

**NORFOLK ISLAND
ELEVENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 17 AUGUST 2005**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
LEWNTH LEJESLIETEW 'SEMBLE
WENDSI 17 ORGAS 2005**

1. Legislative Assembly met at 10.01am, the Speaker, Hon David E. Buffett AM, took the Chair and read the Prayer.

2 **CONDOLENCES**

Mr Tim Brown, Deputy Speaker, recorded the passing of –

Marguerite McCrae
Fritz Karl Wilhelm Tiedke
Ian Bruce Cowan
Edna Madeline Noonan

As a mark of respect to the memory of the deceased all Members stood in silence

3 **QUESTIONS WITHOUT NOTICE**

The Speaker welcomed students from the Norfolk Island Central School representing the Youth Assembly

4 **PAPERS**

Mr Nobbs, Minister for Finance –

- a) Road Traffic (Road Safety Committee) Regulations 2005;
 - b) Financial Indicators for June 2005
- Mr Nobbs moved -

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- c) Liquor Bill 2005 dated 12 August 2005
- d) Business Transactions (Levy Imposition) Bill 2005
- e) Business Transactions (Administration) Bill 2005

5 **MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR**

The Speaker reported **Message No. 16** from the Administrator advising that on 22 July 2005 he declared his assent to the Sale of Tobacco (Amendment) Act 2005

The Deputy Speaker took the Chair at 10.56 am

6 **ADDITIONAL EXECUTIVE OFFICE**

Mr Christian moved –

THAT this House, in acknowledgement of the need for the appointment of an additional executive member for the period 17 August 2005 to 31 January 2006, resolves to amend the resolution passed by the Legislative Assembly on 27 October 2004 relating to executive offices in the Eleventh Legislative Assembly:

- a) **By deleting “4” and substituting “5” in paragraph 2.; and**
- b) **Designating the additional executive office as “Minister for Air Services”**

Debate ensued

Question put

The House voted –

AYES, 4

Mr Buffett

Mr Christian

Mr Tim Brown

Mr John Brown

NOES, 5

Mr Gardner

Mr Sheridan

Mr Nobbs

Mrs Jack

Mrs Boudan

Motion negatived

7 CARRIAGE OF MAIL TO AND FROM NORFOLK ISLAND

Mr Brown, Minister for Community Services, pursuant to notice, moved –

THAT this House requests the Minister for Finance to promptly take such action as may be necessary in order to ensure that mail from Norfolk Island to Australia be carried on the charter flights which are currently operated by the Norfolk Island Government

Debate ensued

Question put and agreed to on the voices, Mr Nobbs dissenting

8 PUBLIC SECTOR MANAGEMENT ACT 2000 – RE-APPOINTMENT OF DEPUTY TO MEMBER OF THE PUBLIC SERVICE BOARD

Mr Nobbs, Minister for Finance, pursuant to notice, moved –

THAT this House, in accordance with subsection 11(1) of the Public Sector Management Act 2000, recommends that the responsible executive member re-appoint Leanne Schmitz to be deputy of the member of the Public Service Board appointed under paragraph 10(1)(a), for the period 20 August 2005 to 19 August 2007

Question put and agreed to on the voices

9 FUEL LEVY ACT 1987

Mrs Boudan, pursuant to notice, moved –

THAT this House requests the Minister for Finance to bring to the House at its next sitting a Bill to amend the Fuel Levy Act 1987 to amend subsection 8(1) by increasing the fuel levy to twenty five cents per litre effective from 1 October 2005

Debate ensued

Mr Nobbs, Minister for Finance, moved –

THAT the debate be adjourned

Question put and negatived on the voices

Question – That the motion be agreed to – put and negatived on the voices

10 CONTRIBUTION TO COST OF MEDICAL EVACUATIONS

Mrs Boudan, pursuant to notice, moved –

THAT the responsible executive member bring to the House legislation to amend the *Healthcare Act 1989* to provide that any eligible member under the Act who is required to be transported from Norfolk Island by emergency medical evacuation other than by regular passenger transport shall contribute to the cost of the medivac.

The cost of that contribution shall not exceed a sum equivalent to an airfare to the port where the medical treatment is to be provided and shall be payable for the patient and any Norfolk Island based escort(s).

The cost of the airfares payable for the patient and the Norfolk Island based escort(s) to return to Norfolk Island is the responsibility of the patient

Debate ensued

Debate adjourned (Mr Brown, Minister for Community Services), and the resumption of debate made an Order of the Day for a subsequent day of sitting

The Speaker resumed the Chair at 12.55 pm

MOTION BY LEAVE – SEIZURE OF “BOOM BOXES” IN MOTOR VEHICLES

Mr Brown sought leave to move a motion relating to the seizure of “boom boxes” in motor vehicles
Leave denied on the voices

The Speaker suspended the sitting at 12.58 pm until 2.15 pm

The House resumed at 2.00 pm, the Speaker taking the Chair

11 PUBLIC MONEYS (AMENDMENT) BILL 2005

Mr Nobbs, Minister for Finance, pursuant to notice, presented a Bill for an Act to amend the Public Moneys Act 1979 and moved –

That the Bill be agreed to in principle

Debate ensued

Debate adjourned (Mr Nobbs) **and the resumption of debate made an Order of the Day for a subsequent day of sitting**

12 TOURIST ACCOMMODATION (AMENDMENT) BILL 2005 – DECLARATION OF URGENCY

The Speaker reported that the Business Committee under standing order 158 had declared that the Tourist Accommodation (Amendment) Bill 2005 shall be declared urgent and its passage expedited

13 TOURIST ACCOMMODATION (AMENDMENT) Bill 2005

Mr Gardner, Chief Minister, pursuant to notice, presented a Bill for an Act to amend the Tourist Accommodation Act 1984 and moved –

THAT the Bill be agreed to in principle

Debate ensued

Question put

Bill agreed to in principle on the voices

Leave granted to dispense with the detail stage

Mr Gardner moved –

THAT the Bill be agreed to

Question put

Bill agreed to on the voices

14 ROAD TRAFFIC (AMENDMENT NO. 2) BILL 2005

Mr Nobbs, Minister for Finance, pursuant to notice, presented a Bill for an Act to amend the Road Traffic Act 1982 and moved –

That the Bill be agreed to in principle

Debate ensued

Debate adjourned (Mr Nobbs) **and the resumption of debate made an Order of the Day for a subsequent day of sitting**

15 LEGAL PROFESSION (AMENDMENT) BILL 2005

Mr Gardner, Chief Minister to present a Bill for an Act to amend the Legal Profession Act 1993 and for related purposes and moved –

That the Bill be agreed to in principle

Debate ensued

Debate adjourned (Mr Gardner) **and the resumption of debate made an Order of the Day for a subsequent day of sitting**

HEALTHCARE (AMENDMENT NO. 3) BILL 2005 – DECLARATION OF URGENCY

The Speaker reported that the Business Committee under standing order 158 had declared that the Healthcare (Amendment No. 3) Bill 2005 shall be declared urgent and its passage expedited

16 HEALTHCARE LEVY (AMENDMENT NO. 2) BILL 2005

Mrs Boudan, pursuant to notice, presented a Bill for an Act to amend the Healthcare Levy Act 1990 and moved –

THAT the Bill be agreed to in principle

Debate ensued

Question put

Mrs Jack, Minister for the Environment, moved –

THAT the debate be adjourned

Question put

The House voted –

AYES, 4

Mr Sheridan

Mr Nobbs

Mrs Jack

Mr Tim Brown

NOES, 5

Mr Buffett

Mr Gardner

Mr Christian

Mrs Boudan

Mr Brown

Motion negatived

Question – That the Bill be agreed to in principle – put

The House voted –

AYES, 6

Mr Buffett

Mr Gardner

Mr Nobbs

Mr Christian

Mrs Boudan

Mr Brown

NOES, 3

Mr Sheridan

Mrs Jack

Mr Tim Brown

Bill agreed to in principle

Leave granted to dispense with the detail stage

Mr s Boudan moved –

THAT the Bill be agreed to

Question put

The House voted –

AYES, 6

Mr Buffett

Mr Gardner

Mr Nobbs

Mr Christian

Mrs Boudan

Mr Brown

NOES, 3

Mr Sheridan

Mrs Jack

Mr Tim Brown

Bill agreed to

17 ASSOCIATIONS INCORPORATION BILL 2005

Mr Gardner, Chief Minister, pursuant to notice, presented a Bill for an Act to provide for the Incorporation of certain Associations, and for matters incidental thereto and moved –

That the Bill be agreed to in principle

Debate ensued

Debate adjourned (Mr Gardner) **and the resumption of debate made an Order of the Day for a subsequent day of sitting**

18 NORFOLK ISLAND SUSTAINABILITY LEVY BILL 2005

Mr Nobbs, Minister for Finance, pursuant to notice, presented a Bill for an Act to provide for the on-going sustainability of the society and economy of Norfolk Island and moved -

That the Bill be agreed to in principle

Debate ensued

Mr Nobbs moved –

THAT the debate be adjourned

Question put

The House voted –

AYES, 5

Mr Buffett

Mr Gardner

Mr Sheridan

Mr Nobbs

Mrs Boudan

NOES, 4

Mr Christian

Mrs Jack

Mr Tim Brown

Mr John Brown

Motion agreed to

- 19 PROCUREMENT OF FULL-TIME COUNSELLING SERVICE FOR NORFOLK ISLAND**
Debate resumed(Mr Sheridan) from 20 July 2005 on the question – That the motion be agreed to

Question put and agreed to on the voices, Mr Brown abstaining

- 20 FIXING OF THE NEXT SITTING DAY**

Mrs Boudan moved -

THAT the House at its rising adjourn until Wednesday 21 September 2005 at 10 am

Question put and agreed to on the voices

- 21 ADJOURNMENT**

Mr Christian moved -

THAT the House do now adjourn

Question put and agreed to on the voices

AND THEN the House at 4.37 pm adjourned until Wednesday 21 September 2005 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present