

**NORFOLK ISLAND
MINUTES OF PROCEEDINGS
NINTH LEGISLATIVE ASSEMBLY
15 MARCH 2000**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
NAINTH LEJESLIETEW 'SEMBLE
15 MAACH 2000**

- 1 The Legislative Assembly met at 10.03 am. The Speaker (Hon D.E. Buffett) took the Chair and read the Prayer
- 2 **COMMONWEALTH DAY MESSAGE**
The Speaker read the Commonwealth Day Message from Her Majesty The Queen, Head of the Commonwealth
- 3 **NOMINATION OF ACTING DEPUTY SPEAKER**
The Speaker reported he had nominated Geoffrey Robert Gardner under standing order 9 to act as Deputy Speaker
- 4 **GIVING OF NOTICES**
Mr Smith (Minister for Tourism and Commerce) foreshadowed he will present at the April sitting of the House draft legislation to establish a Youth Advisory Council
- 5 **QUESTIONS WITHOUT NOTICE**

The Deputy Speaker took the Chair at 11.06 am

Time for questions without notice having expired Mr Buffett moved –

THAT time for questions without notice be extended by 15 minutes

Question put and agreed to on the voices

- 6 **PRESENTATION OF PAPERS**
The following papers were presented:

- 1) Mr Gardner (Minister for Health and Environment) – petition from 47 members of the community seeking to prohibit the crushing or stockpiling of rock on the Cascade Reserve;
- 2) Mr Cook QC (Minister for Immigration and Community Services) – Report to the Legislative Assembly in which he advised that there were 44 declarations of residency granted under section 33 of the *Immigration Act 1980* during the year ended 31 December 1999
Mr Cook moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

3) Mr Nobbs (Minister for Finance and Government Services) –

- a) Financial indicators February 2000
Mr Nobbs moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- b) Detail of travel expenditure for the periods 1 July 1999 to 30 September 1999 and 1 October 1999 to 31 December 1999
Mr Nobbs moved –

THAT the House take note of the papers

Debate ensued

Question put and agreed to on the voices

4) Mr Smith (Minister for Tourism and Commerce) – Inbound passenger statistics for February 2000
Mr Smith moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

7 STATEMENTS

Statements were made in respect of the following matters:

- 1) Mr Cook QC (Minister for Immigration and Community Services) – Invitation by Commonwealth Government for Norfolk Island Government to nominate suitable persons to receive the *Australian Sports Medal* which has been established as a commemorative medal to be issued during the year 2000 to celebrate Australia's sporting achievement.
Mr Brown moved –

THAT the House take note of the Statement

Debate ensued

Question put and agreed to on the voices

- 2) Mr Nobbs (Chief Minister) –
- a) Payment of prescribed landing fees by airlines using the Norfolk Island Airport;
- b) Concerns raised by community members on the electoral processes as a consequence of the last general election;
- c) Disruption of electricity supply to two houses in the Ball Bay area yesterday afternoon;
- d) Completion of the upgrade of the telephone exchange; and
- e) His responsibility for liquor licensing matters
- 3) Mr Smith (Minister for Tourism and Commerce) – His attendance late March at MCEETYA in Sydney

8 APPOINTMENT OF HOUSE COMMITTEE

Mr McCoy, pursuant to notice, moved -

THAT this House, pursuant to Standing Order 19, in addition to the Speaker (ex officio), appoints Brian George Bates and John Terence Brown to be members of the House Committee

Debate ensued

Question put and agreed to on the voices

9 APPOINTMENT OF BUSINESS COMMITTEE

Mr Brown, pursuant to notice, moved -

THAT this House, pursuant to standing order 20, in addition to the Speaker (ex officio), appoints Bruce Stanley Walker and Alan John McCoy to be members of the Business Committee

Debate ensued

Question put and agreed to on the voices

10 APPOINTMENT OF STANDING ORDERS COMMITTEE

Mr Walker, pursuant to notice, moved -

THAT this House, pursuant to Standing Order 17, in addition to the Speaker and the Deputy Speaker, appoints Geoffrey Robert Gardner, John Terence Brown and Brian George Bates to be members of the Standing Orders

Debate ensued

Question put and agreed to on the voices

11 COMMITTEE OF PRIVILEGES

Mr Brown, pursuant to notice, moved -

THAT so much of standing orders be set aside in order that a Committee of Privileges is not appointed pursuant to Standing Order 18

Debate ensued

Question put and agreed to on the voices

12 IMMIGRATION ACT 1980 – APPOINTMENT OF MEMBERS OF THE ASSEMBLY TO THE IMMIGRATION COMMITTEE

Mr Cook QC (Minister for Immigration and Community Services), by leave, moved –

THAT, for the purposes of section 6(4) of the *Immigration Act 1980*, this House recommends to the executive member that Alan John McCoy and Brian George Bates be appointed as members of the Immigration Committee

Debate ensued

Question put and agreed to on the voices

13 SEA INSTALLATIONS ACT 1987 (CLWTH) – NOMINATION OF MEMBER TO BE REPRESENTATIVE

Mr Gardner (Minister for Health and Environment), pursuant to notice, moved –

THAT, for the purposes of paragraph (d) of the definition of “representative” in section 4(1), of the *Sea Installations Act 1987* of the Commonwealth, this House nominates John Terence Brown to represent Norfolk Island for the purposes of the Act

Debate ensued

Question put and agreed to on the voices

14 HEALTHCARE ACT 1989 – APPOINTMENT OF MEMBER TO HEALTHCARE CLAIMS COMMITTEE

Mr Gardner (Minister for Health and Environment), pursuant to notice, moved –

THAT, for the purpose of section 22(2) of the *Healthcare Act 1989*, this House resolves to choose Alan John McCoy to be a member of the Claims Committee

Debate ensued

Question put and agreed to on the voices

15 EMPLOYMENT ACT 1988 – APPOINTMENT OF PERSON TO EMPLOYMENT CONCILIATION BOARD

Mr Smith (Minister for Tourism and Commerce), pursuant to notice, moved -

THAT for the purposes of subsection 65(2) of the *Employment Act 1988*, this House resolve to re-appoint Michael Angelo Zande, being a person with relevant qualifications and experience, to the Employment Conciliation Board for the period 9 April 2000 to 8 April 2003

Debate ensued

Question put and agreed to on the voices

16 SOCIAL SERVICES ACT 1980 – APPOINTMENT OF MEMBER TO THE NORFOLK ISLAND SOCIAL SERVICES BOARD

Mr Cook QC (Minister for Immigration and Community Services), pursuant to notice, moved –

THAT, for the purposes of section 5(1) of the *Social Services Act 1980*, this House resolves to choose Brian George Bates being a Member of this House, to be a member of the Norfolk Island Social Services Board

Debate ensued

Question put and agreed to on the voices

17 EXPLANATORY MEMORANDUM REQUIRED WITH ALL NEW LEGISLATION SHOWING FINANCIAL AND RESOURCE IMPLICATIONS

Mr Bates, pursuant to notice, moved –

THAT all Bills introduced into this House shall be accompanied by an explanatory memorandum that shows the financial and resource impact of the Bill

Debate ensued

Question put and agreed to on the voices

18 CHANGE TO ELECTORAL SYSTEM

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

THAT this House requests the responsible Minister to amend the Legislative Assembly Act to provide for a return to the electoral system known as “first past the post” whereby an elector shall give no more than one vote to any candidate. Thus at an election each elector should still retain, as at present, the number of votes equal to the number of vacancies however the elector is permitted to allocate no more than one vote to any candidate

Debate ensued

Mr Walker moved the following amendment:

THAT the word “amend” in line 1 of the motion be deleted and the following words inserted:

“seek the views of the electorate through referendum for an amendment to”

Debate ensued

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

19 PROPOSAL TO AMEND THE *FAIR TRADING ACT* 1995

Mr Brown, pursuant to notice, moved –

THAT this House requests the relevant executive member to introduce a Bill at the next meeting of the House to amend the Fair Trading Act so as to prohibit a person in Norfolk Island refusing to supply product unless the customer provides all of his business to that person

Debate ensued

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

20 PROPOSAL TO AMEND THE *COURT OF PETTY SESSIONS ACT 1960*

Mr Brown, pursuant to notice, moved -

THAT this House requests the relevant executive member to introduce a Bill at the next sitting of the House to amend the Court of Petty Sessions Act to provide for the service of documents by post, including originating documents

Debate ensued

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

21 COMPULSORY THIRD PARTY INSURANCE

Mr Brown, by leave, moved -

THAT this House requests the relevant executive member to introduce a Bill at the next meeting of the House to require compulsory third party motor vehicle insurance, including requirements that:

- 1. A Certificate of Insurance be provided to the Registrar of Motor Vehicles upon any registration, renewal of registration or transfer of registration of a motor vehicle, with a transitional provision requiring a certificate to be provided within two (2) months of assent to the Bill;**
- 2. Such certificates provide not less than such amount of cover as may be prescribed;**
- 3. Liability to be limited to such amount as may be prescribed for any claim arising from any one event**

Debate ensued

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

22 *PUBLIC SERVICE ACT 1979* – RE-APPOINTMENT OF MEMBERS TO THE PUBLIC SERVICE BOARD – MOTION BY LEAVE

Leave having been denied on the voices for Mr Nobbs to move a motion without notice, Mr Brown moved -

THAT so much of standing orders be suspended as would prevent Mr Nobbs from moving the motion he had foreshadowed on the Programme

Question put

The House voted -

AYES, 7
Mr Buffett
Mr Nobbs
Mr Bates
Mr Cook
Mr Gardner
Mr Walker
Mr Brown

NOES, 1
Mr McCoy

(Mr Smith was absent from the Chamber)

Motion agreed to
Mr Nobbs (Chief Minister) moved –

THAT –

- 1) **This House for the purposes of subsection 13A(1) of the *Public Service Act 1979*, recommends to the Administrator that Charisse Clarke and Brian John Check be re-appointed as members of the Public Service Board until 17 June 2000; and**
- 2) **This House under subsection 13BA(3) of the *Public Service Act 1979* resolves to re-appoint John Thornton Pearson being a person referred to in paragraph 13BA(3) of that Act, to be a member of the Public Service Board until 17 June 2000**

Debate ensued

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

23 SUPPLEMENTARY APPROPRIATION BILL 2000 – MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

The Speaker reported Message No. 2 from the Administrator recommending the enactment of a proposed law entitled “An Act to authorise expenditure from the Public Account for the year ending on 30 June 2000

24 SUPPLEMENTARY APPROPRIATION BILL 2000

Mr Nobbs (Minister for Finance and Government Services) presented a Bill for an Act to authorise expenditure from the Public Account for the year ending on 30 June 2000 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

25 FIXING OF NEXT SITTING DAY

Mr Brown moved -

**THAT the House at its rising adjourn until Wednesday 19 April 2000
at 10 am**

Question put and agreed to on the voices

26 ADJOURNMENT

Mr Smith (Minister for Tourism and Commerce) moved –

THAT the House do now adjourn

Question put and agreed to on the voices

AND THEN the House at 2.09 pm adjourned until Wednesday 19 April 2000 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

Members Present: All Members were present

17 January 2000

Members,

**Correction to Minutes of Proceedings of Meeting of House
On 15,22 and 23 December 1999**

Please replace page 290 of the minutes with the attached. A correction has been made to clause 4, line 4, by the insertion of a full stop after (2)(b) and the deletion of the remainder of the sentence.

Robin-Eleanor Adams
Clerk to the Legislative Assembly

21 March 2000

**Corrigendum Minutes of Proceedings
Ninth Legislative Assembly
15 March 2000**

Please substitute the attached front page for the minutes you have already received for the 15 March 2000.

Robin-Eleanor Adams
Clerk to the Legislative Assembly³