

**NORFOLK ISLAND
MINUTES OF PROCEEDINGS
NINTH LEGISLATIVE ASSEMBLY
17 MAY 2000**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
NAINTH LEJESLIETEW 'SEMBLE
17 MIEH 2000**

- 1 The Legislative Assembly met at 10.05 am. The Speaker (Hon D.E. Buffett MLA) took the Chair and read the Prayer
- 2 **LEAVE OF ABSENCE FOR MR McCOY MLA**
Leave from the Sitting as needed was extended to Mr McCoy
- 3 **QUESTIONS WITHOUT NOTICE**

Acting Deputy Speaker Bates took the Chair at 10.09 am
The Speaker took the Chair at 10.40 am
Mr McCoy MLA joined the meeting at 10.48 am

Time for questions without notice having expired Mr Bates moved -

THAT time for questions without notice be extended by 20 minutes

Question put and agreed to on the voices

- 4 **QUESTIONS ON NOTICE**
An answer was provided by Mr Smith, Minister for Tourism and Commerce, to question on notice No. 1
- 5 **PRESENTATION OF PAPERS**
 - (1) Mr Cook QC, Minister for Immigration and Community Services, tabled the Review of the Immigration System of Norfolk Island prepared by Bronwyn Paddick of Sweeney Waterford & Associates
 - (2) Mr Gardner, Minister for Health and Environment, tabled a report on his visit to Canberra to attend the Ministerial Council on Gaming and to meet with officers of the Department of Territories to discuss the land package
 - (3) Mr Nobbs, Chief Minister, tabled detail of approved exemptions from payment of customs duty

Mr McCoy moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- (4) Mr Gardner, Minister for Health and Environment, tabled a copy of the Gaming Licence, and the conditions imposed, issued to World Wide Totalisators Pty Ltd to act as a bookmaker
- (5) Mr Nobbs, Chief Minister, tabled the Financial Indicators for 10 months ended 30 April 2000 and moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- (6) Mr Smith, Minister for Tourism and Commerce, tabled the Inbound Passenger Statistics for April 2000 and moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

6 STATEMENTS

- 1) Mr Nobbs, Chief Minister –
 - Advised of arrangements that are in place at Telecom to ensure that there are no breaches in security in relation to the use of telephones
 - Expressed his concern at the ongoing vandalism of public telephones
 - Confirmed that it is mandatory to have a credit card for connection to the Administration Internet Service Provider
 - Reported that the electricity tariff was to increase by 4 cents on 1 June 2000
 - Said that work would commence in the immediate future to improve parking facilities at the Airport
- 2) Mr Cook QC, Minister for Immigration and Community Services –
 - Reported that there had been a change in police rostering to comply with the terms of the newly implemented Australian Federal Police Change Agreement; and
 - Provided a response to a question on notice asked at an earlier sitting by Mr Bates in respect of the Whaler 2000 Project
Paper: Mr Cook tabled a Report dated May 2000 prepared by Mrs Rhonda Griffiths on the Project
- 3) Mr Gardner, Minister for Health and Environment, provided a response to questions asked without notice at the previous sitting by Mr Bates as to -
 - The Norfolk Island Government's policy regarding primary industry and how much is spent annually on its development;
 - Who bears the additional cost in the event that an application fee under the Planning Act does not cover the cost of considering it
 - Whether the water policy for new buildings is being enforced

7 MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR

The Speaker reported **Message No. 4** from the Administrator advising that on 28 April 2000 he declared his assent to the Supplementary Appropriation Act 2000 and the Tourist Accommodation (Moratorium) Amendment Act 2000

8 APPROPRIATION BILL 2000 – MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

The Speaker reported **Message No. 5** from the Administrator dated 16 May 2000 advising that, in accordance with the requirements of section 25 of the Norfolk Island Act 1979, he recommends to the Legislative Assembly the enactment of a proposed law entitled “An Act to authorise expenditure from the Public Account for the year ending on 30 June 2001”

9 APPROPRIATION BILL 2000

Mr Nobbs (Chief Minister) presented a Bill for an Act to authorise expenditure from the Public Account for the year ending on 30 June 2001 and moved –

THAT the Bill be agreed to in principle

Acting Deputy Speaker Bates took the Chair at 1.10 pm

Debate ensued

Acting Deputy Speaker Bates suspended the sitting at 1.40 pm until 2.45 pm

At 2.50 pm the sitting resumed, the Speaker taking the Chair. Mr McCoy was absent for the remainder of the sitting

Debate resumed

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

10 IMMIGRATION ACT 1980 – FIXING OF QUOTA

Mr Cook, Q.C. Minister for Immigration and Community Services, pursuant to notice, moved -

- 1. That this House resolves that the policy in relation to the fixing of a quota for the purposes of section 21 of the Immigration Act 1980 based on a 2% per annum population growth be reviewed urgently and an appropriate policy be determined without delay**
- 2. That following upon such review and determination and provided that it is in accord with such determination the Executive Member responsible for Immigration exercise his powers under section 21(3) of the Immigration Act 1980**

Debate ensued

Mr Brown, by leave, moved –

THAT all words after “That” first occurring be deleted and the following inserted:

“the quota which was set for the purposes of section 21 of the Immigration Act 1980 at the February 2000 meeting of the last Legislative Assembly be increased by 30 places for the period February 2000 to February 2001”

At the suggestion of Mr Smith, Minister for Tourism and Commerce, the wording of the amendment was subsequently changed by leave to read as follows:

THAT all words after “That” (first occurring) in paragraph 2) of the motion be deleted and the following words inserted:

“the quota which was set for the purposes of section 21 of the Immigration Act 1980 at the February 2000 meeting of the last Legislative Assembly be increased by 10 places for the period February 2000 to February 2001”

Mr Nobbs (Chief Minister) moved –

THAT the question be put

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

Question – That the amendment be agreed to – put

The House voted –

AYES, 4

Mr Buffett

Mr Gardner

Mr Smith

Mr Brown

NOES, 3

Mr Nobbs

Mr Bates

Mr Cook

Amendment agreed to

Question – That the motion as amended be agreed to – put

The House voted –

AYES, 4

Mr Buffett

Mr Gardner

Mr Smith

Mr Brown

NOES, 3

Mr Nobbs

Mr Bates

Mr Cook

The motion was agreed to

11 IMMIGRATION ACT 1980 – APPOINTMENT OF MEMBERS OF THE IMMIGRATION COMMITTEE

Leaving having been denied him to move the motion without notice, Mr Cook QC, Minister for Immigration and Community Services, moved –

THAT so much of standing orders be suspended as would prevent his moving a motion relating to the appointment of members of the Immigration Committee

Question put

The House voted –

AYES, 6

Mr Buffett

Mr Nobbs

Mr Bates

Mr Cook

Mr Gardner

Mr Smith

NOES, 1

Mr Brown

The motion was agreed

Mr Cook QC moved –

THAT for the purposes of section 6(4) of the Immigration Act 1980 this House resolves that the Executive Member appoint –

Joan Marie Kenny

Lisle Denis Snell

Barbara Elvey

Louise Alexis Tavener

Members of the Immigration Committee for the period 19 May 2000 to 19 May 2002

Debate ensued

Mr Bates, by leave, moved –

THAT the name of Barbara Elvey be deleted and the name of Yarm Menzies inserted

Debate ensued

Mr Nobbs, Chief Minister, moved –

THAT the question be put

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

Question – That the amendment be agreed to - put

The House voted –

AYES, 3

Mr Buffett

Mr Bates

Mr Brown

NOES, 4

Mr Nobbs

Mr Cook

Mr Gardner

Mr Smith

The amendment was negatived

Question – That the motion be agreed to – put

The House voted –

AYES, 4

Mr Nobbs

Mr Cook

Mr Gardner

Mr Smith

NOES, 3

Mr Buffett

Mr Bates

Mr Brown

The motion was agreed to

12 LEGISLATIVE CHANGE REQUIRED AS A CONSEQUENCE OF THE RECENT REFERENDUM

Debate resumed (Mr Brown) on the question – That the motion be agreed to

Leave having been denied him to move an amendment to the motion without notice, Mr Cook QC, Minister for Immigration and Community Services, moved –

THAT so much of standing orders be suspended as would prevent his moving the amendment as foreshadowed

Question put and agreed to, Mr Brown dissenting

Mr Cook QC moved –

Delete paragraphs a) and b) of the motion and insert the following:

“the above provisions as to eligibility to maintain Public Service employment and sit as Members of the Legislative Assembly are to come into force and be effective in relation to the next election or by-election for the Legislative Assembly”

Debate ensued

Mr Gardner (Minister for Health and Environment) moved the following amendment to the amendment:

THAT the following words be added at the end of Mr Cook’s motion:

“If a Senior Officer or Senior Employee of the Public Service thereafter stands for election to the Legislative Assembly, he or she shall be deemed to resign from the Public Service within six weeks in the event that he or she is elected at that election, provided that he or she shall not be penalised for providing short notice of resignation”

Debate ensued

Question – That the amendment to the amendment be agreed to – put

The House voted –

AYES, 3

Mr Gardner

Mr Smith

Mr Brown

NOES, 2

Mr Nobbs

Mr Cook

ABSTENTIONS, 2

Mr Buffett

Mr Bates

The amendment to the amendment was agreed

Question – That the amendment as amended be agreed to – put and agreed to on the voices, Mr Nobbs dissenting, Mr Buffett and Mr Bates abstaining

Question – That the motion as amended be agreed to – put and agreed to on the voices, Mr Nobbs dissenting, Mr Buffett and Mr Bates abstaining

13 FIREARMS AMENDMENT BILL 2000

Debate resumed (Mr Cook QC, Minister for Immigration and Community Services) on the question – That the Bill be agreed to in principle

Question put

Bill agreed to in principle on the voices, Mr Smith being absent from the Chamber

Detail stage:

Mr Cook QC moved –

Delete Clause 5 and substitute the following clause:

Issue of permits

5. Section 26A of the Principal Act is amended by omitting subsection (2) and substituting –

“(2) The issuing officer shall not issue a permit under subsection (1) until after the end of the period of 28 days following the day on which the application is made for the permit but may, in exceptional circumstances and with the prior approval of the executive member, issue a visiting sporting shooter permit before the end of the period referred to.”

Question – That the amendment 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 Cook QC moved –

THAT the Bill as amended be agreed to

Question put

Bill as amended agreed to on the voices

14 PUBLIC MONEYS AMENDMENT BILL 2000

Debate resumed (Mr Nobbs, Chief Minister) on the question - That the Bill be agreed to in principle

Question put

The Bill was agreed to in principle on the voices

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

15 YOUTH ADVISORY COUNCIL BILL 2000

Debate resumed (Mr Smith, Minister for Tourism and Commerce) on the question - That the Bill be agreed to in principle

Question put
The Bill was agreed to in principle on the voices
Leave granted to dispense with the detail stage
Mr Smith moved –

THAT the Bill be agreed to

Question put
Bill agreed to on the voices

16 MARKING OF WEIGHT ON HEAVY PACKAGES (AMENDMENT) BILL 2000

Debate resumed (Mr Nobbs, Chief Minister) on the question - That the Bill be agreed to in principle

Question put
The Bill was agreed to in principle on the voices
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

17 FIRE CONTROL BILL 2000

Debate resumed (Mr Cook QC, Minister for Immigration and Community Services) on the question - That the Bill be agreed to in principle

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

18 FIXING OF NEXT SITTING DAY

Mr Cook QC, Minister for Immigration and Community Services, moved –

**THAT the House at its rising adjourn until Wednesday 21 June 2000
at 10 am**

Question put and agreed to on the voices

19 ADJOURNMENT

Mr Gardner, Minister for Health and Environment, moved –

THAT the House do now adjourn

Debate ensued
Question put and agreed to on the voices

AND THEN the House at 5.36 pm adjourned until Wednesday 21 June 2000 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

Members Present: All Members were present except Mr Walker by leave