

**NORFOLK ISLAND  
ELEVENTH LEGISLATIVE ASSEMBLY  
MINUTES OF PROCEEDINGS  
WEDNESDAY 18 & 26 OCTOBER 2006**

**NORF'K AILEN  
DIISEM MENETS LARNEN WATHING HAEPN  
INAA  
LEWNTH LEJESLIETEW 'SEMBLE  
WENDSI 18 & 26 OKTOEBA 2006**

1 The Legislative Assembly met at 10.02 am, the Speaker, Hon Geoff Gardner, took the Chair and read Prayers

**2 LEAVE OF ABSENCE FOR MR TIM BROWN MLA**

Leave of absence from the sitting was unanimously extended to Mr Tim Brown MLA

**3 CONDOLENCES**

Mr Tim Sheridan recorded the passing of –

**John Charles Kilbourne  
Jemima Laurie Quintal  
Jeffrey William Ryan**

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

**4 QUESTIONS WITHOUT NOTICE**

On the motion of Mr Nobbs time for questions without notice was extended for 5 minutes

**5 PRESENTATION OF PAPERS**

The following papers were presented:

Mr Christian, Minister for Finance –

- a) Customs Act 1913 – exemptions from duty authorised by Minister for Finance
  - b) Financial Indicators for September 2006
- Mr Christian moved –

**THAT the House take note of the paper**

Debate ensued

Question put and agreed to on the voices

**6 STATEMENTS**

- (1) Mr Christian, Minister for Finance, provided an update on collection of the Norfolk Island Sustainability Levy and on progress with forward financial planning in line with the Econtech economic model;  
Mrs Jack, Minister for the Environment, moved –

**THAT the House take note of the statement**

Debate ensued

Question put and agreed to on the voices

- (2) Mr Brown, Minister for Community Services, reported that drafting instructions are being prepared for a compulsory superannuation scheme for the Island along the lines of the Australian model;

- (3) Mr Buffett, Chief Minister, advised that the recruitment process for the office of Chief Executive Officer has commenced;
- (4) Mr Brown, Minister for Community Services, advised of his intention to reintroduce the Social Services legislation withdrawn from the House earlier this year; the new Bill will incorporate the recommendations of the Impact of Bills Committee in its Report as well as a number of other recommendations contained in the earlier Report of the Social Services Committee

## 7 COURT OF PETTY SESSIONS ACT 1960

Mr David Buffett, Chief Minister, pursuant to notice, moved –

**THAT for the purposes of section 73 of the Court of Petty Sessions Act 1960, the House resolve to appoint**

**Wayne Daniel Richards**

**for the purposes of section 73 of the Act, as a person to whom will be transmitted all information, examinations, depositions, statements, recognisances and other documents worn, taken or acknowledged in a case**

Debate ensued

Question put and agreed to on the voices, Mrs Jack being absent from the Chamber

## 8 CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

Mr Christian, Minister for Finance, pursuant to notice, moved -

**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**  
**Goods**

**Column 2**  
**Importer**

Shorts and socks  
amount of duty applicable \$297.00  
Training and heartstart machine  
Equipment - amount of duty  
applicable \$222.69  
Physiotherapy Table  
- amount of duty applicable \$350.00

Norfolk Island Junior Rugby League  
St John Ambulance  
Norfolk Island Rotary Club  
Condition: Donation to Norfolk Island Hospital

Debate ensued

Question put and agreed to on the voices, Mrs Jack being absent from the Chamber

## 9 SOCIAL SERVICES ACT 1980 – RE-APPOINTMENT OF COMMUNITY MEMBERS OF THE SOCIAL SERVICES BOARD

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

**THAT for the purposes of section 8 of the Social Services Act 1980 this House resolves to recommend to His Honour the Administrator that under sections 4 and 6 of the Act that he re-appoint –**

**Dale Frances Hogden; and  
Thomas Leslie Lloyd,**

**as community members of the Social Services Board for a period of 3 years commencing on and including 15 October 2006**

Debate ensued  
Question put and agreed to on the voices

**10 LISTING OF KAVHA ON NATIONAL HERITAGE AND WORLD HERITAGE LISTS**

Mr Nobbs, pursuant to notice, moved:

**THAT this House, in relation to the Kingston and Arthur's Vale Historical Area (KAVHA), not give further consideration to any proposal to nominate KAHVA on either the National Heritage or World Heritage Lists until such time as the current officially approved KAVHA Conservation Management Plan (dated it is understood 1988) has been revised and the revised document has been the subject of a formal approval process which includes an in-built appeal mechanism**

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

**11 CUSTOMS (AMENDMENT NO. 2) BILL 2006**

Mr Brown, Minister for Community Service, pursuant to notice, presented a Bill for an Act to amend the Customs Act 1913 and moved –

**THAT the Bill be agreed to in principle**

Debate ensued

**Mrs Jack, Minister for the Environment, absented herself from the Chamber due to pecuniary interest in the matter**

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

**Mrs Jack returned to the Chamber**

**12 DEPARTURE FEE (AMENDMENT) BILL 2006**

Mr Brown, Minister for Community Service, pursuant to notice, presented a Bill for an Act to amend the Departure Fee Act 1980 and moved –

**THAT the Bill be agreed to in principle**

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

**13 HEALTHCARE LEVY (AMENDMENT NO. 2) BILL 2006**

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

**14 NORFOLK ISLAND SUSTAINABILITY LEVY (AMENDMENT NO. 2) Bill 2006**

Mr Christian, Minister for Finance, by leave, presented a Bill for an Act to amend the Norfolk Island Sustainability Levy Act 2006 and moved –

**THAT the Bill be agreed to in principle**

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

**15 GREENWICH UNIVERSITY (REPEAL) BILL 2006**

Debate resumed (Mrs Jack, Minister for the Environment) from 20 September 2006 on the question – That the Bill be agreed to in principle

**Paper:** Mrs Jack tabled a print out from the website of the Commonwealth Department of Education, Science and Training dated 18 October 2006 and titled Alert on Greenwich University

Mrs Jack moved –

**THAT the question be put**

Question – That the question be put – put

The House voted –

**AYES, 4**

**Mr Gardner**

**Mr Nobbs**

**Mr Christian**

**Mrs Jack**

**NOES, 4**

**Mr Buffett**

**Mr Sheridan**

**Mrs Boudan**

**Mr John Brown**

Motion negatived

Mr Brown, Minister for Community Services, moved –

**THAT debate be adjourned**

Question put

The House voted –

**AYES, 5**

**Mr Gardner**

**Mr Buffett**

**Mr Sheridan**

**Mrs Boudan**

**Mr John Brown**

**NOES, 3**

**Mr Nobbs**

**Mr Christian**

**Mrs Jack**

Motion agreed to

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

**16 HEALTHCARE (AMENDMENT NO. 2) BILL 2006**

Debate resumed (Mr Brown, Minister for Community Services) from 20 September 2006 on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle on the voices

**Detail stage:**

Mr Brown moved the following detail stage amendments dated 12 October 2006:

**THAT following clause 4 of the Bill the following be inserted –**

**“Amendment of section 7 of the principal Act**

**5. For subsection 7(2)(b) of the principal Act substitute**

**“ (b)The Medical Evacuation Fund , the moneys directed to be paid by –**  
**(i) the *Healthcare Levy Act 1990*, paragraph 20(1)(b)**

Debate ensued

Amendment withdrawn by leave

Mr Brown moved –

**THAT the Bill be agreed to**

Question put

Bill agreed to on the voices

**17 BANKRUPTCY BILL 2006**

Debate resumed (Mr Nobbs) from 20 September 2006 on the question – That the Bill be agreed to in principle

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

**18 SOCIAL SERVICES (AMENDMENT) BILL 2006**

Debate resumed (Mr Brown, Minister for Community Services) from 21 June 2006 on the question – That the Bill be agreed to in principle

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

**19 JURIES (AMENDMENT) BILL 2006**

Debate resumed (Mr Nobbs) from 15 March 2006 on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle

**Detail stage:**

Mr Nobbs moved the following amendments dated 13 October 2006:

**That the following clauses be inserted after clause 4 of the Bill –**

**Exempt persons - amendment to section 10**

5. Paragraph 10(q) of the principal Act is amended by substituting "70" for "60".

**Revision of jury list – amendment of section 17**

**6. Following subsection 17(1), insert –**

**“(1A)The name of a person who has claimed exemption under paragraph 10(q) must not be inserted into the jury list unless the person elects to have his or her name so inserted.”**

Debate ensued

Question – That the amendments be agreed to – put and agreed to on the voices

Question – That the remainder of the Bill be agreed to – put and agreed to on the voices

Mr Nobbs moved –

**THAT the Bill as amended be agreed to**

Question put

Bill as amended agreed to on the voices

**20 BOOKMAKERS (BETTING EXCHANGE) AMENDMENT BILL 2006**

Debate resumed (Mr Christian, Minister for Finance) from 16 August 2006 on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle on the voices

**Acting Deputy Speaker Sheridan took the Chair at 2.07 pm**

**The Speaker resumed the Chair at 2.12 pm**

**Detail stage:**

Mr Christian moved the following detail stage amendments dated 14 October 2006:

1. In subclause 5(a) insert after the definition of “player” –

“regulatory Agency” includes the Authority and an Agency of a State or Territory charged with the regulation of betting by means of the internet;”.

2. In clause 7
  - (a) Delete proposed paragraph 19C(b) and renumber paragraph (d) as (b);
  - (b) Amend proposed paragraph 19D(d)(ii) by deleting the words after "Australia";
  - (c) Delete proposed paragraph 19D(n) and re-number the following paragraphs accordingly; and
  - (d) Delete clause 19E.
  - (e) In subclause 19M(7) delete "[Note this is not yet passed]"
  - (f) Amend the amount "10,000" to "1000" in each of subclauses 19 F, G, H, K, L, M, V, and W.

Question – That the amendments be agreed to – put and agreed to on the voices

Question – That the clauses as amended be agreed to – put and agreed to on the voices

**The Speaker suspended the sitting at 2.20 pm until 10 am on Wednesday 26 October 2006**  
**The House resumed at 10.02 am on Wednesday 26 October 2006, the Speaker taking the Chair**

Debate resumed

Mr Christian moved –

**THAT –**

- 1) **The motion of this House agreed to on 18 October 2006, namely – That the detail stage amendments dated 14 October 2006 be taken as read and agreed to as a whole – be rescinded; and**
- 2) **The detail stage amendments dated 25 October 2006 circulated to Members be taken as read and agreed to as a whole**

Debate ensued

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

Question – That the clauses as amended be agreed to – put and agreed to on the voices

Question – That the remainder of the Bill be agreed to – put and agreed to on the voices

Mr Christian moved –

**THAT the Bill as amended be agreed to**

Question put

Bill as amended agreed to on the voices

**21 IMMIGRATION ACT 1980 – RE-APPOINTMENT OF MEMBERS OF THE COMMITTEE UNDER SECTION**

Mr Brown, Minister for Community Services, by leave, moved –

**THAT for the purposes of section 6(2) and 6(4) of the *Immigration Act 1980*, this House recommends to the executive member that –**

**Lorraine Carol Boudan; and  
Timothy John Sheridan,**

**being members of the Legislative Assembly, be re-appointed as members of the Immigration Committee for the period commencing 10 November 2006.**

Debate ensued

Question put and agreed to on the voices

**22 CUSTOMS (AMENDMENT) BILL 2006**

Mr Christian, Minister for Finance, by leave, moved –

**THAT this House –**

- 1) repeals the resolution of the Legislative Assembly on 28 June 2006 that the Customs (Amendment) Bill 2006 be approved; and**

Debate ensued

Question put and agreed to on the voices

**23 FIXING OF THE NEXT SITTING DAY**

Mr Nobbs moved -

**THAT the House at its rising adjourn  
until Wednesday 15 November 2006 at 10 am**

Question put and agreed to on the voices

**24 ADJOURNMENT**

Mrs Boudan moved –

**THAT the House do now adjourn**

Debate ensued with the following Members participating: Mrs Jack, Mr Nobbs, Mr Christian, Mr Buffett, Mr Brown and Mr Sheridan

Question put and agreed to on the voices

**AND THEN the House at 11.14 am adjourned until Wednesday 15 November 2006 at 10 am**

Robin-Eleanor Adams  
**Clerk to the Legislative Assembly**

**MEMBERS PRESENT:** All Members were present except Mr Tim Brown by leave on 18 October 2006