

**NORFOLK ISLAND  
TWELFTH LEGISLATIVE ASSEMBLY  
MINUTES OF PROCEEDINGS  
WEDNESDAY 21 MAY 2008**

**NORF'K AILEN  
DIISEM MENETS LARNEN WATHING HAEPN  
INAA  
TWELWTH LEJESLIETEW 'SEMBLE  
WENSDI 21 MIEH 2008**

- 1 The Legislative Assembly met at 10.02 am. The Speaker, Hon Lisle Snell MLA, took the Chair and read Prayers

**2 LEAVE OF ABSENCE**

Leave of absence from the meeting was unanimously extended to the Minister for Tourism and Health, Hon Geoff Gardener, and to Mr Ian Anderson MLA

**3 CONDOLENCES**

Mr Tim Sheridan recorded the passing of –

**Allen Anthony Buffett  
Lois Evelyn Francis  
Kevin James Butterfield**

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

**4 QUESTIONS WITHOUT NOTICE**

**5 PRESENTATION OF PAPERS**

The following papers were presented:

- 1) Mr Nobbs, Chief Minister – Determination by the Public Sector Remuneration Tribunal in respect of PSRT 1 of 200 along with the reasons for decision in respect of Determination
- 2) Mr Neville Christian, Minister for Finance – Financial Indicators for April 2008  
Mrs Jack, Minister for the Environment, Education and Social Welfare, moved –

**THAT the House take note of the Paper**

Debate ensued

Question put and agreed to on the voices

- 3) Mr Sheridan – Interim report into the inquiry into the cost of childcare services in Norfolk Island  
Mrs Jack, Minister for the Environment, Education and Social Welfare, moved –

**THAT the House take note of the Paper**

Debate ensued

Question put and agreed to on the voices

**6 STATEMENTS**

- 1) Mr Magri, Minister for Commerce and Industry, reported on the works being undertaken on Country road to stabilize the banks and to widen the roads to provide safe passage for vehicles while Ferny Lane is closed for REASA;
- 2) Mr Nobbs, Chief Minister –
  - a) spoke of a proposal for a Year of the Norf'k Language commencing 9 June 2008  
Mrs Jack, Minister for the Environment, Education and Social Welfare, moved –

**THAT the House take note of the Paper**

Debate ensued

Question put and agreed to on the voices

- b) reported on the substantial progress made on the Employment Act which was commenced to ensure that our employment legislation is up to date and properly reflects a fair and balanced position regarding the rights and responsibilities of employers and employees  
**Paper:** Mr Nobbs tabled the recommendations of the review group

**7 EMPLOYMENT ACT 1988**

Mr Andre Nobbs, Chief Minister, pursuant to notice, moved —

**THAT for the purposes of subsection 65(2) of the *Employment Act 1988*, this House resolves to appoint Richard Graham Massicks being a person with relevant qualifications and experience, to the Employment Conciliation Board for the period 17 April 2008 to 16 April 2011**

Debate ensued

Question put and agreed to on the voices

**8 IMMIGRATION ACT 1980 – RE-APPOINTMENT OF MEMBER OF IMMIGRATION COMMITTEE**

Mr Nobbs, Chief Minister, pursuant to notice, moved –

**THAT for the purposes of subsection 6(4) of the *Immigration Act 1980*, this House recommends the re-appointment of Joanne Elliott as a member of the Immigration Committee for the period 19 May 2008 to 18 May 2010**

Debate ensued

Question put and agreed to on the voices

**9 PUBLIC SECTOR MANAGEMENT ACT 2000 – APPOINTMENT OF DEPUTY MEMBER OF THE PUBLIC SERVICE BOARD**

Mr Nobbs, Chief Minister, 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 appoint John Thornton Pearson to be the deputy of the Member of the Public Service Board for the period 22 May 2008 to 21 May 2010**

Debate ensued

Question put and agreed to on the voices

**10 SOCIAL SERVICES ACT 1980 – APPOINTMENT OF MEMBER OF THE LEGISLATIVE ASSEMBLY TO THE NORFOLK ISLAND SOCIAL SERVICES BOARD AND APPOINTMENT OF CHAIRMAN OF THE BOARD**

Mrs Jack, Minister for the Environment, Education and Social Welfare, pursuant to notice, moved –

**THAT for the purposes of section 5(1) of the Social Services Act 1980, this House resolves to choose Lisle Denis Snell, being a member of this House, to be a member of the Norfolk Island Social Services Board; and further under subsection 4(5) of the Act, resolves that Ian Ross Mackenzie Anderson be the chairman of the Board**

Debate ensued

Question put and agreed to on the voices

**11 LAW OF NEGLIGENCE AND LIMITATION OF LIABILITY BILL 2008**

Mr Nobbs, Chief Minister, for and on behalf of and at the request of Mr Gardner, Minister for Tourism and Health, pursuant to notice, presented a Bill for an Act to reform the law of negligence, to limit liability, define the liability of public Authorities, protect good Samaritans and volunteers, and for other related purposes 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 TREES (AMENDMENT) BILL 2008**

Mrs Jack, Minister for the Environment, Education and Social Welfare, pursuant to notice, presented a Bill for an Act to amend the Trees Act 1997 and moved –

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

Debate ensued

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

**13 FUEL LEVY (AMENDMENT) BILL 2008 – DECLARATION OF URGENCY**

The Speaker reported that in accordance with standing order 158 the Business Committee had determined that the Fuel Levy (Amendment) Bill 2008 be dealt with through all stages at this sitting

**14 FUEL LEVY (AMENDMENT) BILL 2008**

Mr Neville Christian, Minister for Finance, pursuant to notice, presented a Bill for an Act to amend the Fuel Levy Act 1987 (Bill to be dealt with through all stages) 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 Christian moved –

**THAT the Bill be agreed to**

Question put  
Bill agreed to

**15 LIMITATION OF ACTIONS BILL 2008**

Mr Nobbs, Chief Minister, for and on behalf of and at the request of Mr Gardner, Minister for Tourism and Health, pursuant to notice, presented a Bill for an Act to consolidate the law relating to the limitation of time for commencing actions and arbitrations

**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

**16 LEGAL PROFESSION (AMENDMENT) BILL 2008**

Mr Nobbs, Chief Minister, for and on behalf of and at the request of Mr Gardner, Minister for Tourism and Health, pursuant to notice, presented a Bill for an Act to amend the Legal Profession Act 1993 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

**17 SALE OF FOOD (AMENDMENT) BILL 2008**

Debate resumed (Mr Magri, Minister for Commerce and Industry) from 19 March 2008, on the question – That the Bill be agreed to in principle

Question put  
The House voted –

**AYES, 2**

**Mr Neville Christian**  
**Mr Magri**

**NOES, 4**

**Mr Brendon Christian** **Mr Snell**  
**Mr Sheridan**  
**Mrs Jack**  
**Mr Neville Christian**  
**Mr Nobbs**

**ABSTENTIONS, 1**

Motion negatived

**The Deputy Speaker took the Chair****18 PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE – REPORT ON REVIEW OF THE COST TO MAINTAIN THE PUBLIC GROUNDS AND RESERVES BY THE PUBLIC SECTOR**

Debate resumed (Mr Snell) from 19 March 2008 on the Committee's Report tabled on 19 March 2008 and the recommendations contained therein

Mr Magri, Minister for Commerce and Industry, moved:

**THAT this House -**

**1. Adopts Recommendations 1 through to 15 inclusive of the Report titled Review of the Cost to Maintain the Public Grounds and Reserves by the Public Sector; and**

**2. Requests the Chief Minister as executive member with responsibility for the public service to –**

- a. assume responsibility for the implementation of the 15 recommendations by 1 July 2009; and  
 b. provide the Legislative Assembly –  
 i. with a progress report on the implementation process by 1 January 2009; and  
 ii. with a final report on or before 31 October 2009

Mr Nobbs (Chief Minister) moved –

**THAT debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting**

Question put

The House voted –

**AYES, 3**

**Mrs Jack**

**Mr Neville Christian**

**Mr Nobbs**

**NOES, 4**

**Mr Snell**

**Mr Brendon Christian**

**Mr Sheridan**

**Mr Magri**

Motion negatived

Question – That the motion be agreed to – put

The House voted –

**AYES, 5**

**Mr Snell**

**Mr Brendon Christian**

**Mr Sheridan**

**Mr Neville Christian**

**Mr Magri**

**NOES, 2**

**Mrs Jack**

**Mr Nobbs**

Motion agreed to

**The Speaker resumed the Chair**

**19 CUSTOMS (AMENDMENT) BILL 2008**

Debated resumed (Mr Nobbs, Chief Minister) from 19 March 2008, on the question – That the Bill be agreed to in principle

Mr Neville Christian and Mr Snell declared their pecuniary interest in this matter and abstained from participating in debate

Question put

Bill agreed to in principle on the voices, Mr Neville Christian and Mr Snell abstaining

Leave granted to dispense with the detail stage

Mr Nobbs moved –

**THAT the Bill be agreed to**

Question put

Bill agreed to on the voices, Mr Neville Christian and Mr Snell abstaining

**20 FIXING OF THE NEXT SITTING DAY**

Mrs Jack, Minister for the Environment, Education and Social Welfare, moved –

**THAT the house at its rising adjourn until Wednesday 4 June 2008 at 10 am**

Question put and agreed to on the voices

**21 ADJOURNMENT**

Mr Sheridan moved –

**THAT the House do now adjourn**

Debate ensued with Mr Nobbs and Mr Sheridan participating

Question put and agreed to on the voices

**AND THEN the House at 12.56 pm adjourned until Wednesday 4 June 2008 at 10 am**

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

**MEMBERS PRESENT:** All Members were present except Mr Gardner and Mr Anderson, by leave