

**NORFOLK ISLAND
MINUTES OF PROCEEDINGS
NINTH LEGISLATIVE ASSEMBLY
15/17 AUGUST 2001**

**NORF'K AILEN
DIISEM MENETS LARNEN WATHING HAEPN
INAA
NAINTH LEJESLIETEW 'SEMBLE
15/17 ORGAS 2001**

1 The Legislative Assembly met at 10.02 am. The Speaker (Hon D.E. Buffett) took the Chair and read the Prayer

2 **CONDOLENCES**

Mr McCoy recorded the passing of-

**Fletcher Ewan Christian
Douglas James Maxwell Evans**

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

Acting Deputy Speaker Bates took the Chair at 10.08 am

3 **PUBLIC GALLERY**

The Speaker welcomed to the public gallery Chief Executive Officer Ms Robyn Murdoch; and Miss Jessica Shaw, a Year 10 student on work experience at the Legislative Assembly

4 **PRESENTATION OF PETITION**

Mr Buffett presented a Petition from certain electors of Norfolk Island who pray that the House resolve to recommend to His Honour the Administrator that a new general election for the membership of the Legislative Assembly be held at the earliest possible date

Mr Buffett, by leave, moved –

THAT this House, by this motion, discuss the Petition today in the Legislative Assembly

Debate ensued
Mr Brown moved –

THAT the debate be adjourned until the end of today's programme

Question put
The House voted –

**AYES, 6
Mr Buffett
Mr Bates
Mr Gardner
Mr Walker
Mr Smith
Mr Brown**

**NOES, 2
Mr Nobbs
Mr McCoy**

Debate so adjourned

5 QUESTIONS WITHOUT NOTICE

The Speaker took the Chair at 11.30 am

Acting Deputy Speaker Gardner took the Chair at 11.54 am

6 PRESENTATION OF PAPERS

The following papers were presented to the House –

- 1) Mr Smith (Minister for Tourism and Commerce) tabled the Inbound Passenger Statistics for July 2001 and moved –

THAT the House take note of the Paper

Debate ensued

Question put and agreed to on the voices

- 2) Mr Nobbs (Chief Minister) tabled the Public Sector Management Amendment (No. 2) Regulations 2001 and the Postal Services (Local Rates) Regulations 2001
- 3) Mr Smith (Minister for Tourism and Commerce) tabled the Tourist Accommodation (Ex Gratia Payments) Regulations 2001
Mr Brown moved –

THAT the House take note of the paper

Debate ensued

Question put and agreed to on the voices

- 4) Mr Nobbs (Chief Minister) tabled –
 - a) Directions given under subsection 32A(2) of the Public Moneys Act 1979 to transfer to the financial year 2001-2002 the amounts specified in column 3 of the Schedule for the purpose of meeting commitments entered into in the year ending 30 June 2001 in respect of the matters specified in Column 2 of the Schedule;
 - b) Financial Indicators for month of July 2001;

7 STATEMENTS OF AN OFFICIAL NATURE

- 1) Mr Buffett (Minister for Immigration and Community Services) -
 - a) Reported on plans to introduce photographic drivers' licenses;
 - b) Provided a progress report on planning for the South Pacific Games;
 - c) Gave an update on consideration of the Justice package; and
 - d) Briefed the House on progress with the review of immigration legislation and policies;
- 2) Mr Smith (Minister for Tourism and Commerce) –
 - a) Provided an update on the airline situation; and
 - b) Reported on the establishment of a multifaceted youth centre

8 MESSAGE FROM THE OFFICE OF THE ADMINISTRATOR

Acting Deputy Speaker Bates reported Message No. 20 from His Honour the Administrator advising that on 26 July 2001 he reserved the Subdivision (Moratorium) Amendment Bill 2001 for the pleasure of the Governor-General

The sitting was suspended at 1.43 pm until 2.00 pm

The sitting resumed at 2.03 pm, Acting Deputy Speaker Gardner taking the Chair

9 PUBLIC SECTOR MANAGEMENT ACT 2000 – RECOMMENDATION TO APPOINT EXECUTIVE DIRECTORS

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

THAT this House, pursuant to section 39(1) of the Public Sector Management Act 2000 (“the Act”), and as a consequence of the report made by the Chief Executive Officer to Members of the Legislative Assembly at their informal meeting on 30 July 2001, recommends that the Chief Executive Officer appoint as an Executive Director the person selected as the preferred applicant under section 39(2)(b) of the Act for each of the Executive Director positions in the organisational structure agreed to by this House on 20 December 2000

Acting Deputy Speaker Bates took the Chair at 2.34 pm

Question put

The House voted –

AYES, 5

Mr Nobbs

Mr McCoy

Mr Walker

Mr Smith

Mr Brown

NOES, 2

Mr Buffett

Mr Bates

ABSTENTIONS, 1

Mr Gardner

Motion agreed to

10 PUBLIC SECTOR MANAGEMENT ACT 2000 – APPOINTMENT OF PRESIDING MEMBER OF THE PUBLIC SERVICE BOARD

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

THAT this House, in accordance with paragraph 10(1)(a) of the Public Sector Management Act 2000, recommends that the responsible executive member appoint –

John Edgar Christian

as the Presiding Member of the Public Service Board

Debate ensued

Question put and agreed to on the voices

11 MOTION BY LEAVE – SELECT COMMITTEE INTO IMPACT OF DEREGULATION OF TOURIST ACCOMMODATION REGISTRATIONS AND RELATED MATTERS – APPOINTMENT OF ADDITIONAL MEMBERS

Mr Walker, by leave, moved –

THAT, consequent on the resignation of Mr Adrian Cook QC as a member of the Legislative Assembly, and in accordance with the provisions of standing order 201, this House agrees that membership of the Select Committee appointed by this House on 18 July 2001 to inquire into the impact of deregulation of tourist accommodation registrations –

a) be increased to four; and

b) that Ronald Coane Nobbs and Allan John McCoy also be elected to serve as Members of the Committee

Question put and agreed to on the voices

12 MOTION BY LEAVE – HEALTHCARE ACT 1989 – MEMBERSHIP OF CLAIMS COMMITTEE

Mr McCoy (Minister for Health and Environment), by leave, moved -

THAT, consequent on the appointment to the Claims Committee of Allan John McCoy as executive member for the purposes of paragraph 22(2)(b) of the Healthcare Act 1989 (“the Act”), this House resolves to –

- a) **revoke the appointment of Allan John McCoy as member of the Claims Committee for the purposes of paragraph 22(2)(c) of the Act; and**
- b) **choose Brian George Bates, in his role of member of the Legislative Assembly, to be a member of the Claims Committee for the purposes of paragraph 22(2)(c) of the Act**

Question put and agreed to on the voices

13 TOURIST ACCOMMODATION (REGISTRATION AND QUOTA) AMENDMENT (NO. 2) BILL 2001

Mr Smith (Minister for Tourism and Commerce), by leave, presented a Bill for an Act to amend the Tourist Accommodation (Registration and Quota) Amendment Act 2001 and moved –

THAT the Bill be agreed to in principle

Debate ensued

Debate adjourned (Mr Smith) and the resumption of debate made an Order of the Day for the next sitting

14 PLANNING (TOURIST ACCOMMODATION) AMENDMENT BILL 2001

Debate resumed (Mr McCoy, Minister for Health and Environment) from 18 July 2001 on the question – That the Bill be agreed to in principle

Question put and agreed to on the voices, Mr Brown abstaining

Detail stage:

Mr Walker, by leave, moved –

Clause 2, delete the words “commences on the day on which notification of its assent is published in the Gazette.” and substitute “shall be deemed to have commenced on the sixteenth day of May 2001”.

Question – That the amendment be agreed to – put and agreed to on the voices, Mr Brown abstaining

Question – That the clause as amended be agreed to – put and agreed to on the voices, Mr Brown abstaining

Question – That the remainder of the Bill be agreed to – put and agreed to on the voices, Mr Brown abstaining

Mr McCoy moved –

THAT the Bill as amended be agreed to

Debate ensued

Question put

Bill as amended agreed to on the voices, Mr Brown abstaining

- 15 TOURIST ACCOMMODATION (QUOTA ADMINISTRATION) AMENDMENT BILL 2001**
 Debate resumed (Mr Smith, Minister for Tourism and Commerce) from 18 July 2001 on the question – That the Bill be agreed to in principle
 Debate further adjourned (Mr Smith) and the resumption of debate made an Order of the Day for a subsequent day of sitting

- 16 STATUTE AMENDMENT (GAMING FEES) BILL 2001**
 Debate resumed (Mr McCoy, Minister for Health and Environment) from 18 July 2001 on the question – That the Bill be agreed to in principle
 Question put
 The House voted –

AYES, 4	NOES, 4
Mr Buffett	Mr Gardner
Mr Nobbs	Mr Walker
Mr Bates	Mr Smith
Mr McCoy	Mr Brown

Motion negatived
 Bill not agreed to in principle

- 17 AMENDMENT TO IMMIGRATION AMENDMENT (NO. 2) BILL 2000 IN RESPECT OF NEW ZEALAND VISAS**
 Debate resumed (Mr Smith, Minister for Tourism and Commerce) from 21 February 2001 on the question – That the motion be agreed to
 Mr Buffett moved –

THAT the motion be discharged from the Notice Paper

Question put and agreed to on the voices

- 18 RESUMPTION OF DEBATE ON MOTION RELATING TO PETITION EARLIER PRESENTED**
 Debate resumed on the question – That the motion earlier proposed by Mr Buffett be agreed to
 Mr Walker moved –

THAT the 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, 2	NOES, 6
Mr Bates	Mr Buffett
Mr McCoy	Mr Nobbs
	Mr Gardner
	Mr Walker
	Mr Smith
	Mr Brown

Motion negatived
 Debate continued

Mr Walker moved –

That the sitting be suspended until Wednesday 22 September 2001 at 10 am

Mr Brown moved –

THAT the date be amended to Friday 17 September 2001

Debate ensued

Mr Brown 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 and agreed to on the voices

Question – That the motion as amended be agreed to – put and agreed to on the voices

**The House at 4.06 pm suspended its sitting until 10 am on Friday 17 September 2001
The House resumed its sitting at 10.06 am, the Speaker taking the Chair**

19 CONDOLENCES

Mr McCoy recorded the passing of-

Spencer Harry Jack Clapp

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

20 RESUMPTION OF DEBATE ON MOTION RELATING TO PETITION EARLIER PRESENTED

Debate resumed (Mr Brown) on the question – That the motion earlier proposed by Mr Buffett be agreed to

Mr Brown by leave moved –

THAT all words after “THAT” (first occurring) be deleted and the following substituted:

“this House, in accordance with section 5 of the Referendum Act 1964, resolves to ascertain the opinion of the electors on the question –

‘Should a new election be held for the full membership of the Legislative Assembly at the earliest convenient date?’

and requests the Speaker to direct a referendum on this question at the earliest convenient date in October 2001”

Debate ensued

Mr Bates moved –

THAT the 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, 2
Mr Bates
Mr McCoy

NOES, 6
Mr Buffett
Mr Nobbs
Mr Gardner
Mr Walker
Mr Smith
Mr Brown

Motion negatived

Debate continued

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

The House voted -

AYES, 6
Mr Buffett
Mr Nobbs
Mr Gardner
Mr Walker
Mr Smith
Mr Brown

NOES, 2
Mr Bates
Mr McCoy

Motion as amended agreed to

21 FIXING OF NEXT SITTING DAY

Mr Gardner moved –

THAT the House at its rising adjourn until Wednesday 26 September 2001 at 10.00 am

Question put and agreed to on the voices

22 ADJOURNMENT

Mr Bates moved –

THAT the House do now adjourn

Debate ensued with Mr Gardner, Mr McCoy, Mr Smith and Mr Nobbs participating

Question put and agreed to on the voices

AND THEN the House at 10.24 am adjourned until Wednesday 26 September 2001 at 10 am

Robin-Eleanor Adams
Clerk to the Legislative Assembly

Members Present: All Members were present