



Australian Government

Norfolk Island Assembly

The Norfolk Island Assembly (NI Assembly) will be implemented by an Ordinance made under s19A of the *Norfolk Island Act 1979 (Cth)* (NI Act) and will:

1. Have five members, including a full-time Presiding Officer, with all other members being part-time.
2. Operate on fixed four-year terms.
3. Be empowered to make local laws.
4. Have additional functions as well as local government responsibilities.
5. Be based on the Queensland local government model, with modifications to reflect the unique needs and context of Norfolk Island.

Voter and Candidate Eligibility

To nominate and be elected an individual must be:

1. Over 18 years of age, and
2. Enrolled to vote on Norfolk Island and ordinarily resident on Norfolk Island, and
3. An Australian Citizen.

There will be conditions (such as certain criminal convictions) that exclude an individual from nominating and being elected. These will be consistent with exclusions operating in other Australian jurisdictions.

Law-making powers

It is proposed the NI Assembly may make and enforce laws necessary or convenient for the peace, order, and good government of Norfolk Island on those subject matters ordinarily within the responsibilities of local governments. In some cases, the NI Assembly may also make laws in relation to matters covered by the current body of Norfolk Island continued laws. (These are laws in operation prior to 2015 which have been continued as Commonwealth legislation under the *Norfolk Island Continued Laws Ordinance 2015*.)

Limitations: Limits may apply to the areas of continued law the Assembly may change. Within those limits, which laws are considered for remaking will be a decision for the elected members of the NI Assembly and the process will be undertaken in consultation with the Australian Government.

Revocation and suspension of laws: The Australian Government Minister with responsibility for Territories may suspend or revoke a law if they reasonably believe the law is contrary to

any other Norfolk Island or Commonwealth law, or inconsistent with the governance principles.

Assembly Governance

Norfolk Island Assembly responsibilities: The NI Assembly is an elected body responsible for the peace, order, and good government of Norfolk Island within the limits prescribed in the establishing legislation.

Governance principles:

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

Responsibilities of elected members:

1. Represent the current and future interests of all the residents of Norfolk Island.
2. Ensure the NI Assembly discharges its responsibilities under the Act to be economically and socially responsible, including maintaining a balanced budget, maintaining Norfolk Island's assets and providing services to the community.
3. Comply with all the laws that apply to Norfolk Island.
4. Provide high quality leadership to the administration of Norfolk Island, and to the community.
5. Participate in NI Assembly meetings, policy development and decision making for the benefit of Norfolk Island.
6. Work with the Australian Government and be accountable to the Government and the community of Norfolk Island for their performance in the Administration of Norfolk Island.

Remedial actions

The Minister may take remedial action if it is in the public interest, including where the NI Assembly or an individual member is not performing their responsibilities properly, or not complying with laws applying to the Assembly.

Remedial actions may include:

1. Appointing an advisor to build the NI Assembly's capacity to perform its responsibilities or comply with relevant laws;
2. Appointing a Financial Controller to address financial concerns; and
3. Suspending or removing individual members.

The Minister may dissolve the NI Assembly if other remedial actions have been tried, or are considered insufficient due to the level of concern e.g. criminal or corrupt conduct by the NI Assembly.

Interim administrator: If the Minister dissolves the NI Assembly, they may appoint an interim administrator to act in place of the Assembly until the conclusion of a fresh election of members to be held on a stated date.

The powers and responsibilities of the interim administrator: The interim administrator is appointed to act in place of the members of the NI Assembly and has all the responsibilities of the NI Assembly and the Presiding Member. The Minister may limit the responsibilities and powers of the interim administrator.

For more information, go to: <https://www.infrastructure.gov.au/territories-regions-cities/territories/norfolk-island/norfolk-island-governance-administration/norfolk-island-governance-committee>