



# Norfolk Island Governance Committee

**The following does not represent official government policy nor the final recommendations of the Norfolk Island Governance Committee**

## **Establishing the Norfolk Island Assembly**

The Norfolk Island Governance Committee (NIGC) has commenced discussions on drafting the enabling law required to establish the Norfolk Island Assembly, with the goal of holding elections for the new Assembly on or before December 2025. The NIGC is developing detailed policy recommendations on implementing each element of the framework for the Assembly announced by the Australian Government in November 2024.

To meet this timeline, the NIGC must finalise its policy recommendations for the enabling law by the end of March 2025. The Committee plans to progressively publish its preliminary outcomes of discussions and Draft Policy Recommendations for community comment and review as each area is developed.

Community representatives are available for engagement every second Wednesday from 4:00 PM to 6:00 PM at the Supper Room. If you would like to make a written submission, please contact:

- [NorfolkIslandGovernance@infrastructure.gov.au](mailto:NorfolkIslandGovernance@infrastructure.gov.au)
- [NIGCcommunityreps@gmail.com](mailto:NIGCcommunityreps@gmail.com) (for direct inquiries to community representatives)

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## **NIGC Draft Policy Recommendations**

### **Policy:**

Establish Norfolk Island's new governing body, (the Norfolk Island Assembly), which will work in partnership with the Australian Government to provide for the peace, order and good government of Norfolk Island in accordance with the enabling law.

The Australian Government will deliver federal services. When engaging another state or territory to deliver state type services in Norfolk Island, will do so in consultation with the Assembly. (e.g., health support, education, and corrective services by the Queensland Government).

In accordance with the enabling law, the Assembly will have the power to do all things necessary or convenient for the peace, order and good government of Norfolk Island:

- The Assembly will have law-making authority - beyond traditional 'local government' responsibilities.
- The Assembly will be able to make laws and exercise powers about independently delivering local and state type services, with certain functions reserved for the approval of the Federal Minister, as prescribed by schedule.
- The Assembly will have, within these responsibilities and powers, the power to create new laws to, over time, progressively replace Norfolk Island Continued Laws and existing Ordinances.
- The Assembly and Commonwealth Minister will need to work together as each new law is being developed, to ensure no unintended consequences/gaps will arise with the repeal and replacement of continued laws and that all relevant delegations, powers and responsibilities are appropriately covered in the replacement law. The Assembly will then request the Commonwealth to repeal (by the Governor-General) Norfolk Island Continued Laws and existing Ordinances being replaced by the new Assembly laws.

## **The enabling law will establish:**

- The Norfolk Island Assembly: A representative democratic Assembly, defining the constitution, powers, and responsibilities of elected members. It should enable substantial strategic decision-making, discretion, and political judgment.
- The Norfolk Island Administration: An impartial and separate administrative body that implements government laws or policies, with limited discretion, focusing on delivering services to the community and operational matters. The Assembly will be able to make laws to support the delivery of services by and operations of the Administration.

## **The Norfolk Island Assembly:**

To establish a system of representative democratic government in Norfolk Island, and for related purposes.

### **The Assembly**

The Assembly is to be a body politic with perpetual succession by the name of the Norfolk Island Assembly. It will have a common seal, and may sue and be sued in that name.

### **Powers of the Assembly**

The Assembly will have the power to do anything that is necessary or convenient for the peace, order, and good government of Norfolk Island.

When exercising a power, the Assembly will be required to have regard to Norfolk Island traditions and custom.

### **Governance principles**

To ensure the system of governance on Norfolk Island is accountable, effective and sustainable, it will be required that anyone who is performing a responsibility in the Assembly, must do so in accordance with the following governance principles:

- *Transparent and effective processes, and decision-making in the interests of the Norfolk Island community.*
- *Sustainable development and management of assets and infrastructure, and delivery of effective services.*
- *Democratic representation, social inclusion, and inclusive and meaningful community engagement.*
- *Good governance of, and by, the Assembly; and*
- *Ethical and legal behaviour of elected members and elected members' advisors.*

### **Collaboration with the Australian Government**

The Assembly may exercise its powers by cooperating with one or more State or Territory government or the Commonwealth Government to conduct a joint government activity (training and capacity building support, providing a service, or operating a facility or site).

### **Elections and Term**

Consistent with the Minister's announcement in November 2024, the Assembly will be created with four-year fixed terms.

### **Membership**

As announced by the Minister in November 2024, the Assembly shall consist of 5 members, one of whom will be chosen by the Assembly to be the 'Presiding member'.

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Future NIGC preliminary outcomes and draft recommendations will be provided in the coming weeks to address the remaining elements of The Norfolk Island Assembly, before recommendations are made on the enabling law to establish The Norfolk Island Administration.

**27 February 2025**