

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

We move to condolences.

MR SPEAKER Honourable Members on the 11th of September 2001 there were terrorist attacks on Surveillance Aviation, the World Trade Centre and the Pentagon. Escalating recourse to violence to meet political objectives which shocks and dismays all who believe in achieving political goals through democratic means. There was huge loss of life, recovery on these sites continue and the search for justice is escalating into the prospect of War. Honourable Members this is the first sitting of this House since this happening in the United States of America and I record on your behalf condolences to the bereaved, and condemnation of the terrorist attack.

CONDOLENCES

It is with regret that this House records the passing of Frederick Keith Smith who passed away in the Norfolk Island Hospital on Tuesday, 11th September. Frederick Smith was born in Melbourne on 29th August 1926. He spent most of his early school years there, living in the suburb of Elwood. He joined the Royal Australian Navy in January 1945 at the age of 19 and trained as a signalman. He served in the Pacific aboard the N Class destroyer Nepal and it was during this time that he met George Bottriell (long time resident of Norfolk Island). After he was demobbed in March 1947, he began his qualifications in Accountancy and after achieving these he continued to work in Melbourne and was transferred to Sydney in April 1958. His secretary at his new appointment was Nancy Wells. They fell in love and five months after meeting were married on 4th October 1958. A few months later, Fred came with Nancy to visit her parents on Norfolk Island. This was when Fred decided he would like to live here, but it was not possible at that time. Fred's work took them back to Melbourne in 1961, where their daughter Andrea was born, the day before his 35th birthday. In the years that followed he spent many happy holidays on Norfolk with Nan and Andrea. The family returned to live in Sydney in 1966 where Fred worked as company secretary for a large American firm. He took early retirement and finally realised his dream to live on Norfolk in the old Wells home in Taylor's Road. Fred has been involved with Probus on Norfolk since its inception, most of the time as an office holder. He also shared Nan's interest in the Norfolk Island historical Society and was its Secretary/Treasurer for many years. Members of the R.S.L. were there at the graveside to pay their last respects to Fred. To Nancy and Andrea, who have gone through so much worry and care for Fred, this house extended its deepest sympathy. It is with regret that this House records the passing of Joyce Lorraine Buffett on 16th August at the Norfolk Island Hospital at 80 years of age. Joyce had made a great recovery from a recent accident and was expecting to be discharged the following weekend. Joyce was the mother of Jeanette and Grant from a previous marriage and the widow of Lesley 'Nobby' Buffett with whom she had two children Vicki and Tony. She and Lesley moved to Norfolk Island from New Zealand when Les reached retirement age and she enjoyed being on hand to be a wonderful grandmother to Jeanette and Albert's children Craig, Brian and Glen. Her grandson Brian gave her eulogy and the love and affection in which her family held her was clearly evident. Joyce enjoyed life. She was an avid Eels supporter and would often enter into vigorous discussion on football. Her later years were spent crocheting blankets, watching her TV shows or listening to the sports coverage on the radio. Joyce was always able to give an update as to who was winning the Tennis, Cricket, Aussie Rules etc. She was a charming lady and will be sadly missed. To Jeanette and Albert, Craig, Brian, Glen, Grant, Vicki, Tony and their families, this House extends its deepest sympathy. It is with regret that this House records the passing of Edward Davenport Howard on Saturday, 2nd September at his home 'Rainbows End' Collins Head Road.

Edward Davenport Howard was born in January 1925 in Cleveland Ohio. He excelled in athletics especially the shot putt and is well remembered on the honour board in his high school. He was a keen sailor and in later years took up more academic interest. He joined the Army Air force and arrived in Europe on VE Day – it is said by his closest friends that on hearing of Ed's arrival the enemy capitulated. After the war he attended Harvard University and married Alice in 1945. They had four children, Ed, John, Anne and Daniel. Ed worked with his grandfather in a management consultancy and after the death of his grandfather Ed took over and ran the business with success. He admired the Founding Fathers of America and a distant relative was involved in the Declaration of Independence but he became disillusioned with modern America and the pressurised business world. After a trip to Sydney in 1960 he beguiled the family to move to Sydney and subsequently after a visit to Norfolk Island, Ed and Alice moved to Norfolk Island in the early 1970's and settled here permanently. Ed served in the political life on Norfolk, firstly on the Advisory Council and then on the Legislative Assembly from its inauguration until he left to care for Alice who died in June 1996. In his political life on Norfolk Island Ed made a large contribution to the island's development towards increasing self government, especially in financial matters. The island's best interests were always behind the things he advocated and championed for the islanders. He had a strong interest in the historical Pitcairn background of Norfolk, making a visit to Pitcairn and a film on that island in association with the National Geographic Society. For some eight years in the late 70's early 80's Ed published his newspaper "Norfolk Island News" which advocated his interest in all Norfolk Island affairs. He also had his lighter side with a great good humour and many anecdotes. He suffered a serious setback from failing eyesight following successful treatment for cancer but continued to live at home right up until the time of his sudden death. To his family Ed, John, Anne and Daniel and their families this House extends its sincere sympathy. News has been received this week that Helen Dalkin, wife of the late Air Commodore R N Dalkin, former Administrator of Norfolk Island died in Canberra on Saturday, 8th September. Air Commodore and Mrs Dalkin were occupants of Government House in Norfolk Island from 1968 to 1972 and Mrs Dalkin was known with much affection here and was a valued member of the Norfolk Island community. Air Commodore Dalkin died in 1991. For some time now Mrs Dalkin was resident in Carey Garden Homes in Canberra. She died peaceful in her sleep. To her family and friends we extend our sympathy.

MR SPEAKER Thank you Mr McCoy. Honourable Members as a mark of respect I would invite all Members to rise and stand for a period of silence.

WELCOME TO NEW MEMBER – R A ADAMS

MR SPEAKER Honourable Members may I acknowledge and welcome Mr Robert Adams, successful at the most recent bi-election who is in the House today, and took his affirmation before the Administrator on the 13th of September of this year. Mr Adams good morning and welcome.

QUESTIONS WITHOUT NOTICE

MR BATES Thank you Mr Speaker. My first question is for Mr McCoy, Minister for Health. Could the Minister give an update on proposals for Tele-medicine and net conferencing, where are we at, and if not already in use, when is it likely to be available.

MR MCCOY Thank you Mr Speaker. Thank you Mr Bates for the question. As Members are aware we did receive a grant as part of the Networking the Nations funding from the Commonwealth of Australia. Part of that Grant was to establish, at that time what was couched as Tele-medicine. We've progressed along that path but during the time Dr Damien Foong who had been working at the Norfolk Island Hospital as a Locum introduced a new and updated version of Tele-medicine to some degree and it's now called E-Health. The Assembly Members have been given a

demonstration of how the E-Health will work and my understanding is that there were some difficulties with one of the Officers who had been involved in developing the criteria, or putting together documentation for E-Health. He had been on holidays, I have pursued this E-Health issue with some vigour and we now have found that we're in a situation where we can progress along the path towards E-Health, and fortunately we do have on island Mr Damien Foong who will be continuing his efforts to get the E-health up and running for Norfolk. As to when the system will actually be in place, I couldn't give a direct and conclusive answer. I hope that answers Mr Bates' question.

MR BROWN Thank you Mr Speaker. A question for the Minister for Health. Can he explain to the House just what is E-Health.

MR MCCOY My understanding of E-Health. I'm no technical expert but it's a system that allows, and I'll give a couple of examples based on the demonstration given by Damien Foong to all Members. The system is based on having the ability put in place where the Norfolk Island Hospital, as an example if there is a need for a third opinion in regards to an x-ray that's been taken, that x-ray will be able to be scanned and sent down the line through our Internet service, provided and hopefully the intention is that an answer will be back within half an hour. Also another example Damien gave was for ECG readings, then there will be a quicker response time. The other benefit of E-Health is, as Damien explained it to the Members is that there would be digital cameras able to be set up in the case where operations or immediate surgery is required and there would be an ability to link with a number of Specialists world-wide and those Specialists would be able to provide input if required.

MR BROWN May I ask a further question along the same line. Can the Minister advise us what arrangements have been made with the various Specialists who appear to be required in order for the particular model of E-Health to be implemented and can the Minister advise whether it is intended to seek the advice of persons who are expert in the Telecommunication area or whether he will restrict his enquiries to medical type enquiries.

MR MCCOY Thank you Mr Speaker. I don't have a network of specialists around the World that I communicate with. It's a Medical Specialist connection and Mr Brown would be quite aware that this issue is being dealt with Officer level in the Administration.

MR BATES Thank you Mr Speaker. A question for Mr Smith, Minister for Roads. About 12 months ago 3 roading options were put before the Minister, one do nothing, two patch and repair and three, reconstruct to a safe state. Can the Minister advise where we are at with road maintenance and reconstruction.

MR SMITH Thank you Mr Speaker. The situation with roads is that that plan was being followed as Mr Bates quite rightly pointed out, that there are some options. The options that were chosen were that as certain roads that were in what I suppose you could call reasonable condition would be resealed, as part of the resealing programme. Once those roads were complete work would begin on the reconstruction of the roads that are in the most serious condition. As we are all aware that there has been a long delay in doing anything with the roads because of the crushed metal situation over the last couple of years, or three years. However the resealing programme did commence some time ago tot he point where Taylors Road was the first of the reasonable roads that needed to be resealed, it was commenced. I understand that there has been a breakdown with the tar sprayer truck, I understand the clutch or bearing has gone on it and that is currently under repair. When that's completed then we'll get back into that resealing programme. There may be some question in what Mr Bates has asked in his question of how come it's taking so long. The question related to why reseal a road that seems to be in reasonably condition while there is other roads that in quite serious condition. I understand that roads that might appear to be in good

condition need to be protected from the elements while they are still in reasonable shape, which requires that resealing otherwise we will end up with every road in the same condition, and that is in a very bad situation so hence the resealing programme of those roads that are, which do appear to be in reasonable condition before road reconstruction starts, and as I understand it the reconstruction programme should be starting in the beginning of the next year and that will start with the roads up in Price Phillip Drive and J.E. Road.

MR BATES Thank you Mr Speaker. A question for Mr McCoy, Minister for Health. Concerns about a clear policy, including funding for Medivacs have been around for some time. Do we have adequate guidelines in place to handle these situations, and if so could the Minister expand on them for public information.

MR MCCOY Thank you Mr Speaker. The answer is no we don't have that equipped funding in place for Medivacs and the issue of Medivacs as we are aware has been around for many many years. I have sought information in regard to Medivacs over the past 5 years. That information has come forward. It indicates clearly that there have not over the last few years always been Medivacs provided by the Royal Australian Air Force. Also in regard to that information the information that came forward is substantive as it is, it did raise a few more questions and once those questions have been addressed then we'll get about seeing how we can provide funding and also put in place a reliable Medivac service for Norfolk Island.

MR ADAMS Thank you Mr Speaker. A supplementary to Brian's question to the Minister for Health. Minister given the situation that Medivacs path to either New Zealand or Australia can you please outline for the listeners the difference in how these 2 Countries are approached in terms of Medivacs.

MR MCCOY Sorry Mr Adams. I was passed a paper while you were reading the question or asking the question. Could you run that by me again please.

MR ADAMS Minister the question is supplementary to Brian's. Could the Minister outline to the House and to the listeners the difference in a situation concerning Medivacs to New Zealand and Australia.

MR MCCOY The difference as in regard to the cost of Medivacs? Some of the information that I have requested, the cost of a Medivac flight to New Zealand is approximately \$15,000 and the cost to Australia is approximately \$35,000. That's for a private aero Medivacuations. The Royal Australian Air Force has provided that service to the community at a cost of around \$100,000 and the figures that we now have it actually costs \$130,000 for that service to be provided. But also, interestingly as it appears that an option to have people who require emergency evacuations from Norfolk Island to go to New Zealand because of the cost factor of the Medivac, the service that is provided and also another question or information that was sought was in regard to the hospitalisation in Brisbane/Sydney as opposed to how it weighs up against Auckland, because whilst it may seem attractive because of the costs of the service to send people to New Zealand I also had a concern, well the cost of hospitalisation may blow out the cost of the whole activity. But the figures that have come back show that there is not a great deal of difference in the hospitalisation costs between Australia and New Zealand, and that is to be worked through as well.

MR ADAMS Thank you Mr Speaker. Just a supplementary once again to that. Is it a fact Minister that the Norfolk Island Government has funded the New Zealand Medivacs while at the same time been reluctant to fund the Australian Medivacs.

MR MCCOY During my time as Minister with responsibility, responsible for Health Services on Norfolk Island we have funded Medivacs to both Australia and New Zealand, but one of the difficulties is the cost of the Medivac to Australia by having a person Medivaced to New Zealand it may, the saving there would allow us to possibly Medivac another person out to New Zealand the next day if required because we never know when the request for a Medivac might arise.

MR ADAMS Just a final supplementary to that thank you Mr Speaker. Would the Minister confirm in the event that the Government is more likely to fund a New Zealand Medivac whether in the event of somebody for personal reasons wishing to go to an Australian Medical Centre, would the Government transfer the amount that would have been paid to a New Zealand Medivac to an Australian Medivac.

MR MCCOY Yes that question's just a little bit difficult for me to get my mind around Mr Speaker. What I'm looking at with the information that's been provided is whether we could actually include the Medivac service as part of our Healthcare Scheme and how we provide the service for visitors who come to Norfolk Island and also how we fund the service for people who are HMA recipients. So at the moment the thought is in my mind clearly that the health or the condition of the patient is of the utmost importance and if the patient is required to travel to New Zealand because of the cost of the Medivac service that has been provided well at this point I believe that we have no real option but to have these people go to New Zealand. The issue as to exactly how we will fund in the future, that's the main concern because as I answered Mr Bates we don't have any funding mechanism in place.

MR BROWN I direct this question to the Minister with responsibility for Health, and the question has 2 parts. Firstly, a moment ago Mr Bates asked if there were policies in place in relation to Medivacs and the Minister responded with details of funding but not of policies. So could I repeat Mr Bates' question, are there policies in place in relation to Medivacs and the second part of my question is, do those policies include transporting people by scheduled services wherever that is possible including transport by scheduled services on stretchers.

MR MCCOY Thank you Mr Speaker and thank you Mr Brown. Yeah and that's what the paper was that Mr Bates passed me, it's a paper that I copied to Members which sets out The Royal Australian Air Force policy but my understanding, I have not been able to find a Norfolk Island Government policy on how Medivacs are carried out. I believe the only policy that we've ever had is well the Australian Government will provide it. So the other part of the question in regard to regular passenger services, that information has also been gathered from the only passenger service that we still have coming to Norfolk Island, a regular passenger service that's Air Norfolk and there is an issue with the stretcher. If a stretcher can be put on island well then it may be possible when, if there is a flight, a regular passenger service out of Norfolk and we need to airlift a patient from the island well then we would be in a situation where we may be able to utilise the regular passenger service, but that to a degree depends on discussions that will emanate out of the information that's already been gathered as to what actual policy we put in place for the Government Medical Officer and the Director of the Hospital to be able to request a Medivac.

MR BROWN A further question in relation to the same subject matter. Is the Minister aware that there are presently 5 scheduled services a week between Norfolk Island and Australia. Is the Minister aware that that number will increase to 6 in the next 10 days and is the Minister aware that there are 2 flights a week to New Zealand which are flown by Air New Zealand. If the Minister is aware of all of those flights can he tell us what action has been taken to ensure that the Norfolk Island Government has available suitable frames and stretchers to enable people to be evacuated on those flights without the need to be demanding the chartering of an expensive private aircraft.

MR MCCOY Well my understanding is Air New Zealand does not provide a service to uplift in a case of a medical evacuation. Air Nauru have advised us that we need to give them at least 24 hours notice and that because their stretcher is situated in Nauru and it would have to be at least 24 hours notice prior to the flight leaving Nauru so that they can have the stretcher on board. But as I indicated Mr Speaker my intention is to enter into discussions with the regular passenger services to Norfolk Island and in response to the question about the 5 services, I am aware that there are 5 services and I'm not fully aware that there is an intended 6. I did hear some whispers around this room on Monday that there could be a possibility of Norfolk Jet introducing a 6th service. Just to make it quite clear the whole object of the exercise is gathering the information over the last, of all aeromedical evacuations that have occurred over the last 5 years just so that we can put in place policies as to how the Director and the GMO request an aeromedivac and also the funding, because it's all very well putting in place a method to request one but if you don't have money, or a funding mechanism there's the same problem that we've had for years, still exists.

MR BROWN Mr Speaker could I again ask the Minister what action has the Norfolk Island Government taken to acquire a suitable approved frame and stretcher to be kept here on Norfolk Island to enable medical evacuations to be carried out using scheduled air services.

MR MCCOY Thank you. The Norfolk Island Government did prior to me taking over responsibility for medical services I don't know what the previous Minister's have done but we don't have a stretcher on island for that purpose so I can only assume that that path has not been travelled down and I will make it quite clear we will be entering into discussion with the Airlines to service Norfolk Island as to what costs will be required or what the costings are for the regular passenger flights to provide a medical evacuation service, and those negotiations will also be entered into with Companies who provide, or private Companies who provide aero medical evacuation services. So it's a matter of determining the policies and then we will be in a situation to determine whether we need to purchase a stretcher, to have that on island in the case of where we need to uplift a patient from Norfolk.

MR BROWN Mr Speaker a further question on the same subject matter. Bearing in mind the Minister's advice a few moments ago that it is presently necessary to give Air Nauru 24 hours notice before their aircraft departs Nauru so that they can bring a frame and stretcher with them will the Minister advise whether he intends to take urgent action to cause the Norfolk Island Government to acquire a stretcher and a suitably approved frame to be held here in Norfolk Island to enable medical evacuations to take place at short notice.

MR MCCOY Thank you Mr Speaker. I think that would be appropriate once the airline situation has been sorted out and we know which airline will be servicing Norfolk Island.

MR BATES Thank you Mr Speaker. A question for Mr Nobbs Minister for Finance. The Minister was assembling data in which to base a review of our taxation system. How is that going and when can we expect to see some progress.

MR NOBBS Thank you Mr Bates. It's going quite well actually Mr Bates. There's been a lot of material gathered but at the current status now, and I as hoping to have a status report actually today which I haven't got and I apologise for that, that's because of obvious reasons but anyhow what's happening at the present time is that Officers within the Administration are looking at a very important segment of all this and that's in relation to fees and charges and doing a complete review of fees and charges, the cost of collection and the value of actually having those in place and what

we get out of each individual fee and charge and the whole lot. I was hoping as I said to have a paper on that for this meeting explaining exactly what's going on but to date I have not, but I would expect that within about 2 weeks, I understand that should be complete and I hope I'm not putting pressure on any of the staff in relation to that but I thought it was about 2 weeks time we should have that segment of the operation complete. Once we can put all that data together it's then looking at I believe, expressions of interest etc as to some advice as to a total review, not just from a GST perspective but a total review of our current revenue raising arrangements. I should also add as you know Mr Bates I'm very keen at looking at the expenditure side of it as well and that's a clear issue that we need to look at and that's being done at the same time but unfortunately as you are aware there's been some not delays, but some time taken in gaining the management group, putting the senior management group in place and it was at that time that we believed that we would look at the staffing structure and the requirements, financial requirements of the Administration and other attendant bodies that take Administration or Government funding, but at this stage, I'd say within a couple of weeks we should have details of fees and charges and those sorts of things which are as I said a very important item and I would hope that for the next meeting I would have a reasonably comprehensive report for Members.

MR BATES Thank you Mr Speaker. Two more questions. One for Mr McCoy Minister responsible for Crushing operations. With the operation at Cascade completed what is the Minister doing towards ensuring that a suitable location for crushing operations is in place for the Airport runway upgrade.

MR MCCOY Thank you Mr Speaker. As Mr Bates is aware I did have a meeting with the Cascade residents to look at the possibility of siting a rock crusher at Cascade, a mobile rock crusher but that was in an effort to try and ensure that we have a crushing facility to process the roughly 8 years of rock that we have stored down at Cascade on 5a but there was not a lot of support came out of that meeting and there's the issue of the Norfolk Island Plan has an indication that a industrial zone will be created at the Airport within the environments of the Airport for the purpose of noxious industries. The upgrade of the runway has become eminent and I have discussed this issue with the Chief Minister. As all Members are aware we've had visits from a number of Engineers, one from Cairns and also Morris Green, the consultative Engineer for the Airport. The second OIC of the Norfolk Island Airport after the meeting with Andrew Leeper from Cairns Port Authority came from Cairns to observe some of our operations based on some of the recommendations that were made by Mr Leeper whilst on Norfolk Island. Those reports, I read Mr Adams' report yesterday and following the reading of that report I went and had a brief discussion with the Chief Minister advising that due to my actions off island through the month of October I will be asking the Chief Minister to look after the crushing side of things and also I discussed how may go about getting in place a crusher to crush the product for the Airport. We were advised that a decision was to be handed down from the ART on Island Industries application to commence or recommence rock crushing or commence rock crushing in Stockyard Road. I believe the decision is now to be handed down at the end of October, so it has now become eminent that I progress the matter of getting a crushing site to crush the product for the Airport upgrade. So I will be intending over the weekend to write to the Chief Minister to ask that we look at a number of strategies.

MR BATES Thank you. Final question Mr Speaker to Mr Smith Minister for Tourism. The Australian Government is proceeding with an air passenger ticket levy collection bill to fund employees of Ansett's entitlements. How will this affect passengers arriving and departing Norfolk Island and is the Minister doing anything about it.

MR SMITH Mr Speaker Mr Bates is correct that the Commonwealth has widely publicised the fact that they are going to impose a levy on air travellers within the confines of Australia and that will be a levy amounting to \$10 to

every ticket that is issued to fund, to so called fund the Ansett Airlines long term entitlements I think it is. Mr Speaker I was actually going to table a copy of the Bill at a later stage, probably in Papers which might give other Members the opportunity to have some words said on it if they wish that, if Mr Bates would be happy with me not debating much more except to answer the last part of the question, what do I think the effect will be or what will effectively be, an increase in the cost of travel to and from Norfolk Island by that \$10.

MR SPEAKER I saw Mr Bates nodding his head so if you are able to tackle that at Statement time or Papers time Mr Smith it would be useful maybe amongst all the other Members.

MR WALKER Thank you Mr Speaker. A question to the Chief Minister Mr Nobbs. Can the Minister advise whether or not the debt in the form of outstanding landing fees which is subject to an arrangement with air Nauru has been paid and is continuing to be paid up to date.

MR NOBBS Thank you. I understand that the arrangement that was put in place by the previous Government, which I have said I will honour in this, as it was put in by my predecessors is progressing and that the other arrangements that have been put in place and they've been tightened up I understand with the discussions between the CEO and Air Nauru and Norfolk Jet Express that the landing fees are being paid as per schedule.

MR WALKER Supplementary Mr Acting Deputy Speaker. Have the other air service operators, mainly Norfolk Jet and Air New Zealand paid all of their current landing fees.

MR NOBBS Thank you. I'm aware of no other Airline being behind except that I don't think we've got anything out of Flight West as yet but the others are all keeping up to their schedule that's been put in place.

MR BROWN Mr Speaker a question to the Chief Minister. Can the Chief Minister advise how much by way of landing fees is owed by Flight West Airlines and has the Chief Minister obtained a guarantee from that company's Liquidator that full payment will be made.

MR NOBBS I can't give off the top of my head what the exact figure is. I think it was in the order of \$250,00 around about there, it's quite a significant sum, bearing in mind that Flight West were the major carriers at that particular point in time. As far as the actual payment of those funds are concerned I understand that I don't think we're a secured creditor but I would need to take that on notice actually Mr Acting Deputy Speaker and advise the Member accordingly as I haven't got the information with me right here.

MR WALKER Thank you Mr Acting Deputy Speaker. A question to Mr Smith, Minister for Tourism. Is the Minister continuing to actively pursue a second Airline to provide air services from Australia and if so can the Minister tell us who he's negotiating with.

MR SMITH Mr Acting Deputy Speaker the question is if we were to do that who would it be. Currently in Australia while, although that situation is changing now there is really only 3 carriers left as far as I'm aware, there's QANTAS, Virgin Blue and Norfolk Jet. I've made no moves at this point to talk to other carriers for a couple of reasons. One is that the service that we are getting from Norfolk Jet and Air New Zealand currently is running as pretty close to the level as we were experiencing this time last year. However I guess there will be some people disappointed to think that there was no moves to make sure we have some sort of a backup. At a discussion of

MR BROWN A further question on the same subject. Can the Minister advise whether messages have been left by the Chief Executives of either of those Airlines on his home telephone in an endeavour to contact him, and whether there have been any more than one attempt by the Chief Executives of either of those Airlines to contact him at the Legislative Assembly. Whether there have or have not been such further attempts can the Minister please advise how an Executive based either in Auckland or Brisbane goes about contacting the Minister, bearing in mind the Minister's frequent absences from the kingdom of power here at Kingston.

MR SMITH Yes Mr Acting Deputy Speaker, kingdom of power, I'm not too sure where exactly that sits at this very moment. If he's referring to my office, he may not be aware but my office is in a state of being painted so I don't actually have an office down here at the moment. I have been working from home. I do have an answer phone at home that is a digital one that not only records every number that calls, it records the messages that are received, when they are left. It not only does that it records the time that the call was made and the date. To date in the last probably at least month there certainly has been no calls from the Chief Executive of Norfolk Jet leaving a message on my answer phone at my private residence which I have been using as an office over the last week. As far as I'm aware there has only been one recorded message from Greg and that was last Friday unless there's been others that I have not received a message about.

MR ADAMS Thank you Mr Acting Deputy Speaker. This is a belated supplementary on a question that Mr Walker asked Mr Nobbs with regards to landing charges, and the question is Minister given that the Airlines are the Government's in effect, tax collectors and agents for the Airline and the landing charges can the Minister explain why it takes the Airline so long to actually remit the money and also in the case of Flight West, given that the Airlines doesn't actually own the money at all it's still again a collection agent why we have ? the Liquidator to obtain the due monies.

MR NOBBS Thank you Mr Acting Deputy Speaker. I understand that it's been the case for some time that the actual bill is sent out from the Administration to the particular Airline for the landing fees. Now that's my understanding that's how it works, now that takes a little bit of time and then what really happens then is that you've lost probably half a month and then there's been a requirement in the past for something like 30 days and so your actually 6 weeks behind but this has been changed and is being changed but unfortunately there are these outstanding at the present time which are the ones that we're talking about. In relation to the landing fees collected by Flight West, I understand and that's from legal advice, and this is going back into the June situation that we are I think they call them unsecured and that we don't any special call on Flight West and I like Mr Adams was quite surprised at that as I was under the impression that that money was collected on our behalf. It's noted on the tickets that it's a Government tax and I found it quite difficult to understand how we were then put in line, and well down the line I might add in relation to the payment of those fees, but it's just one of the, from the advice that I had that that's the way it is. So as I say Mr Adams I was quite surprised at the time and I thought that we would have first call on that sort of funding but apparently we do not.

MR ADAMS Just a brief supplementary Mr Acting Deputy Speaker. Minister would that indicate then that these Companies are in fact channeling the landing charge money through their own businesses prior to remitting it to the Norfolk Island Government.

MR NOBBS Yeah well I sort of understand what your asking me but they have to do that anyhow because they are collecting the money as part of the arrangement and also there's some difficulty with the Airlines actually getting the money in for the payment. That all takes time and it's all in all it's not really a very satisfactory

arrangement and we were looking at with Ansett actually in putting in a procedure which requires some other arrangements but unfortunately Ansett didn't turn up but the current arrangements really are that the actual landing fees does actually go through their books and is shown as part of their books, it would have to be and it's part of the fee that they take from whoever books it, be it their own Companies or some other and then it's transmitted through, so it actually shows up in their books.

MR BROWN I direct this question to the Minister for Immigration. Can the Minister please advise us as to whether he has taken any further action in relation to the introduction to compulsory third party motor vehicle insurance.

MR BUFFETT Thank you Mr Acting Deputy Speaker. I'm continuing to walk through with Officers of the Administration how we can effect this particular form of insurance. No there has been no drafting instructions given, we're not at that stage Mr Acting Deputy Speaker but only yesterday I had further discussions with our Officers to try and move this along. Might I also mention that there are some other insurance reviews that are happening and there is an option to maybe make this more speedy to try and pursue it at the same time that that is done but if that is only going to hold it up it's not going to be put in that package.

MR BROWN I direct this question to the Chief Minister. Can the Chief Minister please advise whether we have yet become an offshore finance centre and if not, can the Chief Minister please advise the current status of his endeavours in that regard.

MR NOBBS Thank you Mr Acting Deputy Speaker. Mr Brown is aware of a report that was done by a Consultant some months ago actually, following a fairly extensive investigation which included a trip to visit the various centres around the World, but the advice at that time was that Norfolk Island should not proceed with an offshore finance centre, that we should look at an E-Commerce centre instead and that a model was to be developed for the Assembly to come up with a proposal. Subsequently there have been discussions held with various representatives of commerce in Australia. As Members are aware there's been quite a falling and hits taken in the E-Commerce area in recent months. The model has still not been completed in relation to that particular proposal by the Consultant and that we are now currently looking closely at where we're actually going with that particular proposal. That's all I can say at this stage in relation to that that the offshore finance centre has been recommended as not a goer and the subsequent E-Commerce centre, there's been no model as such developed at this stage and that we are looking closely at where we should actually go from here.

MR ADAMS Thank you Mr Acting Deputy Speaker. Another one for Ron in his capacity as Minister with responsibility for GBE's. Minister can you identify the progress to date that has been achieved on arranging finance for the upgrade of the Norfolk Island Airport.

MR NOBBS Thank you Mr Adams. What's happening is that a business plan is being developed, we need to look at appropriate, what the actual firm estimate of costing as I explained I think at the last meeting. The estimates that were put up originally were fairly rough, they were fairly taken in a broad context, this would be sort of the maximum arrangements. Subsequent to that we've had visits from Engineers from New Zealand and Australia, we are now looking and putting together a proposal which would seek expressions of interest for a Project Manager for the whole Airport upgrade activity and we need some definitive funding requirements to finalise the arrangements that are required. We have been told by the Commonwealth Government that they will approve loans only from the Commonwealth Government which is a current policy I understand of the current Commonwealth Government and that we need to develop a business plan before that can proceed and as I say at the present time we're

developing a business plan to comply with the requirements of the Commonwealth. Just on another point I've visited as many different groups and clubs and what have you on the island to try and ensure that the people of the island have an understanding that there will be a need for a loan and seeking their views on the loan situation and I've been doing that over the past few months. At these meetings the proposal to upgrade the Airport is generally being accepted as an essential and that providing the loan situation can be justified there appears support that we proceed down the road of seeking a loan. Now why I've put a lot of credence on getting the support of the community in relation to that is that the long term belief here that we don't need to go into debt and those sorts of issues. So at the present time we are proceeding with a development of a business plan and once that's complete it will obviously come to the Assembly and then proceed on and obviously be available to the community and then we'll just proceed on down that road to seeking a loan of whatever funds are required.

MR ADAMS Thank you Mr Acting Deputy Speaker. Supplementary to that. Minister can you indicate in your discussions with the Commonwealth where they advised that they would be favourable to a loan situation, whether or not the loan to the Norfolk Island Government would be on more favourable terms than what could be arranged commercially.

MR NOBBS Thank you. Officially we haven't got to that stage of the negotiations. Officially at this stage we have been advised that a business plan will be required. We have an outline of what's required in the business plan as required by all Australian States and Territories who wish to borrow funds I understand and we have contact and I understand that there's been Officer to Officer contact in relation to preparation of the business plan, but the any negotiations in relation to the actual costs involved in a loan have not been progressed at this stage.

MR ADAMS Thank you Mr Acting Deputy Speaker. A final supplementary on that. Minister could you advise firstly who is doing the business plan and when Members could be expected to see a draft copy of the business plan.

MR NOBBS Thank you Mr Acting Deputy Speaker. The Administration is actually developing the business plan and I can't tell you precisely when it will be available but I know that it's being worked on at the present time. I think the Finance Manager at this stage has the carriage of this and I would hope that it would need to be with us in the not too distant future. I would hope that I would have something for you Mr Adams by the next meeting, by the October meeting.

MR BROWN Thank you. I direct this question to the Minister for Health, and it relates to the Tanalith Plant. Can the Minister advise if it is a fact that substantial earthworks are being carried out at the rear of the Tanalith Plant and if so, has the appropriate planning approval been obtained for those works.

MR MCCOY Firstly to the first part of the question. There has been works carried out at the Tanalith Plant and I became aware that the works were being carried out by asking Mr Smith if the Road gang had been sourcing some of the rock from the Cascade Cliff crushing operations. We were then made aware that the rock had been sourced and was being used up at the Tanalith Plant. I have been advised that the forestry Section when they were trying to get a new forklift were pursuing a 4WD forklift which they felt they could use out in the Forestry area, own in the gum forests, in the Forestry zone sorry of the National Park, but during discussions with the Senior Works Foreman, Mechanical works Foreman here on Norfolk Island, Parks Services were advised they'd be better served in getting a 2WD forklift and it would be dedicated then to the Tanalith Plant operations. The Tanalith Plant, the site itself had a terraced area and to make the utilisation of the 2WD forklift more efficient, the Forester, the Conservator and Forestry team felt that they'd be better off to do away with the terrace and in doing that they used an amount of materials which is presently stored on

the Cascade Reserve. The issue of the planning application, as the Minister with responsibility for Planning and Land matters I have asked where any activities are to be carried out where I have a responsibility to that area if planning applications can be lodged. Unfortunately on this occasion the planning application was not lodged. It was felt that it is vacant Crown land and therefore it did not require a planning application. I'm just having a quick look to find my Planning Act here because there is a schedule to the Planning Act and it's contained on the back of the Planning Act, there are 8 additional planning activities listed in that schedule. Item 1 of the schedule though clearly sets out that where Crown land is being considered for a planning activity well then there is no necessity to lodge a planning application, and one of the planning activities that is listed in the schedule is earthworks in excess of 50 cubic metres. So under the Norfolk Island Planning Act unfortunately there is no legal requirement for a planning application to be lodged where it's intended to carry out planning activities on the vacant Crown land if those activities are listed in list of 8 planning activities in the schedule on the back of the Norfolk Island Planning Act.

MR BROWN Mr Acting Deputy Speaker in the event that the Minister has obtained legal advice to the effect he has just stated, that will he please table that advice.

MR MCCOY I haven't obtained legal advice as such Mr Speaker. What I have is an advice from the Conservator and also as a matter of fact there is advice which indicates item 1 on the back of the Norfolk Island Planning Act.

MR BROWN So that the members of the community are able to understand what has occurred will the Minister please table the document which has been provided to him by the Conservator.

MR MCCOY Thank you Mr Acting Deputy Speaker. I have no problem with tabling that advice and will do so at the appropriate time.

MR ADAMS Thank you Mr Acting Deputy Speaker. A supplementary on a similar subject. Can the Minister confirm that the Tanalith Plant, in it's operation does not carry with it inherent dangers to the staff who work there.

MR MCCOY Thank you Mr Acting Deputy Speaker. The operations of the Tanalith Plant have been a concern of mine for many years even prior to becoming a Member of the Legislative Assembly and I have often wondered why occupational health and safety issues have not been addressed at the Tanalith Treatment Plant. The Tanalith treatment Plant has been in operation for over 30 years and has been under a number of Ministers of the Assembly in the last 20 years and unfortunately those OH & S issues have not been addressed in the past. Fortunately they are now being addressed and that's one of the reasons why they carried out some of the earthworks up there at the Treatment Plant. One of the big concerns has been the amount of dust that continually comes up from the Treatment Plant where timber has been left stacked to dry after they've been in the cylinder and that dust contains, could possibly contain elements of the copper chromium and also arsenic that's used in the CCA treatment. My understanding is that the Roadworks team were going to be doing some sealing works at their old depot where the lighterage activities are now set up and it was considered by Administration at the time, the Officers that they would be best if they sealed the area around the Tanalith Treatment Plant as well to reduce the dust problems, and if any Member would like to go up and have a look at the Tanalith Treatment Plant they can see that there have been some huge improvements made over the last month up at the Plant. The Plant has now been re-painted by the Forestry Team inside, I believe Mr Bevan Nicolai has been carrying that out. They've lifted some of the tanks off the floor so that they are no longer just sitting on the floor and the area can be completely cleaned out, swept out and kept clean and tidy. My intentions is, is that we continue along addressing OH & S issues at the Tanalith Treatment Plant to make it a

safe working environment because personally the way the Treatment Plant was set up and was operating 6 months ago, I would not work in that environment, and I don't expect the Forestry Team to work in that environment either. So improvements are being made, and just briefly another improvement that has been made up there, rather than pumping the solution straight from the 44 gallon drums that they arrive in, the solution pumps in straight into the mixing tank, they now have set up another tank so that then the solution is pumped into the 44 gallon drum, you don't have an operator standing there with a hose and CCA solution pouring out getting all over their hands on the gloves, on their shoes, it goes into another tank and then goes into the mixing tank. So they are some of the issues that are being addressed up there at present.

MR BROWN Further question to the Minister for Health. Can the Minister please advise what action he has taken to respond to the recent report of the Federal Parliament's External Territories Committee and will the Minister please table whatever response he has sent to that Committee.

MR MCCOY Thank you Mr Acting Deputy Speaker. I possibly would ask Mr Brown if he would give me the opportunity during, I have a Statement to make in regard to that matter, at Statement time, and also will be tabling the in the pink or in the red report, but as far as the response, that is mentioned in my Statement and I will leave it until then if Mr Brown is comfortable with that.

MR ACTING DEPUTY SPEAKER Honourable Members the time for Questions Without Notice has expired. If there's no Question On Notice well we move to Statements.

MR ADAMS Sorry Mr Acting Deputy Speaker. I move that question time be extended for another half an hour.

MR ACTING DEPUTY SPEAKER Yes Mr Adams. The question is that question time be extended for 30 minutes.

QUESTION PUT

MR ACTING DEPUTY SPEAKER Would the Clerk please call the House.

MR BUFFETT	AYE
MR NOBBS	AYE
MR BATES	AYE
MR ADAMS	AYE
MR MCCOY	AYE
MR GARDNER	ABSTAIN
MR WALKER	AYE
MR SMITH	AYE
MR BROWN	AYE

MR ACTING DEPUTY SPEAKER The Ayes 8, one abstention. I apologise for my lack of hearing but the Motion to extend question time for 30 minutes is agreed.

MR ADAMS Thank you Mr Acting Deputy Speaker. A question now to Minister Smith with responsibility for Tourism. George it's my understanding that for someone to hold registration for a tourist accommodation house that one needs to be deemed, and I think the words are, a fit and proper person. Is my understanding correct.

MR SMITH That should be to run or manage a tourist accommodation house that would be correct.

MR ACTING DEPUTY SPEAKER Could I just draw Members attention to Standing Order 104 (5a) and if a question is seeking a legal opinion it's out of order. Your seeking a legal opinion with your question Mr Adams.

MR ADAMS Mr Acting Deputy Speaker I was not actually seeking a legal opinion. I was just seeing if Mr Smith concurred with my understanding of what the Act said and the words used.

MR ACTING DEPUTY SPEAKER Your response Mr Smith?

MR SMITH Mr Acting Deputy Speaker I can quote the part out of the Act that Mr Adams is referring to and it's Section 6, number 3. In determining whether an applicant is a fit and proper person to be a Manager, the Executive Member may have regard to such matters as he consider to be relevant, particular to the following so far as they are relevant, whether the applicant is an habitual drunkard, where the applicant is addicted to drugs, where the applicant has been convicted of an offence in Norfolk Island or elsewhere and whether the applicant has been persistently disregarded or is unlikely to comply with the provisions of this Act and of the Regulations.

MR ADAMS Thank you Mr Acting Deputy Speaker. Supplementary to that. Is the Minister therefore satisfied that all holders, or current holders of tourist accommodation registration or the ability to run or manage on the island adequately satisfy the requirement of being a fit and proper person.

MR SMITH Mr Acting Deputy Speaker I have no reason to think otherwise but if there is some circumstance where I perhaps need to have a look at a particular place, tourist accommodation house maybe Mr Adams could update me on that, not right now, but out of session.

MR ADAMS Thank you Mr Acting Deputy Speaker. A question for Minister Nobbs with responsibility for the Public Service. Ron recently the Administration has lost 2 of what's reputedly it's best Lawyers. Can the Minister explain why it occurred at the same time.

MR NOBBS Thank you Mr Acting Deputy Speaker. Thank you Mr Adams for that. Well the most recent loss was due to, I understand to a offer of a job elsewhere and that was taken up and that the Officer then resigned his position here and he'll be leaving in a matter of a few weeks. I made a Statement about that somewhere a few weeks ago I believe. The other one was a, to tell you the truth I'm madly trying to think now what the question really involves. The other one was that an Officer resigned I think from the position and I think that. I'll have to get some information I'm sorry on that. I just can't think off hand on the first one. But the reasons that they resigned really were varied. The second one I said, the most recent one was because he took up another job and the first was, as I say I can't recall what the actual reason were but I'll have that information to Mr Adams. I don't know whether it's appropriate to deal with those sorts of issues at this particular point in time but I'll definitely have a chat with him about it when I get the information for him.

MR ADAMS Just a quick supplementary to that Mr Acting Deputy Speaker. Minister if I could just propose perhaps at the time when you do review the situation if you could inform the House as to whether or not there's not any inherent flaws in the way the Administration Legal Department is managed that is providing a disincentive to the retention of good Lawyers.

MR NOBBS Whilst it's not actually my role, it's the role of the CEO to run the Administration and I would not like the political of this organisation and through me to interfere with the actual day to day operations of any sections within the Administration I do from time to time have the question I guess where we're actually

going in the management of specific areas. May I say quite categorically that nothing has come to my attention as far as the actual operation of the Legal Service Unit to in any way suggest that there is a problem in the management of that particular section. I think that when I sit down and get the final information in relation to the first resignation and speak with Mr Adams that he will understand what the situation is and hopefully he'll agree with me on that, but I don't believe in any shape or form a problem with the management of the particular Unit, and bearing in mind that I'm treading on icy water here because I understand that regulations require that people in the Administration are not identified. So maybe we should deal with that outside if we may Mr Adams please.

MR ACTING DEPUTY SPEAKER Yes Mr Adams if you intend to continue along that line I draw your attention to Standing Order 72a which does require as Mr Nobbs touched on identifiable persons, this is being broadcast before the matters are discussed. Any further Questions Without Notice.

MR ADAMS I do Mr Acting Deputy Speaker. If you don't mind I'll just comment on the Point of Order or the potential Point of Order.

MR ACTING DEPUTY SPEAKER Do you have a question or

MR ADAMS Yes this is a question to Minister Nobbs with regard to the Cascade Cliff. I think that's the most appropriate area in regards for the project. Minister is it a fact that the Project Manager employed by the Administration to oversight the Cascade Cliff contract did not keep to the terms of the contract signed between the Administration and the Project Manager in terms of separating rock and overburden.

MR NOBBS Thank you. I don't want to duck the subject but it's really in Minister Smith's area because I understand that the Project Manager was actually not appointed by the Administration but actually by the Board, I think was the arrangement in that case. Mr Smith may be able to correct me but I'm sure that this issue has been dealt with before and I'll pass the question if I may to Minister Smith.

MR ACTING DEPUTY SPEAKER Mr Smith I just say to the extent that there may be litigation over this.

MR SMITH That's exactly what I was going to say Mr Acting Deputy Speaker. That is a matter for dispute at this point in time and with Mr Adams' concurrence I think it would be unwise for me to try and discuss it in the sitting, not that I have any difficulty and maybe Mr Adams needs to be brought up to date because he's only just arrived in the Assembly of what has been happening over the past few months, and I'm happy to do that at any time.

MR ADAMS Thank you Mr Acting Deputy Speaker. A question, I'm not sure where this falls between George, Ron or John. Maybe the lot to some degree. The question is given that provisional approval aspects of tourist accommodation regulations has been done away with, in the respect of Crown Lease properties that have had part of them reclassified as special purposes for the purpose of building tourist accommodation units on them, and of course as we are all aware that carry's a far higher rental, given that the situation no longer exists for these people to have their provisional tourist accommodation, are they still being charged the higher rental fee.

MR SMITH Thank you Mr Acting Deputy Speaker. There is still 2 or 3 parts to that question. As far as tourist accommodation is concerned there hasn't been any change to the way tourist accommodation gets applied for although there is a Bill that is on the table at the moment which is probably what Mr Adams is

referring to, it's the quota which actually restricts tourist accommodation at this very moment, but that doesn't answer the Crown side of it so I can't answer that question.

MR ACTING DEPUTY SPEAKER Is there anybody that wishes to take that on?

MR NOBBS I'll just have a quick one. I don't know of too many of them but I think that there is one where the tourist accommodation has been approved and there's still another application of some sort for an extension one particular special purpose lease. I can't think of any others off hand that were actually granted for tourist accommodation and haven't actually started something on there or have something operating on there I should say, but there may be, but as far as I know there's none that have been approved and haven't actually started operating.

MR ADAMS Supplementary to that Mr Acting Deputy Speaker.

MR ACTING DEPUTY SPEAKER Mr McCoy may wish to respond to your earlier question.

MR MCCOY Well as the Minister with responsibility for Land issues on Norfolk. Senator MacDonald made it quite clear that people who hold leasehold land on Norfolk Island are tenants of the Commonwealth, in other words, and it's quite clear that he is the Landlord and negotiations and discussions in regard to Leasehold land would have to go through the correct channel. No indication has come from the Administrator's Office in regard to the special purpose lease arrangements that leasee's have with the Commonwealth.

MR ADAMS Thank you Mr Acting Deputy Speaker. A question for Minister with responsibility for Land. Minister in regards to Puppy's Point and given the obvious dangers and some of the horrendous events that have occurred there in recent times, can the Minister explain why no safety barriers have yet been erected along the cliff front.

MR MCCOY Thank you Mr Acting Deputy Speaker and thank you Mr Adams. That question is quite relevant at the moment. I believe another vehicle went off Anson Bay last night and fortunately I have initiated some activity through the Conservator of Reserves. When I was given responsibility to Lands and was aware that there were concerns with the danger that was posed around a lot of the cliffs on Norfolk, especially where we have a lot of public access to those areas, the Conservator and I took a trip out to Puppy's Point and discussed how barriers for designated parking areas will be created, and also how the access to the very edge of the cliff will be restricted for people who are possibly walking or would like to get a better view of the foreshore. As we are all aware there have been Plans of Management for the Reserves are being developed. The ? Plan of Management has been developed, is well on its way to completion and in that Plan of Management was the fencing and the designated parking areas issues. Now unfortunately the Plan of Management has not been on public display so there is no comment in regards to those issues has been entered into or sought, but to overcome the eminent danger on the cliffs I had a discussion with the Conservator yesterday and being a bit concerned if I'm stepping out of line with some of the other activities that have gone on in the last week.

MR BROWN Point of Order Mr Acting Deputy Speaker, To such extent as there is a risk of legal opinion being given could I suggest that the remainder of the answer to this question be left until later in the day so that the Minister can obtain advice before he continues to try to respond.

MR MCCOY Thank you Mr Acting Deputy Speaker. I'm not trying to provide any legal advice. I was moving on to say that we had looked at it, I have discussed it with..

MR BROWN Mr Acting Deputy Speaker could I move that we suspend the meeting for a few minutes please.

MR ACTING DEPUTY SPEAKER The question is that we suspend the meeting for a few moments.

QUESTION PUT

MR ACTING DEPUTY SPEAKER Would the Clerk please call the House.

MR BUFFETT	AYE
MR NOBBS	NO
MR BATES	AYE
MR ADAMS	AYE
MR MCCOY	NO
MR GARDNER	AYE
MR WALKER	AYE
MR SMITH	AYE
MR BROWN	AYE

MR ACTING DEPUTY SPEAKER Honourable Members the Aye's 7, the No's 2. This house is suspended until twenty to 11.

MR ACTING DEPUTY SPEAKER Honourable Members we resume. Mr Adams I think you have the call.

MR ADADMS Thank you Mr Acting Deputy Speaker. Due to my lack of preparation on the last question Mr Acting Deputy Speaker I'm happy to withdraw it and now I've got just a couple more question for Mr Buffett with his responsibility for the South Pacific Games. Minister given that in early December this year the island will be hosting an event that comprises many Pacific Nations has any thought been given to also hosting a cultural event at the end of the Games, perhaps associated with the workings of the local Multicultural Society and the good work that they do.

MR BUFFETT Mr Acting Deputy Speaker whilst individual people in the community have raised the fact that there may be some cultural component at the Games as they run there has been no firm proposal to me in terms of a separate arrangement that might run after the Games. If there is a proposal around I would welcome it being identified to me. I'd just like to identify that we are just some 10 weeks away from the Games also.

MR ADAMS Final supplementary thanks Mr Acting Deputy Speaker. Minister on that similar subject has any thought been given to the other possibility that is available while these Nations and Officials are on the island and course that possibility is for the Ministry, the Norfolk Island Government Ministry to host a meeting of these Officials who are with the athletes to discuss the options regarding increased trade between Norfolk and the other Pacific countries. I mean such trade options could cover goods and services with perhaps discussions looking at options for a new trade counsel between the players. So a penny for the Minister's thoughts on that subject Mr Acting Deputy Speaker.

MR BUFFETT Mr Acting Deputy Speaker I will be making a Statement about the Mini-Games further on in the meeting but in terms of this particular

question, we're at the stage now of having identified who the visitors might be and once we are able to identify the visitors in their various categories the suggestion that has been made to be may well be able to be pursued in that context. In other words it's no good planning this and in fact the players will not be there but if some players that are relevant to the context of that situation it may well be worth our while in speaking with them. Mr Acting Deputy Speaker you will know that we will of course endeavour to make welcome the category of people that have been talked about and there will hopefully be some good opportunity to raise more wide ranging questions if they are thought to be relevant.

MR BROWN I direct this question to the Minister for Health. Earlier in today's meeting the Minister advised that the cost of a RAAF evacuation flight from Norfolk Island to Australia had been \$100,000 and are now \$130,000. Can the Minister advise whether the Norfolk Island Government pays these amounts or whether such flights are free to the Norfolk Island Government.

MR MCCOY Thank you. They are free to the Norfolk Island Government.

MR BROWN I direct this question to the Minister for Tourism, it relates to Roads. Is the Minister aware that there are substantial patches on the newly tar sealed road area along Taylor's Road on which no bitumen and rock appears to have been placed and does the Minister know the reason for this. In the event that the reason is mechanical is it something which is being fixed or is it something which will require a new bitumen spraying machine.

MR SMITH Thank you Mr Acting Deputy Speaker. Yes I am aware of the patches and I was talking to one of the guys on the Roads team about it and as I understand it it doesn't require us purchasing another \$200,000 machine to fix the problem. In fact the suggestion has been that maybe one of the nozzles had been blocked or something like that, and I think it's a simple matter to fix that.

MR BROWN On the same subject matter. Would it be possible to ask the Minister if he could arrange for the nozzles to be cleaned.

MR SMITH That shouldn't be a problem Mr Acting Deputy Speaker.

PRESENTATION OF PAPERS

MR NOBBS Thank you Mr Acting Deputy Speaker. I table the Revenue Fund Financial Indicators for August 2000 and I move that they be noted.

MR ACTING DEPUTY SPEAKER Thank you.

MR NOBBS Just comments from the Finance Manager in relation to this. The Revenue Fund Financial Indicators Report is based on accrual accounting etc. Estimated accrual of substantial revenue such as Customs Duty, FIL, Accommodation Levy, Telecom Dividend, Fuel Levy have been included albeit on an estimated assessment based on historical records and taking into consideration the present downturn in tourist numbers. The Indicators Report is based on the approved budget. The best that can be determined at the 31st of August 2001 is that the Revenue Fund income is about 91% of budget which is an increase of 3% over last month. August 2000 was 103% of budget. The Liquor Bond estimated net profit result is \$38,000 under budget and sales for August 2001 were \$25,000 less than August 2000, customers were 211 less. Accumulated sales for July/August 2001 compared to the July/August 2000 figure is \$45,000 less. Overall expenditure at the end of the second month of the financial year is about 18% under the approved budget. All expenditure categories other than for Welfare are under budget. Welfare expenditure is 129% of its

budget which equates to a \$58,000 overspend. Based on the expenditure trend for the first 2 months of this financial year the Social Benefits payments projected result for 2001/2002 will be a \$50,000 overspend. In addition based on the Hospital's July/August accounts for Welfare and medical expense the projected results were 2001/2002 will be \$150,000 overspend. Total income exceeds total expenditure by \$37,000. I just add Mr Speaker that we will be doing a complete review of the financial arrangements at the end of this quarter and we would have a better indication of actually where we're progressing at the October meeting.

MR ACTING DEPUTY SPEAKER Thank you. Is there any further debate. The question is that the Paper be noted.

QUESTION PUT
QUESTION AGREED

MR NOBBS Thank you Mr Acting Deputy Speaker. Section 2 (b)2 of the Customs Act 1913 makes provisions for the Executive Member to exempt goods for duty where the duty payable is less than \$200. Section 2 (b)5 of the Act provides that where the Executive Member has exercised his power he shall lay a copy of the exemptions on the table of the Legislative Assembly. I so table these exemptions and ask that they be noted.

MR ACTING DEPUTY SPEAKER The question is that they be noted.

MR NOBBS The particulars for the duty waived are as follows. 1 is that the sum of \$12-28 on the importation of trophies by the Norfolk Island Ballroom Dancers for junior Bounty Ball dancers, the second one is a sum of \$141-60 on the importation of artificial grass services by the Norfolk Island Cricket Association. The goods were donated from the International Cricket Council for the development of junior Cricket on Norfolk Island, and the third and final is the sum of \$90 on the importation of bandannas by Traveland for fundraising.

MR ACTING DEPUTY SPEAKER Thank you. Is there any further debate. Then I put the question.

QUESTION PUT
QUESTION AGREED

MR SMITH Mr Acting Deputy Speaker I would like to table the Inbound Passenger stats for August 2001 and move that they be noted.

MR ACTING DEPUTY SPEAKER Thank you Mr Smith.

MR SMITH Thank you Mr Acting Deputy Speaker. The results for August 2001 for our tourist numbers is obviously down as Members will see from the papers they should have in front of them. The monthly total for August was 2,340 with comparisons to the previous 2 years 3,267 last year and 3,054 the year before. We all know the reasons for the down turn in those numbers because of the Flight West demise in June and of course that's still having quite a large affect on our tourist numbers, although I'm quite happy to see that the numbers are coming up for the month of September and obviously with the extra flight arriving in October they should be even more for the month of October. Of course the usual important number is the visitor days which for the month of August was 16,822 compared to 22,344 last year and that's a drop of about 5,000 visitor days which is the key number. Place of residence, where people came from NSW 834, compared to 1,170 last year VIC 444 which is more than last year of 273 QLD 341 and last year 797, SA 96, 122 last year, WA 100 this year, 81 last year, TAS 22, less than last year at 33, NZ 463 and previous year 722 and the Pacific and others comes to about another 40 compared to 69 in the previous year. Mr

Acting Deputy Speaker we knew that there was going to be numbers recorded like we have in front of us here for these months and it's been a tough time for people and I'm hoping that there's going to be an improvement over the next couple of months. Of course we were expecting Ansett Airlines to be flying here from the 15th of September and the day before they were due to fly here is the day that the Airline was actually grounded and there's been much play made in the media about that situation and of course that flight never came, neither did any subsequent flights that were scheduled to come to the island. What is happening with Ansett at the moment none of us really know I don't think although the latest reports were that the Administrator for the Airline was saying this morning I think it was that they hoped to have 10 Ansett aeroplanes back in the air by next week. Now whether that's in Ansett's own right or not I really don't know but of concern also as was discussed this morning was the parent company of Ansett Australia, that's Air New Zealand and their situation which has been put into a precarious position, partly because of the Ansett situation, partly because of the world wide decline in airline traffic because of the happenings in, the sad happenings in New York in recent times, but watching the media reports coming out of both countries, out of Australia and New Zealand there is some interesting things that have been said about what is happening to Air New Zealand and therefore Ansett, even to the suggestion that the major shareholders of Air New Zealand which are Singapore Airlines and Bryly Investments both owned by Singaporean people, there's even been a suggestion that Singapore Airlines may be possibly trying to drive down Air New Zealand's shares to a point where they can take over the whole company at a low rate. That's just been one of the suggestions, but some of the other media reports that are coming out are showing that the situation for Air New Zealand mightn't be quite as bad as what has been spouted around the place but who knows. The new Zealand is talking about putting in statutory management I think it's called if something doesn't come to air New Zealand from the shareholders very soon, because it's in of course New Zealand's best interest to keep the Airline flying because there is only really mainly Air New Zealand that does their international and domestic services. They are quite keen as we are to see the Airline continuing to fly to Norfolk Island but on the other side of the Tasman of course Norfolk Jet has been providing a really good service over the recent times, particularly since Flight West stopped flying here with the additional flight coming on very shortly and the next question that will be put to Norfolk Jet by myself is what their intentions are for expanding the service at a more into the short to longer term. Of course our busiest months would have been September, October, November and whether it would be any sense adding additional flights after that period of time in the short term probably doesn't make much economical sense, although having said that it's very hard to get seats on the services at this point in time which is good news for the Airline, good news for Norfolk Island. I think that's where I'll leave my debate at this point.

MR WALKER Thank you Mr Acting Deputy Speaker. Just for the community's point of view ,I have made these figures available to Members, I would like to just reiterate that for the 16 weeks from the 19th of June until the 16th of September, the total number of passengers, and I repeat the total number of passenger which does include both residents and visitors we are approximately 19.75% down on the previous year. That is 8,183 passengers have been carried to the island as against 10,197 last year. There is slight increase in the New Zealand passengers of 380 but 2,394 less from Australia. However I would also like to note here that Norfolk jet for that same period increased their carrying of passengers from 1,841 in the year 2000 to 8,183 in 2001, that is an increase of 6,342 passengers or approximately 350% and I think that it's a very commendable effort that Norfolk Jet has made in bringing those extra figures to the island, the visitors that they've brought in as a result of their increased activity and I think that that's going to continue on for some time to come. Thank you.

MR ACTING DEPUTY SPEAKER Thank you. Any further debate. Then I put the question.

QUESTION PUT

QUESTION AGREED

MR MCCOY Thank you Mr Acting Deputy Speaker. I was asked during the Questions Without Notice to table the advice that I received from the Conservator in regard, and I so do. I present the paper Tanalith Works and dated 25th of September 2001.

MR ACTING DEPUTY SPEAKER Thank you Mr McCoy. Any further Papers for presentation.

MR SMITH Thank you Mr Acting Deputy Speaker. I said earlier as a result of a question about Federal legislation that was extending to Norfolk Island, I would like to table that and move that it be noted.

MR ACTING DEPUTY SPEAKER Thank you.

MR SMITH Mr Acting Deputy Speaker thank you. This is in relation to the Air Passenger Ticket Levy Collection Bill 2000. I was made aware that such a Bill, besides it being on the media, I was made aware by the Administrator who was in Canberra at the time that the Bill was about to be tabled and he was consulting with me to tell me that it was about to happen and that the Air Passenger Ticket Levy Collection Bill would apply to Norfolk Island and therefore any travel to and from the island and as I understood from Norfolk Island to anywhere else, that air passenger levy amounts to \$10 per ticket and it is to, I believe to put towards the entitlements that the Ansett employees may have been entitled to in the wash up of the Ansett collapse.

MR GARDNER Thank you. I'm just interested in the explanatory memorandum to the Bill if people have taken the time to read through that that they have specifically not targeted tickets that have been purchased outside of Australia and the primary purpose of that was so it didn't de-stabilise incoming tourism into Australia. I think what the Commonwealth have done in a very neat and tidy package have forgotten all about Norfolk Island's entire economy being based on tourism and the effect that the imposition of that \$10 levy may indeed have on the economy of Norfolk Island, and I'm disappointed that consideration wasn't given to that, simply I guess a case of our colleagues in Canberra not being aware of just what makes Norfolk Island tick yet again.

MR BROWN Mr Acting Deputy Speaker I'm not sure whether anyone has moved that the Paper be noted.

MR ACTING DEPUTY SPEAKER It has been.

MR BROWN It has been. This is a disappointing turn of events. The whole consultation process appears to have begun on only the 21st of September when a copy of the proposed Bill was forwarded to the Minister for Tourism's attention. I'm not sure that it is appropriate that visitors to Norfolk Island be charged an extra \$10 plus whatever mark up has to go on top of that, because bear in mind it is part of the pricing process, just so that a Federal Government can make itself look good shortly before a Federal election. If this was a mechanism which was being extended to cover everyone in Australia and Norfolk Island in the same way, you might say oh well perhaps there is a moral justification, but here it's only being used to cover a few people. It's being used just to cover, as I understand it the Ansett employees. Sure, there's 16,000 of them and sure that's a lot of votes but that's not many people when you look at the total population of Australia and of Norfolk Island. I hope that our Minister for Tourism will protest in the strongest possible fashion about the proposed extension of this legislation and will do his very best to ensure that it is not extended to Norfolk Island. Thank you.

MR WALKER

Thank you Mr Acting Deputy Speaker. I too am rather shocked at this legislation being extended to all of Australia's external Territory's without any consideration of Norfolk Island. We don't have Ansett flying to this island and this legislation in its Clause 9 area, and the area of Clause 9, we don't actually have the legislation before us but we have the explanatory notes and it says that all of the flights leaving from any place within Australia are subject to this tax. That means that somebody, a resident of Norfolk Island leaving Norfolk Island and travelling through Auckland to places elsewhere in the world are subject to the tax on those tickets, and as Mr Brown has quite rightly pointed out the tax is being collected to benefit tax paying residents of Australia, not Norfolk Island. I think it's entirely inappropriate and that the Minister should respond accordingly that our residents are being asked to fund something which is outside their normal tax regime but in somebody else's tax regime and I would encourage the Minister to take that up very quickly so as we are not included on the 1st of October. I would also like to point out to Members that if you've read the whole paper you'll find an alarming clause at Clause 23. It says distribution of surplus levy, in other words if they get too much of this levy coming in the Minister, that is the Minister in Canberra can determine as to where that levy goes. So we could be funding anything whatsoever within the Australian tax system from an island which as I understand it, is outside of the Australian tax system. So I would think that the Minister must act on this most urgently.

MR NOBBS

Thank you. It's obvious that any consultation which we'd expect in this sort of situation has not occurred and I find that deeply disturbing actually that we get it in a round about sort of way, to say the least. As far as the liberty of it, I mean it's something that the Australian Government has imposed for their, as Mr Brown said, things are coming up, things are happening in the next few weeks obviously, and it could be seen as some sort of a prop to the political wishes of a particular parties within the Australian scene, and I think all parties are actually supporting this from what I can gather. The situation really is from our perspective, and I just want to be the devil's advocate for a second if I may, that Ansett did operate and was within the Norfolk Island scene in the 1990's. There was a lot of cry's when they decided to pull out. It was to start operating last Saturday night again and there was much cheer in that sort of situation. So I guess that it could be said that we do have a responsibility to Ansett or the Ansett employees, and this sort of thing is one way of doing it. What concerns me is that it's specific to one particular organisation and that bearing in mind that there are others that it didn't happen with Flight West and therefore, or it hasn't happened with some of the other organisations that have gone to the wall in the past couple of months in Australia, and probably it won't happen to those that will probably go to the wall in the next few months. So it's fairly selective. I would agree that we need to provide the Commonwealth Government with a note, ore than a note actually, well a note of real concern that there was no consultation before this matter was brought into place. One of our responsible Minister's is actually involved in this sort of area and I would have thought that our case would have been taken into consideration, and I would support the Minister responsible sending a very strong note to, not only the Minister for Territories but also through as a copy to the Prime Minister.

MR SMITH

Mr Acting Deputy Speaker I'm hearing what Members are saying. There was also the question of whether the Commonwealth can actually just include us in because of the Norfolk Island Act. I mean I know they can in the preliminary sense anyway but to just impose a tax from Norfolk Island, how many tickets are written on Norfolk Island, I'm not too sure, I wouldn't even have a guess but it's certainly not anything like it would be in Australia. So the effect I suppose on this end is certainly not going to help the cause with the amount of tickets that do get written but it certainly will have an affect on people who buy a ticket to come to Norfolk Island. I think the matter that Mr Walker raised about Ansett actually wasn't flying here so should Norfolk Island be included on that basis, I suppose that could be argued that they were going to. I agree about the lack of consultation which we're quite used to the Commonwealth when they introduce legislation that affects Norfolk Island. I suppose I'm

thankful at least that the Administrator rang me on the day that the Bills were tabled in the House of Representatives and let us know that. I will take the advice of Members and write a strong letter back to the Commonwealth in relation to this matter. Whether it will have any affect on it or not I'm not sure, but the other question is whether a report from the Administrator of Ansett's who was interviewed on ABC Radio in the last couple of days where and I quote, Mark Menther who said this. "I probably owe Air New Zealand an apology in that regard", this is in relation to the statement that had been made by the Administrator's, they were shocked by the state of Ansett Australia, "probably owe Air New Zealand an apology in that regard on the basis that you know, on the information that we had when we walked in here. We had a lot of pieces of the jigsaw but we didn't have the consolidated view. I think that that concerns us greatly and I think we did use the word shocked at the time. I think as the week has progressed in more information and the unfettered access that Air New Zealand has given us to their books and the co-operation of their people in helping us understand the true financial position over here has been terrific, and we are very grateful and very supportive of Air New Zealand in terms of their current conduct and support". Rachael merely said and for the first time the Administrator's have set aside talk of suing Air New Zealand for the recovery of worker's entitlements, instead Mark Menther says they may just ask the Airline nicely. Mark Menther finally said "I think things are fairly fluid" now I guess he's referring to the situation of Ansett "and what I would dearly love to progress is the co-operation that we're having with Air New Zealand and I'm hopeful that no legal remedies are necessary in terms of achieving what we as Administrator's want". Now if that's the case, and maybe I'm mis-reading that but it sounds like in the wash up of the selling off of the parts of Ansett that the parent company of Ansett may have the funds to pay out these people anyway. As I say I may be mis-reading that. If that's the case what would be the point of the passenger levy. Maybe I don't fully understand that either, but I guess the Commonwealth has tabled this just in case that they have to take some action. However I'll take note of what Members are saying and write a letter to the Commonwealth in relation to this.

MR ACTING DEPUTY SPEAKER

Thank you Mr Smith. Any further debate. Then I put the question.

QUESTION PUT
QUESTION AGREED

MR MCCOY

Thank you Mr Acting Deputy Speaker. The first one is in regard to questions that you asked for how many times the Forestry Service have attempted to purchase a forklift.

MR ACTING DEPUTY SPEAKER

If you'd prefer to leave it to Statements you'll have the opportunity then Mr McCoy.

STATEMENTS

MR BUFFETT

Thank you Mr Acting Deputy Speaker. I have a number of Statements to bring forward this morning Mr Deputy Speaker. The first one is a Statement on the South Pacific Mini Games. I foreshadowed this when an earlier question came to me Mr Acting Deputy Speaker. Members will remember at the last sitting I undertook to keep everyone informed on the progress of arrangements for hosting the South Pacific Mini Games which are coming forward in December of this year. Before I just embark upon this Mr Acting Deputy Speaker can I just again say that our thoughts go out to those South Pacific Islands that are American Territories or closely linked to the United States after the unprecedented attack in New York, Washington and Pittsburgh. American Samoa, Guam, the Northern Marianas, Palua and the Federated States of Micronesia, notwithstanding that significant difficulty have all confirmed that they will still plan to join us for the South Pacific Mini Games and we certainly continue to hope that they will be in a position to make the trip here to compete.

It's only 10 weeks to the South Pacific Mini Games in Norfolk Island and since the last meeting of the House there have been meetings with Managers within the Public Service, they met on 2 occasions to discuss the call upon the Administration resources during the Games, and these meetings are expected to continue up to and during the Games to ensure that the Administration is fully informed of needs and able to provide where it is able to produce those resources. The South Pacific Games Act of this Parliament to facilitate aspects of holding the Games has now received assent and is able to be operative. 22 Countries are eligible to compete in the South Pacific Mini Games and 18 of those countries have indicated that they will be attending. Having regard to that situation the organising committee's latest assessment is that we can expect something like 772 athletes, and 135 officials to arrive for the Games late November, or early December. That's currently a total at this stage of indicators of 907. The list of officials and government representatives intending to attend the Games is also growing, and now includes the Queen's representative and the Minister of Sport for the Cook Islands, Samoa will be accompanied by their Minister of support and other dignitaries and officials, and it's likely that a high profile government delegation of 20 plus television and other media representatives will be flying from New Caledonia. That may be interesting to Mr Adams because he asked me a question about endeavouring to bring some of the Ministerial people together, if they might have interests in areas that we may have common interests, apart from the sporting areas. He mentioned trade for example. I emphasise this that Samoa, New Caledonia and Tonga will all be making bids for the hosting of the 2007 South Pacific Mini Games and it's expected when the Tonga team comes they'll also be accompanied by government officials. A formal request has been made to the Commonwealth of Australia, Minister for Foreign Affairs for special consideration for the expected 121 Fijian team members. Fiji is currently affected by the Commonwealth's sanctions which means that the Fijian team would be unable to participate unless dispensation from sanctions is given. That request I have made to the Commonwealth Minister and I await a response from him on that. It is with much delight that I can confirm that the Games Patron Mr Jim Olsson has accepted an invitation from the organising committee to declare the Games open during the official opening ceremony. He and other Norfolk Islanders, such as the late Ben and Naomi Christian were some of the driving forces behind Norfolk's application to become a member of the South Pacific Games Council. With the Games some 10 weeks away I am pleased to let you know that I did take the opportunity offered to me to have a look at the food preparation facilities and look at crops that are well under way to provide food and other facilities for all of the visiting competitors and officials. I did this last Friday, accompanied by Dennis Sterling and Dan Yager of the organisation and Mr Paul Evans who has the contract to provide those facilities. I can well see, and you will no doubt share Honourable Members that there is much excitement amongst those directly involved with the organisation of the Games and anticipation mounts for them as the days continue to move on. The committee has asked me to remind the community that these are Norfolk Island's Games and this is an incredible opportunity for us to show how proud we are of our home and what a great host we can be. The opening ceremony is scheduled to be held at 3.30 pm on the Kingston Oval and this will be on Monday the 3rd of December in 2001, and at the opening games the participating athletes will be in their Country teams. The closing ceremony will be on Friday the 14th of December but this will be more informal and the athletes are designed to intermingle with each other at the closing ceremony. It will be on the Kingston Oval also and then will continue in the Compound as a family evening. There will be entertainment, there will be food available and the evening will conclude with a fireworks display. I mentioned earlier when I reported to you Mr Acting Deputy Speaker and Members that are 10 sports being competed in Norfolk Island during the Games. Tennis will be held at the Cheryl Tennis Club, Netball will be at the Netball courts at the bi-centenary centre, Squash will be held at the Norfolk Island Leagues Club Squash courts, Golf will be held at the Norfolk Island Golf Club at Kingston, Bodybuilding finals will be held at the Rawson Hall, Archery will be held at the lower School Oval and athletics will be on the Malcolm Champion School Oval. The Triathlon will commence and it will finish at Kingston, Lawn Bowls will be at the Norfolk Island Bowling Club in Burnt Pine and Clay Target Shooting will be held at

the Gun Club at Anson Bay. The committee has asked me to particularly record thanks to Ric Irvine for the continued use of the building known as At Random and can I conclude by saying that anybody who would want to be involved as a volunteer with these Games, please be interested and call either Glenn Robinson in his role as Liaison Officer or Dennis Sterling from the organising committee. That's an overview that I said I would give each time that we came together Honourable Members in terms of the South Pacific Mini Games.

MR ACTING DEPUTY SPEAKER Thank you Mr Buffett. Further Statements.

MR BUFFETT Thank you if I might then commence another please. This is a statement more of a report really on emergency management in Norfolk Island. Members will remember that the House passed the Disaster and Emergency Management Bill 2001 in February of this year. A couple of things out of that Act, firstly that it provides for the establishment of a Disaster and Emergency Committee, consisting of 5 members. In accordance with that Act I have appointed Peter Evans as the Controller, Boyd Buffett as the Deputy Controller and Mr Ivens Buffett as one other person for a period of time that will lead us from now to September 2004, and I've arranged for Gazettal for those appointments. The second part that I would like to make mention of is the Disaster and Emergency Plan for Norfolk Island which is provided to be erected by that particular piece of legislation. Such a Plan has now been prepared and I am going through the process of giving it proper substance. It needs to be Gazetted and I have made arrangements for that to happen and then when that has been done, and that is expected to be done in this weeks Gazette I will then table the Plan here in this Assembly in the meeting which follows that Gazettal which will be the October meeting, and so that's the process that has been followed in terms of having in place formal disaster management arrangements here in Norfolk Island. In addition to that overview if I might Mr Acting Deputy Speaker, make mention of the Aerodrome Emergency Plan. The emergency procedures in this Plan were practiced last Friday. The Airport is in the portfolio of the Chief Minister so I don't really wish to make too much foray into his area except to acknowledge that the part that that practice there played in the overall being ready for an emergency, should it occur in Norfolk Island.

MR ADAMS Thank you Mr Acting Deputy Speaker I move that the Statement be noted

MR ACTING DEPUTY SPEAKER The question is that the Statement be noted.
Mr Adams

MR ADAMS Thank you Mr Acting Deputy Speaker just a question to the Minister. Minister regarding those appointments you indicated that Mr Ivens Buffett was appointed as another person. Is there any particular category in that, is he appointed to fill a particular role

MR BUFFETT Thank you Mr Acting Deputy Speaker. There are five members of the Committee and they are described as such, the Controller, the Deputy Controller, the Officer in Charge of the Norfolk Island Police, the Chief Fire Controller Officer and one other person

MR ADAMS Thank you Mr Acting Deputy Speaker. It was my understanding that one of those positions until recent times was actually Chairman so I guess we are leading to a question of whether or not the Chairman's position has been abolished and the former Chairman has simply become another person

MR BUFFETT No. That position has not been abolished but there is a chronological sequence in terms of these matters and the first matter is to appoint the Committee and I have formally done that. I can maybe share with you informally that I have had discussions with all of the players as to who the Chairman might be but I need to go through the chronological sequence

ACTING DEPUTY SPEAKER Thank you Mr Buffett. Any further debate? Then I put the question that the statement be noted

QUESTION PUT
AGREED

MR BUFFETT Thank you Mr Acting Deputy Speaker my next report to you is on the Justice Legislation Package. I am pleased to advise the Assembly that since its commencement earlier this year, the Justice Review Committee has made excellent progress in its consideration of justice legislation reform. The Committee developed a program for implementation of the Package, which included the stipulation of time frames and interim objectives. The first two areas to be reviewed have included the Crimes package and the Evidence Bill. IN addition, on an ongoing basis, the Committee is reviewing a consolidated version of the Court of Petty Sessions Act to update it with proposed changes as the need is identified. In relation to the Crimes package, drafting instructions have now been prepared with a view to establishing a comprehensive framework for the criminal jurisdiction including the development of the following proposed discussion drafts:

- Crimes Bill;
- Criminal Trial Procedure Bill;
- Police Procedures and Powers Bill;
- Sentencing Bill;
- Bail Bill; and,
- Young Offenders Bill.

It is intended that discussion drafts for each of these pieces of legislation will be progressively considered by the Committee, the Assembly and the community. The Evidence Act review is well underway, with a recommendation from last night's Committee meeting to request a draft Bill to be prepared based on the uniform evidence Acts from Australia, using the more advanced New South Wales model as a base. The timeframe for tabling and introduction of draft Bills is as follows: By the October 2001 Assembly it is proposed to table discussion drafts of the Crimes Bill, the Criminal Trial Procedure Bill and the Police Procedures and Powers Bill. By November 2001 it is proposed to table the discussion draft of the Evidence Bill. By December 2001 it is proposed to table the discussion drafts of the Sentencing Bill, the Bail Bill and the Young Offenders Bill. By January and February 2002 it is proposed that final drafts of each of these Bills will be introduced into the Assembly. In addition, a discussion draft of the Child Protection Bill will be tabled. By March 2002 it is proposed to introduce the Child Protection Bill. By April 2002 the civil procedures will be finalised and tabled for discussion. In conclusion of giving you the report on that I would like to note that members of the Committee have shown dedication and enthusiasm - meeting almost weekly to progress this package. It is indeed pleasing that the Committee is presently well on Schedule. I look forward to keeping members informed as to how these matters travel further next month.

I did identify that I had a number Mr Acting Deputy Speaker so I hope you will bear with me. I still have two more. The next relates to giving you some current information on Immigration. It's really a situation report also on a range of immigration matters. Firstly Immigration policies and legislation. We talked at an earlier time about a package giving Guidelines statutory substance and we went through a number of procedures to examine this. 'This really from Norfolk Island's point of view is pretty well complete. We have revised the Guidelines, we've passed enabling legislation. The principle matter that is not allowing this matter to be brought to finality is that the Commonwealth has not yet assented to the legislation. Can I also just remind you that this process going through guidelines and giving them statutory substance was to remedy criticism by the Commonwealth but although we've passed this legislation, and we did it some four months ago now, we still await assent from the Commonwealth authorities. I have consistently and persistently pressed them and indeed had cooperation from the Office

of the Administrator but the Canberra bureaucracy has still not delivered on that matter. I share with you my disappointment about that but I continue with vigour to try and tidy it and to move on with other elements of the immigration process. I did explain that when we had completed that guideline stage I would revisit the immigration quota. Now this stage has been reached and later in today's programme I will be bringing forward the quota matter to move. The next large task of review of the immigration legislation is the Paddick Report and the present legislation that we have and we are now ready to commence that and in the next month I'll have a summary of options for you to examine in terms of how we might want to travel for that next phase. Another immigration related matter is with the multiple collapse of airlines servicing Norfolk Island first FlightWest and then Ansett and we've talked about that in another context here today, there continues to be difficulty in many instances of permit holders meeting the immigration requirements to hold a valid and a useable ticket for onward travel from Norfolk Island. This does continue to be a requirement but as you can understand, that in the present climate that is not without its difficulties. I have asked my officers to examine the option of maybe a cash equivalent being lodged in trust with the Administration to be paid for travel when it is required or refunded if that stage is appropriate and officers are presently researching that option and they'll let me have some advise. I've got to say that I'm hesitant about the Administration taking on the management of such a scheme but in all the circumstances of the day it may offer better security to participants given some of the experiences that has been had. I'm not proposing that to you but I'm just sharing with you the examination of options to try and solve that particular difficulty. Boat people, refugees or otherwise have been much in the news of late and continues to be so. On the 18th September the Commonwealth introduced three Bills into the Parliament of Australia to review the Australian immigration zone in its application to some Australian territories for example Christmas and Cocos Islands. Those three Bills are The Migration Amendment Excision from Migration Zone Bill 2001; The Migration Amendment Excision from Migration Zone Consequential Provisions Bill 2001 and the Border Protection Validation and Enforcement Powers Bill 2001. I've asked for and gained copies of those Bills. Norfolk Island isn't mentioned specifically but it does appear that the Zone currently observed in Norfolk Island looks to be proposed for use in the other Island areas but notwithstanding that Norfolk Island is not mentioned I have asked our legal branch to examine the implications if any for Norfolk Island in this context because I do note that in some of the language of the Bill that whilst Norfolk Island is not mentioned it does mention prospect of extension to other external territories by Regulation if that is desired. We do have arrangements in place with Australia's concurrence for Norfolk Island's protection against an influx of boat people. You will understand that this probably needs reinforcement from time to time given the escalating situation. I just share with you also our correspondence files with Enquirer's from countries other than Australia and other than New Zealand significantly multiplies as the weeks go on and I just mention to you that for this sort of reason, and others, I have already asked my officers in the immigration area and other Administration areas to collate information for their discussion on furthering some of these matters and mine with appropriate Commonwealth authorities so that we are kept abreast of happenings in the waters and the lands which surround us and that we are protective of our sovereignty as agreed by the Commonwealth in these range of matters. I just wanted to share with you those immigration matters Mr Acting Deputy Speaker and members

If I might just give a report on a final matter Mr Acting Deputy Speaker. This is about the Commonwealth Parliamentary Association in which I have been active in the last few weeks. The Commonwealth Parliamentary Association of which Norfolk Island's parliament is a member has just concluded its annual gathering and this year it was held in Australia. Australia offered to host this conference in the year 2001 to coincide with Australia's celebration of the Centenary of Federation in that country. The normal arrangements for the conference of small countries in which Norfolk Island is entitled to participate took place in Darwin and Norfolk Island delegates were members here, Mr Bates, Mr Acting Deputy Speaker and Mr John Brown. Norfolk Island in that arena was able to jointly host with the Northern Territory Branch a reception for delegates in the

Northern Territory Parliament. The Governing body of the CPA the Executive Committee of which I'm presently a member, also met in Darwin and then continued with the main conference in Melbourne and Canberra. The official opening was in Canberra and then it followed the symbolic Federation Trail from Melbourne to Canberra. Members will remember from their history of course that that was the sequence of the Federated Parliament. The Executive Committee's task at this meeting included the recommendation of a new Secretary General of the organisation and this was after a detailed selection process and Mr Dennis Marshall of New Zealand was chosen to succeed Mr Arthur Donahue QC and this recommendation was accepted by the principle Conference that I've just referred to. The terrorist attack upon the USA occurred in the early days of the conference whilst we were in Canberra and the Conference paused the next morning and drafted an agreed emergency statement which unreservedly condemned the acts of violence and it offered condolences and support from the 170 parliaments that were represented at the Conference. Two executive committee representatives, that is, a representative from Canada and myself were appointed formally to call upon and deliver that statement to the Embassy of the United States and that was done. I might share with you that it was a sombre morning at the Embassy encased in somewhat tight security. I might have reported to you at an earlier time that the International Executive carries out much of its work in three sub groups, the Finance Group, a Programme Planning Group and a Performance Review Group. The Finance Group naturally has financial overview of the organisation and its headed by the Treasurer of the CPA currently Dr John Marrick. The Programme Planning Group has responsibility for assessment and initiation of the range of programmes or projects undertaken by the organisation for example, in the year 2002 there were some 18 new or continuing projects with a budget of something like \$1.5m Australian dollars. I was elected to Chair this subgroup last year and I've been re-elected at the Executive Committee for a further one year period. All those three groups report to the full Executive Committee and of course the Executive Committee reports each year to the Annual Conference. I just mention in conclusion that the annual report of the CPA for the year 2000 is now published and it is available to members if anyone has an interest, I could ensure that you gain a copy

MR McCOY Thank you Mr Acting Deputy Speaker. As I indicated earlier I have an answer to a question posed at the previous two Sittings and that is how many budgets has the Tanalith forklift been refused before it was replaced. It is understood that funds to replace the Tanalith Plant forklift were sought over a number of years, however there are no records of Norfolk Island Parks and Forestry Service budget bids prior to 1998/99. The Norfolk Island Parks and Forestry Service sought funds to replace the forklift at the Tanalith Plant in 1998/99, 1999/2000 and 2000/01. Funds for the replacement forklift were provided in 2000/01.

MR GARDNER Thank you Mr Acting Deputy Speaker. I move that the Statement be noted

MR ACTING DEPUTY SPEAKER The question is that the Statement be noted

MR GARDNER Thank you Mr Acting Deputy Speaker it's interesting that that advise has come through. As members would be aware, at our initial budget sessions that we undertook as a new Legislative Assembly those members at that time I think would recall that when we were having difficulty with the Forestry budget at the time and there was some discussion about the level of the funding that was being provided, it was difficult to convince members at the time that we should go one way or the other. I made the very firm proposal at that stage that rather than take any moneys out, I would endorse the provision of the full bid from Parks and Forestry Service for their full budget last year. That did not change so I think that the advise that has been provided to the Minister is misleading in that certainly it was not a decision by the Legislative Assembly or the Minister at the time that those funds were not provided. It

was certainly something that was obviously undertaken by the Officers if they did not receive their funding for their forklift in the previous years budget

MR BATES Thank you Mr Speaker and I thank Mr McCoy for that response. As members will be aware I asked the question on a number of occasions and despite what Mr Gardner has said about one particular years budget, it highlights to me the fact that for several years this forklift has been requested at budget time and the reason for asking the question was just to highlight that we all know the disruptions at the plant and I think some of the staff up there were criticised for those disruptions and I just really wanted to point out that if we as a Legislative Assembly failed to fund necessary pieces of plant and equipment consistently then we shouldn't blame those in the Service for the interruptions that will inevitably occur if inadequate equipment or plant of suitable standard is there. We need to take that responsibility ourselves if in our wisdom we are not going to fund necessary pieces of equipment but I thank Mr McCoy for that response

MR SPEAKER Any further debate? Then I put the question that the statement be noted

QUESTION PUT AGREED

MR McCOY Thank you Mr Speaker I actually have a number of them. The second one I have is on the immunisation programme at the Hospital. Members will be aware that funds were provided in the previous budget and those funds were not expended for the Child Immunisation Programme. The funds were then rolled over into this years budget of some \$6,000. There had been some discussions with the Rotary Club as to whether they would also assist in funding towards the Immunisation Programme but there was also an issue of the Physiotherapy Building at the Hospital being extended and glean some general tidy up and Rotary had indicated that they were interested in providing some funding towards that activity as well. My understanding is that information had been sought from the Hospital by Rotary as to what amount of moneys were being requested for the Child Immunisation Programme and also the Rotary Club was considering which of the two programmes they would support. Rotary I understand have supported the extension to the Physiotherapy Building. The actual amounts that Rotary have put towards that programme I don't have off the top of my head, but it became clear that the Hospital would need to organise the immunisation programme for the children on Norfolk Island. I had a brief discussion with the Hospital Director and I also discussed it with members of the Legislative Assembly and I know that it's been discussed at Board level the immunisation programme for schoolchildren. I have indicated and I will clearly stated that I have not given any written direction to the Board to commence the immunisation programme. The issue has been taken up by the new Board members and I believe they will be looking at the proposal that's been put forward and I would like to indicate to the community that the Director to the Hospital and also Mrs Nobbs have been working diligently on getting the figures together for the immunisation programme over the last couple of weeks and they have put a recommendation forward which states that "this is in an attempt to ensure equity and a full financial year costing for subsidising immunisation and Mrs Nobbs and I would like to propose the following. Parents who have already funded their child's vaccine costs from the 1st July 2001, upon receipts being provided Administration refund those vaccine costs. For unpaid accounts the Enterprise should be reimbursed. A date we have identified to launch the immunisation programme, that is, 1st October 2001 and all children will then receive free vaccines for immunisation. A promotional campaign be organised to include community announcements, radio interviews and print media, and Mrs Nobbs will e the most appropriate person to undertake this promotion in collaboration with the Minister and a recommended immunisation schedule be printed in the local media for a number of weeks to ensure a clear understanding of vaccinations required. By budget review in November 2001 there will be four months of figures re

immunisation costs. This would give a more accurate projection of possible costs for the remainder of the financial year. My advise is that in Australia immunisation is provided free of charge to schoolchildren. We have heard discussions and a lot made of early preventative health measures. I believe immunisation of the children of Norfolk Island is one of the first areas we should address. I have also in discussions with the Board, the Director have asked that the immunisation programme be commenced as soon as possible so that we ensure that all schoolchildren on Norfolk Island are up to date with the immunisation programme prior to the mini games. Thank you Mr Speaker

MR McCOY Thank you Mr Speaker. I have another Statement on the recruitment process for new Doctors at the NI Hospital Enterprise. The community is well aware that a recruitment or selection process went through. The community had expressed their concerns that the outcome of that process may not be as it should have been. Due to the concern expressed by the community the members of the Legislative Assembly met at their normal informal meeting on Monday of last week and it was concluded at that meeting that we would meet again on the following Wednesday to discuss where we would travel with the recruitment process. At the meeting on Wednesday it was decided that the recruitment process and the contracts would be put on hold and that the Hospital Board would be directed to consider the selection process. I would like to report that the Norfolk Island Hospital Board met over the weekend and they had their final meeting on Monday at 3.30 pm to consider the position concerning the above appointments in light of legal opinion received by the Board, the recent meeting of the Legislative Assembly and your own statements at that meeting indicating acceptance of community opinion in this matter following the tabling of the Petition. This letter is to inform you of the Board's determination and direction to the Hospital Director with regard to the two medical appointments, recently the subject of an advertisement and selection process in accordance with subsection 18(5) of the Norfolk Island Hospital Act 1985. The copy of the minutes will be forwarded to yourself within seven days. All members of the Board with the exception of the Director who abstained from voting, agreed and passed a resolution which has the following effect: the current process of selection of appointment instituted by the Director of the two medical positions at the Norfolk Island Hospital shall be terminated and all applicants notified by the Director. The Board shall issue a direction under Section 11 and subsection 22 of the Act to the Hospital Director requiring her to employ Dr Lloyd Fletcher and Dr John Davie jointly to the third doctors position within the Hospital Enterprise on a job share basis and Dr Damien Foong to the other available doctors position within the Hospital Enterprise. The Board shall further issue a direction to the Hospital Director under the abovementioned section of the Act to prepare an appropriate contracts of employment in respect of the above appointments and provide a copy of each contract to the Chairperson of the Board for the Board's consideration and approval prior to execution by any party. And I would like to table the package of information that I have in regard to the selection of the doctors

Thank you Mr Speaker I also have a statement that I wish to make in regard to a decision that was a consent that was entered into in the Administrative Review Tribunal on the morning of the 29th August 2001 in regard to Governor's Lodge. Members are aware that Governor's Lodge applied for a partial opening to open a number of units, some 25, at the Governor's Lodge complex. As the Minister with responsibility for planning matters I did on that occasion overturn the Boards recommendation that a partial opening occur. I overturned that recommendation feeling that there was a lot of public concern and there was also in my mind a number of issues in regard to the tourism image for Norfolk Island and also the owners of the property to complete their project if they were given an opportunity for partial opening or when that project will be completed. On notification of supply of my statement of reasons for not granting the approval an application was lodged with the ART prior to the 29th August by Governor's Lodge. The outcome of the 29th August was that the parties met and hereby agreed to the following terms: that part of the application to the Tribunal relating to planning

application 55 and 67 of 2001 be withdrawn and they were applications again to open other units at Governor's Lodge. In light of changed circumstances which the Tribunal must take into account, the Tribunal is satisfied that the applicants application for variation of conditions attached to planning application 49 of 2000 should be varied as follows: condition 14 shall be deleted and replaced with the following – that subject to the conditions stipulated at condition 18 below, the approval holder may complete all works enumerated above on a staged process in accordance with the following timeframe. Stage 1, 35 units to be completed by 31st August 2001, stage 2, 40 units to be completed by 30th September 2001, stage 3 55 units to be completed by 30th October 2001. All works required by this approval to be completed at stage 1 including those stipulated in condition 18 must be completed and approved by the Building Inspector before final tourism approval is applied for under the Tourist Accommodation Act 1984 can be granted. The new condition 16 states that if the approval holder is not able to comply with the above timetable application for variation of timeframes must be made to the executive member prior to expiry of the relevant date stipulated. Condition 17 states notwithstanding condition 16 all works in accordance with this approval must be completed by no later than 31 December 2001 or the applicant shall incur a penalty of \$1000 per week for every week thereafter and this penalty shall be a debt payable to the Administration of Norfolk Island within seven days. Condition 18 that final approval for each stage of completion referred to in condition 14 to be subject to the following additional conditions;

- a) any stage of works for which final approval is sought must be screened for both aesthetic and public safety reasons from ongoing works in a manner satisfactory to the Building Inspector or his nominee
- b) until the swimming pool is filled for use a safety barrier be placed around it to the satisfaction of the Building Inspector or his nominee
- c) no electrical cabling to ongoing works shall be exposed within the area for which staged final approval is sought. This shall be subject to approval by the Electricity Manager or his nominee
- d) the noise level of ongoing works shall not exceed the level of 60 decibels when measured from any guest room between the hours of 7 am and 17.30 from Monday to Saturday for the purpose of this condition the Building Inspector may at any time attend the site to undertake testing of noise levels in accordance with the stationary noise policy
- e) there shall be no ongoing works undertaken outside of the hours stipulated in paragraph d)
- f) the approval holder shall comply with all reasonable directions from the Building Inspector or his nominee in relation to public safety issues including the matters raised in this condition

18 The parties have liberty to reply with respect to further conditions. That was signed by both parties. Also of interest on the 29th August Governor's Lodge issued a paper which indicated that they had achieved in excess of 50 of their units meeting all of the 14 conditions that were attached to the conditional planning approval

Thank you Mr Speaker. I have another Statement and Report to make and this one is in regard to the Cascade Cliff Sale of Rock Enterprise. The community is fully aware that the Norfolk Island Administration entered into an agreement to produce an amount of rock over a period of time with Island Industries and Mr Speaker I wish to make a statement as to the present situation of the Administration project known as the Whaling Station site Rock Crushing Project. On completion of the Cascade Cliff Safety Project the Norfolk Island Government agreed to award a tender for a temporary rock crushing plant so as to provide two years supply of crushed product for the Island's needs. The rock crushing plant was established at the Whaling Station site at Cascade. A local company, Island Industries was successful at tender and commenced operation on 16th

October 2000. Problems encountered within the Cascade Quarry stockpile severely hampered production and the Legislative Assembly on the 10th April 2001 approved an extension of the contract until 31st July 2001. By the expiration of the contract Island Industries had completed production of the crushed product but had not commenced the additional requirement of what is called gabion basket material. This was necessary to complete the order for the National Parks Mt Pitt and Duncombe Bay Road project. This product did not require the operation of the rock crushing plant and in terms of arrangements the Whaling Station site was cleared of all plant and machinery and the site restored. Expressions of Interest was sought for the production of the Gabion Rock material and Island Industries were again successful in obtaining this contract. I have been advised that the project in the main has been completed and subject to some tidying up, will have achieved the desired outcomes, these being the production of builders mix and dust, 19875 tonnes, road chip 2779 tonnes, road base 9748 tonnes, additional National Parks order 6355 tonnes, sundry product 775 tonnes, total production 39532 tonnes. The project initially concentrated on ensuring an immediate flow of builders mix to ensure building projects were able to recommence. A considerable stockpile of builders mix remains and is available at the site near the school on Tuesday and Thursday mornings. The National Parks order has been completed and they are presently undertaking their tender process for that project. Our Roads Team now has material and repairs to our roads is now evident. Mr Speaker while this is all good news there has been numerous problems encountered with the quality of the Cascade Cliff Safety Project Rock Stockpile and these problems have increased production costs and have had a significant impact on the financial result of the rock crushing project. I wish to confirm to the House that it is my intention to pursue recovery of these and other costs related to the Quarry Stockpile from the previous contractors and Project Managers. It is not considered appropriate to discuss quantum at this stage nor provide further detail other than to assure the members that it is being actioned by the Administration's Legal Services Unit. On receipt of end financial statements I will table these in the House. In closing I would like to acknowledge the community's patience and understanding during the project and also the efforts of those Administration employees directly involved and if I could also say thank you to the Acting Works Superintendent Mr Michael Johnson for his dedication for what was a difficult task and also to the Community Services Programme Manager, Mr Rod McAlpine and also I would extend the thank you to Island Industries for carrying out the project, and I table that report

Thank you Mr Speaker I also have a Statement on the Report prepared by the Joint Standing Committee on the Health Services in Norfolk Island. Adequate and affordable health services are among the most essential requirements for any community, and it is the obligation of government to ensure that those services are available to its citizens. Responsibility for health services was ceded entirely to the Norfolk Island Government by the Commonwealth under the *Norfolk Island Act 1979*. Commonwealth legislation covering health, aged care and health insurance does not extend to Norfolk Island, with the result that people on Norfolk Island, both residents and visitors, do not have access to the many national health programs and initiatives which assist other small remote communities in Australia. On 21 October 1999 the Minister for Regional Services, Territories and Local Government, Senator Ian Macdonald, wrote to the Committee, asking that it inquire into the effectiveness of, and access to, the Norfolk Island health system. The detailed terms of reference for the inquiry were both wide ranging and particular in their focus, including matters as fundamental as basic health infrastructure and aged care as well as others such as telemedicine, community health services and arrangements for medical evacuations by air to the mainland. The Committee visited Norfolk Island in November 1999 for hearings and inspections, and held further hearings in Canberra in April and June 2000. As 2000 drew to a close it was becoming clear that significant developments were taking place, among them the completion of the first phase of a comprehensive review of health services on the Island, undertaken by a team from Griffith University's School of Health Science. This Report titled "In the Pink or in

the Red" was presented on 6 July 2001. Contained in the Report are thirty-six (36) recommendations which the Assembly members have considered and commented on. A response to the Joint Standing Committee Recommendations is being prepared to indicate the Norfolk Island Government's intentions to progress addressing issues raised in the Report. Finally, I would like to thank Senator Gordon Lightfoot and the Members of the Joint Standing Committee for carrying out this Review and providing such an extensive Report. I will also table that Report Mr Speaker

Thank you Mr Speaker. I also have a matter which was placed before the ART and a question in regard to this matter was asked of me by Mr Bates at the previous Sitting and I will provide a summary of events around the construction of a residence on Portion 57a4, Driver Christian Road. The planning approval granted to W Blucher on 17th March 1999 to construct a dwelling and garage of 57a4 was a matter not proceeded with although extensions of time to construct were granted up to 31st August 2001. The property was sold to Mr Grant Cardno in June 2001. Acting upon original Bill Blucher approval Grant Cardno commenced groundwork's for the construction of his house. At about the same time, 18th July 2001 Grant Cardno applied for building approval to erect a dwelling. I believe that as at today's date, building approval has not been granted. The correction is that he applied for a variation to his existing approval. On the 24th July the Norfolk Island Open Space Conservation Fund Incorporated lodged an application with the Administrative Review Tribunal seeking a review of the decision in March 1999 approving Mr Blucher's application. The matter was heard by the ART on 23rd August and the Tribunal found that the applicant did not have standing in this matter. That is, the applicant did not have a right to appeal. The Tribunal do not make comment that just because it ruled lack of standing in this matter that it did not follow that they would not have standing in a subsequent similar matters. This matter has also been brought to the attention of Environment Australia and there was some consideration given to the applicability of the Environmental Biodiversity and Conservation Act to Norfolk Island. The response from the proponents of the variation to their approved plan is that they have considered the website of Environment Australia and in regard to the Environmental Biodiversity and Conservation Act and they have gleaned from the information on that website that it was not necessary for them to apply to the Minister of Environment in Australia with regard to their planning application for a variation, thank you Mr Speaker

MR NOBBS Thank you Mr Speaker. I have a statement on the Electricity Tariffs. As Members are aware, oil prices in the past 12-18 months has necessitated increases to the electricity tariff. Prices are set each quarter in advance and thus the Electricity Enterprise has an opportunity, based on the anticipated cost of fuel in the following quarter to make recommendations to vary the tariff. The price of fuel supplied to the Power House for the October Quarter, that is from 1 October to 31 December has been set at 63.75 cents a fall from the previous quarter price of 66.626 cents. The price will see the total cost of fuel purchased for the quarter reduced by some \$13,500. Advice from the Administration suggests that the Electricity Undertaking is viable but there are real concerns in relation to Capital Works and Capital purchases, both of which over the years have not received the attention, they should. The Undertaking believes there is now a need for quite considerable expenditure in these areas. Members will recall that the Undertaking made a bid for planned expenditure of \$2.4m in its last budget. There was inadequate funding to cover this proposal and only \$224,000 was budgeted. It is unfortunate that whilst depreciation has been shown in the books it was not allocated specifically to replacing items. I must also add there is an anticipation that the \$0.5m loan to purchase generators must be repaid at least on time to the Airport Undertaking. There is a need to put in place more appropriate management functions to ensure that not only are our Government Business Enterprises delivering the service as required but they are also self sustaining into the future. This has been identified as a primary role of the new management team once in place. Returning to the electricity tariff, I wish to advice that on the basis of advice received from the Administration and a recommendation to that effect, it was agreed by Members

that the electricity tariff would remain at 34 cents per unit with a further review on the basis of oil pricing, to be undertaken before the end of the next October quarter.

MR BATES Thank you Mr Speaker I move that the House take note of the Statement

MR SPEAKER The question is that the House take note of the Statement

MR BATES Thank you Mr Speaker Members will probably recall that some time back fuel price increases really meant that this House should increase the unit charge up as far as 36 cents and Members will recall that this House made a conscious decision that they would try to retain the price at 34 cents and if necessary subsidise the undertaking to the loss of revenue required to pay the fuel bill from the Revenue Fund. I just draw this to the attention of the community because I heard Mr Nobbs on the radio on Friday I believe talking about this and a comment made by the announcer was that Government's never bring down their prices so that indicates to me that there was an expectation that the reduction in the fuel price may mean a reduction in the tariff. So I just want to point out that although there was no reduction we did carry the increased fuel cost for some considerable time when the tariff should have been higher

MR SPEAKER Any further debate? No. The question is that the House take note of the Statement

QUESTION PUT
AGREED

MR NOBBS Thank you Mr Speaker I wish to provide an update on the Drug and Alcohol Working Group activities. Members will recall that the Drug and Alcohol Working Group was established to ascertain the current status of the issue on Norfolk Island. Following discussions with the Salvation Army's Unit specializing in assisting people in this area, a visit of its Programmes Coordinator was arranged. A result of this visit, the Working Group recommended that a research project be initiated to establish a profile of the community's problems, if any. Subsequently Daa Project was established with Deb church as its head. The project was designed to last only three months and is rapidly drawing to a close. As part of the project Deb Church has conducted extensive community consultation involving a wide cross section of the community. She has also compiled, distributed and collated (with much appreciated help I may add, a survey completed by senior school children and another for the wider community. Both of which received an excellent response. Deb church also met regularly with the Working Group. May I give special thanks to Julian Doyle who freely gave of his time in the collation etc of survey data. It was a massive task, done at no cost and I thank him profusely for the effort. Results from this survey will be included in the Daa Project Report. Culmination of the research project work will come in the week ahead. Ms Church is due to present the project report at the end of this week. It is intended that she will address members of the Assembly next Monday and a public meeting to discuss the findings is to be held next Wednesday at Rawson Hall. The project is due to end on 6 October. May I take the opportunity for publicly expressing my appreciation for the efforts of not only Debbie Church and the Working Group but also those who have helped and contributed to the project and its formulation. It is my intention to make the report public as soon as it is available. Thank you Mr Speaker

MR SPEAKER Thank you Chief Minister. Anything further? No. Any further Statements Honourable Members. No further Statements.

SUSPENSION

Honourable Members on that note I think we should call a break to have lunch at 2.30?
This House stands suspended until 2.30 pm

RESUMPTION

MR SPEAKER Honourable Members we reconvene after the suspension for lunch and we continue

LEAVE

Honourable Members Mr Brown under Standing Order 81 has proposed a matter of public importance be submitted to the House for discussion. Notice of that matter has been circulated to members and for discussion to proceed at least three members including Mr Brown need to indicate support for the discussion by rising in their places. And I seek an indication from members as to whether there is support for this discussion to proceed. Thank you Honourable Members there are sufficient members rising in their places (Mr Brown, Mr Walker and Mr Gardner)

MR BROWN Thank you Mr Speaker. I propose a matter of Public Importance. Namely that this House recognises that it has lost the confidence of the community of Norfolk Island. Mr Speaker our community is fed up. The current hospital debacle has simply been the straw that broke the camels back. The Petition which was tabled at our last Legislative Assembly meeting was signed in a short space of time by roughly one third of the electorate. Since then as a result of the Hospital issue there has been a further Petition not tabled in the Legislative Assembly this time but nevertheless signed by something in excess of 800 people in the space of a few days. As most members will know the preparation and signature of that Petition followed a public meeting at which at its kindest, one of our Ministers did not endear himself to those present. In fact, only the Chief Minister appears to have been impressed by that meeting. He later reported that he was proud of the way his Minister had stood up against those present and that his young Minister was doing a good job. That Minister then chose to ignore the significant demonstration of public support for two existing doctors and despite a written direction to the Hospital Director by the Hospital Board the Minister proceeded to try to appoint a mainland position to the particular vacant position and this was attempted despite the Minister having absolutely no power to do what he was attempting to do. It was the Minister's actions indeed that caused that latest Petition to be circulated. Mr Speaker this Legislative Assembly has not been willing to insist on replacing Minister's who perform inadequately. Several of the present Ministers should have been replaced some time ago but in any event in a nine member Legislative Assembly it would be somewhat unlikely to be productive to move an executive who has not been able to walk the walk back to the back benches in order to try to talk the talk to use the words of another. Mr Speaker rather than allow more time to be lost in waiting for a Referendum which is now clear will resoundingly express a no confidence vote in the Legislative Assembly we do have the ability to face up to the situation immediately. To take action to ensure that a new full election is held without delay and to enable responsible day to day Government of Norfolk Island to resume as soon as possible. That would show that we are not just sitting here to keep our pay cheques flowing for as long as possible. Our Ministers are paid a little short of \$40,000 per year. Our non executives are paid a little over \$11,000 and it's time that our community was given value for all of that money. Mr Speaker to use the slogan of another person from years ago, it's time. Thank you

MR McCOY Thank you Mr Speaker. Very interesting words from Mr Brown. To say that the recent selection of new doctors to the Hospital Enterprise and the manner in which that was carried out has caused the community to lose confidence in the

Legislative Assembly is quite astounding considering that the selection process that was followed was based on the merit selection process that the Norfolk Island Government worked on for five years and put in place for the Public Service. It is unfortunate that the preferred applicants after having been through the selection process was not the people who the community would have preferred but due to the feeling from the commodity and I'll just address the public meeting issue, the public meeting at that point, I did make it quite clear that as the executive member I don't intend interfering in the selection process because I don't feel that it is appropriate for the executive member to involve themselves in the selection process to actually decide who will be the employee. If we have a look at how appointments have been made in the past, they have been made over the last couple of years in exactly the same manner as the appointments were made this time but we've also heard about the – we haven't heard it this time but there was another level that the preferred applicants had to go through and that was a Clinical Privileges Committee set up by the previous Minister with responsibility for Health. I've now come to find out that that Committee has not statutory basis; is not indemnified under the Hospital Act and is absolutely unnecessary if you have medical officers involved in the selection process. The Clinical Privileges Committee is only there to vet the selection if it is made by a selection committee that is made up of non medical people. That was not the case and I was following on from what I thought was a process that had been put in place by some previous Government. Unfortunately it was not. I am also concerned at the amount of political footbaling that this issue has been used for. When one of the doctors who is presently employed at the Hospital decided to resign last year the then Minister took it upon himself to convince that person to remain employed at the Hospital. No Hospital Board involvement. No one else was involved. And the appointment was made in exactly the same manner, the instrument of appointment was done in the same manner as the instrument that I have just done, had been carried out. Also the Board issued a direction to the Director not to appoint. It is quite clear. The Director employs. And everyone sitting around this table is fully aware, if you walk into the courthouse downstairs and you are arguing on a word and you've used an incorrect word in your phrase you wouldn't get a standing. And what I'm saying is, they must get it right when they issue those written directions and in this case, they didn't. Had they used the word employ it would have been quite different but the word appoint was used and it is not the Director who appoints. It happens to be the executive member who appoints after the Director has made the employment. The person has become an employee of the Enterprise. But due to the public concern and as I have clearly indicated, I believe that the community of the Island should have a say and they made it quite clear by 833 signatures that this issue should be looked at and the signatures on the Petition asked that Dr Davie and Dr Fletcher be retained as the doctors for the Hospital Enterprise. As a direction from the Legislative Assembly members the direction was issued to the Board to examine the selection process. The Board have done that and they have made a decision. My understanding is that as the executive member, once the Director employs the people to be the employees of the Enterprise I then will make the appointments. Now that process that has been gone through over the last six weeks and has come to a finality over the last week is a good reason to dissolve the Legislative Assembly at this point I don't agree. The other issue is the Petition which was signed by 32% of the community asking for elections to be held immediately. Well there are a variety of reasons as to why people in the community signed that Petition. Interestingly enough the people who carried the Petition, I wrote to all three of them and asked if they would be interested in meeting with me and laying on the table the concerns that they had which have caused them to try and overthrow the Government. One of the three carriers of the Petition was courteous enough to give me a call and thank me for the letter that I wrote to him and advised that he does not feel that we need to sit down and talk. I need to get out and talk to the community more often. Taking clearly in mind that I had just spent ten months leasing one of the liquor retail outlets on Norfolk Island and during that time I had ample opportunity to have discussions with many people from many different sectors of the community but interestingly enough the others how carried the Petition did not see fit to even respond and that's their own

choice. I still haven't had a clear explanation from any of them as to why that Petition was taken around in the first place. We also hear words about the flowing paycheques and giving the community value for money. Well we have heard this morning a number of questions asked in regard to the Tanalith Plant, has the community ever gotten value for money in addressing OH&S issues at the Tanalith Plant over the last twenty years? I don't think so. There's another issue which we could not fully discuss this morning which has left a rather hollow feeling in my stomach. There's other issues, for example, the need to determine a rock crushing site to produce somewhere around 21000 tonnes of crushed product for the upgrade of the airport. When I look at the recent rock crushing operations and the Cascade Cliff Safety Project, again the community to my mind has not received value for money. The whole exercise in regard to the Cascade Cliff Safety Project and the rock crushing operations is still a huge mess. Everyone is aware of that. We have pending claims against the Project Managers of the Cascade Cliff Safety Project, we are yet to finalise the total cost for the whole crushing operation, but as I say it has been a fiasco right from the word go and the community now has a \$3.5m debt to the Commonwealth to repay. Also we've had the issue of the airlines. Some in the community felt that the Norfolk Island Government should have stopped the airlines from getting into the situation they are in. I was absolutely at a loss as to how the Norfolk Island Government could have stopped FlightWest deciding that they are no longer going continue flying. Now we have the issue of Ansett airlines. I guess it's the Norfolk Island Government and the present Ministers fault that Ansett airlines were not successful in getting the operations up and going for Norfolk Island. We have Norfolk Jet who charter a service to the Island and have made it quite clear I believe that the economic situation of Norfolk Island is at such a point we should enter into some high level discussions with Norfolk Jet to determine exactly whether some surety can be given to the Norfolk Island community to ensure that our economy which is based on 38000 visitors per annum does not fall over and also to give some comfort to Norfolk Jet that the Norfolk Island Government would not be pursuing competition for Norfolk Jet. I guess I don't see that as being a good reason for saying to Mr Smith well, we should now eject you from the Tourism portfolio. I ask, what value for money has the community really gotten out of previous Governments? Basically also we at the last sitting made a conscious effort to give the other roughly 67% of the community the chance to indicate very clearly whether they believe this Government has done things that require a full and new election. We decided to go to Referendum on the 24th October. Now what Mr Brown is attempting to do is take away the democratic rights of the other two thirds of the community to have a say in whether this parliament should be dissolved. Mr Speaker, I believe that is the only way to determine whether this parliament should be dissolved, is that we go to Referendum on the 24th October and allow the democratic process that is there to determine where we should go from here, thank you

MR ADAMS Thank you Mr Speaker my view on this vexed matter is essentially quite simple and straightforward. There is a significant level of concern in the community about this Legislative Assembly's performance to date. I think a lot of that has been caused by the obvious rifts and arguments that occur in the Legislative Assembly from time to time. I think at the end of the day it comes down to the simple fact of numbers. Whilst members are certainly aware of the disquiet in the community about this Assembly's performance it is simply a matter of, if five members can be found to dissolve it at the minute, do it, if you can't find the five, forget it and move on to the Referendum. If the Referendum says out the door and have a general, well out the door and have a general. If the Referendum says stay and build on it. That's what we ought to do and that's my view

MR NOBBS Thank you Mr Speaker, I won't labour the point on this because I agree with what Mr Adams has just said. I was casting my mind back when I looked out the window of quite a number of years ago and we were sitting outside the Niggerhead in

an old boat, long before these modern flash ones came along and one of the participants in the boat was steering and I said, what's happening and he said "Yu haet' tek 'chaans". That's it. That's what Mr Brown's doing. Hi haet'tek his chaans. And that's the way it is. That's the way politics are on the Island and as Chinny just said, if you get five you're out or in whichever way and whoever is supporting who, but I still believe that we had a very good response to a Petition which was just under a third of the electorate signed it. We decided at that time, and Mr Brown I suggested earlier and Mr Brown moved it on the Friday that we hold a Referendum and it will be held on the 24th and I believe that's the democratic way of doing things and I suggest that whatever issues are around, within a month we'll know the outcome. So I suggest that members, and I'll be supporting this, that we just leave it until the Referendum tells us what the people want

MR BROWN Mr Speaker there are two matters arising from what the Minister for Health has said to us which I think are significant. The first is he's told us that he did not intend interfering in the selection process. He didn't tell us what he told us in committee in recent days which was that he had written a letter to the Board telling them that they were to play no role in the selection process. Now the Board under the Norfolk Island Act is charged with the responsibility of running the Hospital yet the Minister wrote them a letter, told them they weren't to have anything to do with it, and in fact went further when quizzed and said that the reason for doing that was that the Board had to handle the appeal process notwithstanding the legislation makes absolutely no provision for appeal and notwithstanding the legislation makes provision for people to be employed or appointed, whichever word you want to use, but does not deem that employment or appointment to be subject to anything, so perhaps the Minister to put it kindly hasn't understood the true effect of his own words, but far from not intending to interfere in the selection process he wrote to the Board and told them not to participate. He has then told us that the Director employs and he the Minister appoints. And he's told us that if you go downstairs to the Courtroom and get a word wrong you don't get any standing. Well with respect there was absolutely no doubt about what was meant about the Direction issued by the Board to the Hospital Director. That direction was intended to say, you are to take no further action in relation to the appointment and by that you can take it to mean employment if you wish, the appointment of the new doctor. The Minister says to us that under the Act he's the one who does the appointing. He's been given legal advice. He's continued to fail to grasp the significance of that advice. The only appointing that the Minister does under the Act is once there is a compliment of doctors in place, one of them is selected to act as the GMO or Government Medical Superintendent and the Minister indeed makes that appointment from the existing employees but frankly Mr Speaker it is ridiculous for the Minister to claim that the Hospital Director did not need to take any notice of a written direction issued to her by the Board because it used the word appoint instead of employ and I hope that the Minister will shortly tell us whether the Hospital Director consulted him in relation to that and whether he told the Hospital Director to tell the Board to go to hell

MR NOBBS Thank you Mr Speaker we've been through in closed sessions a fair bit on the Hospital issue and whilst it is of great public concern I said at the time that I believe that there may have been things done wrong, and if there has been there has obviously been things done wrong in the past and we should have a Standing Committee to look at all the facets of what actually happened. It didn't receive support but I'm quite prepared to move it right now if I can get some support

MR GARDNER Thank you Mr Speaker if I could just address the Chief Minister's statement. Indeed in closed session he did propose such a thing to happen to look at what's happened in the past and how it's happened in the past but you know we all get a little bit tired of turning around and blaming somebody else for what's happened

today. As Minister or as the Government of the day you've got to stand up and take the lead and say this is how we are going to deal with it and get on with the job instead of continually time and time again we've heard it all day today, blame a previous Minister, a previous Government, officers of the Administration or previous officers of the Administration. We tire of that. It's about getting on with the job and it's about picking up the sticks and running with the sticks that you are given but of course if the job isn't being done right well then as a responsible elected body we should be turning our eyes inwards upon ourselves and saying to ourselves, are we doing the best job that we can to the true welfare of the people of Norfolk Island. I've spoken about this before. I believe this Legislative Assembly is not doing that job, it's not fulfilling its duty that its undertaken to this community. I'm disappointed about all the criticism about what's happened with health. The personal criticism being levelled at me about political footbaling. I hear from within the service that I'm being head hunted or witch hunted. They are looking for something to discredit me in what I used to do as a Minister. It's not about trying to do that. It's not about establishing Royal Commissions or Select Committees or bits and pieces. We've got Griffith University here. We're paying \$14000 to Griffith University to undertake a full review of what happens with health and how we should be doing health. Looking at governance and structure at the hospital and how the recruitment processes should be set up and prioritising health services but now the Chief Minister wants to duplicate that, again wasting resources. We spoke at an informal meeting of members, I think Mr Brown refers to them as Committee sessions. Quite a while ago we had a bit of a bleeding heart amongst the Legislative Assembly members to see where we were going wrong and how we could improve it. At that informal meeting I recommended that the 38 topics or matters that needed addressing that this Government set up in its early life needed trimming down to probably six. Concentrate on six major issues whether you are here for three months, which looks like its going to be now, certainly the vibes I'm picking up in the community or whether you are here for 18 months, you can't concentrate on 38 issues. We are under resourced. Under resourced to a significant degree. We need to set about concentrating our minds on half a dozen specific issues and I said at that informal meeting the first priority for the Chief Minister as Minister for Finance was finances. Forget everything else. Forget all the nice warm fuzzy feeling issues like reviewing the Norfolk Island Legislative Assembly Act. Those are jobs that can be done when we've got the serious issues out of the way. We should be concentrating on waste management. We should be concentrating on the health review. We should be concentrating on planning and we should be finalising those because there's not too much chances with the resources that we have in hand that we are going to get anywhere near those 38 specific topics that have been detailed and still on the paper that was circulated to us the other day I think alternative revenue raising measures or taxation systems or something was towards the bottom on the second page as far as priorities were concerned. Now that was disappointing to see and way off track from the direction that we should be heading in which is concentrating on those half a dozen issues and getting on with it. But still the advise that comes from the Members of the Legislative Assembly continues to fall on deaf ears. It's not picked up by the Government. It is just absorbing what the community and what the other members of the Legislative Assembly are saying to them, is just not absorbed into the being of the Government at the moment and that's unfortunate. John McCoy, the Minister for Health and Environment at the previous sitting of the House when we were discussing the Referendum issue talked about the 32% of the community and he raised it again today that signed the Petition. It's detailed in Hansard. Those people didn't know what they were signing. It's there fore everyone to see. At MLA's meeting last Monday when we were discussing the Hospital issue, and to quote his words because I wrote them down "only a small part of the community has voiced their concern". Now that was in relation to that public meeting held in Rawson Hall the week before. That was the reason that I spoke to some of the organisers of the public meeting and I suggested to them to see how many numbers they could get on an informal Petition so that when the Legislative Assembly met again on the Wednesday we would have an indication albeit an informal indication from the commodity of the level of feeling so that the Minister could absorb

the feeling of the community. It's very hard when you sit down here as an executive member because you are not in the face of the community every single day and it's very difficult to be able to tell exactly which way the community is swinging and which way the community are going so we got the Petition. We got 833 names collected in one day and in actual fact there were another 30 that were collected after that Petition had been collected from around the different places that it had been, plus the others within the community and some of them I think had 50 odd if not more, members of the community who are here on a temporary basis but who feel the importance of the health issue being properly addressed and dealt with by this Legislative Assembly. In excess of 900 people. In excess of 900 people who were trying to tell the Legislative Assembly and the Minister in particular and his Chief Minister that this is what they wanted to happen and right up until the day that was presented here in the House, last Wednesday at an informal meeting of members the Chief Minister and the Minister for Health didn't want to accept it. Didn't believe. And to use those words again "only a small part of the community had voiced their concern". To use the words of Elva Yager it's a wakey wakey situation. Wakey wakey. Open your eyes and open your ears and listen to what the community are saying. And there is a significant part of this population that are saying, don't waste the resources. Believe it or not a visitor to the Island today said that to me in the lunch break. Why are you going to a Referendum. You are wasting resources again. The depth of feeling in the community that they as a visitor to the Island had picked up was that this community was ready to go to a general election because they had lost the confidence in this Legislative Assembly. Lost the confidence not only in the Government and the members of the Government but also in the members of the Legislative Assembly as a whole. That includes me, it includes Mr Brown it includes everybody who sits around this table. It's about getting on with the job. It's about demonstrating some leadership because for the last 18 months there's been very little of that

MR BATES

Thank you Mr Speaker. Back in August we had a Petition of some 300-400 voters and we made a response to that. I believe the response was made a little bit in haste but our response was to hold a Referendum. I thought that should have stayed around a little longer and we could have heard a bit more from the community as to whether they wanted a Referendum or whether there were more than the 300-400 people who signed it who really wanted to go to the polls. I thought we needed time to find out a little more of the feeling in the community. I believe at the time the majority of members supported that, including some of those who are speaking about going directly to the polls now. They've obviously changed their minds in that month. They were happy for a Referendum a month ago and now they're unhappy about it. We did have a rather serious matter with the selection of doctors and perhaps the Minister made some mistakes. I don't think anybody doubts that he was genuine in what he was trying to do but perhaps he made some mistakes, but again Geoff has the 800 up to 900 signatures on a Petition and it is certainly my view, I supported that concept of employing the two doctors. I supported that right from the beginning but again as a group we acted responsibly about that and that matter has been resolved and not without some fairly large input from the members around this table. I believe it's been resolved and to the satisfaction of the community. No doubt if the community does want us to go to a general election they will tell us in October. If they do tell us to continue then I believe and I think Mr Adams might have touched on it and I think Mr Gardner might have touched on it, that we need to have a very good look at ourselves and perhaps, I mean, I would be willing to trade again and look at the portfolios and to look at the makeup of the present Government. Maybe there needs to be some major changes, maybe there only needs to be some minor changes. Maybe there just needs to be a reshuffle of responsibilities but I think we must have a look at that. I would be trying to have a look at that in the event that we were to continue. But I also believe that the community will have a chance to speak in October. That was the decision made by this House that we give the community that opportunity at our August meeting and I think to change our opinion in less than a month over a matter that has been resolved satisfactorily I think it

just shows that we do lack some degree of responsibility and if we are to remain we must take that responsibility front on and get on with the job. If there are no other members who wish to speak Mr Speaker I would like to move that the discussion now be concluded

MR SPEAKER Honourable Members, the question is that the discussion now be concluded and I so move

QUESTION PUT
AGREED

MESSAGE NO 21 – FROM THE OFFICE OF THE ADMINISTRATOR

MR SPEAKER Honourable Members, I have to report messages from the office of the Administrator. Message No 21. On the 13 September 2001 pursuant to subsection 22(1) of the Norfolk Island Act 1979 His Excellency the Governor-General declared his assent to the following Acts, the Subdivision (Moratorium) Amendment Act 2001, being Act No 10 of 2001 and the South Pacific Games Act 2001, Act No 11 of 2001. The message is dated the 14th September 2001 and signed Owen Walsh, Deputy Administrator

MESSAGE NO 22 – FROM THE OFFICE OF THE ADMINISTRATOR

I also have Message No 22 which reads, on the 28th August 2001 pursuant to section 21 of the Norfolk Island Act 1979 I reserved the following proposed law for the pleasure of the Governor General, the Planning (Tourist Accommodation) Amendment Bill 2001, and this message is dated the 28th of August 2001 and signed by A J Messner, Administrator.

NOTICES

Honourable Members we are now at Notices

MUSEUM TRUST ACT 1987 – APPOINTMENT OF TRUSTEES

MR BUFFETT Mr Acting Deputy Speaker, I move that for the purpose of subsection 5(1) of the Museums Trust Act 1987 this House resolves that the Executive Member appoint: Kathleen Marion LeCren; and Jo-Anne Emily Quintal as Trustees of the Norfolk Island Museum Trust for the period 26 September 2001 to 9 April 2003. Members will recall that I promoted an earlier motion in terms of appointment of Trustees and I asked your indulgence that I do this in two parts. I first of all appointed four members on an earlier occasion and you kindly agreed to that and I said that I would come forward with further names after I had gone through a community consultation process and this is the result of that and these are the names that I have both in a community sense sought for expressions of interest and I have informally of course consulted with Members and these are the names that I recommend to you now

Thank you Mr Buffett. Is there any further debate. No. Then I put the question that the motion be agreed to

QUESTION PUT
AGREED

That motion is agreed

CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

MR NOBBS Thank you Mr Acting Deputy Speaker. I move that under subsection 2B(4) of the Customs Act 1913, this House recommends to the Administrator that the goods specified in the first column of the Schedule imported by the person specified opposite, and on the conditions mentioned, in the second column of the Schedule be exempted from duty -

SCHEDULE

Column 1 <u>Goods</u>	Column 2 <u>Importer/conditions</u>
Mobile Kitchen	
- Stainless Steel Fish Fryer Unit	Rotary Club of Norfolk Island
- amount of duty applicable \$276.00	Conditions – Nil

Mr Acting Deputy Speaker I think that you will recall that in June we had a similar motion to this in relation to a mobile kitchen trailer for the Rotary Club of Norfolk Island and the amount of duty at that time was \$974. It was agreed to and passed and accepted and everything was kosher. Subsequent to that a second account was received by the Rotary Club which they thought was included in the first one I understand in relation to a stainless steel fishfry unit which is an attachment to the mobile kitchen. As the amount of duty applicable is over the \$200, by policy there is a need for a motion of the House and I ask Members to please support what is a very valuable addition to not only the Rotary Club but to the Rotary Club in its service to the Island thank you

MR BROWN Mr Acting Deputy Speaker I certainly accept that this is a worthwhile addition to the community but I have always questioned the wisdom of these continued duty exemptions. They cost money. I'm not talking for foregone Customs Duty but it costs quite a bit of money to get a motion like this prepared and through the Legislative Assembly. I think we really need to come to grips with this and to do one of two things. We either say, look we're sorry but except in absolutely exceptional circumstances everyone pays duty. Or we say, we are going to automatically approve all of these things as and when they come to the House, for heavens sake let's stop wasting people's time, let's give the executive member the ability to approve and have him just table a copy of this approvals from time to time in the House but the business of the whole Legislative Assembly being involved in passing a motion for the sake of a couple of hundred dollars really is a ridiculous waste of time thank you

MR NOBBS Thank you Mr Acting Deputy Speaker, I agree with Mr Brown on this actually. I agree with him for a change. It is, but it's an accepted practice. The \$200 I understand is the limit under the policy arrangements and with the concurrence of members I will definitely look at least to extending that to a higher figure

ACTING DEPUTY SPEAKER Any further debate. Then I put the question that the motion be agreed to

QUESTION PUT
AGREED

That motion is agreed

NORFOLK ISLAND HOSPITAL ACT 1985 – APPOINTMENT OF MEMBERS OF THE BOARD OF MANAGEMENT

MR McCOY Thank you Mr Acting Deputy Speaker. This has come about because of the vacancies that exist in the Hospital Board. One due to the resignation of the Chairman of the Board and also one of the vacancies was not filled. The advert was placed in the Norfolk Islander and the 21st September was the date until which people could express an interest. I would like to make it publicly known also that I received another written expression of interest from a community member. Unfortunately that written interest was received on the 24th and on Monday when the

Legislative Assembly members discussed the doctor's appointment issue it was agreed amongst members that the two persons whose names I put forward would be appointed to the Board. Even though that agreement was reached prior to the 21st September. But as I have just said, I received a third written expression of interest but unfortunately that was received on the 24th September and I will be responding to that person in due course. Mr Acting Deputy Speaker I move that for the purposes of subsection 12(1) of the Norfolk Island Hospital Act 1985, this House resolves that: Larry Guildford Quintal; and Lianne-Joy Steven be appointed by the Executive Member as a Member of the Board of Management for the period 26 September 2001 to 25 September 2004. Thank you Mr Acting Deputy Speaker. I would also like to inform the members that as a result of the direction that was issued to the Board on Wednesday, they have nominated and put Lianne Joy Stevens name forward to me to be the Chairperson of the Board

ACTING DEPUTY SPEAKER Any further debate. Then I put the question that the motion be agreed to

QUESTION PUT
AGREED

That motion is agreed

IMMIGRATION ACT 1980 – VARIATION OF INSTRUMENT TO DETERMINE GENERAL ENTRY PERMIT QUOTA

MR BUFFETT Mr Acting Deputy Speaker, I move that for the purposes of paragraph 21(3)(a) of the Immigration Act 1980, this House resolves that the instrument executed by me on 30 March 2001 be varied by increasing the number of general entry permits that may be granted in the period 17 February 2001 to 16 February 2002 from 10 to 35. Thank you Mr Acting Deputy Speaker this motion is in the context of the Statement that I made earlier about a number of Immigration matters. In February we set an interim quota of ten. Ten is referred to in this motion Mr Acting Deputy Speaker and when that was promoted I undertook that when the guidelines package was concluded, and I have earlier reported that we've reached that stage, I would revisit this quota so I confirm that we have reached that particular stage and bring this forward in that context now. I've got to say that I bring it forward with some amount of trepidation because some have advocated a very much larger quota than this and others are advocating quite strongly to me that there be no further increase whatsoever in the quota and I respect the views that have been put to me but you will see that they are quite wide ranging views on this particular occasion. The figure of 25 is really designed on my part to steer a steady course to try and preserve strength in the economy and yet not have pressures on the Island's infrastructure as to be so great as to destroy the character and environment for the genuine resident. It's a very fine line to walk. You will see from the papers that Members have had on other occasions to examine this that there is a subsist list, that is a waiting list, of 25 of whom 23 are already living in Norfolk Island. So you will see that this is not talking about a huge influx of people into the Island, it is substantially addressing people who are located here already. May I just again share with you the quota numbers that we have had for previous years. Last year, the year 2000 there was a quota of 45 and for the three years previous to that there were 30 on each occasion so you will see a total figure of 35 is not too much out of regard for how we have travelled on earlier occasions. I am really endeavouring to steer a sustainable and a fairly middle course on this occasion. I do regret that I can't reconcile the variety of views that have been put to me at both ends of the spectrum but I am endeavouring to signal that the immigration processes are still in business but it's endeavouring to steer a course that does not move too far out of the comfort zone as to numbers and impact upon the environment, and it is fair to say that people are expressing significant concern these days about impact upon the environment. Additional houses that are being built, how many people are actually walking on the grass at any one time and these factors are not to be ignored. I do need to say however that in putting them into the immigration factor

we need to do them at a sustainable rate and that are in a way that people have opportunities to withdraw from their situations or not advance their situations and not have the rug pulled out from under them, in other words, without any warning. That's why I think it would be difficult to have no further quota on this occasion but equally I am offering counsel and caution that we should not make it an overabundant figure and I present that figure to Members for their determination

MR BROWN

Mr Acting Deputy Speaker back in about 1996 the Legislative Assembly agreed on a population policy and that policy was to provide for a 2% per annum growth in the permanent population until such time as a decision was made to change that and it is interesting that the permanent population in 1996 was to within a few people, the same as it is today. We have never set a quota in accordance with the population policy that we set because successive Ministers and successive Legislative Assembly's have not understood that you don't just say oh well, if the population's 1500 including GEP's, 2% of that is thirty, so set a quota of 30 each year. That does not take account of people who leave the Island and members are well aware from the quite detailed information that's been provided by the Immigration Officer that if we were to have adhered to the population policy which we set, the numbers now would be several hundred higher than they actually are. Now I'm not suggesting that we set a quota of several hundred, but the Minister for Immigration has told us that of the extra 25 that he's recommending for today, in excess of 20 are already living on the Island because it seems to me that the overwhelming majority of those who obtain GEP's are people who move from the ranks of TEP's into GEP's. Now we are never going to manage to boot those people off while they sit in the quota list and if we keep them here for years while they subsist and wait for a spot to come up, then who are we kidding. We are only kidding ourselves. There are a further 19 or 20 people who have had GEP's approved subject to quota and who will not be taken into account if we set a quota of an additional 25 today. And of those people if my recollection is correct, every one of them is presently living in Norfolk Island so again, who are we kidding if we say to those people, sorry you can stay feeling a bit uncomfortable and not knowing what's going to happen to you because we feel better if we only set a quota for the year of 35. Why not face the facts. Set a quota that is sufficient for all of those people who are presently living on the Island and have GEP's approved. Set a quota to enable the few additional people who already have been approved subject to quota and recognise that in even doing that we would be setting a quota massively below that which we would set if we adhered to our population policy. Now I've been a voice in the dark about this for years so I don't really expect that things are going to change today, but I do urge Members to adopt a more realistic attitude and in terms of the population policy, if they don't intend to follow it, for heavens sake revoke it, thank you

MR WALKER

Thank you Mr Acting Deputy Speaker I too support that we have a quota but I think that this quota is insufficient only because we are addressing the change of status of certain members who are already living in the community. As Mr Brown has said, we have quite rightly been given information that indicates there is a further 19 applications in the system about to be approved, or have been approved who will subsist until we have the next quota and these people are already on the Island. It is not an immigration policy which is increasing the population as was set back in 1996 that the wish of this Legislative Assembly was to have a 2% growth. We have not had any growth and in fact, the figures show that we have had an ever so slight decline in the permanent resident population of the Island. I think we have to be realistic and we have to say that if we want to increase the permanent resident population and reduce the need to have the TEP status of immigration so high as it is right at this moment, up around the 500-600 if I have the correct information. That can be reduced and I for one believe that it is highly more desirable to have a person who has made a commitment to the Island and has taken up residence as a GEP than to have intransient people who are not committed to the Island by the same degree. We cannot go on kidding ourselves that if we don't have GEP status that the population will not grow. The population will grow, we'll just have more TEP's on the Island and I

believe that we have to address that. Whether we address it today or not will depend on whether we have support to have a greater than 25 increase in the quota but I would be supportive of it being higher than that so as to allow some new immigration. It was interesting to note that in the 44 positions that were currently either approved or being approved, only three were for business and the balance were all residents on the Island changing their status from TEP to GEP so as to remain living on the Island. I don't think that that's acceptable. I think we should be following policy that has been set, that is a growth in our population, a real growth. We are not taking into account the people who leave the Island and so therefore we are actually going slightly backwards. At the same time it was interesting to note in those figures that a high proportion of them were children. We have some amongst us who say we shouldn't be bringing in retirees because they put more stress on the infrastructure. We also say that we are getting more and more stress at the school on our resources that is, because we have more and more children who are here and we are educating them for free at the school, although they be only temporary residents on the Island. Now we can't have it both ways. We can't not have retirees or have adults with children and I'm not quite sure how you would describe this wonderful person that's going to come to the Island give us all their money, live here happily but not have children and never grow old. I think we have to be more realistic in setting quotas so that we do encourage some growth. I'm not even advocating that we have to stretch to the 2% but at least let's get some growth in the permanent resident population, thank you

MR ADAMS

Mr Acting Deputy Speaker I guess it sometimes concerns me when it seems that the whole object of the exercise is growth, growth, growth at all costs. It does appear to me that there is some work to be done yet with the magic figure of 2% population policy as indicated by John and Bruce. From my reading, the 2% policy was something adopted by most western nations without a lot of support and the number essentially came about because it was thought to be a safe amount that wouldn't introduce undo strain on the infrastructure of towns, cities or countries and as I said, there wasn't much supporting research to back that and we seem to have adopted that and it seems to be that we continue down that road because we've always done it. The concern with the push for increasing growth on a long term basis for the Island, I ask what sort of impact assessment has been undertaken to ascertain how it will effect our ecology, the environment, the land use, how much assessment has been undertaken in increasing growth on the Island's carrying capacity. It does seem to me that we continue to bandaid from one year to the next without a real assessment of a whole range of matters that include things like the carrying capacity of the Island, the ability of the Island to provide essential infrastructure such as water. That doesn't rate a mention. In most jurisdictions now we see population profiles done on community's to make an assessment on whether or not there is a risk in these community's whether the support in terms of social service benefits will at some time surpass the supporters. We have all that information flying around available to us on Norfolk Island we do not to my mind properly interrogate and use that information. We seemingly lurch on from year to year offering bandaid solutions by fiddling with numbers without really assessing what the end objectives are and how we are going to achieve those things. Mr Acting Deputy Speaker I have trouble in supporting this for it seems a continuation of an unsound theme. I would prefer to see a full package in front of us before we simply give the tick to yet more numbers because it seems to be the thing to do as at today

MR GARDNER

Thank you Mr Acting Deputy Speaker I'm glad Chinnny raised a few of those issues about population profiles and trying to see whether the social services system will be outweighed or underweighed by the population that's in the workforce. It's interesting that that should raise its head again. I think when the previous Minister for Immigration in previous debate on this issue back in January or February, whenever we set the last quota raised the issue and copied to all Members a document about strategic planning and population levels in the Channel Island in I think, Guernsey or Alderney but certainly one of them had in their forward projections, they looked at their population base for the next 40 years and they were able to do that and

the way they were able to see where their social services were coming from, is that they set their population base making sure that the percentages of the workforce and the aged and the young didn't change, so they were looking out to increasing hypothetically the numbers, they were going from 10,000 to 40,000 for example but the working population would always remain at 60% so that they had set up their immigration regime to account for the concerns that Robert raised. I'm not going to go back over the debate that I had back then other than to say that we are in a similar situation where we have 23 out of the 25 applicants are already here on Island. Back in January or February there were a significant number of those at the time that were already here on Island. We can't turn them away, we can't throw them off, I think John Brown said that you can't leave those people sitting in limbo. I gave support to the quota back in January/February because we had been given an undertaking that the issue of Immigration was going to be addressed and we were going to look at legislative change and we were going to look at guidelines etc. That's no fault of the incumbent Minister that that hasn't happened. That is really just another one of these under resource issues that we face as an Administration and as a Government that we haven't been able to progress that as quickly and go as far as we would have liked to and to have actually resolved that issue. I supported it then because there was a firm undertaking given that those issues were going to be addressed and that the Legislative Assembly as a whole would have a chance to really get it's teeth into it to see where we wanted to go. I still stand by the argument that population levels on Norfolk Island are tied to economic activity. I think it's already been demonstrated that the permanent population base on Norfolk Island has changed very little over the last few years, even though as the Minister says, we've issued 135 GEP's over the last four years. Mr Brown's quoted some figures and has said there's only a matter of a handful of people difference in the population between 1996 and now, the year 2001. We are going to see as has already been demonstrated today, a decline in tourist numbers. The Minister for Tourism has tabled documentation about inbound passenger statistics which show a decline, I think Mr Walker of the top of my head, talked about 19.75% decline in tourist numbers over the same time last year. That's significant because that is going to have an impact. Tourist numbers decline, so are too the people who service that industry. We've heard at length discussion over the last few months about economic activity in the building for example. What happens now that Governors Lodge is almost complete. There is a significant number of people engaged in the construction of Governors Lodge for example and other tourist accommodation construction that was going on, on the Island. As that starts to decline the call for those skills within the community are also going to decline. If those people can't get the work here because they can't go on the dole, they need to make a living and feed their families, they are in turn going to go and look for offshore experiences for them, especially in the numbers of TEP holders on the Island who will move with the job activity that's available to them. As I said earlier, if there is a real problem then we have to come to grips with it, we are going to have to make legislative change to reduce this perceived problem of the quota in the absence of such a change legislatively I will continue to support a quota and the issue of the other 25 quota positions. I have it from the Minister for Immigration and Community Services that we are pretty much on the brink of resolving this issue so that it doesn't go on year after year after year as I think Mr Adams alluded to earlier. I really would like to say that I hope this is the last time we have to deal with a quota and I have trust in the Minister that if we are in office any longer than three months maybe it will be finalised otherwise I'm sure the Tenth Legislative Assembly will have to deal with it, and will have to deal with it as a matter of priority and not just tack it on at the end of thirty-eight other activities that require looking at, thank you

MR SMITH

Thank you Mr Acting Deputy Speaker I think I said the last time, and the time before that and possibly the time before that, that we can make a cracked record that we always have these conversations when it comes to quota time with the Immigration Act and I guess that's been happening since the early 80's that the facts are what counts. The facts are that as far back as 1981 the population was very much the same as what it is today. Mr Gardner just touched on the reality of that in

that there are only a certain amount of jobs that people can do. There are only a certain amount of businesses that are owned and this was something that was discussed in 1996 when the 2% population increase was talked about. The quota was wide open at that particular time because there was no work, people didn't want to come and buy a business so people didn't want to move here so naturally with economic growth, especially what we have had over the last four years, it creates a demand for more GEP's. One of the interesting things that Adrian Cook discovered in his time as Minister is that what actually happens is most of the people who apply for GEP's, maybe to work or to live here, generally move off the Island but the ones who don't are the ones that we don't have any direct connection with which is the section 18 GEP's which are granted under special relationship. In fact it's those who actually make the population increase, but the other side of that that balances that out is the residents who move off the Island. Now I don't necessarily mean long term island families but people who have achieved residency status and the population is continually moving. Look at last years quota of 45 and there were 42 section 18's although the population still hasn't shown an increase because a certain amount of GEP holders and residents have moved off the Island and that's why the number remain status. The reality is, according to what we've been given here, that it is not so much whether somebody is on the Island that counts, it's the one who have applied for and achieved the status of subsisting with a GEP. We have 25 of those already subsisting so at some time or other they are going to get a GEP even if it takes two or three years, unless of course they leave the Island, so the 25 that Mr Buffett has proposed, there's another 19 in the process. Now all those might not be approved to have a GEP of course but even breaking those down as Mr Walker said, there's two business proposals, 24 are working people and 18 of those 25 and 19 are children so how many families that breaks down to, I don't know but the reality is that 25 are already here, have been approved for their GEP but subject to quota. Part of the 19 there may be a certain amount of those who will get to that situation as well. I'm quite happy with what the Minister has recommended but seeing this is the second quota determination this year maybe we should increase that by another five to take into account the ones out of the 19 who may get approval in the next few months. One of the interesting things, it's always good looking back in history with these things, I would just like to quote the specific concerns about the consequences of population growth expressed by many people were land scarcity and high cost of land, lessening of rural landscape, everyday you see bulldozers tearing the guts out of the place, was one comment, slowly destroying what we already had, increased traffic on the roads, increased difficulty in finding parking places and a number of cars visible around the Island, the risk to the Island's tourist industry if Norfolk loses its natural unspoilt charm due to too much development, commercialism and congestion. We're going to lose our money spinner, tourism, if we go on citifying this beautiful Island as one person put it. That comes out of the Past, Present and Future Population of Norfolk Island Report done by the Select Committee of the Legislative Assembly in mid '80s. I also have a paper which I didn't bring here from 1975 which expressed the same concerns about population and even at that time the population was very similar to what it is now. It's the movement of people that makes the difference to all that. I agree with what Mr Gardner also said, that if we don't like doing this we have to hurry up and change the ability for people to apply for GEP's if that's what it comes down to and I think one of the things that's been proposed is that people who are here on a TEP can either extend their permit, and I understand they can now, or have a special purpose permit where somebody can be here for years as long as they do that one particular thing. That would take the demand off the GEP numbers and therefore on the residency numbers as far as social welfare and things like that are concerned. But I support the Minister's proposal for 25 or if Members want to increase it I would certainly support another 5 which would bring us up to similar to what we had last year

MR BUFFETT

Thank you Mr Acting Deputy Speaker. Having heard all the views around the table you will understand why I commenced my statement by saying there were a huge diversity of views. Indeed there are. Those views are representative of those in the community. There are a diversity of views in the

community about this matter also so there is in a sense, no magic figure. Can I just draw attention to a couple of things. Members will probably have that table in front of them. I just want to point out that they are actual figures, because it's been mentioned a number of times that we are not taking into account those who leave. Now if people have left they are no longer in those figures, so there is in fact a taking into account those who come and go. The other point that I just wanted to acknowledge with thanks was Mr Gardner's expression of mild confidence I think, and to just make mention of this. I said that when we had concluded one package, and that was the Guidelines package, I would bring forward this quota arrangement and that's what I am doing now. I'm also signalling the commencement of the next phase and the next phase will take into account a review of the present legislation and indeed whether or no we want to stick with the same sort of permits. The same categories. Whether we want to reconfigure them differently. It may, or it may not, it will be up to Members to decide whether in fact we have some sort of quota in the new arrangement or not. So it may be that we don't tackle that sort of difficulty on other occasions but it will depend upon Members as to whether we do or we don't and it will be part of that review process that will bring these matters forward for discussion and final determination

MR McCOY

Thank you Mr Acting Deputy Speaker I'm heartened to hear that we now have another member of the Legislative Assembly who is concerned about the ecology of Norfolk Island. I'm also heartened to hear Mr Smith read out some of the words that have been put forward in reports and surveys in the past because it is quite clear, and I have said it on more than one occasion, that providing that we have this GEP system in place we will see a continual myopic trade in real estate in Norfolk Island. I am yet to be convinced that the General Entry Permit system is not connected directly to trade in real estate and we only have to look at some of the ridiculous prices that are now being asked for real estate on Norfolk Island. We have heard words about some of the transient nature of our population and why some people leave. Well I can understand. It becomes very attractive if you have a piece of property on Norfolk Island and you know that all you have to do is put it on the market and you will sell it for a very inflated price. A very inflated price. I see Norfolk Island very much nowadays as a collectible item. There's not a lot of it but only some 900 miles away we have a never-ending market of purchasers who we see continually coming to Norfolk Island looking at ways to buy land. We are even now getting visitors who come in and are looking at how they can buy into Norfolk Island. Some of the planning applications that are being dealt with by the Planning Board who are being asked to consider planning applications where the proposed dwelling is placed in a ridiculous siting. Many young ones in the community are saying to me, how will we ever own a piece of our homeland with the prices that we see around at the moment. We have a taxation system called the FIL. It totally discourages any young person no Norfolk Island from trying to save. When it was first couched the FIL system sounded good because it would not be chargeable against people who had housing loans. Well when we look at the prices of some of the real estate and you consider a person who has been out of the Norfolk Island Central School for ten years and you consider how they could possibly accumulate enough funds to then go out and get a mortgage to purchase a piece of land when we have an FIL system that is a disincentive for anyone to bank their money. There is very little chance of some person who is educated on Norfolk Island who calls Norfolk Island their home, whether they be of Pitcairn descent or otherwise, to me Norfolk Island is their home and they are finding it very difficult to go out and purchase a piece of property. I think we need to look at not only the General Entry Permit system but other systems we have in Norfolk Island that can be clearly connected to the General Entry Permit system. We have the figures that have been mentioned and the reason I acknowledge what Mr Adams and Mr Smith has said, they've saved the community a lot of time in having to listen to my voice again today. Over ten years from 85 to 95, 360 special relationship permits were issued and there were 300 quota permits, a total of 660. Out of that 60% of those people have gone on to become residents and that 60% is mainly made up of people who came in under special relationship. I also have a problem with the special relationship system that we have under the General Entry Permit

because the special relationship numbers are never taken into consideration during the setting of the quota and we only have to look at the figures that we have here. We have a quota set in 95 of 30 but there were 48 GEP's granted because 18 of them were granted a non conditional permit. Same thing in 96. A quota was set of 17 yet we had 41 granted because 18 were special relationship. There has been some confusion over the years in how the special relationship should be assessed under the General Entry Permit system. Bronwyn Paddick makes it quite clear in her report and I have been criticised for misreading the legislation we have on Norfolk Island at the moment on more than one occasion so I have to use what Bronwyn Paddick said and she clearly indicates that special relationship permits for the General Entry Permit is to be granted to someone who has a special relationship with Norfolk Island not with someone in Norfolk Island. That is why I believe these figures are distorted because they possibly have been granted to people who have a special relationship with someone in Norfolk Island rather than a special relationship with Norfolk Island which is what the special relationship system was specifically for. So even though we will set a quota today of maybe 35, we look at 1990. There was a quota set of 30 in 1990 but 58 the General Entry Permits were issued because 28 were special relationship. 2000 quota of 45, 87 the General Entry Permits were issued. Not 45 – 87. Because there were 42 issued under the special relationship category so even if we set a quota today of 25 to bring it up to 35 looking at these figures we may finish up with 50 the General Entry Permits issued between now and February. We've heard talk about 19 people who are subsisting and won't possibly be included in this net that we are casting. Well we are all aware that as a requirement the quota must be set in February so in another five months or less the quota must be set. For the reasons I've mentioned, the main reason being that I see it being linked to the myopic trade in real estate, I will not be supporting the increase. I never had and I never will

MR BROWN

Mr Acting Deputy Speaker the Minister for Health has obviously been eating dictionaries. He's got some wonderful words that are appearing regularly from his lips and in his correspondence at present but if what he's concerned about is real estate prices there are a couple of questions he needs to ask. The first one is, does he want to try to drive real estate prices down. If so, what are the Norfolk Islanders going to say who already own land and see its value go down as a result of an action by the Minister for Health. I don't think they'll be impressed. If we are wanting to restrict the trade in real estate, then there are ways that can be done. It is done in some parts of the world, but we should be up front about it. We shouldn't just sit here bellyaching today because frankly, some of the worst offenders are local people who sell a block of land in order to buy a car or in order to do something or other else and then bellyache because they want their land back for nothing because land is too expensive. I don't think real estate is really a valid issue in terms of immigration when all of the factors are taken into account. If you want to restrict the ability to trade in real estate as I said, by all means, try to bring some legislation to the House and see how you go with it. It might pass. The Minister has told us that section 18 people are the overwhelming majority of those who stayed to obtain residency and that people who obtained section 19 the General Entry Permits have more or less all left the Island. Now I'm not sure how he worked that out because there is nothing in the material that has been provided to us that draws a distinction between section 18 that is special relationship people obtaining residency and section 19 people obtaining residency. Perhaps there's a document that I've not seen, but I've certainly not seen it to date. The Minister for Immigration has told us that indeed people leaving the Island are taken into account when a quota is set each year. I would like to join issue with him on that. They are certainly taken into account when we check how many people are on the Island at any time but if you look at our population policy with its 2% growth they are clearly not taken into account because no growth occurs so they are taken account of when we say, well there are so many people here but they are certainly not taken into account when we set our quotas. Mr Acting Deputy Speaker it probably would have been better had I said nothing at the beginning of this debate because perhaps it would not have gone on as long as it has and perhaps Mr Smith is right. Perhaps the same material is

regurgitated each time that we sit down to set a quota but could I just ask those Members who have not yet read the Butland Report and before it the Westerman Report if they would do so. Could I ask those who have read them if they would go back and read them again. Some of the interesting things you will find in those reports, include a comment on the sorts of problems we are going to get ourselves into if we have no growth in our population and it's very interesting reading. The other problem that we are clearly going to get into is that we have an aging population. It's not unique to Norfolk Island. It is something that is happening in many parts of the world but ours is becoming worse because we do make poor immigration decisions in many cases and if you look at the consequences in terms of social welfare in particular HMA they are significant at times so I'm certainly not saying that the immigration system is perfect. It's far from it but I think that it needs to be looked at with urgency. It can't continue to simply be allowed to bubble along but Mr Acting Deputy Speaker having said that could I move that the question be put

ACTING DEPUTY SPEAKER I'm obliged to put that Mr Brown but Mr Nobbs had signalled whilst you were speaking. Will you allow him to speak

MR BROWN If Mr Nobbs had signalled beforehand, well certainly

MR NOBBS Thank you Mr Acting Deputy Speaker this won't take long. As you know I have never supported the quota system and I don't intend to today but I have been just handed the confirmed final figures from the census which was taken on the 7th August 2001 and in comparison to the August 96 census for a resident population there were 1282 against 1359 this year which is a rise of 77; the GEP population was 188 in 96 against 215 in 2001 which is 27; the TEPs went from 293 to 442 and others were 9 and 21 which means the ordinarily resident population which includes all the above of 1772 in 1996 to 2037 in 2001 which is a rise of 265 in five years and including the tourist and visitor population on that night was 409 in 1996 and 564 in 2001 which gives a total of 2181 in 1996 and 2601 in 2001 and just quickly because I don't want to labour the point too much longer as I think most speakers have covered it, that final figure is what I believe we should be talking about and that is the carrying capacity of the Island. What is actually on the Island at this particular point in time; what we have to cater for from the Government's perspective or what the shops and the business community has to cater for, thank you

ACTING DEPUTY SPEAKER I will put the motion Mr Brown but I don't think anybody else wants to speak so I might be able to go straight in that the motion be agreed to

QUESTION PUT

Would the Clerk please call the House

MR BUFFETT	AYE
MR NOBBS	NO
MR BATES	NO
MR ADAMS	NO
MR McCOY	NO
MR GARDNER	AYE
MR WALKER	AYE
MR SMITH	AYE
MR BROWN	AYE

The result of voting Honourable Members the ayes five the noes four, the motion is agreed to

PUBLIC

MR BATES

Thank you Mr Speaker

Mr Speaker recent events in the recruitment process in the public sector have motivated me to bring this motion forward. It is only a recommendation to those who are responsible for recruitment but if passed should send a message that echoes some of the provisions for immigration permits that the executive member is required to consider and give more weight to Section 5 of the Public Sector Management Act which requires community experience to be considered in the merit principle of selection and I would just like to mention again the immigration side of it and remind members that our new policy on page 8 says that in respect of any application a proposed employer shall furnish to the authorised officer or the executive member a statement which, and there are a number of matters but item c) is the one which I think is relevant and it says "a statement which lists all residents and the General Entry Permit holders who applied for the position together with an explanation as to why they were not considered suitable". I mention that to assure members that there is no conflict in either our immigration policy or section 5 of the Public Sector Management Act in the contents of this motion. It is understandable Mr Speaker that non residents on any selection panel would fail to give weight to the Norfolk Island community knowledge and experience simply because they themselves would have little knowledge of it or its values including the expectations and the needs of the community. I would be interested to hear what other members have to say but I recommend that Members support the motion, thank you

MR BROWN

Mr Speaker I wonder what Brian would think of two possible amendments because I certainly agree with the thrust of what he is trying to achieve. I wonder whether it would be more appropriate to be talking in paragraph no. 1 of "substantial representation by residents" rather than "a majority of residents" because there might be some situations where particular degrees of expertise are required on a panel that simply require the panel to have people from offshore but if we recommend at the very least "substantial representation" then I wonder whether we are saying what we really mean. Secondly in clause no. 3 the "selection criteria have sufficient flexibility to allow local applicants to expand on their knowledge and experience at interview", I wonder whether all applicants should be given that opportunity rather than only local applicants. If Brian was of a mind to agree to those two changes I don't think anyone could object to the proposal. I'm not saying that I object to it as it is but I wonder whether they would bring improvement to the motion thank you

MR BATES

Thank you Mr Speaker I have no difficulty with that if Mr Brown would like to move that amendment. I think Members understand the thrust of the motion and I don't see there's any difficulty with that

MR SPEAKER

Mr Adams sought the call, did you want to move that now Mr Brown

MR BROWN

At a convenient time Mr Speaker

MR ADAMS

Thank you Mr Speaker I'm in support of the motion. I think it will improve the recruitment processes in the public sector. If we look to the private sector for guidance we see many of the managerial jobs for instance advertised by the hotels have lines that run similar to this, that these applicants would be required to have remote area experience, I mean really that's what we are talking about here because all too often in the past we have employed people from huge organisations, from very large urban areas, and whilst their CV's may well read very well in their own right, put them in a remote location, their understanding of the difficulty of supply for one to the Island or to this remote location is often found to be lacking and

that's only one instance. I would also like to add Mr Speaker, a point 4. as an amendment to this in that whilst it is important to have people passing selection criteria and have the selection criteria properly reflect or attempt to, to properly recruit the correct people for the position, equally the people who sit on those selection panels in my view if they are employed by the public sector need to have passed merit selection themselves otherwise in my view the process is simply a farce. The amendment which I intend to move Mr Speaker at the correct time would read as point 4. to that, any persons employed by the public sector must have passed appropriate merit selection themselves before being eligible to sit on any public sector employment selection panels, thank you

MR NOBBS

Thank you Mr Speaker I was to suggest as I wasn't here on Monday, if it could be left until next month because I was concerned about the first point, that the majority of resident on there. I wasn't too sure, seeing as how the Government has responsibility so I would assume that we would be looking at school teachers and the Tourist Bureau and those sort of areas and I wasn't too clear on where we were going with the school teachers selection and how this fitted in actually with what's happening with the present time. The other point, I see Mr Brown has now made "substantial representation". I would make a point if I could of "appropriately qualified people" and I'm not saying that in any way being derogatory at all, have I the dictionary right there Mr Brown?, I think what it will stop is putting dummy's on there and that's what I have worries about in the selection process if we were to do that. I think that they should have some appropriate qualification. Mr Adams has said that they should have gone through a process of merit selection which is fine. The other issue that I believe should be looked at, is whilst we are looking at the actual selection of all those under the Governments responsibility we should also be looking for want of a better word, at all their lurks and perks or what have you, of what each is getting so that we can get some definitive arrangement across the board which goes right across what the entitlements actually are in relation to such things, the topical ones, the housing, the vehicles and those sorts of issues. Some have been getting a significant amount of funding as assistance in housing whereas other have not. Within the Administration now we've brought it back to a different arrangement where x amount of money is provided and then the person then takes up whatever extra themselves they wish to pay instead of paying x amount and the Government taking up whatever the person suggested their accommodation should be. I believe that that should be incorporated in a motion. If we are looking at recruitment right across the board it's not just the situation as far as what's happening in recent times in relation to the doctors or anything like that, it goes far beyond that and we should look at those other issues as well as recruitment across the board and whilst it's extremely difficult I've asked that this occur and I think there should be a direction from the Legislative Assembly that in all areas where the Government has responsibility that there are certain conditions of employment that need to be followed and I would suggest that if it is appropriate and Members feel such, that we could come back with something, those 5, 6 or 7 or whatever it may be to add on to this motion at the next meeting, thank you

MR WALKER

Thank you Mr Speaker I support the thrust of what Mr Bates is trying to do here however I have some difficulty with the first part of the motion. He may be able to clarify this for me. In his recommendation that those responsible for recruitment to office, as I understand it, in the statutory bodies they are governed by their own pieces of legislation and those pieces of legislation set out how those Boards or whatever the controlling body may be, runs or manages that statutory body. If you are recommending that those responsible for recruitment to that office change what is actually within the legislation that change can only occur here in this House so therefore we would have to be directing the Minister to bring forward a Bill that changes the way in which they operate within the legislation they already have. I'm not trying to defeat the purpose or the thrust of what you are wanting to achieve here, but surely those Board's must operate within the legislation that is already in place. If it says that they can't do this or have their own way in which they make selection processes

happen, then we would need to be asking the Minister responsible to direct them to do this otherwise it would have no weight and I ask for your clarification of what you are trying to achieve their Mr Bates. I go with the thrust but I just don't know if the mechanics is correct

MR BATES Thank you Mr Speaker for the very matters that have been raised by Mr Walker that this was couched in the manner of a recommendation. I realise that where there is legislation in place for the recruitment of officers then unless we change that legislation then that legislation must stand. However, I don't believe that the thrust of the motion and the recommendation is any impediment to any of the current legislation. I might be wrong there and if it proves that this recommendation cannot be conformed with because of the legislative requirements well so be it but I believe we can only make a recommendation short of changing eh legislation. As I said, it was recent events that had prompted me to put this motion forward just to reinforce some of the things that we do have in place. We do have the merit principle criteria and the community involvement and community knowledge I think written into our legislation in the Public Sector Management Act and we do have the requirement of an executive member which is yourself Mr Speaker to take certain action when permits are sought for people who are employed from offshore and I think this motion only adds weight to those things that are only enshrined in legislation, thank you

MR ADAMS Thank you Mr Speaker just a couple of comments on something that Mr Walker has brought up. With his concern that paragraph 1 of Brian's motion will somehow make it difficult for recruitment to statutory boards maybe Mr Walker would like to clarify that because it is not clear to me how the motion is put or to have any direct bearing on increasing difficulties for appointing people to those Boards let alone affecting in any way shape or form the legislation under which they operate. We have all in this Sitting sat through a number of motions here which are appointing people to a number of boards and it seems to me that nothing in Brian's motion will affect those procedures and given the understanding that this motion generally reflects and centres on appointments to employment within the public sector as opposed to participation and the doings of statutory Boards

MR McCOY Thank you Mr Speaker. I have no difficulty in supporting this motion of Mr Bates' today. The recent selection process for recruitment at the Hospital Enterprise has clearly demonstrated for that particular sector, and this is one of the issues that the Board will be taking on, is the HR Policy issue and that can quite comfortably be slotted in with regard to the Hospital without a difficulty because these things will now be developed. As members are all aware, there is no clear set selection process under the Hospital Act so I have no difficulty in supporting Mr Bates motion and I believe that the amendments Mr Brown has proposed will make it just a little bit tidier so I will be supporting Mr Brown's amendment as well

MR GARDNER Thank you Mr Speaker I would just like to echo Mr McCoy's thought. I have no difficulty at all with the thrust of the motion. I agree with John Brown's amendments that he has indicated he will be moving and I will be comfortable with that thank you

MR BROWN Mr Speaker could I seek leave to move the amendment which I previously outlined namely that the words "majority of" be deleted from paragraph number 1 and the words "substantial representation by" inserted and the word "local" be deleted from paragraph number 3

MR SPEAKER Is leave granted? Leave is granted
thank you

MR BROWN Mr Speaker I'm not sure what members feel about the Chief Minister's suggestion about an adjournment to enable

advise to be obtained in relation to the likely impact of this motion if it is passed. Certainly from my point of view I would have no objection to that and if there was something in the motion that I'm not aware of that came to light as a result well I guess it is better to come to light in that fashion than as a result of finding that we have made a mistake but all I say in relation to that is that I would not object to it but I would leave it to other members to decide whether they wish to adjourn or not.

MR ADAMS Thank you Mr Speaker at the appropriate time I will move my detail stage amendment but it may be that other members wish to comment on John's detail stage amendments before I do that.

MR SPEAKER Further debate? No further debate. Then I put Mr Brown's amendment at this moment.

QUESTION PUT
AGREED

The ayes have it, that amendment is agreed. Mr Adams

MR ADAMS Thank you Mr Speaker I seek leave to incorporate another detail stage amendment into Brian's motion. That a new part be added to the 3. identified parts or paragraphs to be known as 4. and to read as follows – 4. any persons employed by the Public Sector must have passed appropriate merit selection themselves before being eligible to sit on any public sector employment selection panels.

MR BROWN Mr Speaker while I certainly have no difficulty with the general thrust of that amendment I wonder in how many cases we would have local people left to go on the panel and in relation to that part I certainly would appreciate the opportunity for the Legislative Assembly to get some advise as to whether that would be a wise amendment notwithstanding that we might all support it. As I said I have no difficulty with the thrust of it. I'm just concerned whether it is workable.

MR NOBBS I was about to say the same Mr Speaker.

MR ADAMS Thank you Mr Speaker I think, as I alluded to before, I think we are looking at improving selection processes and in doing so not address the suitability of persons who are actually sitting on those panels re, have they passed the selection process themselves, we're in my view not soundly and not adequately addressing the selection process properly and I think to leave the issue of the selection panels having themselves passed the merit selection process off to one side whilst concentrating on criteria and applicants we are only half doing the case, thank you Mr Speaker.

MR McCOY Can I just enter the debate on

MR SPEAKER Mr McCoy could you just pause. I did indicate earlier that I would give Mr Gardner the call.

MR GARDNER Thank you Mr Speaker I just have a couple of concerns with the proposed amendment. I understand where it is coming from I just wonder under a merit selection process, what is being talked about here, is the merit selection process as established by the Public Sector Management Act and the Human Resources Policy or any merit selection process that's been undertaken. I'll just go back a little. If it relates to that as established under the Public Sector Management Act and the new HR Policy that probably leaves a significant number of valuable people out of the loop that through no fault of their own, hadn't been through a merit selection

process as envisaged by that Act or HR Policy. If somebody could provide me with some insight into that I would appreciate that

MR McCOY Thank you Mr Speaker I was of the same thinking as Mr Gardner, that we need to consider and debate the issue of Public Service employees employed prior to the Public Sector Management Act of 2000 coming into being and by couching the amendment in the right words to take into account those employees I think we'll address what Mr Adams is attempting to achieve here

MR ADAMS Thank you Mr Speaker there seems to be some thought that perhaps before the HR Policy of 2000 and the Public Sector Management Act that merit selection in the public service didn't exist. From my knowledge of the workings of the Administration that is an unsound or incomplete picture. There certainly was merit selection and I'm certainly not aware of the words in this detail stage amendment having the negative effects that members are showing concern about

MR GARDNER Not concern Mr Speaker as Mr Adams is alluding to it's more just whether that was the merit selection process that was envisaged this amendment would take its meat from, as that set up under the HR Policy and the Public Sector Management Act, that was all the question was about

MR ADAMS Thank you Mr Speaker if members felt that the amendment would be improved by incorporating those words that Geoff has indicated as is outlined in the Human Resource Policy then I would be comfortable to do that

MR NOBBS There is a definition of merit in the Public Sector Management Act and if selection hadn't been done under that, well... Is it right that you want to put that into your amendment? If people hadn't been selected under that then I would assume that they hadn't been selected under merit selection

MR ADAMS Thank you Mr Speaker I think this is really getting a bit confusing but the point is we can certainly put some words in to indicate that they have been through merit selection under the new Act and the Human Resource Policy or alternatively under the old Act. That ties it in. What we are clearly after here is not having a situation where we've spent a lot of time on merit selection of applicants, we haven't spent a lot of time on selection criteria, we've done all that, got it right and yet we still have a situation whereby the panel themselves can come in the door completely untried, untested and unvetted by the merit selection process. That is simply the aim of the detail stage amendment and it may be that prior to now and the next sitting the words could be improved on so perhaps I could leave it until then, thank you

MR GARDNER There is one area where I can see there being some problem with the proposed amendment and that would be in the selection and recruitment of a CEO. I understand that two members of the Legislative Assembly were members of the selection panel for the CEO. Neither of them that I'm aware of, none of us sitting around the table gained that position through any form of merit selection process that I'm aware so it certainly throws that area into some sort of difficulty

MR BATES Thank you Mr Speaker, what Mr Gardner has just said is not what the amendment says as far as I'm aware. It's saying that if anybody employed in any of the public service or the Hospital or Tourist Bureau, if they are on a panel then those persons must have been merit selected themselves in those jobs but anybody outside the service it doesn't apply to I believe

MR GARDNER I'm sorry. My understanding was for the public sector role. I would imagine that the role of a member of the Legislative Assembly paid by the public purse formed some public sector role

MR ADAMS Thank you Mr Speaker, it may ease Mr Gardner's concern in that respect if we just sort of reiterate or review the first paragraph of Brian's motion that the House recommends that those responsible for recruitment to office, I mean that clearly sets aside paid remuneration within the public sector and the Legislative Assembly

MR SPEAKER Mr Adams, in terms of the prospective amendment that you are talking about we've not actually moved that but we've talked a great deal about it, I don't know whether you want to formalise it in any way at this stage

MR ADAMS Thank you Mr Speaker I think I've taken a beating and I might leave it until the next Sitting and adopt the correct words out of the Human Resource Policy and the Act

MR SPEAKER Thankyou. What we have in front of us now is an original motion and Mr Brown's amendments which have been agreed. Where do you want to go from here

MR GARDNER I would be comfortable in all honesty Mr Speaker if we deal with that. There is freedom at any time to amend a previous motion I would think. I would like it dealt with so we are sending a clear signal that we are pretty serious about this. Get that in place. I don't know whether there are any other selection or recruitment processes in train over the next month and I understand it is now going to be the end of October before we sit again, however, I might be wrong there but I think it clearly sends a message that we would like a change and I would be happy to see the motion with the proposed amendments finalised today and if Mr Adams is keen to pursue his amendment I would be happy to look to that as an amendment to a motion that was passed today at the next sitting if that is at all possible

MR BATES Thank you Mr Speaker I believe there are a couple of recruitment processes very close or in train at the moment and I would certainly like to send the message forward before those selections take place

MR SMITH Thank you Mr Speaker if we are going to deal with this today I have a question about recruiting teachers which is a process that is going on at the moment, whether this puts us in any situation with the employment of mainland teachers

MR BROWN Mr Speaker if it wasn't for Mr Adams proposed amendment I would have thought that we could indeed deal with this today. I accept that Mr Adams proposed amendment has a lot of merit but I also accept that we probably do need to get some advise in particular about it and some advise about my proposed amendments and about the motion itself would not go astray. I would like to move an adjournment to the next normal sitting

MR SPEAKER The question before us Honourable Members is that this matter be adjourned and made an Order of the Day for a subsequent day of Sitting

QUESTION PUT

Would the Clerk please call the House

MR BUFFETT	NO
MR NOBBS	AYE
MR BATES	NO
MR ADAMS	NO
MR McCOY	AYE
MR GARDNER	NO
MR WALKER	NO
MR SMITH	AYE
MR BROWN	AYE

The result of voting Honourable Members the ayes four the noes five, the noes have it. That matter is not adjourned. There is no further debate Honourable Members so I will put the question which is that the motion as amended by Mr Brown's amendment be agreed to

QUESTION PUT
AGREED

That is so agreed

EMPLOYMENT (PUBLIC HOLIDAYS) AMENDMENT BILL 2001

MR SMITH Thank you Mr Speaker I present the Employment (Public Holidays) Amendment Bill 2001 and move that the Bill be agreed to in principle. I table the explanatory memorandum and the Bill. At the conclusion of debate I would like to be able to move aside Standing Orders to allow the Bill to go right throughout all stages today which I will explain. Section 9 of the Employment Act 1988 determines the dates upon which public holidays are to be observed in Norfolk Island. In the past additional public holidays in respect of Queens Birthday and Show Day were determined by the executive Member under section 40(1) of the Public Service Act 1979. This Bill rectifies an anomaly which has arisen with the repeal of the Public Service Act 1979 and allows the executive member to continue to determine public holidays in respect of those two days. The Bill allows the executive member to make determinations under Section 9(1) of the Employment Act 1988 so that matters relevant to the determination of public holidays will be comprehensively covered by the Employment Act 1988. Mr Speaker this is an anomaly which has arisen with the repeal of the Public Service Act 1979. It does refer to Show Day which is not very far away hence my wish to be able to deal with it today.

MR SPEAKER Any further debate? No.

MR SMITH Thank you Mr Speaker and if there is no further debate I move that so much of Standing Orders be put aside as would prevent Bill being passed at this Sitting

MR SPEAKER On a procedural matter, I wonder if you would care to bear this in mind. The Clerk has just drawn my attention to the fact that this refers to a schedule 3 matter. The question before us Honourable Members is that so much of Standing Orders be put aside as would prevent Bill being passed at this Sitting. I now put the question

QUESTION PUT
AGREED

MR SMITH Thank you Mr Speaker I move that the Bill be agreed to in principle

QUESTION PUT
AGREED

Do you wish to dispense with the detail stage

QUESTION PUT
AGREED

That being the case could I have a motion that the Bill in its final form be agreed

MR SMITH

I so move thank you Mr Speaker

MR SPEAKER
agreed

Then I will put that question that the Bill be

QUESTION PUT
AGREED

That Bill is agreed to

ORDERS OF THE DAY

Honourable Members we are now at Orders of the Day. I have been advised that Orders of the Day Nos 1 and 2 are not yet ready to proceed and therefore I will immediately proceed to No 3

EMPLOYMENT AMENDMENT (NO. 3) BILL 2000

We resume debate on the question that the detail stage amendment 3 as proposed by Mr Walker be agreed to and I understand Mr Smith from our last debate you have the call to resume

MR SMITH

Thank you Mr Speaker. This Bill's been around quite a long time for various reasons. One of them was for more serious public consultation which has been taking place even up until just recently. The matter of contention was the minimum hourly rate as Members will recall from our last debate on it that the minimum hourly rate was proposed to be \$9 to increase to \$10 at the 1st July of this year. Mr Walker had proposed some amendments, some of which have been accepted and some which were not agreed to and we are now at the stage where we need to discuss debate or agree what the minimum hourly rate should be. Mr Walker has proposed that a sum of \$7.70 replace the \$10 amount that shows in the amendment Bill. Once we have debated that, I would be moving to adjourn it to the next Sitting purely at the request of the Chamber of Commerce whose meeting I attended when they asked that whatever we determined we leave it sitting on the table until the next Sitting and I said I would be happy to do that subject to what Mr Walker had to say about it and he was at that meeting and agreed that it would be okay but what I would like to really get myself is an indication from members as to whether they still agree that the \$10 minimum hourly rate should be what applies, or I guess Mr Walker's substituted \$7.70, thank you

MR WALKER

Thank you Mr Speaker. We are resuming debate on the third part of my detail stage amendments which is a deletion and substitution type amendment and I would read it here again to ensure that all members are aware of the content. It reads that 1. clause 9 of the Bill becomes clause 8 and 2. the sum of "\$10.00" where it appears in clause 9 of the Bill is deleted and the sum of "\$7.70" is substituted. Mr Speaker because part 2 of my detail stage amendments was

defeated the first sentence or No 1. of the amendment we are now debating must be excised as not applicable as agreed the last time this was debated. However, the second sentence No 2 is still relevant and must proceed to a vote. I did give an explanation as to the reasoning behind the proposed amendment and would simply recap here that because the second part of my detail stage amendment was defeated it would be the case that should this Bill be agreed to, the minimum hourly rate applicable in the Employment Act 1988 will be subject to automatic increase. I'll say that again, to automatic increase each 1st July based on the calculation as set out in clause 9 of the Bill. That is to say the wage rate will be adjusted each year by the relevant movement in the RPI regardless of whether the executive member wishes it to or not. May I just remind members of the consequences already apparent in other areas where the relevant legislation or regulations are tied to the RPI movement. It should also be pointed out that this method of rate adjustment has a self perpetuating effect. The more one item rises in cost the more this affects the next item and so on and therefore the first item becomes affected again. That is to say that we could be instigating a spiraling of costs here within this bill regardless of whether those costs are warranted or not. In most businesses wages form one of the larger of their expenses and unwarranted movements in wages and salaries costs can have devastating effects of the business's viability. The informal and selective telephone poll of employers carried out to ascertain the level of hourly rates being paid to adult persons newly employed in the marketplace on Norfolk Island was just that, an informal and selective poll. This information was gathered to establish whether we had a majority of employers using the minimum wage as their base wage to effectively get employees on the least possible rate of pay. The result showed that most employers were being responsible and reacting to employee demand for higher than minimum rates of pay. There is little relevance between the polls results and the Employment Act minimum rates that are intended for an entirely different purpose to that which is demanded by the employees in the marketplace, that is, the minimum hourly rate is intended to give a safety net to those employees where an employer is endeavoring to take advantage of them. Mr Speaker, we the Legislative Assembly should not be getting into the business of setting award rates within the Employment Act for we could not possibly cover each and every type of skilled and or unskilled employment conditions as would normally comprise the full gambit of an award package for each and every type of employment on Norfolk Island. Whilst it is admirable that some members around this table may wish to increase the minimum hourly rate to match the going market rate it is not practical nor is it the purpose of the Act. It will simply lead to employee demand for the market rate to lift sufficiently that they are receiving a rate which is back to a relevant percentage above the new minimum rate. This will lead to a spiraling effect in the RPI and as a consequence the wage rate will automatically increase further next year and the year after and so on. I would urge all members to consider this Bill very carefully before you agree to pass it in its present form for the consequences will be far reaching and ongoing if it is passed today. Individual wage and salary rates should remain the responsibility of the employer and the employee in a proper industrial relations manner. Not influenced by a third party, the Government. The Government's responsibility is to set the acceptable minimum rate at which the new or unskilled employee is commenced. Before I close on this I wish to foreshadow a further detail stage amendment and request that at the appropriate time I may seek leave to bring it forward

MR SMITH

Thank you Mr Speaker in relation to this Bill and the discussions that have been held with many employers and employees in the community one of the things that I've come to realize and thanks to some members of the Chamber of Commerce who actually made me aware of it, there's been much talk about the market rate that employers work to. What I hadn't realised was that the market rate was only determined through private sector employees so the way it works is an employer who is considered a top paying employer kind of sets the standard and other employees look to that rate which might be \$10 or \$20 an hour, whatever it may be, and they judge as I understand it, that what they would need to pay their employees to retain them so they don't move off to somewhere else. If they are a good employee you

wouldn't want that to happen however, what had been missed out in those theoretical calculations, was the public sector. Now even though it was argued that the public sector has nothing to do with it, of course it does because that is part of the market. Your labour market is everybody who works or is employed whether in the public service or the private sector so when you look at that the public sector has the ability to seek a higher remuneration through the way they do, because the private sector doesn't have that, so if you combine the two you probably really would find that the market rate that is being talked about should be a lot higher so when it comes to making an award type wage as Mr Walker has said, I'm not doing that at all. I'm actually trying to bring into line the private sector minimums to satisfy that general market rate which is the market rate of the private sector and it was a real good point that I hadn't thought about myself. It was only in discussion with employers that we realised that was the case. So what we are proposing here is a lifting up after five or six years of no movement in the minimum hourly rate to something that would have turned out to be if the original amendment to this Act was commenced as the previous Minister Gary Robertson, had proposed at the time with the cost of living being adjusted up, it would have been something close to the hourly rate we are talking about now. I intend to move an adjournment on this but I would very much like to hear from other members before I do that of course and if Mr Walker has another amendment to propose I am quite happy for that to come forward today too if that's applicable

MR BROWN Mr Speaker I'm somewhat stunned at what the Minister with responsibility for employment has just said to us. I wonder whether after all of this time he has still failed to grasp what a minimum wage is. A minimum wage is not a basic wage. It is not an award wage. It is a concept which is in existence virtually world wide in the Western world at least and its not very high. It's a safety net. That's all that it is. In New Zealand I think it's something like \$6 or it certainly was until the present labour Government came to power and they may have done something with that for the same reason George is trying to, in that they might not have understood what it was they were playing with. I'm glad that our Minister is proposing to adjourn this today and I hope that he will take advise from someone who can explain to him what a minimum wage really is and then much of the confusion will disappear because he will not see the need for this minimum wage to be some kind of representation of what the best paying private sector or public sector employer on the Island might pay

MR WALKER If I could just pick up on a couple of things that the minister has put forward and they are this, that he has said that the market rate is set only for the private sector. That is very true. Because it is only the private sector that is affected by part 2. of the Act. The public sector has been exempted from it and so therefore run their own race in so much as industrial relations negotiations and they do that by coming forward to the appropriate Minister here within this House. The private sector doesn't have the luxury of being able to do that. They are set and everything and every move that they make by the Employment Act 1988 and here we are trying to make a comparison of that with the public sector who are able to go through a total negotiation system whereby they have to put up and a Tribunal at the end of it, sits on it. Now we are not saying that we have gone to the Tribunal to do this. We are saying that we've plucked this \$10 rate out of the air because it happens to match what most people are being paid in the private sector right now. That's the only basis I can find for how the \$10 was set. If you go to the RPI movement and take it from right when the \$7 was set which is the minimum hourly rate right now, and these figures were supplied by the Employment Liaison Officer to the Working Group, the highest it could possibly get to now is \$8.29. That's her figure. However we put in the Bill that it was going to be \$9 until the 1st July this year and then go to \$10. It's not relevant. It's just a figure simply picked out of the air and I cannot support something that isn't based on some sort of, at least semi scientific calculation. I really don't think that the Minister has realised the repercussions of setting a minimum hourly rate of \$10 where the market and the personnel employed within that market are going to react. They are already talking about it with some of their employers that if this \$10 happens, they want more than that

because they should be worth more than the minimum rate. Now at the moment they are being paid above the minimum rate. However I'm happy that it is going to be adjourned and I hope that the Minister will take the time to find out what a minimum rate is all about. I have been trying to tell him for some two years and I would like him to look at some of the material that he has been supplied with not just by me and I would like the Working Group to have another look at it because I believe they have just gone along with this number which has been plucked out of the air and I'll leave it at that Mr Speaker

MR SMITH

Thank you Mr Speaker relative to what Mr Walker has just said. The figure that was plucked out of the air was plucked out of the air by Mr Walker. He did a survey of employers throughout Burnt Pine and was able to give me a figure of generally, and he did say this earlier on, of around about \$9 was what people were generally paying but generally above that and from there Mr Walker was on my Working Group of about six people, some of whom were the Employment Conciliation Board who have seen the way some employees are treated within the Norfolk Island workplace. The Employment Working Group took note of the casual survey I suppose we could call it, because it is probably not substantiated by actual figures but they took that as being at least \$9 and that was over a year ago. I'm quite interested in the way things has developed because this has been sitting around for quite a long time and even after nearly 12 months we are still talking about the same numbers. Now anybody who is an employer and if there's any sitting around the table who can say, okay well last month my hourly rate has gone up by a dollar or fifty cents or twenty cents or something I would look forward to hearing about that. So the figure wasn't just plucked out of the air. It is also based and no matter what anybody says about teaching Smith about working out what a minimum wage is etc, it is irrelevant to what we are talking about here. What we are trying to do which was the original intention of the Employment Act was to stop employees being abused because it does happen. Has happened for a long time. My personal belief and assessment is that \$10 an hour on Norfolk Island is appropriate for our own people. What does happen is that people will replace paying somebody local at a reasonable rate with people they can bring in. That's the sadness of it and that does happen and I know that happens as does Mr Walker who is on the Employment Conciliation Board. Probably most hard working residents get paid more than what is being called the market rate. I don't know exactly how much the market rate at this moment is but there is probably good local employees who get more than \$10 per hour. This is not about ignoring the commercial reality of what happens in the Norfolk Island industry. It's about looking after the people who do have and giving them an appropriate minimum hourly rate for what they do. It is so important to the industry here. It has been \$7 for years and it is time its changed. I think its six years. It may be only five years. Probably where we've been slack is that we haven't adjusted it every year because there then wouldn't be any fuss if it went up \$1 every year. We would probably be above what we are talking about today but every time it comes up, and I remember this discussion and I think it was Mr Adams actually when he was a Minister raised it from \$5 to \$7 many years ago that of course employers would complain especially if they are paying less than \$9 an hour and there are employers who do that. And whilst they can, good on them. There's nothing illegal about that until we set the rates at a higher rate where it makes it worthwhile for somebody in our community to get at least what they deserve. I appreciate all the arguments that have been given about of course, there would be some people who possibly aren't worth that sort of money and do get employment. I recognize that. I recognize also that children which under the Act is anyone under the age of 18, may be at a disadvantage if we put this up, like they might not get the hours that they did if they retained their work at all, but I would rather take that risk of doing that and bringing the minimum hourly rate up to something that is reasonable, thank you

MR WALKER

Thank you Mr Speaker I would just like to remind members that I started my debate on this subject by saying that the Legislative Assembly the last time we debated it defeated my second part of my amendment and so therefore you took away any hope of commonsense prevailing when it gets to the 1st July next year or the year after that or the year after that and the RPI will just take over so

whatever rate you set now is going to go up every year by the RPI regardless. Please bear that in mind. We've seen it happen in other areas where suddenly those rates are out of the proportion to what they should be and I am tying my amendment into the fact that you defeated me on changing the word "must" to "may" and so "must" now is in the Bill if the Bill and so therefore that calculation under the RPI system will happen. It must happen. It says "must" happen so we are not just setting \$10 for this year, we are already past the 1st July, it will be \$10 as of now and it will change as at the 1st July next year and the year after that and the year after that regardless of what the economic situation of Norfolk Island is and I would just ask you to consider that when you are thinking about supporting that this amendment be defeated

MR NOBBS

Thank you Mr Speaker I just want to make a very quick comment in relation to this that firstly I think Mr Walker earlier mentioned about the minister and the public service pay rise. The Minister and the public service can agree, disagree, argue, they can argue with the Legislative Assembly, the three parties or the two against two, one against one or whatever you want to. The bottom line is that they do not set the wages for the Administration employees, the Tribunal does and maybe, and just maybe, the Chamber of Commerce might think about setting a Tribunal arrangement or ask us to set a Tribunal arrangement in place to set salaries for themselves. I don't know but that's a suggestion. The other thing is that whilst we have a figure here that was mentioned I think you will find that at the 1st July the figure would be about \$8.42 which is 70% which would give \$5.89 for a junior at 70% so if we keep putting it off we will soon end up with \$10 and everybody should be happy then but I would prefer us to get it over and done with as quickly as possible because it's been sitting around for a number of years as you know

MR BATES

Thank you Mr Speaker I need to take issue with Mr Walker over one comment that he emphasized just a few moments ago and its if you make it \$10 now and the RPI increases in July then the following July regardless of what we do the matter will get out of hand. I need to point out to Mr Walker that if what he says is the case and the minimum wage becomes unrealistic through this mechanism we always have the ability to amend the legislation. Any legislation that is not serving the purpose can be amended by this House and if that catastrophic event that Mr Walker is talking about happens we have the ability to fix it so I believe that, that aspect of it does not carry the weight that he has endeavoured to make it carry here today and I would also point out that it would be nice to have a little input from the employees who have to live here with the very high cost of living and a little bit less input from some of the employers around this table

MR McCOY

Thank you Mr Speaker. I agree with what Mr Bates has just said and that's along the same lines as what I was about to say, that if there is an issue with the word "must" and it should be "may" well that amendment can be made at an appropriate time. I actually supported Mr Walker's amendment to include the word "may" because the difficulty I have with the word "must" is that if the RPI comes down the executive member must reduce the minimum wage but if the word may was left in there well the executive member has the ability to determine and consider whether he should reduce the minimum hourly rate if it comes down. Of course if it goes up then the executive member would have the ability to consider whether he should increase the minimum hourly rate in line with the RPI. The Minister with responsibility for Employment, Mr Smith, has been criticized I guess to a degree because some say that he does not understand the minimum hourly rate or what he is trying to achieve and we should look at it more carefully than what Mr Smith has done, but it is interesting when you look at the Grants Commission and when you look at the household expenditure survey that was carried out in 1995 and the average household expenditure back in 1995 was \$691.33. If you do an approximate 7% increase over the last five years you would find that the average household expenditure has increased to somewhere around \$739 per week. A person who is working 40 hours on \$7.70 who achieves \$308 a week, they would have to be a couple living together to meet the average household expenditure

and I dread to think what it must be like for a young couple who has a family if they are only earning \$8 per hour because some employers will do the right thing and pay the employees a little more than the minimum rate so it becomes I believe somewhat difficult for a person who is on even \$8 an hour to survive in the environment that we are putting them in here on Norfolk Island and with the average household expenditure per week that they are faced with. A lot of those costs come every month without fail from the Administration so I would support any increase in the minimum wage and I wouldn't support the amendment that has been proposed to remove the \$10 and to allow it to go back to a \$7.70 minimum. I appreciate that some employers will pay their employees a relative salary but some don't and unfortunately the ones who do the right thing in a lot of cases are penalized by the ones who don't

MR BROWN

Mr Speaker I've heard some fascinating things said this afternoon. Our Minister for Myopia has told us that average expenditure equals minimum expenditure. They are different things Mr Speaker. You get to an average by taking account of everything, the minimum to the maximum. There is no way that the minimum expenditure in a household on Norfolk Island is \$739 because unless people take up robbing banks not everyone has that sort of money. We've heard all kinds of suggestions that there should be not only a guaranteed income but a guaranteed protection against increases in the RPI for employees. I haven't heard any suggestion that those who are the employers should be guaranteed an income in some fashion and I can tell you there are plenty of employers who are not ending up with \$10 per week. I'm sorry. \$10 per hour at the end of each week. The Retail Price Index is affected by things such as deliberate decisions made here. For example, not that many years ago we increased the taxes on liquor and cigarettes and do you know what happened, the public service came along and said to the Ministers, listen costs have gone up and the Ministers said oh my dear boys, run away and have a pay increase and went off to the Tribunal and supported it. Now we are being told that those who are employees in the private sector shouldn't pay tax increases themselves either. Now whose going to be left to pay them. The employers alone. I can tell you that although you I may think it's a golden mile up there, there are plenty of them who are doing it tough. Particularly in times like the present. You can't increase a tax and then take a view that no-one in the community should pay the increase. A deliberate tax increase is a deliberate tax increase that must be paid by everyone. There has been absolutely no understanding in the preparation of this Bill of the hospitality industry and the various industries that support it. If you wish to go back to having supermarkets open only five days per week, and if you wish them to only be open from 9 to 5, well by all means go ahead with this insane Bill. If you wish other employers on the Island instead of planning to keep the size of their work force as low as possible to plan to make it much larger so that people can be employed on the basis that they can be rostered for 35 hours per week and then if they are called in for an extra five hours in the week it won't cause penalties to apply, and if you are not going to care about any consequent increase in the number of TEP's then go ahead with this type of Bill, but you've got to understand that other parts of the developed world realised two things about the tourist industry. One is that they can't live without it and the other is that where people are required to work split shifts, where for various reasons they can be required to work more than eight hours in any one day, where for various reasons they can be required to work more than 40 hours in any one week, then this Bill tears the innards out of that industry because once people are outside of their normal working week you are going to be wanting them to get \$15 an hour not \$10. Now you've got to take account of all of these things. You've got to realise that it's all very well to sit there and say gee, \$7.70 doesn't sound very much, but for heaven's sake all of you go away and find out what a minimum wage really is. Take your blinkers off and look at the potential adverse consequences of this Bill. Recognise that although you may want to find around every corner an employee whose been mercilessly ripped off, there are very, very few of them and I can tell you there are far more employers that have been ripped off by people such as doctors signing sickness certificates without employees being sick at all in the first place, things such as our Workers Compensation Scheme being ripped off in a similar fashion

MR BATES Point of Order Mr Speaker I think some of those accusations are quite improper, especially about doctors

MR BROWN I stand by them and if members wish to remove me that's fine

MR SPEAKER Yes, I'm not too sure that they contravene Standing Orders as I interpret them at this moment Mr Bates

MR BROWN But my point Mr Speaker is, this is apparently to be adjourned again today, I think it really needs to start again. I think it has not been progressed with an understanding of the way the world works and it has not been progressed with an understanding of the things that Governments can do to make the world not work and passing this Bill would be one of them thank you

MR SMITH Thank you Mr Speaker. This is really good debate. It is democracy at work. We have employers arguing the opposite case which is good and I don't object to that at all. Mr Brown made a comment and I just wonder if he realises what he said that with this Bill this is going to change it so people who want to work more than 40 hours per week will be penalized by this Bill. At the moment time and a half already applies to people who work more than 40 hours per week. The Employment Act has not changed that at this point in time. If there are employers who are employing people and not paying their workers who have worked for more than the standard 40 hours in the week already in the Act well then they are contravening the Act as are people who haven't understood the Act for a long time which has become quite obvious from some of the things that come out of the Conciliation Board, out of the Tribunal, even at a public meeting, the Chamber of Commerce meeting where employers have stood up and said well this is how I do it. They obviously weren't aware of how the Act already stands and we sent information out to the Chamber of Commerce and to employers to bring themselves up to date with just what the Act requires because no matter what Gary had proposed in the previous Legislative Assembly and what we have done here, nothing has changed with the original Employment Act so the overtime provisions still stand. Of course there are interpretations of the overtime provision where an employer might be paying \$7 and then if they do more than 40 hours they get paid half again of their \$7 which brings it up to around \$10 I think is considered the overtime rate and there are other cases where employees do not get paid for public holidays. There's a lot of things that don't happen as the Act stands today but I just wanted to clarify that point. I would also like to say that yes, I do understand the tourism industry. I do know what is right and what is wrong as far as the rate that people get paid. I do know that the cost of living has gone up a lot as we all know that, in the past five years since the minimum hourly rate went up. I do understand the concept of minimum rates. I do also understand from discussions with employers what the market rate is and how it is worked out. I've proposed what I have and I am looking for support around the table for a similar view and if that view is not there we have until the next Sitting to propose changes to that. There are other things that I will be changing when it comes to the next Sitting if we have a Draftsman to do it, and that's to make some other changes where the Administration will be able to go and inspect what employees are being paid to make sure that they do satisfy even the current Act. Now that may be considered to be a bit controversial but there are things that do happen that need fixing and that's what I'm proposing to do and one of the reasons why I want to adjourn the debate today and we might be getting to the stage where I should adjourn anyway Mr Speaker because this debate could go on for two or three hours longer if we get deeply into it and I so move that

MR SPEAKER The question before us Honourable Members is that this matter be adjourned and made an Order of the Day for a subsequent day of Sitting

QUESTION PUT
AGREED

The ayes have it and that matter is so adjourned

FIXING OF THE NEXT SITTING DAY

MR ADAMS Thank you Mr Speaker I move that the House at its rising adjourn until Wednesday 24 October 2001 at 10 am

MR BROWN I seek to move an amendment. Could I move that Wednesday 24 October be changed to Thursday 25 October and I would speak to that if that is appropriate

MR SPEAKER Thank you. Is leave granted for that amendment. Leave is granted

MR BROWN Mr Speaker the normal date for our next meeting would be Wednesday 17 October. There has been a suggestion this morning that be changed to Wednesday 24 October and perhaps that is to ensure that people don't have too much to say just one week before the referendum but Wednesday 24 October if my recollection is correct is the day of the referendum and if we postpone our meeting by one day to Thursday 25th we will know the result of the referendum and we will know whether either the Legislative Assembly is about to come to an end or whether it is to continue for a further period and if it is to continue for a further period well at that stage we have to make such arrangements as may be necessary in order to ensure that it works, thank you

MR ADAMS Thank you Mr Speaker that shift in date from 24th to 25th puts me in a position this far out where I need to seek leave of the House because I will not be able to attend that date, thank you

MR BATES Thank you Mr Speaker prior to the meeting I was assured that the need to shift from the 17th to the 24th was for the attendance of certain Members. I haven't had that explained here but I understand that some Members cannot attend on the 17th and a request had been made to change the date to the 24th to allow attendance and on that basis I'm quite happy to support the motion. I don't see that playing around, if the referendum is such that we have to meet prior to our normal November meeting I'm sure that can be arranged

MR SPEAKER Yes, could I confirm in discussion with Members that the change wasn't an effort to address any referendum question. It was really the prospective attendance of Members. There was one certainty as not being able to attend in that time frame unless there was an adjustment with a prospect of another and so there was an effort to ensure that all people might be there. If we make the adjustment that is proposed Mr Brown it appears that we will drop out one other member in that context too. The earlier aim had been to allow all of the Members to be present

MR BROWN Mr Speaker if indeed the purpose of the change was to facilitate the presence of one Member and if the change I'm proposing would cause another Member to not be able to be present well obviously the amendment that I am proposing would not be productive nor would remaining at the 17th October be productive. I'm happy to accept what Mr Bates has said, after all any three Members can cause a meeting of the House to be convened but I do hope that the purpose of the proposed change to the 24th is indeed only to facilitate the presence of all of the Members

MR SPEAKER Yes Mr Brown if I might just confirm that. I was one of the ones who was doing the rounds to see if Members were comfortable about changing for that very purpose and I confirm that to you

MR BROWN Thank you. In that even I withdraw my amendment

MR SPEAKER Honourable Members we have in front of us the 24th October and I put the question

QUESTION PUT
AGREED

Any abstentions. The ayes have it thank you

ADJOURNMENT

Honourable Members we now have adjournment

MR BROWN Mr Speaker Members will be pleased to know that I move that the House do now adjourn

MR SPEAKER Thank you Mr Brown. Is there any adjournment debate

MR BATES Thank you Mr Speaker. Earlier today you spoke about the recent events in the United States and the recent CPA Conference in Darwin, Melbourne and Canberra. Members may also be aware that our Clerk Mrs Adams also attended the Canberra sector in an official capacity and also as a member of the local branch of CPA. You also acknowledge that a resolution was passed condemning the terrorist action and conveyed to the American Embassy by yourself and one other person. In addition to that words of condolence were offered and all delegates invited to add their names to those words of condolence. This I believe was to be sent direct to the President of the United States. I am aware that Mr Brown, Mrs Adams, as well as myself all added our signatures to that message of condolence as representatives of this community, thank you

MR SPEAKER Thank you Mr Bates for the elaboration there and indeed I confirm that all of those who attended subscribed their names to the condolence book. Thank you Mr Bates for that. Further participation

MR McCOY Thank you Mr Speaker, I didn't become involved in the discussion or debate regarding the 24th October but I am one of the Members who will not be present for that meeting on the 17th or could not have been available. I've been planning a holiday for some time and I had every intention to advise the Members and also advise the community of my intentions to travel on Sunday the 30th and I felt that I must make this statement at this time so that people in the community and also members around this table do not feel that I'm running away from some of the issues that have arisen over the last week. It's been ten years since I had a holiday. I've been off Island on a number of occasions but every one of those occasions have been to promote tourism for Norfolk Island over the last ten years. I've foot slogged in New Zealand and also in Sydney to promote Norfolk Island as a tourist destination. A lot of people think that when you go on these trips its another gravy train but in actual fact, for anyone who would be willing to put their name forward and act in a voluntary capacity such as I have done, they will find that there is a lot of work involved. You do return to Norfolk Island actually worn out, especially if you've been on a ten day road show where you have to be at venues scattered all over New Zealand prior to 7 am.

Also Mr Bates mentioned the terrorist attacks in America. There's been a lot made of trying to track down the terrorists, but I know we are only a small place in the Pacific, we are only a small Parliament but I believe there were a number of people aboard the plane that crashed in Pittsburgh who through their efforts to overcome the terrorists, possibly saved thousands more Americans from being killed in those terrorists attacks, and I have been considering over the last few weeks if there was any way that the Norfolk Island Government could make some recommendation to the American Embassy in Australia that some posthumous award or recognition of the efforts of those brave people who took it upon themselves to put their lives on the line to save possibly thousands of others, and I just put that to the members

MR SPEAKER Thank you. Debate. No further debate
Honourable Members. I put the question to you that the House do now adjourn

QUESTION PUT
AGREED

The ayes have it. This House Honourable Members stands adjourned until Wednesday 24 October at 10 o'clock in the morning

