



**NORFOLK ISLAND LEGISLATIVE ASSEMBLY
13TH NILA HANSARD – 13 FEBRUARY 2013**

SPEAKER Good Morning Honourable Members, we commence with the Prayer of the Legislative Assembly.

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.

As agreed at the January sitting only those matters appearing on the Programme will be dealt with today

LEAVE OF ABSENCE FOR MR BUFFETT, MS GRIFFITHS AND MR KING

MR NOBBS Thank you Mr Speaker, I seek leave for Mr Buffett and Ms Griffiths from this sitting due to their being off Island and as I understand it Mr King is not attending

SPEAKER Is leave granted Honourable Members. Leave is so granted.

CONDOLENCES

Honourable Members I call on condolences, are there any condolences this morning? Mr Sheridan

Mr Sheridan

Mr Speaker, this House records the passing of –

Esther Sylvia (Robinson) Nobbs, affectionately known as Girlie. She was born in 1910. Growing up on Norfolk, Girlie's life was one of faith in God, the simple pleasures, hard work, humour and the love and camaraderie of family. In the almost 103 years since her birth, some things changed, however one consistent attribute remained throughout several generations; her empathy, strength and integrity. With effortless grace, she gave support and guidance to many, whether family or friend, new or old. Her compassion was sincere and the advice and support was straightforward. At times, a wake up call to recognize the blessings that were sometimes taken for granted. Girlie was astute, a great reader and not without business acumen. Incredible achievements when you consider her education ended after only 2 ½ years, cut short after a horse riding accident that left her with a long term injury. Perhaps this is what made her so determined to educate her six sons and daughter after marrying Hasty Charles Hebelthwaite Nobbs also known as Poppa, in 1930. Poppa passed away in 1972. Girlie had been earning an income through various forms of primary production such as the export of lemon seeds, passionfruit, bean seeds and gerbera seeds to Yates Ltd. She could swing a mattock the whole day through or pick row after row of gerbera seed. All in a days work and she would write in her daily diary that she felt truly blessed to have the family and life that she did. Girlie had a natural talent for music, tennis and for finding the humour in virtually any situation. The last two attributes were often on display on the tennis court when a wicked slicing

serve could sail past before you realized. Not unlike some of the practical jokes and witty remarks that would issue forth from time to time throwing all into fits of laughter. The grandchildren were doted on; the great grandchildren were outright spoiled and the great great grandchildren were treasured. She knew all their names and usually had an insight into what was going on in their lives. Girlie's other passion was her church and she was unrelenting in her principles, strength, faith and leadership. Girlie had two major operations when she was over 100 years old! She spent her last few weeks embraced in the attentive and caring love of her family. A grand old lady, she will be sadly missed by our community. To the Nobbs family, this House extends its deepest sympathy. May she rest in peace.

Letty Joy Evans known to all as Joy, was born in 1932, the only child of Charlie & Netta Hickey. She grew up in the Waikato area of New Zealand. Following High School she qualified as a Chartered Accountant, an uncommon profession for woman at that time. Her parents rewarded her successful completion of her accountancy exams, with a holiday to Norfolk Island as a 21st present. Whilst on holiday, she met Borry Evans who was driving a tour bus for Marie Bailey. Borry followed her to New Zealand and they were married in 1957. Their two sons, Duncan & Morgan followed. Ten years later Joy & Borry returned to Norfolk, eventually making their home at White Wings and then next door at Three Oaks on Middlegate Road. On their arrival Joy worked for a few years in the Administration accounts department before their first Tourism venture which was Islander Lodge apartments on the hillside overlooking Kingston. They welcomed their first guests on New Year's Eve in 1967. In 1970 they started Borry's Rental Cars. Their tourism interests grew to include Daydreamer, Whispering Pines, Bligh Court & Ocean Breeze. They won many Tourism Awards for their Tourism interests, and were admitted into the Tourism Hall of Fame in 2010. Joy served the Islands Tourism Industry for just over 45 years as a Tourist Board member, ATA President and participated in Road Shows. Joy was very experienced with horses, having had to ride to school in New Zealand and when she came to live on the Island she continued her involvement with the show jumping & ring competition at the A&H Show, both as a competitor and then as a judge. Shortly after arriving on the Island Joy discovered the game of Golf. She was a life member of the Golf Club, and to the end she played 'A' Grade. She served the Golf Club in many roles including Ladies Captain, Ladies Vice Captain, and Ladies President. On the course she won the mixed foursomes, ladies foursomes, Captains Trophy, Presidents Trophy and the Ben & Naomi Christian Trophy, many of them on multiple occasions. Joy represented Norfolk Island at the South Pacific Games & Mini Games on 6 occasions including winning a Bronze medal at the Norfolk Island Mini Games in 2001. Joy loved to work, garden & play golf and sis all three right to the end. Her garden was immaculate and her last round of golf was 2 weeks ago on Australia Day, where she scored 41 Stableford points. Joy was lady of immense strength & character. She assisted others in need of help, whether in business or life. She was a loving Mother & Grandmother. Joy leaves her mark in the tourism industry and sporting arena in Norfolk Island. To her husband Borry, her two sons, Duncan & Morgan, and her seven grandchildren, Clinton, Maree, Jamie, Aimee, Renee, Matthew & Montana and one great-grandson, Octavian this House extends its deepest sympathy. May she rest in peace.

SPEAKER Thank you Mr Sheridan. Honourable Members as a mark of respect to the memory of the deceased, I ask that all members stand in silence. Thank you Honourable Members

SPEAKER Thank you. We move to Messages

MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR – NO 37

SPEAKER Honourable Members I have one message to read. **Message No. 37** from the Administrator advising that on 11 February 2013 acting pursuant to section 21 of the *Norfolk Island*

Act 1979, I declared my assent to the following proposed laws passed by the Legislative Assembly: Wills (Amendment) Act 2013 (Act No 4 of 2013), the Marine Safety Act 2013 (Act No 5 of 2013), and the Healthcare (Amendment) Act 2013 (Act No 6 of 2013) and reserved for the Governor-General's pleasure the Crown lands (Amendment) Bill 2013 and that message was dated 11 February 2013 and signed by Neil Pope, Administrator

NOTICES

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

MR SHERIDAN Thank you Mr Speaker, I move that for the purposes of subsection 65(2) of the Employment Act 1988, this House resolve to appoint Christopher Ian Gurnsey being a person with relevant qualifications and experience, to the Employment Conciliation Board for the period 15 February 2013 to 14 February 2016.

SPEAKER Honourable Members the question before the House is that the motion be agreed to. Mr Sheridan

MR SHERIDAN Thank you Mr Speaker, just a few words on this appointment. This appointment has come about by the resignation of one of the Member of the Employment Conciliation Board and we've been fortunate enough that Chris Gurnsey has volunteered to fill the position. Chris as most people would be aware, has been on Norfolk Island since roughly 2004 as the owner operator of Café Tempo. His work history before that had involved numerous employment areas which includes hotels, wine spirit and general merchants and also in Purnell Orchards in Hawks Bay in New Zealand. Chris Gurnsey has vast experience in employment matters, both as an employee and as an employer and I feel that his experience will be well founded and shared amongst other board members so I put his name forward and hope that the House will support it

SPEAKER Thank you Minister Sheridan, any further debate Honourable Members? There being no further debate I put the question that the motion be agreed to.

QUESTION PUT
AGREED

The ayes have it, that motion is agreed

SOCIAL SERVICES ACT 1980 - APPOINTMENT OF COMMUNITY MEMBER

MR SHERIDAN Thank you Mr Speaker, I move that that for the purposes of paragraph 4(3)(b) and sections 6 and 8 of the *Social Services Act 1980*, this House resolve to recommend the appointment of Zilpha Dianne Menghetti as a community member of the Social Services Board for a period of 3 years commencing on the day on which the instrument of appointment is signed and recommends to His Honour the Administrator that he sign the instrument of appointment.

SPEAKER Honourable Members the question before the House is that the motion be agreed to. Mr Sheridan

MR SHERIDAN Thank you Mr Speaker, again the Social Services Board is an important board which assists the Social Services Manager in her role of dealing with various benefit applications from the community. Zilpha Menghetti, k known to all of us as Di, she has

served this community for many a year in business and now she's volunteered, she's put her hand up to fill the vacancy on the Social Services Board. I would just like to note that these Board's are voluntary and Di's involvement will be one as community Member, we do have a couple of Member of the Government on that Board to assist but this is purely the community's involvement and I would like to thank Di for putting her name forward because at times it can be an onerous task, deciding on a benefit, on a person of whom you would no doubt know on Norfolk Island so I recommend her name to the House

SPEAKER Thank you Minister Sheridan, any further debate Honourable Members? There being no further debate I put the question that the motion be agreed to.

QUESTION PUT
AGREED

The ayes have it, that motion is agreed

VARIATION TO TERMS AND CONDITIONS OF ACTING CLERK

MR NOBBS Thank you Mr Speaker I move that the resolution of this House on 23 January 2013 regarding the appointment of Sharyn Louise Quintal as a person to act as Clerk be varied such that, for the purposes of subsection 48(6) of the Legislative Assembly Act 1979, the terms and conditions of that appointment be equivalent to those of the Clerk to the Legislative Assembly.

SPEAKER Honourable Members the question before the House is that the motion be agreed to. Mr Sheridan

MR NOBBS Thank you Mr Speaker this motion comes before the House today to amend the motion that was moved from the floor of the House at the last sitting. Section 48(6) of the Legislative Assembly Act 1979, states that the House must pass a resolution on the terms and conditions of the Acting Clerk. This motion is to bring those terms and conditions, the duties and responsibilities etc in line with those of the Clerk. This motion is purely a tidying up of the last motion as it was done quickly from the floor in case this sitting was not to happen. It's important to have the Deputy Clerk in place for the formalities of the inaugural sitting of the 14th Legislative Assembly

SPEAKER Any further debate Honourable Members? There being no further debate, I put the question that the motion be agreed to.

QUESTION PUT
AGREED

The motion is so agreed.

MARINE SAFETY (AMENDMENT) BILL 2013 – DECLARATION OF URGENCY

SPEAKER Honourable Members we move to the Marine Safety (Amendment) Bill 2013. I have to advise that the Business Committee, in accordance with standing order 158, has declared that the Marine Safety (Amendment) Bill 2013 shall be dealt with through all stages at this sitting

MARINE SAFETY (AMENDMENT) BILL 2013

MR NOBBS Thank you Mr Speaker I present the Marine Safety (Amendment) Bill 2013 and move

that the Bill be agreed to in principle and I table the explanatory memorandum to the Bill. Thank you Mr Speaker. As discussed with Members at an MLA's meeting this was a grammatical tidy up that involved two relatively minor changes, one in amendment of section 22 which is on page 11 of the Bill and one in amendment of section 52 which is on page 23 of the Bill and to read from the explanatory memorandum, the Bill corrects two omissions in the principal Act. The opening clauses provide for the short title, the commencement (and that the Bill has effect from the commencement of the principal Act), and the name of the Act being amended. Clause 4 makes the required corrections—subclause (1) inserts a missing word —“is”; and subclause (2) inserts the phrase “, or of another country prescribed by regulation,” in order to ensure that licences issued in places such as New Zealand may be recognised. If we were to read from those two amendment out of the Bill just to make it perfectly clear, 22. Operating vessel or supervising juvenile with prescribed concentration of alcohol in blood (2)A person who operates a vessel in any waters while there is present in the person's blood the prescribed concentration of alcohol greater than the novice range guilty of an offence.” And what it should read Mr Speaker is “is guilty of an offence”, so that is that amendment and amendment to section 52 is the section titled Exemption from requirement to hold boat driving licence, and part c) of that currently reads “ is licensed under the law of the Commonwealth, a State, or a Territory and is operating the vessel in accordance with the conditions of that licence.” The amendment reads “ is licensed under the law of the Commonwealth, a State, or a Territory or of another country prescribed by regulations, and is operating the vessel in accordance with the conditions of that licence.” Thank you Mr Speaker just in accord with this being involved with the Marine Safety elements and part of our MOU obligations in moving forward I would also like at this time to table the Annual Report for the Norfolk Island Fishing Association and that also includes the catch data requirements under the MOU, thank you

SPEAKER Thank you Minister, is there any further debate Honourable Members? There being no further debate I put the question that the motion be agreed to.

QUESTION PUT
AGREED

I think the aye's have it, the Bill is agreed to in principle.

We move now to the detail stage. Is it the wish of the House to dispense with the detail stage. Good thank you. That is so dispensed with.

I seek a final motion Mr Nobbs

MR NOBBS Thank you Mr Speaker I move that the Bill be agreed to

SPEAKER Thank you Minister, is there any further debate Honourable Members? There being no further debate I put the question that the Bill be agreed to.

QUESTION PUT
AGREED

I think the aye's have it, the Bill is agreed to

ADJOURNMENT

SPEAKER Honourable Members we move to Adjournment under Standing Order 42 and I call on Mr Nobbs

MR NOBBS Thank you Mr Speaker. I move that the House do now adjourn

SPEAKER
Members?

Thank you Mr Nobbs. Any debate Honourable

MR NOBBS Thank you Mr Speaker. Firstly, I would like to say on behalf of the Chief Minister and Minister for Community Services and myself, a thank you to all Member around the table for their participation and to the community for their participation in what have been challenging times. In line with discussions at the January sitting and staying with the commitment that each of us gave at MLA'S to utilise this Sitting for business only rather than electioneering, I would now move that the question be put

SPEAKER
now put Honourable Members

Thank you Mr Nobbs. The question is that the question be

QUESTION PUT

Would the Clerk please call the House

CLERKS

Mr Snell	Aye
Ms Adams	Aye
Mr Sheridan	Aye
Mr Nobbs	Aye
Mrs Ward	No
Mr Anderson	No

SPEAKER The result of voting, the ayes 4, the noes 2, the motion is so agreed. I now put the question that this House do now adjourn.

QUESTION PUT AGREED

The motion is agreed to. This House stands adjourned Honourable Members

FINAL SITTING OF THE 13TH LEGISLATIVE ASSEMBLY