# EXPLANATORY STATEMENT

# Issued by the Authority of the Assistant Minister for Infrastructure and Regional Development

*Norfolk Island Act 1979*

*Norfolk Island (Advisory Council Remuneration and Procedures) Instrument 2015*

**1. Background**

Section 12 of the *Norfolk Island Act 1979* (the Act) establishes the Norfolk Island Advisory Council (Advisory Council). The Advisory Council members are to be appointed for a period of 12 months commencing 1 July 2015. The role of the Advisory Council is to advise the Administrator of Norfolk Island on matters affecting the peace, order and good government of the territory of Norfolk Island. This Instrument sets out the remuneration of members and certain procedures for meetings of the Advisory Council, pursuant to sections 14D and 14J of the Act.

**2. Purpose and operation of Instrument**

Section 14D of the Act provides for the responsible Commonwealth Minister to prescribe by Legislative Instrument the remuneration and allowances (if any) to be paid to members of the Advisory Council. Part 2 of this Instrument sets the remuneration and expenses allowance for the chair of the Advisory Council and the remuneration for the other members of the Advisory Council. A member will receive either the remuneration for the ‘chair’ or the remuneration for an ‘other member’ as relevant (the chair will not receive both).

Section 14J of the Act provides for the responsible Commonwealth Minister to prescribe by Legislative Instrument the procedures for meetings of the Advisory Council. Part 3 of this Instrument sets the procedures to be followed at or in relation to certain matters for meetings of the Advisory Council. The matters in this Instrument ensure the Advisory Council meets on a regular basis, and provide for the procedures relating to decision-making, and establishing who will preside at a meeting in the absence of the chair.

It is intended that the Advisory Council will determine its own procedures for matters not expressly dealt with in Part 3 of this Instrument. Such procedures will operate, provided they are not inconsistent with any matters provided in this Instrument.

**3. Consultation**

No external consultation was undertaken in the preparation of this Legislative Instrument as it provides only for limited matters relating to a newly established body. Feedback from members of the Advisory Committee can be taken into account as the Advisory Council commences its functions.

# Statement of Compatibility with Human Rights

*Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011*

**Norfolk Island Advisory Council – Rules and Procedures Legislative Instrument**

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

**Overview of the Legislative Instrument**

In accordance with sections 14J and 14D of the *Norfolk Island Act 1979* (the Act), this Legislative Instrument outlines remuneration and allowances to be paid to members of the Norfolk Island Advisory Council (Advisory Council) and sets out requirements related to meeting frequency, quorums and decision making for the Advisory Council.

**Human rights implications**

This Legislative Instrument does not engage any of the applicable rights or freedoms. Human rights were considered in the development of the Act which provides for the establishment of the Advisory Council.

**Conclusion**

Given the limited nature of the Legislative Instrument, it is compatible with human rights as it does not raise any human rights issues.

**Assistant Minister for Infrastructure and Regional Development, the Hon Jamie Briggs MP**