

**GOVERNMENT RESPONSE TO THE JOINT STANDING COMMITTEE ON THE NATIONAL CAPITAL AND
EXTERNAL TERRITORIES' (JSC'S) REPORT *NORFOLK ISLAND ELECTORAL MATTERS***

JSC Recommendations	Government Response
Recommendation 1 The Committee recommends that Australian Citizenship be reinstated as a requirement for eligibility to vote for and be elected to the Norfolk Island Legislative Assembly, with appropriate safeguards for the right to vote of all those currently on the electoral roll. The Committee further recommends that these changes be incorporated into the Commonwealth <i>Norfolk Island Act 1979</i>.	Agreed. The <i>Norfolk Island Amendment Act 2004</i>, assented to on 10 March 2004, amended the <i>Norfolk Island Act 1979</i> as recommended by the Committee. The Act came into force on 11 March 2004. A group of Norfolk Island residents applied to the High Court of Australia challenging the validity of the law. A hearing was held on 8-9 November 2006. On 27 April 2007 the High Court unanimously held that the <i>Norfolk Island Amendment Act 2004</i> was valid under section 122 of the Constitution.
Recommendation 2 The Committee recommends that the Government amend all appropriate legislation, including the <i>Norfolk Island Act 1979</i> and the <i>Commonwealth Electoral Act 1918</i>, to ensure that all elections and referenda on Norfolk Island come under the supervision of the Australian Electoral Commission	Not agreed. The Australian Government considered alternative governance arrangements for Norfolk Island in 2006. The Australian Government accepted the assurances of the Norfolk Island Government and decided not to proceed with changes to the governance arrangements of Norfolk Island.
Recommendation 3 The Committee recommends that the period for which an Australian citizen must reside on Norfolk Island before being eligible to enrol to vote for the Legislative Assembly be reduced to six months. The Committee further recommends that this change be incorporated into the Commonwealth <i>Norfolk Island Act 1979</i>.	Agreed. The <i>Norfolk Island Amendment Act 2004</i>, assented to on 10 March 2004, amended the <i>Norfolk Island Act 1979</i> as recommended by the Committee. The Act came into force on 11 March 2004. A group of Norfolk Island residents applied to the High Court of Australia challenging the validity of the law. A hearing was held on 8-9 November 2006. On 27 April 2007 the High Court unanimously held that the <i>Norfolk Island Amendment Act 2004</i> was valid under section 122 of the Constitution.