

**NORFOLK ISLAND
FOURTEENTH LEGISLATIVE ASSEMBLY
MINUTES OF PROCEEDINGS
WEDNESDAY 19 FEBRUARY 2014**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
FORTIINTH LEJESLIETEW 'SEMBLE
WEDNESDAY 19 FEBRI 2014**

1 The Legislative Assembly met at 10.03 am, the Speaker, Hon David Buffett AM MLA, took the Chair and read Prayers

2 **CONDOLENCES**

Mr Evans recorded the passing of –

**Marianne Joy Ryan
Margaret Florence Evans**

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

3 **QUESTIONS WITHOUT NOTICE (10.12 AM)**

4 **PRESENTATION OF PAPERS**

The following papers were presented:

- 1) Chief Minister and Minister for Tourism, Mr Snell – **Norfolk Island Annual Report of the financial year 2012/2013 ***
- 2) Chief Minister and Minister for Tourism, Mr Snell – **Public Sector Remuneration Tribunal Act 1992 Rules of Procedure**
- 3) Chief Minister and Minister for Tourism, Mr Snell – **NIGTB report July - December 2013**
- 4) Chief Minister and Minister for Tourism, Mr Snell – **Law and Order Survey Summary**
- 5) Minister for the Environment, Mr Ward - **Letter from Hon Senator Richard Colbeck re Fishing**
- 6) Minister for Cultural Heritage and Community Services, Ms Adams – **Healthcare Act 1989 Financial Report**
- 7) Minister for Cultural Heritage and Community Services, Ms Adams – **Referral Guidelines made under the Healthcare Act 1989**
- 8) Minister for Finance, Mr Sheridan - **Bookmakers and Betting Exchange Act 1998 Report for p/e 31st December 2013**
- 9) Minister for Finance, Mr Sheridan - **Gaming Act 1998 Report for p/e 31st December 2013**
- 10) Minister for Finance, Mr Sheridan - **Customs Act 1913 exempt goods from duty**
- 11) Minister for Finance, Mr Sheridan - **Financial Indicators year ending December 2013**
- 12) Minister for Finance, Mr Sheridan – **Virements for November and December 2013**
- 13) Minister for Finance, Mr Sheridan - **GST Quarterly Report October to December 2013**
- 14) Minister for Finance, Mr Sheridan - **Liquor Act 2005 sale on Christmas Day and Good Friday**
- 15) Minister for Finance, Mr Sheridan - **Mid-Year Budget Report 2013/2014 against the Financial Policy and Objectives Statement ****

5 **STATEMENTS OF AN OFFICIAL NATURE**

The following statements were made –

- 1) Chief Minister and Minister for Tourism, Mr Snell – **Hon Jamie Briggs MP recent visit to Island**
- 2) Minister for Cultural Heritage and Community Services, Ms Adams – **KAVHA CMP**
- 3) Minister for Cultural Heritage and Community Services, Ms Adams – **Enrolment of International Students at NICS**

- 16) **Paper tabled:** Ms Adams tabled a paper entitled **Eligibility and Procedures for the enrolment of International Students in NSW Government Schools**

6 REPORTS FROM STANDING COMMITTEES

Mr Nobbs, Chairman IBDC tabled the Third Quarterly Report of the Infrastructure and Business Development Committee of the 14th Legislative Assembly dated 19 February 2014
Ms Adams moved -

THAT the Report be noted

Debate ensued
Question put and agreed to on the voices

7 SUSPENSION OF SITTING

The Speaker suspended the sitting of the House until 2.00 pm

8 RESUMPTION OF SITTING

The Speaker took the Chair and resumed the sitting at 2.03 pm

NOTICES

9 NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ACT 1980 - APPOINTMENT OF MEMBER TO THE NORFOLK ISLAND GOVERNMENT TOURIST BUREAU ADVISORY BOARD

Chief Minister and Minister for Tourism, Mr Snell pursuant to notice, moved -

THAT this House resolve for the purposes of section 4 of the *Norfolk Island Government Tourist Bureau Act 1980* that the Minister appoint —

Peter John Barney

as a member of the Norfolk Island Government Tourist Bureau Advisory Board for two years.

Debate ensued
Question put and agreed to on the voices

10 CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY

Minister for Finance, Mr Sheridan 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 column 1 of the Schedule imported by the person specified in column 2, and on the conditions mentioned in column 2 of the Schedule, be exempted from duty.

SCHEDULE

Column 1	Column 2
<u>Goods</u>	<u>Importer/conditions</u>
Fireworks - amount of duty applicable \$231.53	Norfolk Island Junior Rugby League (NIJRL) Conditions: Nil
7 x Extreme Motox Motorcycles - amount of duty applicable \$6000.00 conclusion of the event	Norfolk Island Junior Rugby League (NIJRL) Conditions: the motorcycles to be exported at
Laser Grade Blade - amount of duty applicable \$960.00 exported upon completion of works	Norfolk Island Bowling Club and Council Conditions: the Laser Grade Blade to be

Lions Christmas Cakes
- amount of duty applicable \$264.27

Lions Club of Norfolk Island
Conditions: Nil

Debate ensued
Question put and agreed to on the voices

11 MOTION BY LEAVE

HEALTHCARE LEVY ACT 1990 - INCREASE IN LEVIES & RELATED MATTERS

Minister for Cultural Heritage and Community Services, Ms Adams, sought leave to move a foreshadowed motion

Question – **THAT leave be granted** – put and agreed on the voices
Minister for Cultural Heritage and Community Services, Ms Adams, moved -

THAT acknowledging —

A. Recent budget reviews reveal that the Norfolk Island Healthcare Fund will have serious difficulties in meeting its financial commitments for the current and next financial years unless the Healthcare Fund is provided with greater financial resources; and

B. This problem is an ongoing one and will not be resolved until the Commonwealth and Norfolk Island Governments reach an agreed position on the integration of “Norfolk Island with the mainland social welfare systems” in accordance with the undertakings set out in the Memorandum of Understanding signed by the two governments on 25 November 2010.

This House resolves that —

1. In accordance with subsection 6(3) of the *Healthcare Levy Act 1990*, and on the recommendation of the Minister for Cultural Heritage and Community Services, to approve –

a. that the healthcare levy payable under paragraph 6(1)(a) of the Act be increased to \$220.00 with effect from 1 March 2014; and

b. that the medical evacuation levy payable under paragraph 6(1)(b) of the Act be increased to \$80.00 with effect from 1 March 2014.

2. The Minister bring to the House no later than the April 2014 sitting a Bill to amend the Healthcare Act 1989 and the Healthcare Levy Act 1990 to address the following issues:

a. the limitation of the payment of “free medical services” under the Acts to the Medicare Benefits Schedule, (an arrangement already adopted for social welfare recipients on the Island);

b. such restrictions not applying to charges by the Norfolk Island Hospital Enterprise until the Minister in consultation with the Advisory Board so determines;

c. equity issues arising from the regressive nature of the healthcare levy and it providing a disproportionate burden on lower income households;

d. improvement of current processes for assessing applications for exemption from liability to pay the levy, including if appropriate powers of compelling production of relevant information by third parties;

e. improvement of current collection processes for the levy, including if appropriate mandatory imposition of interest charges on outstanding levies.

Debate ensued
Question put

The House voted –

AYES, 6	NOES, 3	ABSTENTIONS, 0
Mr Porter	Mr Buffett	
MS ADAMS	Mr Ward	
MR SNELL	Mrs Ward	
MR NOBBS		
Mr Evans		
Mr Sheridan		

The motion was agreed

**15 CHILD WELFARE (AMENDMENT) BILL 2014
LUKEN AUT FE LETL SALAN (CHIENJEN) BIL 2014**

Minister for Cultural Heritage and Community Services, Ms Adams, pursuant to notice, presented a Bill for an Act to amend the *Child Welfare Act 2009* and moved –

THAT the Bill be agreed to in principle

Paper: Ms Adams tabled the explanatory memorandum

Debate ensued

Ms Adams moved –

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

Question put and agreed to on the voices

**16 BILL PRESENTED BY LEAVE
HEALTHCARE AMENDMENT BILL 2014
HEALTHKEYA CHIENJEN BIL 2014**

Minister for Cultural Heritage and Community Services, Ms Adams sought leave to present a Bill

Question – **THAT leave be granted** – put and agreed on the voices

Minister for Cultural Heritage and Community Services, Ms Adams, presented a Bill for an Act to amend the Healthcare Act 1989, wan Bil fe wan Aekt Chienjen aa Helthkeya Aekt 1989 and moved –

THAT the Bill be agreed to in principle

Paper: Ms Adams tabled the explanatory memorandum

Debate ensued

Ms Adams moved –

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

Question put and agreed to on the voices

17 PLANNING ACT 2002 – SUBDIVISION ON MARTINS ROAD

Minister for the Environment, Mr Ward pursuant to notice, moved -

THAT, this House resolve –

1. In accordance with subsection 12(4) of the *Planning Act 2002* to approve the draft plan laid before this House being a proposed amendment to Schedule 2 of the *Norfolk Island Plan (as amended)*, and

2. For the purposes of subsection 13(1) of the *Planning Act 2002*, the date of commencement of the approved plan be 28th February 2014.

Debate ensued

Question put and agreed to on the voices

18 MOTION BY LEAVE

HEALTHCARE ACT 1989 / HEALTHCARE LEVY ACT 1990 - PROPOSED AMENDMENTS

Minister for Cultural Heritage and Community Services, Ms Adams, sought leave to move a motion and moved –

THAT so much of Standing Orders be suspended as would prevent this Bill from being introduced into the House at this time

Question – **THAT leave be granted** – put and agreed on the voices

Minister for Cultural Heritage and Community Services, Ms Adams, moved -

THAT this House requests the responsible Minister to:

1. present as soon as practicable and preferably no later than the May 2014 sitting of the House a Bill to amend the *Healthcare Act 1989* and the *Healthcare Levy Act 1990* to address the following issues:
 - a. equity issues arising from the regressive nature of the healthcare levy and it providing a disproportionate burden on lower income households;
 - b. improvement of current processes for assessing applications for exemption from liability to pay the levy, including if appropriate powers of compelling production of relevant information by third parties;
 - c. improvement of current collection processes for the levy, including if appropriate mandatory imposition of interest charges on outstanding levies;
 - d. insert a definition of “respite care” to make it clear that a person accommodated in the hospital for the purpose of respite care is not entitled to medical benefits in respect of that accommodation and care but will be entitled to reimbursement of other medical services
 - e. include “respite care” in the list of services that are excluded from the meaning of “free medical services”;
 - f. expand the definition of ‘evacuation costs’ in the Definitions Schedule of the *Healthcare Act 1989* so that a member can be evacuated for urgent medical treatment not available on Norfolk Island and/or whose life is at risk if not so evacuated;
 - g. amend Section 19A of the *Healthcare Act 1989* in relation to hospitalisation costs for long term care patients
 - h. mend the *Healthcare Levy Act 1990* to exclude persons from cover who have not applied to become members of the *Healthcare Scheme*;
2. actively pursue the possibility of reintroducing reinsurance for the *Healthcare Scheme*; and
3. follow up recommendations of the Milliman Inc. Review of the *Healthcare Scheme* and the *Workers Compensation Scheme* for the Administration of Norfolk Island.

Debate ensued

Question put and agreed to on the voices – Mr Snell abstaining

19 KINGSTON ARTHURS VALE HISTORIC AREA REVIEW.

Resumption of debate (Mr Nobbs) from 11 December 2013 on the question –THAT the motion be agreed

Debate ensued

Mr Nobbs moved –

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

Question put and agreed to on the voices

20 ABSENTEE LANDOWNERS LEVY AMENDMENT ACT 2013

Resumption of debate (Minister for Finance, Mr Sheridan) from 11 December 2013 on the question –THAT the Bill be agreed to in principle

Debate ensued

Question – THAT the Bill be agreed to in principle - put and agreed to on the voices

Leave granted to dispense with the detail stage

Mr Sheridan moved –

THAT the Bill be agreed to

Question put and agreed to on the voices

21 FIXING OF NEXT SITTING DAY

Mr Nobbs moved –

THAT the House at its rising adjourn until Wednesday 19 March 2014 at 10 am

Question put and agreed to on the voices

22 ADJOURNMENT

Mr Porter moved –

THAT the House do now adjourn

Question put and agreed to on the voices

AND THEN the House at 5.27 pm adjourned until Wednesday 19 March 2014 at 10.00 am

Gaye Evans

Clerk to the Legislative Assembly

MEMBERS PRESENT: All Members were present