



Norfolk Island Transition Assembly - FAQs

1. What is the revised approach?

The Australian Government has listened to the Norfolk Island community, and the Norfolk Island Assembly (the Assembly) previously announced by the Australian Government will now be implemented through primary legislative changes instead of by ordinance, reflecting the community's preference. This approach will take longer, but the Government heard a clear message from the community that the legislative pathway was more important than the timeframe.

Drawing on the important work done by the Norfolk Island Governance Committee (NIGC) and its community representatives, and noting the extended timeframe, the full governance model will now be established in two stages.

Initially a Norfolk Island Transition Assembly (Transition Assembly) will be established with an election to be called in the coming months. The Transition Assembly will comprise five elected members.

Transition Assembly Members will be elected for an initial period of two years, with the final duration to be determined by the Minister for Territories depending on the time needed to establish the permanent Assembly. During this period, the Transition Assembly will make recommendations to the Minister on the future statutory governance framework for Norfolk Island, including amendments to the *Norfolk Island Act 1979*. The initial two-year period is a transition period for Norfolk Island, giving Transition Assembly members the autonomy to shape the Island's future governance.

2. Why is the Australian Government taking a staged approach?

The Australian Government acknowledges the Norfolk Island community's desire for democratically elected representation.

This approach draws on aspects of a phased model recommended by the community representative members of the NIGC directly to the Minister for Territories.

This approach reflects the community's strong preference for a model established by legislation passed by the Australian Parliament, while enabling democratically elected local representation to be established sooner. The development and passage of legislation takes time, and this approach means the community will have an interim representative body and voice while changes to the *Norfolk Island Act 1979* are developed.

3. Is this just another version of the Norfolk Island Governance Committee?

No. The Transition Assembly succeeds the NIGC as the next stage in Norfolk Island's governance reform journey. While the NIGC was a collaborative forum bringing together community representatives and government officials to discuss governance issues to inform a governance model via ordinance, the Transition Assembly will be a democratically elected body with a specific focus on developing and recommending a governance model for consideration by the Minister for Territories. The governance model will build on the work and recommendations of the NIGC and inform policy advice and legislative drafting instructions for primary legislation to establish a statutory Norfolk Island Assembly with law-making powers.

The Transition Assembly's role is focused and substantive. It will move from consultation and dialogue to developing detailed recommendations that can inform legislative drafting and implementation. Its work will be informed by the NIGC's recommendations, which already reflect substantive community consultation.

4. What will the Transition Assembly look like?

The new body will be called the Norfolk Island Transition Assembly.

There will be five elected members. The Norfolk Island Administrator will participate in Transition Assembly proceedings in accordance with the Operational Framework agreed with the Minister for Territories.

Detail about the election, including Candidate Packs with more details on the nomination process, will be provided to the community shortly.

5. How will the community have input during the Transition Assembly's term?

The Transition Assembly will develop its own coordination and consultation frameworks required to efficiently and effectively administer its responsibilities. It is expected the Transition Assembly will consult the Norfolk Island community and key stakeholders on matters arising during the transition phase.

6. Will the Preamble be reinstated?

Yes. The reinstatement of a Preamble in an amended *Norfolk Island Act 1979* will be part of the legislative changes to establish the future governance model.

7. Will the Norfolk Island Transition Assembly make laws?

No. The Transition Assembly will not have power to make laws. Its role is to develop and recommend a governance model to the Australian Government for the design of a future statutory governance body for Norfolk Island. It may also provide advice and recommendations on matters relevant to the Australian Government about future laws applying to Norfolk Island, including continued laws, during the transition phase.

The future Norfolk Island Assembly will be established through primary legislation. Its functions and powers will be determined through that legislative process, informed by the Transition Assembly's recommendations.

8. Will Norfolk Island return to self-government?

No. The Australian Government has not agreed to return Norfolk Island to self-government – this was not in line with recommendations in the November 2023 report from the Joint Standing Committee on the National Capital and External Territories and not in line with the Government's response to that report.

9. Will there still be any applied state laws in Norfolk Island?

Yes. The legal framework for Norfolk Island will remain unchanged during the period the Transition Assembly is in place.

There may be changes to state laws that need to be applied in Norfolk Island to support the new model in its second stage. Those laws necessary for the functioning of state service delivery partners will remain in place.

10. When will the Transition Assembly commence?

The Transition Assembly can commence its work as soon as practical once the election results are declared. More details on the administrative and operational arrangements for the operation of the Transition Assembly will be available shortly, informed by the advice of the community representatives on the NIGC.

11. Why isn't the Assembly being established immediately through legislation?

The Australian Government listened to the Norfolk Island community's preference for the governance model to be delivered via primary legislation rather than an ordinance. Establishing the Assembly through legislation will take longer, but it provides an opportunity for the community and elected Transition Assembly members to help shape key elements of the future governance model before legislation is drafted and introduced to Parliament.

12. Will the Norfolk Island Regional Council continue to operate?

Yes. While the Transition Assembly undertakes its work, the NIRC will continue to provide local services, and existing administrative and service delivery arrangements will remain in place. The Transition Assembly will provide democratic representation, develop policy advice for the future governance model, and prepare a Transition Plan to support continuity of administration and service delivery at the end of the transition period.

The Transition Plan will build on the recommendations agreed by the NIGC and reflect consultation with the Norfolk Island Regional Council, service delivery providers and the Australian Government.

13. Will current arrangements for health, education and other services change?

No. Existing service delivery arrangements will continue during the transition stage. This includes arrangements with service delivery partners for health, education and other state-type services.

14. What happens now?

The Minister will publish the Transition Assembly's Charter, and more details will be released shortly, including community engagement opportunities, the election date, nomination and voting processes, and terms and conditions for Transition Assembly members.