



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

STATEMENT BY THE SPEAKER

**Legislative Assembly of
Norfolk Island: Remonstrance**

SPEECH

Wednesday, 27 May 2015

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

Date Wednesday, 27 May 2015	Source House
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Questioner	Responder
Speaker Bishop, Bronwyn, MP	Question No.

The SPEAKER (15:14): I inform the House that I have received from the Speaker of the Legislative Assembly of Norfolk Island a remonstrance of the Legislative Assembly praying that the Commonwealth parliament affirm the rights of the people of Norfolk Island to self-government. I do not propose to read the remonstrance to the House. Copies have been placed on the table and the full text will be recorded in the *Votes and Proceedings*. I hand the remonstrance to the Clerk.

The document read as follows—

1 LEGISLATIVE ASSEMBLY OF NORFOLK ISLAND—SELF GOVERNMENT

The Speaker informed the House that she had received the following Remonstrance passed by the Legislative Assembly of Norfolk Island on 20 May 2015 relating to self government—

The Legislative Assembly for Norfolk Island respectfully addresses itself to—

The Honourable the President of the Senate and the Members of the Senate,

The Honourable the Speaker of the House of Representatives and Members of the House of Representatives in Parliament assembled.

PREAMBLE

The passage in the Commonwealth Parliament of the Norfolk Island Act 1979 conferred on Norfolk Island a limited grant of self governing powers with its own legislature (the Legislative Assembly of Norfolk Island) with a plenary grant of legislative powers to legislate for the peace, order and good government of the Territory established, with its own body politic under the Crown with a wide grant of executive powers and with its own judicial system.

The Legislative Assembly for Norfolk Island is constituted of 9 representatives of the people of Norfolk Island; duly and democratically elected pursuant to the Legislative Assembly Act 1979.

The Norfolk Island Legislation Amendment Bill 2015 passed by the Commonwealth Parliament in May 2015 removes the self government powers of Norfolk Island. It has been passed without genuine consultation and negotiation with the Norfolk Island Government, the Legislative Assembly of Norfolk Island or the people of Norfolk Island.

The Statement of Compatibility with Human Rights contained within the Explanatory Memorandum for the Norfolk Island Legislation Amendment Bill 2015 asserted that the proposal to remove self-government powers from Norfolk Island was the result of an extensive consultation process that found significant support for change within the Norfolk Island community.

Norfolk Island voters in a referendum conducted on 8 May 2015 under the Referendum Act 1964 voted by a 68% majority that the people of Norfolk Island should have the right to freely determine their political status, their economic, social and cultural development and be consulted at referendum or plebiscite on the future model of governance for Norfolk Island before such changes are acted on by the Australian Parliament.

GRIEVANCES

The Legislative Assembly of Norfolk Island presents its grievances to the Commonwealth Parliament.

These are that:

(1) The people of Norfolk Island having been granted self governing powers, the duly elected representatives of the people of Norfolk Island are aggrieved that self government should be removed without genuine consultation and negotiation.

(2) The removal of self government in Norfolk Island breaches one of the conventions of self- government in the Westminster tradition that once self government is granted to a political entity, it should not thereafter be taken away except in the most extreme circumstances, for example, war or civil disturbance. See submission of the Commonwealth Attorney-General's Department to the Joint Parliamentary Committee on the Northern Territory, page 8 of Parliamentary Paper No. 281 of 1974 where it also states that it would be politically unthinkable to take away such powers after they had been granted.

PETITION

The Legislative Assembly of Norfolk Island and its democratically elected Members respectfully request that the Commonwealth Parliament affirm the rights of the people of Norfolk Island to self-government by re-examining those aspects of the Norfolk Island Legislation Amendment Bill 2015 that result in the removal of the Norfolk Island Legislative Assembly and call on the Prime Minister to confer on the people of Norfolk Island the right to freely determine their political status, their economic, social and cultural development and be consulted at referendum or plebiscite on the future model of governance for Norfolk Island before such changes are acted on by the Australian Parliament.

On 20 May 2015 the above Remonstrance was introduced by the Hon Robin E Adams MLA into the Fourteenth Legislative Assembly of Norfolk Island and was passed on the same day. The Legislative Assembly requested the Remonstrance be delivered by the Speaker of the Legislative Assembly to the Speaker of the House of Representatives and to the President of the Senate.

David E Buffett AM MLA

Speaker