BROWN Mr Speaker I seek leave to present the Bill circulated to Members today seeking to amend the Immigration Act 1980

SPEAKER Is leave granted. Leave is granted

IMMIGRATION ACT 1980

MR BROWN Mr Speaker I present the Immigration Amendment Bill 2005 and I move that the Bill be agreed to in principle

SPEAKER The question is that the Bill be agreed to in principle

MR BROWN Mr Speaker this Bill aims to achieve two things. The first is to implement a statement which I made in this House on the 10th November 2004 by restricting as from that date the classes of persons who can make application for a general entry permit and that restriction in the Bill as it stands, is to person who are an Australian or New Zealand citizen, an Australian or New Zealand permanent resident, a permanent resident of Pitcairn Island or a holder of a Temporary Entry Permit for four years out of the previous five years. The second part of the Bill Mr Speaker relates to the persons who can apply for residency. A difficulty arose a few years ago when for various reasons there had been a person on the island for quite some years with no immigration permit at all and when that person was eventually granted a General Entry Permit they were able to apply for residency immediately because of a shortcoming in our legislation that did not make it clear that you need to be the holder of a permit other than a Temporary Entry Permit and to have been here for a period. I will need to proposed that amendment at our next meeting to the second part of the Bill because there are a few words missing from it Mr Speaker but its purpose is to ensure that only people

who have been here for five years holding a permit of some kind other than a Temporary Entry Permit will be able to apply for residency. Mr Speaker it occurs to me that the House may wish to consider adding a further part to the first section of the Bill that the House may want to have a little flexibility then the Bill presently provides, in that, if a person who was a citizen of some other country was thought by the Legislative Assembly to merit being permitted to lodge an application as an example, I can't imagine this happening, but as an example if at a particular time we were having difficulty in attracting doctors we might wish to be able to allow a doctor from England to apply for a General Entry Permit to apply for a package to provide employment to him and it may be that we could add to this such a further line that would say something like, or a person approved by the Legislative Assembly. I'm not suggesting that I feel that's the way to go at this stage but it may be something that Members might wish to think about but for the purpose of today, I propose simply to present the Bill and if no Members wish to contribute at this stage I propose to them move the adjournment

MR GARDNER Mr Speaker a couple of queries if I may. The reference to section 18. John is that special relationship provisions or is it section 19

MR BROWN Mr Speaker the Chief Minister has embarrassed me. I hadn't noticed that line. That line will need to be reviewed also

MRS JACK Mr Speaker, I don't have that on this

MR BROWN the Chief Minister is talking of the centre of the page

MRS JACK I'm sorry. Of course. Just a further query. Where does it leave people who are already in the stage of being processed. Those whose applications may be being accepted by the authorised officer between now and being dealt with. How do they stand in relation to this

MR BROWN Mr Speaker this amendment is proposed to operate from the 10th November so a person who had applied prior to the 10th November will be processed normally. A person wishing to apply after the 10th November has been on notice since then that the change will apply to any application sought to be made from that time

SPEAKER Thank you. Is there further debate at this time. Mr Brown I return to you

MR BROWN Mr Speaker, I move that the debate be adjourned and resumption of debate be made an order of the day for a subsequent day of sitting

SPEAKER Thank you. Then I put the question for debate to be adjourned for a subsequent day of sitting

QUESTION PUT
AGREED

The ayes have it thank you, that motion is adjourned. I ask Mr Timothy Brown if he will take the Chair Honourable Members. I have two matters to attend to from the floor

STANDING ORDER 215 – AUTHORITY FOR IMPACT OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE TO RELEASE DOCUMENTS

MR D BUFFETT Mr Deputy Speaker thank you. I move that this House under Standing Orders 215, hereby authorises the Impact of Bills and Subordinate Legislation Committee, in its consideration of the Liquor Licensing bill 2005, at the Committee's discretion to make available, on request, documents rather than confidential documents received by the Committee from time to time in relation this in inquiry. Mr deputy Speaker in introducing this motion for attention I mention that we recently established in this House the Committee on the

Impact of bills and Subordinate legislation and this committee has before it at present the Liquor Licensing Bill 2005. In the terms of this Bill, it has invited public comment. The Minister Mr Nobbs has appeared before the committee. The committee has met with the Liquor Licensing Board, the Chairman of the Board and holders of liquor licences within Norfolk Island and we continue to invite information until the end of this month, that is the 31st December 2004. Those discussions and hearing I might say in terms of not necessarily a formal report to the board but by way of information have been extremely useful and helpful and I think it has been appreciated by those who have participated. During the course of our hearings Mr Deputy Speaker and you will know this because both yourself and Mr Neville Christian are on the committee, during our hearings there were requests for copies of submissions that were made. Standing Orders require that documents can only be released by the committee upon approval of this Legislative Assembly and that brings us to this motion and this motion is asking that in the consideration of the committee that it has approval to release documents, not confidential documents where that might be appropriate. The committee is of the view that in the interests of an open committee examination that it does wish to release any documents that might be lodged, unless of course they are confidential and that is the reason this particular motion has been brought to the House today so that it gives licence to the committee to pursue those arrangements where it would be deemed appropriate. I commend the motion

DEPUTY SPEAKER Any debate Honourable Members.

MR D BUFFETT Mr Deputy Speaker, I have no further comments to make and I would be happy if we voted upon the matter if that is the stage we are at

DEPUTY SPEAKER Then I put the question that the motion be agreed

QUESTION PUT
AGREED

The ayes have it thank you, the motion is agreed to

NORFOLK ISLAND LANGUAGE (NORF'K) BILL 2004

MR D BUFFETT Mr Deputy Speaker, I present the Norfolk Island Language (Norf'k) Bill 2004 and move that the Bill be agreed to in principle. Mr Deputy Speaker this is an important piece of proposed legislation. It is a legislative proposal to recognize the Norfolk Island language. We all know that cultural groups possess a number of characteristics. Special or peculiar to themselves. Food. Crafts. Music. One most distinguished keynote element is its language. By way of interest I mention that there are about 6,500 living languages in the world but some 80% of them are spoken by fewer than 10,000 people. That is, fewer than 10,000 people per language. And at least 3000 of that 6,500 are endangered and are likely to disappear. Let me give you a quote from a UNESCO statement. "With the death and disappearance of a language, an irreplaceable unit in our knowledge and understanding of human thought and world view is lost forever". The Norfolk Island language is a distinctive element in the Norfolk Island cultural make up. It has had its testing times. For example fifty years ago it dominated the language scene in Norfolk Island. Today its presence is much overshadowed. It has experienced testing times. It has been scorned. It has been scoffed at and it's been derided. It has been banned in the Norfolk Island educational system. Physical and mental punishment has been meted out to those who have entertained its use but notwithstanding all of this, the Norfolk Islander has not been dispossessed of this essential cultural trait. Indeed in more recent times we have turned to teaching it in our school and it has been the subject of a number of learned treaties. For example, if I remember correctly Shirley Harrison's treaties in terms of her Master's Degree. The subject was the Norfolk Island language. Miss Alice Buffett has been the author of an orthography and dictionary which is now used as a resource at the Norfolk Island school.

Mrs Beryl Nobbs has created a dictionary of the Norfolk Island language. Professor Peter Muhlhausler of Adelaide University, Professor of Languages at Adelaide University has

encouraged and developed programmes to use in turn and give encourage to the use and preservation of the language. This bill brings into play this legislature's part in recognizing and giving substance to the Norfolk Island language, in caring for it and therefore giving some added impetus to the cultural heritage of Norfolk Island. I commend the legislation for prompt consideration and for eventual passage Mr Deputy Speaker

MR GARDNER Mr Deputy Speaker, as the current Minister responsible for culture I'm 100% supportive of Mr Buffett's bringing this legislation to the House. I have support that in its development and was very clearly aware of the fact that he was working on this matter before the finalization of the 10th Legislative Assembly. Mr Deputy Speaker in my view and certainly casting my eye across the legislation which is very short and concise, to the point, there are no costs associated with this. It is not disadvantageous to anybody, it's uncomplicated, not contentious in any way at all and Mr Deputy Speaker at the appropriate time I would move to set aside those parts of Standing Orders that would prevent all passage through all stages of this Bill at this sitting today, thank you

MRS BOUDAN Thank you Mr Deputy Speaker. Just bearing in mind that the system already provides for Norf'k as well as Norfolk, depending on the individual's pronunciation, I would like to ask whether the bill adds to or takes away from the written Norfolk Island language in any way. Is it intended that this bill will still recognize Norfuk in the written language

MR D BUFFETT Mr Deputy Speaker, this bill is talking about recognition of the Norfolk Island language. There are various ways that people have over periods of time endeavoured to structure it, spell it and do a number of other things in terms of it being able to be conveyed. This bill is not trying to enter into debate as to the methods. This is trying to give it, indeed give it, legislative recognition. The other steps can follow and we can have discussions as to which might be the best method and how you would want to handle that. I have particularly tried to give it simplicity and not enter into debate about that detail because we tried on an earlier occasion to be quite frank to bring forward a legislative recognition and doing all of the things that one might do with the language and we found that they became too complex to achieve the very important first stage which is recognition. This is endeavouring to provide recognition and that is seen as an essential step and I would encourage Members to support that recognition. Further stages as we move on we can enter into further discussion as to various methods. That's the thrust of this particular piece of legislation

MR BROWN Thank you Mr Deputy Speaker. I certainly support the bill. Members will be aware that I had intended moving a motion in today's meeting calling for recognition of the Norfolk Island language and when I learnt that Mr Buffett had a Bill ready for presentation I withdrew my motion so that the bill could proceed without confusion. The reason that I had given notice of my motion was that I wanted to ensure that the Norfolk Island language could be recognized as a subject at the Norfolk Island School and without that recognition of the Norfolk Island language as an official language of Norfolk Island there were difficulties in having the subject actually recognized. This bill will do far more than cure that problem. I'm very pleased to support it and I would encourage the Minister to give thought to dealing with the matter to finality today so that we can in fact demonstrate its importance, thank you

MR NOBBS Thank you Mr Deputy Speaker. I support the motion of course if we have to have it, but I'm really stunned when I read this that we had to make an Act to recognize our own language. I mean, I haven't found and I'm still looking actually for the English Language Act of Norfolk Island. Where's that. If the school needs a blooming Act to teach the Norfolk Island language they need a complete revamp. Not the Administration needing it but the school needs a revamp and that's my view. I'll support it and I understand that if we have to go down this road that's it, but I'm stunned and I'm a little insulted and I'm just wondering what's going on down the road because I think there'll be a few kicking the ground down there when they realize that their language has to now be approved by an Act

MR BROWN Thank you Mr Deputy Speaker if Members so wish I'm quite happy for this bill to be amended to declare that it shall have effect from the 8th June 1856

MR D BUFFETT Mr Deputy Speaker, if my colleagues are of a mind to give this conclusion today I of course would be delighted about that and if in fact a motion is to be pursued by the Chief Minister as he has foreshadowed I would be comfortable that, that proceed

DEPUTY SPEAKER To move suspension of Standing Orders to allow completion today

MR GARDNER Mr Deputy Speaker I so move

MR D BUFFETT Mr Deputy Speaker, I would be supportive of the Chief Minister's motion to put aside Standing Orders

DEPUTY SPEAKER I put the question

QUESTION PUT
AGREED

I now put the question that the Bill be agreed to in principle

QUESTION PUT
AGREED

Is it the wish of the House to dispense with the detail stage

MR D BUFFETT Mr Deputy Speaker, I have one very small amendment if we go to the detail stage. It's the addition of two words. If I might refer you to clause 4 and it is the third line and it says this, "people of Norfolk Island to speak it freely". I propose the words "to speak and write it freely"

DEPUTY SPEAKER Any debate on the amendment Honourable Members. There being no further debate I put the question that the amendment be agreed to

QUESTION PUT
AGREED

The amendment is agreed to. Is the remainder of the Bill agreed to

QUESTION PUT
AGREED

Thank you. I seek a final motion

MR D BUFFETT Mr Deputy Speaker, I move that the Bill as amended be agreed

DEPUTY SPEAKER Is there any debate Honourable Members. I put the question that the Bill be agreed to

QUESTION PUT
AGREED

The Bill is agreed to

MR BUFFETT	NO
MR GARDNER	NO
MR SHERIDAN	AYE
MR NOBBS	AYE
MR CHRISTIAN	AYE
MRS JACK	NO
MR TIM BROWN	AYE
MRS BOUDAN	AYE
MR BROWN	AYE

The result of voting Honourable Members the ayes six the noes three. The ayes have it thank you, the motion is agreed to

ROAD TRAFFIC ACT 1982 – PROPOSAL TO REPEAL REQUIREMENT TO WEAR A SEAT BELT

Honourable Members, we resume on the question that the motion be agreed to. Mr Tim Brown

MR T BROWN Thank you Mr Speaker. Mr Speaker I said all that I had to say on these three Orders of the Day on Order of the Day No 1 and I'll open the floor for any further debate thank you

SPEAKER Thank you. Debate Honourable Members? No further debate. Honourable Members the question is that the motion be agreed to

QUESTION PUT

Would the Clerk please call the House

MR BUFFETT	NO
MR GARDNER	NO
MR SHERIDAN	AYE
MR NOBBS	AYE
MR CHRISTIAN	AYE
MRS JACK	NO
MR TIM BROWN	AYE
MRS BOUDAN	AYE
MR BROWN	AYE

The result of voting Honourable Members the ayes six the noes three. The ayes have it thank you, the motion is agreed to

ROAD TRAFFIC ACT 1982 – PROPOSAL TO REPEAL SECTION HEADED “HOW PERSONS MUST TRAVEL IN OR ON A MOTOR VEHICLE”

Honourable Members, we resume on the question that the motion be agreed to. Mr Tim Brown. I know that you've said what you've said but you have the first call if you want to

MR T BROWN Thank you again Mr Speaker. Once again I've said enough and I'll open the floor for any further debate thank you

SPEAKER Thank you. Debate Honourable Members? No further debate. Honourable Members the question is that the motion be agreed to

QUESTION PUT

Would the Clerk please call the House

MR BUFFETT	NO
MR GARDNER	NO
MR SHERIDAN	AYE
MR NOBBS	AYE
MR CHRISTIAN	AYE
MRS JACK	NO
MR TIM BROWN	AYE
MRS BOUDAN	AYE
MR BROWN	NO

The result of voting Honourable Members the ayes five the noes four. The ayes have it thank you, the motion is agreed to

We have concluded Orders of the Day Honourable Members, and we now move on

FIXING OF NEXT SITTING DAY

MR CHRISTIAN Mr Speaker I move that the House at its rising adjourn until Wednesday 9 February 2005 at 10 am

SPEAKER Honourable Members is there any debate. No, then I put that question that the motion be agreed to

QUESTION PUT
AGREED

Thank you. We've set our next Sitting day. We move to adjournment

ADJOURNMENT

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

SPEAKER Honourable Members the question is that the House do now adjourn. Is there any debate

MR GARDNER Mr Speaker as this will be our last sitting for 2004 I would just like to take the opportunity to wish my colleagues around the table, the staff of the Legislative Assembly, including Madam Clerk and the Deputy Clerk, Members of the Public Service, the community in general and all our visitors who will be with us over the festive season, a very happy, prosperous and safe Christmas and New Year period thank you

MRS JACK Mr Speaker thank you. I join the Chief Minister in wishing my fellow Assembly Members, the staff in this compound, Administration, all the Members of the Board who do so much work for the community, the community in general a safe and enjoyable Christmas and I hope you are all going to be as fortunate as I am Mr Speaker to have all the family together at Christmas, including a brother who is coming over from Vietnam so it will be very enjoyable in our household and I hope all households on Norfolk Island share in that same enjoyment. Merry Christmas to all. Thank you

MR BROWN Mr Speaker could I join in extending best wishes to all of our community and to all of our visitors and simply express the hope that the coming year will be a good year for everyone

MRS BOUDAN And I endorse those words, thank you Mr Speaker

MR NOBBS Mr Speaker I would just like to wish all Members of the community a very Merry Christmas and a prosperous and happy New Year and I hope that we can continue next year in the vein that this Assembly has been doing for the last two or three

months and I wish all Members of the Assembly a Merry Christmas and I particularly thank the staff and wish them a Merry Christmas not only in this compound but in the other compounds and throughout the Island which have been a great assistance to me in the time that we've been in this particular Assembly, thank you

SPEAKER Thank you Mr Nobbs. Anything further from other Members. Then may I add words also which may be a little repetitive but nevertheless I would like to express them personally, both Christmas wishes and good wishes for the New Year of 2005 to all Members, obviously to the Clerk and Deputy Clerk and the staff who are within this compound and within the Administration that we have close contact with, all Members of the community and indeed the strangers who are within our gates during the Festive Season. I certainly hope from Margaret and myself that everyone spends a joyous time at Christmas and that the year of 2005 is both successful and rewarding for everyone. If there are no further items to be raised in adjournment Honourable Members, I put the question that the House do now adjourn

QUESTION PUT
AGREED

This House stands adjourned until Wednesday the 9th February 2005 at 10.00am

