

**NORFOLK ISLAND
TWELFTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 26 AUGUST 2009**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
TWELWTH LEJESLIETEW 'SEMBLE
WENSDI 26 ORGAS 2009**

1 The Legislative Assembly met at 10.04 am. The Speaker, Hon Lisle Snell MLA, took the Chair and read Prayers

2 **CONDOLENCES**

Mr Sheridan recorded the passing of –

**Beryl Chapman
Cornelius Johannes Maria de Rijk
Trevor Lyle Tavener**

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

3 **LEAVE OF ABSENCE – HON GEOFF GARDNER MLA**

Leave of absence was unanimously extended to Mr Gardner

4 **QUESTIONS WITHOUT NOTICE**

5 **PRESENTATION OF PAPERS**

The following papers were tabled:

1) Mr Nobbs, Chief Minister – Employment Conciliation Board Annual Report 2008-2009

2) Mr Magri, Minister for Commerce and Industry – Subsection 54B(4) Road Traffic Act 1982 - Safety Committee Annual Report

Mr Sheridan moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

3) Mr Neville Christian, Minister for Finance –

a) Public Moneys Act 1979 – Direction to Finance Manager to transfer to the financial year 2009-2010 funds required to meet commitments entered into in the year ending 30 June 2009

b) GST Quarterly Report April to June 2009

c) Financial Indicators June 2009

Mr Sheridan moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

6 **STATEMENTS**

The following statements were made:

1) Mr Nobbs, Chief Minister provided an update on ongoing discussions with the Commonwealth on our legislative and financial relationships in the overall context of governance

Paper:

Mr Nobbs tabled the terms of reference for the joint Norfolk Island/Commonwealth task force to consider a range of issues relating to revenue measures and the financial relationship between our two jurisdictions

- 2) Mr Magri, Minister for Commerce and Industry reported on the Norfolk Island Government's updated financial position as outlined by KPMG Econtech in the August 2009 Report

Paper:

Mr Magri tabled the KPMG Econtech Report
Mr Nobbs, Chief Minister, moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

7 MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

The Speaker reported Message No. 34 from the Administrator advising that on 11 August 2009 he reserved the Public Reserves (Amendment) Bill 2009 for the pleasure of the Governor-General

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/conditions**

**Uniforms
amount of duty applicable
\$381.13**

**St Johns Ambulance, Norfolk Island
Conditions: Nil**

**Norfolk Island Fishing Club
amount of duty applicable \$263.43**

**Fishermen's Crane Equipment
Conditions: To be used on Fishermen's
Cranes at Kingston and Cascade**

**Mobility Scooter
- amount of duty applicable \$229.50**

**Mr Jack Hayes
Condition: Private use. Not for re-sale**

Debate ensued

Question put and agreed to on the voices

9 PROTECTION OF MOVABLE CULTURAL HERITAGE ACT 1987 – RE-APPOINTMENT AND APPOINTMENT OF MEMBERS

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

THAT in accordance with section 9 of the *Protection of Movable Cultural Heritage Act 1987*, this House recommends to the executive member that -

**Beryl Phyllis Evans;
Neil Alexander Tavener, and
Eve Semple**

be re-appointed as members of the Norfolk Island Cultural Heritage Committee for the period 26 August 2009 to 25 August 2013 and that,

Rhonda Griffith

be appointed as a member of the Norfolk Island Cultural Heritage Committee for the period 26 August 2009 to 25 August 2013

Debate ensued

Question put and agreed to on the voices

10 CHILD WELFARE BILL 2009

Debate resumed (Mrs Jack, Minister for the Environment, Education and Social Welfare) from 15 July 2009 on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle on the voices

Leave granted to dispense with the detail stage

Mrs Jack moved –

THAT the Bill be agreed to

Question put

Bill agreed to on the voices

11 PLANT AND FRUIT DISEASES (AMENDMENT) BILL 2008

Debate resumed (Mrs Jack, Minister for the Environment, Education and Social Welfare) from 17 June 2009 on the question – That the Bill be agreed to in principle

Question put

The House voted –

AYES, 6

Mr Snell

Mr Brendon Christian

Mrs Jack

Mr Neville Christian

Mr Nobbs

Mr Anderson

NOES, 2

Mr Sheridan

Mr Magri

Bill agreed to in principle

Detail stage

Mrs Jack moved the following detail stage amendments dated 26 August 2009

1. That the title of the Bill and clause 1, be amended to change the year from “2008” to “2009”.
2. That the proposed Schedule be amended as follows—

Item 1, Subsection 13(1)

Delete proposed amendment and substitute—

Delete the words “any of the following fruits, namely”, and substitute “any garlic, ginger, apples,”.

Item 2 — delete.

Item 3 — delete.

Item 4 Subsection 13(2A)

Delete proposed amendment and substitute—

Following the word “being”, where first occurring, insert—
“garlic, ginger, apples,”.

Item 5 Subsection 13(3)

Delete proposed amendment and substitute—

Following “other than”, insert—
“garlic, ginger, apples,”.

Item 6 New Subsection

Amend proposed amendment as follows—

- (a) for “fruit” substitute “apples” and
- (b) delete all words following “Australia” and substitute—
“and in accordance with Regulations.”.

Debate ensued

Question – That the amendments be agreed to – put and agreed to, Mr Sheridan and Mr Magri dissenting

Question – That the clauses as amended be agreed to – put and agreed to, Mr Sheridan and Mr Magri dissenting

Question – That the remainder of the Bill be agreed to – put and agreed to, Mr Sheridan and Mr Magri dissenting

Mrs Jack moved –

THAT the Bill as amended be agreed to

Question put

Bill as amended agreed to - Mr Sheridan and Mr Magri dissenting

12 FIXING OF THE NEXT SITTING DAY

Mr Brendon Christian moved –

THAT the House at its rising adjourn until Wednesday 16 September 2009 at 10 am

Question put and agreed to on the voices

13 ADJOURNMENT

Mr Anderson moved –

THAT the House do now adjourn

Debate ensued with Chief Minister participating

Question put and agreed to on the voices

AND THEN the House at 12.36 pm adjourned until Wednesday 16 September 2009 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present except Mr Gardner by leave