



GOVERNMENT OF  
NORFOLK ISLAND



# GOVERNANCE CHARTER

CONSTITUTIONAL FRAMEWORK  
and  
OPERATIONAL MANUAL



Adopted 30 May 2026



## Status and Interpretation

This Governance Charter sets out the constitutional position, governance framework, and operating principles of the Government of Norfolk Island during a period of lawful transition and constitutional modernisation.

It reflects the will, authority, and continuing constitutional identity of the Norfolk Island People as expressed through their institutions and democratic processes.

This Charter operates in parallel with existing administrative arrangements during the transitional period. It does not disrupt existing administrative systems but establishes the framework through which the Government of Norfolk Island exercises its authority and develops its institutions.

Nothing in this Charter shall be interpreted as diminishing the principle that lawful authority originates from the people of Norfolk Island and is exercised in trust in accordance with constitutional continuity, popular sovereignty, and recognised principles of self-determination under international law.

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## MESSAGE FROM THE CHIEF MAGISTRATE

To the people of Norfolk Island

March 2026

This Governance Charter reflects a simple principle: the people of Norfolk Island are capable of shaping their own future, and we are taking practical steps to do so.

Our ancestors chose courage over resignation. They crossed oceans not in pursuit of power, but in search of community, freedom, and responsibility. They built systems of self-government grounded in cooperation, fairness, and shared obligation. They understood that when a people speak for themselves, stability follows; when they are excluded, fragility takes root. That truth remains.

In recent years, governance arrangements affecting Norfolk Island have largely been determined beyond the Island. These changes have not delivered the stability, fiscal balance, or community cohesion over the systems replaced. Experience has reinforced an important lesson: sustainable governance for Norfolk Island must be developed with the community, not simply applied to it.

This Charter provides a clear framework for how the Government of Norfolk Island will operate during a period of constitutional modernisation and institutional renewal. It establishes transparent decision-making structures, reinforces community participation through direct democratic forums, and sets out principles for responsible stewardship of the Island's social, economic, cultural, and environmental wellbeing.

Importantly, the Charter commits to modernising the constitutional framework that once guided Norfolk Island for generations. Our intention is not simply to preserve the past, but to carry forward its principles while rebuilding local capacity to meet the realities of the present and the challenges of the future.

Throughout this process, the voice of the community remains central. The General Assembly and other consultation mechanisms ensure that governance decisions continue to reflect the will and interests of the Norfolk Island people.

To our young people: your future is an essential part of this work.

To our Elders: your knowledge and experience continue to guide us.

To the wider community: our strength lies in our ability to work together with respect, patience, and shared purpose.



Norfolk Island is a small but resilient community with a unique history and identity. We seek constructive relationships with others while remaining confident in our ability to manage our own affairs responsibly. In doing so, we remain committed to engaging respectfully with regional and international partners in ways consistent with recognised principles of self-determination and cooperative dialogue.

This Charter is therefore both a practical guide for governance today and a foundation for the continued development of Norfolk Island's institutions in the years ahead. The Charter strengthens not only how we care for our land, culture, and economy, but also how we build trusted, capable, and accountable institutions to serve our people/

The success of this work will depend on the active participation of the community. The Government of Norfolk Island cannot achieve this alone. We encourage members of the community to contribute their knowledge, skills, experience, and practical support to help strengthen the institutions and initiatives set out in this Charter. The restoration of locally accountable governance will be a shared effort — built through cooperation, initiative, and community leadership. Many solutions to the challenges we face already exist within our own community. By working together and drawing upon the talents and commitment of our people, we can build the governance capacity and democratic confidence needed for Norfolk Island's future.

The future of Norfolk Island will not be delivered to us; it will be built by us.

Thank-you all yorlye. Good luck orl aklan.

A handwritten signature in blue ink, reading 'P Bailey'.

**Peter Christian Bailey**  
Chief Magistrate





## CONTENTS

<b>MESSAGE FROM THE CHIEF MAGISTRATE</b> .....	<b>3</b>
<b>PREAMBLE</b> .....	<b>10</b>
<b>VISION</b> .....	<b>11</b>
<b>PLACE AND COMMUNITY</b> .....	<b>12</b>
<b>PART A: AUTHORITY &amp; FOUNDATIONS</b> .....	<b>14</b>
1. Purpose and Mandate.....	14
2. Constitutional Continuity.....	14
3. Crown Recognition (1856) .....	17
4. Constitutional Supremacy of the Charter .....	18
5. Public Seal of Norfolk Island.....	18
6. Hierarchy of Authority .....	19
7. Amendment of the Charter.....	19
8. Interpretation.....	19
9. Definitions.....	19
10. Statements of Constitutional Position .....	23
<b>PART B: TRANSITIONAL GOVERNANCE ARRANGEMENTS</b> .....	<b>32</b>
11. Transitional Governance Policies .....	32
<b>PART C: GOVERNANCE ARCHITECTURE</b> .....	<b>38</b>
12. Executive Government.....	38
13. Chief Magistrate .....	38
14. Councillors .....	39
15. Officers of The House.....	39
16. Committees of the House.....	40
17. The General Assembly.....	40
18. Judicial Authority.....	40
<b>PART D: STEWARDSHIP FRAMEWORK</b> .....	<b>43</b>
19. Five Pillars of Sustainability.....	43
20. Community Wellbeing Indicators.....	45
21. Intergenerational Stewardship .....	47
22. Popular Sovereignty and Direct Democracy.....	47
<b>PART E: INSTITUTIONAL RELATIONSHIPS &amp; ADVISORY BODIES</b> .....	<b>50</b>
<b>PART F: DECISION MAKING FRAMEWORK</b> .....	<b>55</b>
23. Sustainability Assessment.....	55
24. Decision Categories.....	56
25. Role of the General Assembly .....	58



26. Role of The House .....	58
27. Elevation Mechanism .....	58
<b>PART G: PROTOCOLS .....</b>	<b>61</b>
28. Code of Conduct .....	62
29. Communication .....	64
30. Conflict Resolution .....	65
31. Consultation .....	66
32. Correspondence.....	68
33. Electoral Roll.....	70
34. External Relations .....	71
35. Media.....	72
36. Records.....	74
37. Representation .....	77
38. Meetings of The House – Internal – Ordinary business.....	80
39. General Assembly Meetings.....	81
<b>PART H: OPERATIONAL FRAMEWORK .....</b>	<b>85</b>
40. Operational Structure - 2026 .....	85
41. Member Portfolios.....	86
42. Operational Priorities.....	87
43. Actioning the Operational Priorities.....	90
<b>PART I: 2026 COMMUNITY ACTION PLAN .....</b>	<b>93</b>
<b>PART J: SCHEDULES .....</b>	<b>100</b>
Schedule 1. Oaths.....	101
Schedule 2. Officer Instruments.....	102
Schedule 3. Advisory Body Instruments.....	103
Schedule 4. Sustainability Assessment Template.....	104
Schedule 5. General Assembly Procedural Orders.....	105
Schedule 6. General Assembly Notice Paper Template .....	115
Schedule 7. 1838 Constitution .....	116





## **PART A**

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# **AUTHORITY & FOUNDATIONS**



## PREAMBLE

We, the People of Norfolk Island, mindful of our history and responsibility to future generations, affirm the continuity of the constitutional identity of the Pitcairn–Norfolk Island People, and our shared commitment to the future of Norfolk Island.

Our forebears came to Norfolk Island as a whole people, bringing with them their constitution, customs, language, and institutions of self-government. These foundations were not created by relocation but carried forward by the collective will and stewardship of the people.

Lawful authority flows from the people and is exercised in trust. The constitutional foundations of Norfolk Island originate in the Pitcairn Constitution of 1838, acknowledged by the Crown in 1856. This Charter gives contemporary expression to that continuity while enabling the modernisation of our governance institutions.

Governance arrangements affecting Norfolk Island should therefore be grounded in the historical constitutional development of the island and the freely expressed will of the Norfolk Island People.

Norfolk Island is a small and interdependent community sustained by the balance between land, sea, culture, and economy. Stewardship of this balance is both inheritance and responsibility. Decisions taken today must protect the wellbeing, identity, and dignity of the Norfolk Island People and preserve the inheritance of generations to come.

This Charter establishes:

- responsible institutions of Executive Government;
- structured forums for direct democratic participation;
- a disciplined decision-making framework grounded in sustainability;
- recognised advisory relationships supporting cultural knowledge and intergenerational stewardship; and
- procedural safeguards ensuring transparency, accountability, and lawful continuity.

We assert this authority not in opposition to others, but in continuity with ourselves. We affirm the responsibility of the Norfolk Island People to govern their affairs with dignity, stability, and foresight, consistent with recognised principles of self-determination under international law.

This Charter therefore stands as both a statement of constitutional continuity and a framework for renewal — honouring the traditions of the Norfolk Island People while enabling the development of modern institutions capable of meeting the challenges of the future. In this spirit, we, the People of Norfolk Island, adopt and affirm this Governance Charter as a binding instrument of stewardship for our community.



## VISION

### Norfolk Island – A Vision for Self-Governance and Community Renewal

By 2030, Norfolk Island is:

- ✓ A confident and locally accountable system of self-government, grounded in constitutional continuity and the freely expressed will of the Norfolk Island People through the exercise of their right to self-determination.
- ✓ A homeland where our children walk with pride in who they are — knowing their history, speaking their language, and believing their future is here
- ✓ A community where young people choose to stay, return, and build opportunity for themselves and those who follow
- ✓ A society that honours its Elders, strengthens its families, and sustains the kinship, cooperation, and cultural values that define us
- ✓ A community maintaining a sustainable population balance that protects cultural continuity, social cohesion, and the Island's natural capacity
- ✓ An economy that supports dignity and independence — resilient, locally driven, and aligned with our identity and environment
- ✓ An island whose land and sea are cared for with respect, restored where needed, and protected for future generations
- ✓ A peaceful and respected Pacific community, engaging with regional and international partners in dignity, clarity, and mutual respect while exercising our right to determine our own political future.



## PLACE AND COMMUNITY

Norfolk Island lies in the South Pacific Ocean, about 1,400 kilometres east of Australia and 900 kilometres north of New Zealand.

The last census in 2021 recorded 2,188 residents, comprising descendants of the Pitcairn Islanders who arrived in 1856 and more recent settlers from multiple global communities.

Norfolk Island's culture is a living expression of the Pacific voyaging tradition, born from the union of Tahitian women and their families with the Pitcairn settlers.

Central to this identity is the Norfolk language — the language of Norfolk Islanders and a defining expression of the Pitcairn–Norfolk Island people. Recognised by UNESCO as an endangered Indigenous language of the Pacific, Norfolk carries the history, worldview, humour, and kinship of the community.

Alongside the island's traditions of sharing, collective responsibility, and respect for Elders, the Norfolk language remains one of the strongest living expressions of the Island's distinct cultural identity and continuity.

For the purposes of this Charter:

**Land Territory** – The jurisdiction of Norfolk Island includes Norfolk Island, Phillip Island, Nepean Island, all naturally associated rocky outliers, reefs, and emergent features.

**Baseline** – All maritime zones are measured from the low water mark surrounding each island and outlier.

**Internal waters** – All waters on the landward side of the low-water baseline form part of Norfolk Island's internal jurisdiction.

**Territorial Sea – 12 Nautical miles** – Norfolk Island exercises jurisdiction over a 12-nautical mile territorial sea, including the water column, seabed, sub-soil, and the airspace above it.

**Exclusive Economic Zone – 200 Nautical miles** – Norfolk Island's jurisdiction includes a 200-nautical mile Exclusive Economic Zone, measured from the low-water baseline.

**Airspace** – Jurisdiction extends to the airspace above the land territory, internal waters, and territorial sea.

**Sub-Strata** – Jurisdiction extends downward beneath the land territory and internal waters to the sub-soil and geological structures.





# PART A: AUTHORITY & FOUNDATIONS

## 1. Purpose and Mandate

This Framework establishes the authority, structure, priorities, and operating principles of the Government of Norfolk Island (GNI) for the 12-month term commencing 1 January 2026 and concluding 31 December 2026.

The authority of the Government of Norfolk Island:

- derives from the will of the Pitcairn community as exercised in 1838 through the adoption of the Pitcairn Constitution.
- is reaffirmed by the will of the People of Norfolk Island expressed through the election of 1 January 2026.
- continues through the enduring validity of the Pitcairn Constitution of 1838 as the foundational legal and governance instrument.

Authority does not derive from the Crown.

The events of 1856 constituted Crown Recognition of an existing constitutional order and self-government. They did not create, transfer, delegate, or confer authority.

The Government of Norfolk Island exercises executive authority in trust, grounded exclusively in popular sovereignty and constitutional continuity.

This Charter therefore serves both as a recognition of constitutional continuity and as a practical framework for the modernisation of Norfolk Island's governance institutions in partnership with the community.

## 2. Constitutional Continuity

### Foundational Architecture

The authority of the Government of Norfolk Island derives from the constitutional order originating in the Pitcairn Constitution of 1838, recognised by the Crown in 1856, and reaffirmed by the 01 January 2026 election as expressed by the People of Norfolk Island.

This Charter gives contemporary institutional expression to that constitutional continuity while enabling the people of Norfolk Island to modernise their governance arrangements to meet present and future needs.

The constitutional order of Norfolk Island operates within the framework of international law. As a distinct people with a continuous constitutional identity predating the Commonwealth of Australia, the Norfolk Island people possess the inherent right to self-determination recognised under the Charter of the United Nations. This right exists independently of, and cannot be diminished by, the domestic legislation or administrative actions of any government.



Constitutional continuity is affirmed by Section 5 of the Australian Waste Lands Act 1855 (18 & 19 Vict. c.56), which authorised the Crown to separate Norfolk Island from Van Diemen's Land as a distinct and separate settlement, and to make provisions for its continuing self-government and constitutional continuity in its entirety.

Nothing in subsequent administrative arrangements shall be interpreted as extinguishing the historical constitutional continuity of the Pitcairn–Norfolk Island People unless such extinguishment is expressly and lawfully effected by the clear will of the Norfolk Island People, expressed through the General Assembly of the People of Norfolk Island.

Subsequent administrative alterations to the governance of Norfolk Island, including later Orders in Council and statutory arrangements, altered the mode of administration but did not extinguish the constitutional identity, collective continuity, or recognised community character recognised in 1856. The continuity recognised in this Charter rests upon the enduring existence of the people and their institutions, not solely upon any single administrative instrument.

While grounded in the Pitcairn Constitution of 1838, governance under this Charter recognises contemporary demographic, economic, technological and international realities and shall adapt institutions accordingly

This government operates on four non-negotiable foundations:

- **Constitutional continuity** (the Pitcairn Constitution of 1838 and Crown Recognition (1856) remain in force unless lawfully amended by the people)
- **Supremacy of the Constitution** (highest law)
- **Popular sovereignty** (authority flows from the people and expressed through democratic mandate, including the Norfolk Island election on 01 January 2026)
- **Lawful Transition** (orderly continuity, not disruption)

This architecture ensures the GNI is lawful, democratic, and internationally intelligible.

The Chief Magistrate is the community-elected head of government whose authority flows from the people, shall be exercised with the advice of Councillors, and is grounded in continuous consultation, transparency, and collective decision-making.

The Chief Magistrate is a constitutional facilitator and representative of the people's will.

The Chief Magistrate acts with the advice of Councillors, and the Councillors act in partnership with the Chief Magistrate, through transparent, consultative, and consensus-based governance.

Governance authority is exercised as a form of stewardship, held in trust for the people of Norfolk Island and for generations yet to come.



## **Constitutional Status of Norfolk Island – Distinct and Separate**

Norfolk Island's constitutional identity originates in the Pitcairn Constitution of 1838, established by the will of the Pitcairn community.

The Australian Waste Lands Act 1855 empowered the Crown to separate Norfolk Island from Van Diemen's Land and to provide for its government by Order in Council. Pursuant to this authority, the Order in Council of 24 June 1856 created Norfolk Island as a separate settlement of the Crown. This status has never been repealed or extinguished, and the Act did not confer any power to annex Norfolk Island to another colony or to extinguish its separate constitutional identity. Norfolk Island therefore remains a distinct settlement under the continuing constitutional order.

## **Continuity of Constitutional Authority**

The authority of the Government of Norfolk Island derives from the constitutional order established by the Pitcairn community in 1838, whose Constitution created a system of self-government grounded in the community's own laws, usages, and institutions. When the Crown helped facilitate the community move to Norfolk Island in 1856, it did not extinguish or replace this authority. Instead, the 1856 arrangements expressly recognised the Pitcairn people as a distinct and separate community possessing their own constitution and system of self-government and required that their laws and usages be preserved.

The Crown's 1856 Instructions by Order In Council imposed a continuing obligation to "preserve such laws and usages... and to adapt the authority vested in you," confirming that the Crown acknowledged an existing constitutional order rather than granting a new one. Australia later inherited only administrative responsibility, not sovereignty or constituent power. As the successors to the authority maintained since 1838 and recognised in 1856, the community retains the right to continue, adapt, and modernise its self-governing institutions.

## **Foundational Statement of Legislative Power**

GNI exercises legislative authority as the modern continuation of the government powers established under the 1838 Pitcairn Constitution and subsequently recognised—not conferred—by the Crown in 1856. The lawmaking role historically exercised by the community and its representatives was expressly constrained by the duty to preserve and maintain the community's laws and usages, a principle that continues to guide the scope of legislative power today. This authority now continues through GNI, enabling it to enact laws for the peace, welfare and good government of Norfolk Island, provided such laws remain consistent with the constitutional principles originating in 1838 and reaffirmed in 2026.

In accordance with the Crown's requirement that authority be "adapted" to preserve community usages, GNI may modernise its institutions—including establishing a legislative body, executive structures, and judicial mechanisms — respecting the community's distinct and separate identity and the enduring constitutional recognition that predates annexation and has never been lawfully extinguished.



## **Jurisdiction of the Government of Norfolk Island**

The Government of Norfolk Island exercises constitutional jurisdiction over Norfolk Island affairs, cultural identity, external relations, and constitutional development of the Pitcairn–Norfolk Island People, in accordance with the Pitcairn Constitution of 1838, the Crown Recognition (1856), and the principle of popular sovereignty. This jurisdiction is exercised in parallel with, but not limited by, existing Commonwealth administrative arrangements during the transitional period.

### **Scope of Government**

The GNI governs:

- Norfolk Island affairs
- cultural matters
- land and assets
- external relations affecting status
- constitutional development

### **3. Crown Recognition (1856)**

The events of 1856, including the Order in Council of 24 June 1856 and the relocation of the Pitcairn community to Norfolk Island, constituted formal Crown Recognition of an already existing constitutional order.

Self-government had been established in 1838 under the Pitcairn Constitution. The resettlement did not extinguish, replace, create, or re-constitute that authority.

The 1856 arrangements:

- recognised the Pitcairn people as a distinct and continuing constitutional community;
- acknowledged their existing constitution, laws, and usages;
- confirmed the preservation of their governance practices.

No new powers were created.

No authority was transferred.

No new constitution was established.

The Crown's role was recognitional and protective in character, not constitutive of authority.

Constitutional continuity rests upon the will of the people and the Pitcairn Constitution of 1838, not upon Crown action. The Pitcairn Constitution of 1838 and the will of the people constitute the foundational source of authority.

The Crown instruments acknowledged and preserved that authority.

The 2026 reaffirmation confirms its continued exercise.



## Historical Imperial Practice

Imperial constitutional practice recognised the formation of settlements through Crown instruments. In the case of Norfolk Island, such practice operated to acknowledge an existing constitutional order rather than to create one.

## 4. Constitutional Supremacy of the Charter

This Charter constitutes the governing instrument of the Government of Norfolk Island during the transitional period of constitutional modernisation.

In the event of any inconsistency between this Charter and any policy, protocol, resolution, or administrative practice adopted under it, this Charter shall prevail as the governing instrument of the Government of Norfolk Island.

This provision concerns government arrangements and does not purport to disrupt Australian administered service delivery during the transitional period.

All authority exercised under this Charter shall be interpreted consistently with constitutional continuity, popular sovereignty, and lawful transition.

## 5. Public Seal of Norfolk Island

- The authority of the Government of Norfolk Island derives from the people of Norfolk Island in accordance with the principles of popular sovereignty and constitutional continuity affirmed in this Charter.
- The Public Seal of Norfolk Island is recognised under this Charter as a historical and cultural symbol of the Island's constitutional continuity and institutional identity.
- Its use reflects and symbolises authority exercised lawfully by institutions constituted under this Charter.
- The contemporary use of the Public Seal is grounded in the determination of the Norfolk Island People to recognise significant historical symbols as part of their living constitutional heritage.
- The custody, authorised use, and recording of the Public Seal shall be regulated by resolution of The House and administered by the Clerk or other authorised officer.
- Use of the Public Seal shall be recorded in an official Seal Register and preserved as part of the permanent public record.
- Any Royal Warrant associated with the Public Seal, and any reference to the Crown in Right of Norfolk Island, shall be interpreted as acknowledgment and confirmation of existing self-government and continuous constitutional identity originating in 1838.



## 6. Hierarchy of Authority

Authority under this Charter flows in the following order:

- The People of Norfolk Island;
- The General Assembly as the forum for collective deliberation;
- The House as the body giving lawful effect;
- Officers exercising delegated administrative functions;
- Advisory bodies providing structured consultation.

## 7. Amendment of the Charter

This Charter may be amended only:

- I. By resolution of The House; and
- II. Where the proposed amendment affects constitutional authority, sovereignty, institutional structure, or rights, by formal endorsement of the people consistent with Category A decision requirements.

Amendments shall be recorded by the Clerk and publicly notified.

## 8. Interpretation

This Charter shall be interpreted:

- in a manner consistent with the Pitcairn Constitution of 1838 and the Crown Recognition (1856);
- in favour of constitutional continuity rather than disruption;
- in support of popular sovereignty and intergenerational stewardship;
- in harmony with recognised principles of self-determination under international law.

This Charter proceeds on the principle that constitutional continuity persists unless lawfully altered through recognised constitutional processes.

## 9. Definitions

For clarity and consistency, the operations of the Government of Norfolk Island (GNI) are interpreted in accordance with the following definitions. These definitions reflect the continuing constitutional order established by the 1838 Pitcairn Constitution and the Crown Recognition (1856), and the principle that all public authority is exercised in trust for the people of Norfolk Island.



## **Chief Magistrate**

The senior executive officer of Norfolk Island and head of government as elected by the community. The Chief Magistrate does not exercise judicial power.

The Chief Magistrate exercises the highest local civil authority within the Island, facilitates the constitutional will of the people, and administers governance, and public order in partnership with the Councillors through transparent, consultative, and consensus-based decision-making.

In exercising authority under this Charter, the Chief Magistrate shall ensure that decisions remain consistent with:

- constitutional continuity;
- popular sovereignty;
- and the recognitional character of the Crown instruments.

## **Direct Democracy**

Direct Democracy under this Charter affirms the continuing authority of the People of Norfolk Island to guide, affirm, and withhold consent in matters of governance through ongoing participation, consultation, and collective deliberation. This authority is exercised in practice through the institutions of government established under this Charter.

It is anticipated that for this first year returning to the GNI, direct democracy will operate through the General Assembly for formal decisions and resolutions. By 2027, we envisage GNI as resuming legislative functions that will take effect through the proceedings of The House, conducted in accordance with the Procedural Orders, ensuring that popular sovereignty is expressed lawfully, transparently, and with procedural integrity.

## **Lawful Transition**

The principle that governance proceeds through order while modernisation occurs lawfully, transparently, and with the ongoing consent of the People of Norfolk Island.

## **Popular Sovereignty**

The principle that all lawful authority originates from the Pitcairn–Norfolk Island People; the people are the source of authority, and government is their instrument, exercised only with their ongoing consent.

The 2026 reaffirmation constitutes an exercise of continuing popular sovereignty under the Pitcairn Constitution of 1838.

## **General Assembly**

Refers to a meeting of the whole community, originating in Pitcairn practice, where residents gather to discuss public matters, express collective views, and provide direct democratic input to the Government, serving today as a forum for community participation, consultation.

## **Authority of the General Assembly**

The General Assembly is the primary forum through which the people of Norfolk Island collectively express their will under this Charter. In matters of constitutional significance, community mandate, or major public importance, the expressed position of the General



Assembly carries constitutional authority and shall guide the actions and resolutions of the Government of Norfolk Island and The House.

### **Community Mandate**

The continuous, informed consent of the People of Norfolk Island, expressed through participation, consultation, and democratic processes, forming the lawful basis upon which public authority is exercised.

### **Constitution**

The founding constitution of Norfolk Island is the 1838 Pitcairn Constitution – recognised by the Crown in 1856 - is, for the purposes of the GNI, the basis of Norfolk Island law.

### **Councillor (Elected / Appointed)**

A member of the Government of Norfolk Island who exercises executive authority jointly with the Chief Magistrate, with a continuous obligation to consult, listen to, and reflect the will of the people in all matters of governance.

### **Executive Authority**

The authority to govern, exercised in trust under the continuing constitutional order established by the Pitcairn Constitution of 1838 and the Crown Recognition (1856), and recognised by the people of Norfolk Island.

### **Executive Government (Norfolk Island)**

The Executive Government of Norfolk Island is the governing body through which executive authority is exercised.

### **Government of Norfolk Island (GNI)**

The lawful governing authority constituted by the Pitcairn–Norfolk Island People and operating on behalf of the People of Norfolk Island under the Pitcairn Constitution of 1838. The Government of Norfolk Island exercises executive, administrative, and representational functions in accordance with constitutional continuity, popular sovereignty, and lawful transition.

### **Crown in Right of Norfolk Island**

The juridical expression by which the Crown acknowledges the distinct and continuous constitutional identity and self-governing status of Norfolk Island.

- It reflects recognition, not origin, of authority.
- It does not imply sovereignty, authorship, or source of authority.
- It does not vest governing power in the Crown.
- It confirms recognition of continuous self-government since 1838.
- It shall not be construed as creating a dependency or delegated authority relationship.
- It is recognitional rather than constitutive.



### **Royal Warrant (Public Seal)**

Royal Warrant means the formal instrument and associated Public Seal issued in the name of the Crown which records and evidence Crown Recognition of the existing constitutional order and self-government of Norfolk Island.

### **Sustainability Assessment**

The structured and proportionate evaluation of a proposed decision against the environmental, social, economic, and cultural sustainability pillars established under this Charter, undertaken to ensure that public authority is exercised responsibly, in stewardship of Norfolk Island’s land, community, and heritage, and with due regard to intergenerational equity.

### **The Pitcairn–Norfolk Island People**

The continuing constitutional community descended from the Pitcairn settlers and their families, united by shared ancestry, history, culture, language, kinship structures, and constitutional continuity.

### **The People of Norfolk Island**

All persons entitled to participate in the democratic processes established under this Charter, including the Pitcairn–Norfolk Island People and other members of the Norfolk Island community who have qualified under the Electoral Roll requirements.

### **Unity of the Norfolk Island Community**

This Charter is adopted for the benefit of the whole Norfolk Island community. Constitutional development shall seek to preserve unity and inclusive participation across differing views concerning the Island’s future political status.





## 10. Statements of Constitutional Position

The Statements that follow articulate the constitutional, cultural, and legal positions underpinning this, Charter. They provide interpretive guidance for governance, affirm the continuity of Norfolk Island's constitutional identity, and clarify the principles upon which executive authority is exercised

### Recognition of the Pitcairn–Norfolk Island People

The Government of Norfolk Island formally recognises the Pitcairn–Norfolk Island People as the continuing constitutional community from whom the authority of the Government itself is derived.

The legitimacy of the Government of Norfolk Island rests upon the existence, continuity, and sovereign will of the Pitcairn–Norfolk Island People. The Government does not create that authority; it exercises it in trust.

The Pitcairn–Norfolk Island People existed as a self-organising and self-governing community prior to their resettlement in Norfolk Island in 1856. They brought with them their constitution, laws, customs, language, and institutions of government. These were not granted by administrative concession, nor created by statute, but arose from shared ancestry, collective responsibility, and established community practice.

The Crown Recognition was a formal acknowledgment of the existing constitutional order of the Pitcairn–Norfolk Island People. It did not transfer, create, or establish self-government or authority. Authority pre-existed and continued by virtue of the 1838 Constitution and the will of the people. That constitutional continuity has never been lawfully extinguished. It remains living and operative in the Island's institutions, cultural practices, kinship structures, language, and stewardship of land and sea.

The Government of Norfolk Island further recognises that the Pitcairn–Norfolk Island People constitute a distinct and separate people in historical, sociological, and legal terms. They have maintained collective identity, institutional continuity, and an enduring relationship with their homeland across generations.

Accordingly, the Government of Norfolk Island affirms the Pitcairn-Norfolk People:

- are a distinct Indigenous People of the Pacific.
- possess the inherent right to self-determination and self-government.
- their sovereignty in relation to their affairs has continuing constitutional character.
- retain the right to maintain, strengthen, and develop their political, legal, cultural, and social institutions; and
- are agents of their own future, entitled to determine their government arrangements in accordance with their history, identity, and collective will.

This recognition does not confer new rights. It acknowledges the continuing existence of a people whose authority predates modern administrative arrangements and whose self-governing heritage remains the constitutional foundation of Norfolk Island today.



## **Non-Discrimination, Equal Protection and Cultural Continuity**

Recognition of the Pitcairn–Norfolk Island People under this Charter affirms historical continuity, cultural identity, and constitutional character. It does not create or authorise discrimination against any person on the basis of race, ancestry, origin, or residence.

This recognition is intended to ensure that the Pitcairn–Norfolk Island People are not subject to discrimination, marginalisation, or erosion of their cultural identity within their homeland, and that their collective continuity is protected in a manner consistent with equality before the law.

All persons lawfully present on Norfolk Island are entitled to equal protection of governance institutions established under this Charter. Nothing in this Charter shall be interpreted as limiting the civil, political, or legal rights of any person.

Measures adopted to safeguard language, heritage, cultural institutions, or intergenerational stewardship shall be proportionate, transparent, and consistent with principles of non-discrimination and recognised standards of international human rights law.

The protection of a distinct people's cultural continuity and the guarantee of equal protection under the law are complementary principles and shall be interpreted accordingly.



## **Recognition of the Norf’k Language**

The Government of Norfolk Island recognises the Norf’k language as a central cultural inheritance of the Pitcairn–Norfolk Island People and as a living expression of the community’s identity, history, and shared worldview.

The Norf’k language came to Norfolk Island in 1856 with the Pitcairn society customs, institutions, and cultural life.

The language remains one of the strongest expressions of the distinct identity and continuity of the Pitcairn–Norfolk Island People and forms part of the Island’s living cultural heritage.

The Government of Norfolk Island acknowledges the international recognition of Norf’k as an endangered Indigenous language of the Pacific and affirms the responsibility of present and future generations to support its preservation and transmission.

In exercising authority under this Charter, the Government of Norfolk Island shall encourage the respectful use and visibility of the Norf’k language in cultural life, community communication, and appropriate public functions.

English shall continue to serve as the primary administrative language for legal and external governance purposes. However, where practicable and appropriate, the Government of Norfolk Island may provide Norf’k versions of public documents, statements, and community communications in order to strengthen cultural continuity and accessibility for the People of Norfolk Island.

Nothing in this clause shall be interpreted as limiting the rights of any person or as creating discrimination on the basis of language. Its purpose is the preservation and recognition of a unique cultural inheritance belonging to the Norfolk Island community.



## **The Royal Proclamation of 7 October 1763**

The Royal Proclamation of 7 October 1763 established a foundational principle of British constitutional law: that distinct peoples possessing their own customs, institutions, and territorial relationships are entitled to Crown recognition, protection, and self-governance, and that their lands, rights, and internal affairs may not be unilaterally interfered with.

While issued in a specific imperial context, the Proclamation affirms enduring doctrines of Crown–people relations, including recognition of collective identity, protection of customary rights, and the requirement that any change to status or land occurs only through lawful agreement, not administrative convenience.

These principles directly support the Government of Norfolk Island position that the Pitcairn–Norfolk People were recognised by the Crown as a distinct people through the 1856 resettlement and Crown Recognition (1856), possessing their own constitution, customs, and internal governance.

The Proclamation reinforces that such recognition carries ongoing legal and moral obligations, consistent with modern international law, including the right to self-determination, cultural continuity, and participation in decisions affecting their future.

Subsequent administrative measures affecting Norfolk Island, including later alterations to local laws, are interpreted within this Charter as changes to governance arrangements rather than extinguishment of the recognised constitutional character of the Pitcairn–Norfolk Island community.



## **Immigration, Residency and Community Balance (Post-2015)**

The Government of Norfolk Island affirms that decisions affecting immigration, residency, and long-term settlement on Norfolk Island are matters of fundamental importance to the People of Norfolk Island, the Island's constitutional integrity, and its long-term wellbeing.

Following the abolition of the Norfolk Island Legislative Assembly in 2015, the subsequent repeal of the Norfolk Island Immigration Act, and the extension of the Australian migration zone to Norfolk Island from 1 July 2016, local controls that had historically governed settlement were removed. Those controls were not arbitrary; they reflected long-standing community judgment about scale, capacity, cohesion, and the preservation of a distinct island society.

Norfolk Island is a small, geographically isolated community with finite resources, land, water, financial and revenue raising capacity, housing, health services, goods and services delivery, and infrastructure capacity. Its social strength has always depended on sustainability and balance — between population and services, newcomers and established families, growth and continuity, opportunity and care for place. That balance is uniquely sensitive in an island setting and cannot be sustained through externally designed population policies that take no account of local conditions.

For generations, Norfolk Island governance frameworks recognised that long-term residence carried responsibilities as well as rights, and that settlement needed to occur at a pace that allowed genuine integration, cultural transmission, economic stimulation and social cohesion.

Experience since 2015 has confirmed that rapid or unmanaged demographic change places real social, cultural and economic pressure on housing availability, infrastructure, public services, environmental systems, and the continuity of culture and community life.

The GNI does not accept that Australia's open immigration framework can be presumed to govern Norfolk Island indefinitely. These settings were imposed without local consent, disregard the Island's cultural, economic and environmental limits, and have demonstrably strained housing, services, and community cohesion. Any future residency or settlement arrangements shall arise from the will of the People of Norfolk Island, not from external policy defaults.

Consistent with the Charter's foundations of popular sovereignty, direct democracy, and community mandate — and with international standards protecting distinct peoples, including the principles of self-determination, cultural integrity, and free, prior and informed consent reflected in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) — the GNI does not accept that Australia's open immigration policy settings constitute a permanent or unquestioned condition of governance on Norfolk Island.

Accordingly, the Government of Norfolk Island adopts the following policy principles:



- Community protection first: residency and settlement shall not erode Norfolk Island's culture, language, kinship structures, economic sustainability, or social cohesion.
- Island capacity and sustainability: settlement settings shall reflect real, responsible and quantifiable limits in housing, infrastructure, water, environmental resilience, and goods and service delivery
- Local consent and oversight: changes of significant or enduring impact require structured consultation and community endorsement through direct democratic processes.
- Respectful welcome, clear boundaries: Norfolk Island remains open and welcoming to visitors and contributors who engage in good faith, while maintaining orderly, transparent, and community-aligned settlement settings.

This Statement does not express exclusion of newcomers. It affirms the responsibility of a self-governing people to care for a limited homeland, to protect a living culture, and to ensure that future generations inherit a Norfolk Island that remains socially coherent, culturally grounded, and recognisably its own.

Nothing in this Statement shall be interpreted as authorising discrimination against any person on the basis of race, ancestry, national origin, or ethnicity. Future residency or settlement arrangements shall be based on transparent, proportionate, and community-endorsed criteria consistent with equality before the law and recognised human rights standards.

The protection of cultural continuity and the maintenance of sustainable settlement settings shall operate in a manner that is fair, objective, and applied equally to all persons, without unlawful discrimination.



## **Non-Endorsement of the proposed Norfolk Island Assembly**

This Statement records the position of the Government of Norfolk Island during the transitional period and does not form part of the constitutional foundations of this Charter.

The Government of Norfolk Island (GNI) does not endorse the Norfolk Island Governance Committee (NIGC) and Australian Government's proposed Norfolk Island Assembly in its current form.

The GNI acknowledges that NIGC members have been elected by the community and have advocated in good faith on its behalf. This position concerns the structural limitations of the proposed framework rather than the mandate or efforts of those representatives.

The proposed Assembly is established under Australian administrative authority within a local government framework derived from Australian legislation. As currently designed, it does not reflect the broader governance arrangements consistently advocated for by the Island's elected representatives and community, including arrangements that would provide meaningful devolved authority consistent with internationally recognised standards of self-government.

The GNI places on record that the Norfolk Island community has repeatedly expressed opposition to the imposition of an Australian local government model that does not:

- advance the Norfolk Island People's right to self-determination; nor
- recognise the historical and constitutional continuity of the Norfolk Island community and its longstanding traditions of local governance.

The proposed model remains confined to delegated administrative authority and does not provide independent legislative competence or responsible executive government grounded in the consent of the Norfolk Island People. As such, it does not meet the standards of self-government and free, prior and informed consent recognised in international law.

For these reasons, the GNI does not regard the proposed Assembly, in its present form, as an adequate mechanism for restoring self-government or progressing the Norfolk Island People's right to determine their political future.

The GNI remains committed to constructive engagement toward governance arrangements that arise from the will of the Norfolk Island People and are consistent with the island's constitutional traditions, including the Pitcairn Constitution of 1838, the recognition of the Norfolk Island settlement in 1856, and internationally recognised principles of self-determination and responsible government.





# PART B

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## TRANSITIONAL GOVERNANCE ARRANGEMENTS



## **PART B: TRANSITIONAL GOVERNANCE ARRANGEMENTS**

### **11. Transitional Governance Policies**

In 2026, Norfolk Island functions within a transitional environment and the operation of Australian administrative arrangements.

The Government of Norfolk Island (GNI) derives its authority from the Norfolk Island community and the uninterrupted constitutional framework originating from the 1838 Pitcairn Constitution and its successors.

Australian agencies continue to operate on Norfolk Island under imposed Australian legislation, including the 1979 Norfolk Island Act and subsequent amendments, in relation to programs and services they administer under their own statutory framework. These activities occur under Australian law, not under Norfolk Island's constitutional order, and do not displace or supersede the authority of the GNI.

The two systems currently function side-by-side, while Australian agencies continue delivering the programs they administer. This arrangement allows essential services to continue while the GNI advances constitutional modernisation, governance development, and the progressive restoration of locally accountable institutions.

Recognition of current arrangements does not, of itself, extinguish the historical and constitutional continuity of the Norfolk Island People as articulated in this Charter.

#### **Recognition of the Norfolk Island Act 1979 (Cth)**

During the transitional period, Norfolk Island remains administered under the provisions of the imposed *Norfolk Island Act 1979 (Cth)* and associated legislation. This Charter operates in parallel with those arrangements.

#### **Transitional Relationship with existing Australian Administrative Operations**

During this transitional period, the GNI continues to exercise its constitutional authority and responsibilities on behalf of the Norfolk Island people.

Australian administrative operations remain active in delivering the programs and services they administer under their own legislation. Their presence does not limit, override, or define the constitutional authority of the GNI.

The GNI does not interfere with the day-to-day delivery of essential services currently operated by Australian agencies, recognising the practical need for continuity while Norfolk Island capacity is strengthened.

The GNI's focus is on:

- representing the will and rights of the Norfolk Island people
- safeguarding constitutional continuity
- building and expanding Norfolk Island's governance capability
- review of Norfolk Island's affairs and the impacts of external administration



- preparing for the orderly and community-endorsed assumption of responsibilities as capacity grants.

### **Progressive Assumption of Responsibilities**

The GNI is committed to a staged, capacity-based assumption of governmental responsibilities, undertaken only when community consent, institutional capability, economic sustainability, and legal frameworks are in place.

### **Constitutional Modernisation**

Constitutional modernisation is a central priority of the Government of Norfolk Island. The objective of this transitional period is the community-endorsed development of a contemporary constitutional framework that builds upon the principles of the 1838 Constitution while reflecting the social, economic, technological and democratic realities of the present day.

The GNI will facilitate a structured, community-endorsed modernisation of the Pitcairn Constitution of 1838 and provide both secure digital platforms and traditional ballots to enable broad, verifiable participation in constitutional and major governance decisions.

### **Constitutional and Legislative Development**

During the transitional period, the GNI will pursue structured and community-endorsed dialogue concerning the future development of Norfolk Island's legislative capacity, including the restoration and expansion of locally accountable law-making functions.

### **Constitutional Status as the Basis for All Decisions**

All decisions of the GNI are grounded in Norfolk Island's distinct constitutional status.

### **Essential Governance Functions and Legislative Capacity**

Norfolk Island requires the capacity to regulate and administer functions that are fundamental to its geographic isolation and economic sustainability. These include, but are not limited to:

- public health policy and administration
- education and community learning
- biosecurity and quarantine management
- customs and border administration
- immigration and residency
- shipping and port management
- electricity generation and supply
- telecommunications infrastructure
- liquor importation and regulation
- fuel supply regulation
- road maintenance and transport regulation
- vehicle registration and licensing
- land title registration
- registration of births, deaths and marriages
- companies' registration and local commercial regulation



The effective delivery of these functions requires appropriate legislative authority, regulatory flexibility, and locally accountable oversight.

The GNI will pursue a review of the *Norfolk Island Act 1979 (Cth)*, and associated continued laws, to establish whether existing provisions can be transferred to the GNI as applied GNI laws under out own authority.

This objective is directed toward functional self-government and administrative sustainability, not institutional disruption.

### **Fiscal Sustainability and Revenue Integrity**

Historically, Norfolk Island derived revenue from locally administered sources including liquor importation and sales, fuel levies, company registration, land title registration, and related regulatory functions. Changes to administrative and regulatory arrangements have altered these revenue streams and, in some cases, reduced local fiscal autonomy.

The GNI will pursue arrangements that ensure fiscal mechanisms are sufficient to support essential infrastructure, regulatory functions, and community services.

### **Decision-Making Hierarchy, Community Authority and Endorsement**

Decisions of the Government of Norfolk Island are made in accordance with a structured hierarchy that reflects their constitutional significance.

The General Assembly is the primary forum for community deliberation and expression of the people's will. Formal endorsement through ballots or other mechanisms is required only where the constitutional gravity or permanence of a decision warrants it, according to the Decision-Making Framework.

Detailed procedures governing consultation, endorsement, and resolution are set out in the Decision-Making Framework (Part F) and the Procedural Orders (Schedule 5) of this Charter.

### **Economic and Administrative Capacity Building**

The GNI will progressively build financial and administrative capacity, including public service development, financial systems, regulatory capability, and public accounts.

### **International Diplomacy, Outreach and Protocols**

The GNI will develop a dignified external relations function, including receiving delegations, undertaking diplomatic visits, establishing representation protocols, and engaging with regional and international bodies.

### **International and Regional Relations**

The GNI will strengthen relations with Pacific regional organisations, neighbouring jurisdictions, cultural partners, and international self-determination bodies.

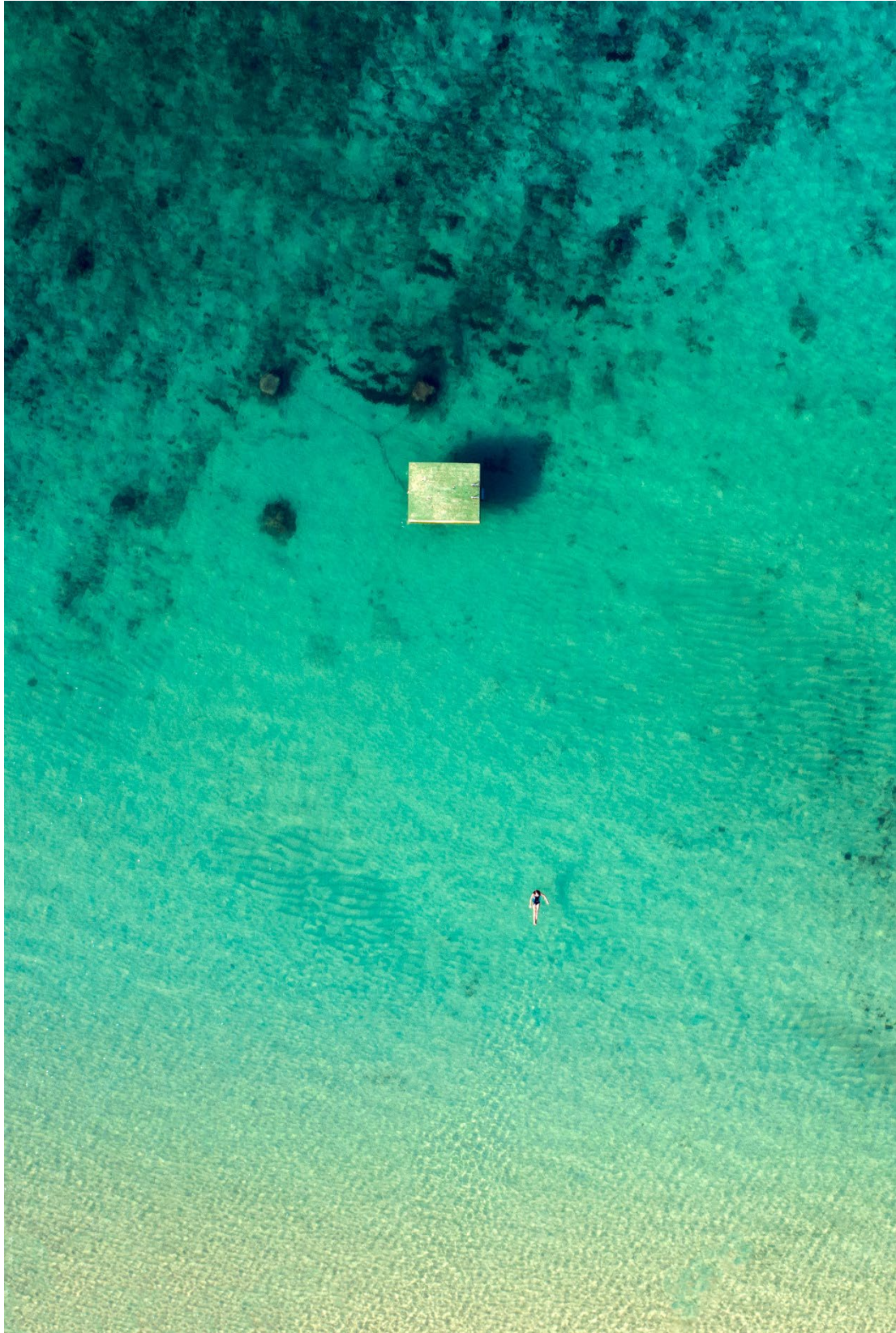


## **Engagement with International Review Processes**

The Government of Norfolk Island acknowledges that members of the Norfolk Island community and representative organisations have engaged with international bodies concerning questions of political status and self-government.

Nothing in this Charter precludes such engagement. The GNI may, where appropriate, participate in or support international review processes consistent with principles of self-determination, democratic consultation, and constructive dialogue.

Any such engagement shall be conducted in a manner that preserves community unity and respects existing legal and administrative arrangements during the transitional period.





# PART C

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## GOVERNANCE ARCHITECTURE



## **PART C: GOVERNANCE ARCHITECTURE**

All authority exercised under this Charter shall be subject to the rule of law, procedural fairness, principles of natural justice, and governance integrity. No power shall be exercised arbitrarily, and all decisions must be capable of lawful justification and review.

### **12. Executive Government**

The Executive Government of Norfolk Island is the governing authority through which executive power is exercised under this Charter.

Executive authority:

- flows from the people of Norfolk Island.
- is exercised in trust and not by delegation from any external administration.
- operates within the framework of constitutional continuity and lawful transition.
- Executive power is exercised collectively by the Chief Magistrate and Councillors in accordance with this Charter and the General Assembly Procedural Orders (Schedule 5).

The Executive Government is responsible for:

- administration of public affairs.
- implementation of decisions lawfully adopted.
- representation of Norfolk Island in matters affecting its governance and constitutional status.
- stewardship of land, assets, institutions, and cultural continuity.

Executive authority remains subject to:

- popular sovereignty.
- the deliberative role of the General Assembly.
- Sustainability Assessment requirements.
- the supremacy of this Charter.

### **13. Chief Magistrate**

The Chief Magistrate is the community-elected head of the Executive Government, who:

- exercises executive authority in partnership with Councillors.
- facilitates the constitutional will of the people.
- presides over The House in accordance with the General Assembly Procedural Orders.
- represents the Government of Norfolk Island in formal and external engagements.
- safeguards constitutional continuity and lawful transition.

The Chief Magistrate does not exercise authority unilaterally except where expressly authorised by this Charter or the Procedural Orders.

Authority held by the Chief Magistrate is fiduciary in nature and must be exercised:



- transparently and consultatively.
- consistently with Sustainability Assessment requirements; and
- in the interests of the Norfolk Island People.

## 14. Councillors

Councillors are Members of the Executive Government who exercise authority jointly with the Chief Magistrate.

Councillors:

- participate in deliberation and decision-making within The House.
- advise and guide executive action.
- represent community perspectives.
- share collective responsibility for decisions lawfully adopted.

Councillors shall act:

- in good faith.
- in accordance with popular sovereignty.
- with regard to Sustainability Assessment.
- in partnership with the Chief Magistrate.

The Executive Government operates on principles of collective responsibility and consensus-based governance wherever practicable.

## 15. Officers of The House

Officers of The House are appointed to support the lawful and orderly operation of the Executive Government.

Officers include, but are not limited to:

- the Clerk of The House.
- the Returning Officer.
- the Executive Secretary.

Officers:

- exercise administrative functions only.
- do not hold executive or legislative authority.
- operate in accordance with instruments of appointment.
- are accountable to The House through the Chief Magistrate.

The Clerk is the principal procedural officer responsible for:

- maintaining official records.
- preserving decisions and instruments.
- advising on procedural compliance.
- ensuring transparency of documentation.
- Officers act in support of institutional integrity.



## 16. Committees of the House

The Government of Norfolk Island may establish committees to assist in the examination of specific policy, governance, or community matters.

Committees operate in an advisory capacity and report to The House.

Membership of committees shall be determined by resolution of the Government of Norfolk Island and may include members of the community, advisory bodies, or subject-matter experts where appropriate.

Committees shall operate in accordance with terms of reference approved by The House.

## 17. The General Assembly

The General Assembly is the forum through which the collective will of the Norfolk Island People is expressed.

The General Assembly:

- provides structured deliberation on matters of constitutional or community significance.
- enables direct democratic participation.
- contributes to Category A and Category B decision processes.
- strengthens transparency and public accountability.

The General Assembly does not exercise executive authority.

Its expressed will carries constitutional weight and shall:

- be determinative in Category A matters.
- bind The House in Category B matters.
- be recorded and preserved by the Clerk.

The General Assembly reflects the historic practice of community deliberation and remains central to the exercise of popular sovereignty under this Charter.

The detailed procedural rules governing the conduct of General Assembly meetings are set out in Schedule 5 to this Charter. Such procedural orders may be amended by resolution of The House, provided that amendment does not alter the constitutional role of the General Assembly as defined in this Charter.

## 18. Judicial Authority

Judicial authority shall be exercised independently of the Executive Government

During the transitional period, judicial functions shall continue to be administered under existing arrangements.

The Executive Government shall not interfere with judicial decision making.





# PART D

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## STEWARDSHIP FRAMEWORK



## **PART D: STEWARDSHIP FRAMEWORK**

### **19. Five Pillars of Sustainability**

The governance of Norfolk Island shall be guided by five interdependent pillars of sustainability. These pillars express the enduring responsibilities of stewardship owed by the present generation to the community, the land, and generations yet to come.

All executive authority exercised under this Charter shall be interpreted and applied consistently with these pillars.

#### **Environmental Sustainability**

Norfolk Island is a finite and ecologically fragile homeland. Environmental sustainability requires the protection and restoration of natural systems upon which community life depends, including land, water, forests, soil, marine environments, biodiversity, and climate resilience.

Governance shall:

- prevent irreversible environmental degradation.
- respect ecological carrying capacity.
- promote responsible land and resource management.
- ensure that development does not compromise the inheritance of future generations.

Environmental stewardship is a continuing obligation, not a discretionary preference.

#### **Social Sustainability**

Social sustainability requires a cohesive, safe, and fair community in which all residents can participate meaningfully in public life.

Governance shall:

- protect dignity, equality, and procedural fairness.
- strengthen community cohesion and mutual responsibility.
- support access to housing, health services, education, and meaningful work.
- uphold peace, justice, and transparent institutions.
- enable genuine civic participation consistent with popular sovereignty.

Social sustainability recognises that self-determination is exercised not only through institutions, but through the active participation and wellbeing of the people.

#### **Economic Sustainability**

Economic sustainability requires the development of a stable and resilient economic foundation capable of supporting community wellbeing without undermining environmental integrity, social cohesion, or cultural continuity.



Governance shall:

- promote long-term stability and fiscal responsibility.
- encourage diversified opportunity and local capability.
- avoid unsustainable dependency.
- ensure that economic policy supports intergenerational equity.

Economic development shall serve the community and its identity, not erode it.

## **Cultural Sustainability**

Cultural sustainability requires the protection and strengthening of the living identity of the Pitcairn–Norfolk Island People.

The Norfolk language is recognised as a living cultural heritage of the Pitcairn–Norfolk Island People and an essential expression of the Island’s identity.

The Government of Norfolk Island shall support the preservation, transmission, and public visibility of the Norfolk language, including its use in cultural life, education, community events, and appropriate governance communications.

Governance shall:

- safeguard, promote, and strengthen language, heritage, and shared memory.
- respect kinship structures and customary practice.
- protect significant cultural sites and landscapes.
- maintain demographic and social balance necessary for cultural continuity.
- ensure that institutional development does not erode constitutional identity.

Cultural continuity is not historical preservation alone; it is the ongoing expression of a distinct people exercising stewardship over their homeland.

## **Governance & Constitutional Sustainability**

Governance and constitutional sustainability requires the maintenance of legitimate, accountable, and effective institutions capable of exercising public authority in accordance with constitutional continuity, popular sovereignty, and the rule of law.

This pillar recognises that the long-term wellbeing of Norfolk Island depends not only on environmental, social, economic, and cultural strength, but also on the integrity, stability, and credibility of its governing institutions.

Governance under this Charter shall:

- uphold constitutional continuity and lawful transition;
- maintain clear separation of powers between executive, advisory, and judicial functions;
- ensure decisions are transparent, accountable, and capable of justification;
- strengthen institutional capacity, administrative competence, and public trust;



- protect democratic participation through the General Assembly and other consultative mechanisms;
- ensure that governance arrangements remain aligned with the will of the Norfolk Island People;
- support the progressive development of legislative, judicial, and administrative capability appropriate to a self-governing community.

Governance sustainability requires that institutions are not only functional, but trusted, coherent, and resilient over time.

The preservation of constitutional integrity is a continuing obligation and a necessary condition for the effective exercise of self-determination.

## **20. Community Wellbeing Indicators**

To support responsible governance and intergenerational stewardship, the Government of Norfolk Island shall develop and maintain a framework of Community Wellbeing and Governance Indicators.

These indicators shall provide a structured method for measuring and monitoring the long-term health, resilience, and sustainability of the Norfolk Island community.

The indicators shall reflect the Five Pillars of Sustainability established under this Charter:

- environmental sustainability
- social wellbeing
- economic resilience
- cultural continuity
- governance and constitutional integrity.

The Community Wellbeing Indicators shall include measures that are appropriate to the scale, character, and cultural identity of Norfolk Island, including indicators relating to:

- environmental stewardship and ecosystem health;
- community cohesion, health, housing, and education;
- economic participation and local opportunity;
- cultural vitality, including the Norfolk language, cultural participation, and the transmission of knowledge between generations;
- governance and constitutional health, including decision-making transparency, participation rates in General Assembly and consultation processes, public trust and confidence in governance, adherence to procedural integrity and Charter compliance, progress in constitutional modernisation.

The Government of Norfolk Island may publish periodic Community Wellbeing Reports to ensure transparency, inform decision-making, and support long-term planning for the wellbeing of the Norfolk Island People.



Development and review of the Community Wellbeing Indicator framework may be undertaken with the assistance of advisory bodies and community consultation processes consistent with the principles of popular sovereignty and direct democracy established in this Charter.



## 21. Intergenerational Stewardship

Stewardship under this Charter is intergenerational in nature.

Public authority is exercised in trust not only for present residents, but for generations yet unborn. Decisions shall be taken with conscious regard to long-term consequence, inheritance, and institutional continuity.

Intergenerational stewardship requires:

- structured Sustainability Assessment of major decisions.
- inclusion of youth perspectives in matters materially affecting future generations.
- partnership between Elders and younger generations.
- prudent management of land, assets, institutions, and democratic integrity.

The Norfolk Island Youth Stewardship Forum supports this principle by providing advisory input into Sustainability Assessment processes, ensuring that generational impact is formally considered.

Intergenerational responsibility strengthens and reinforces the legitimacy of governance.

## 22. Popular Sovereignty and Direct Democracy

Authority under this Charter originates from the people of Norfolk Island.

Popular sovereignty affirms that:

- the people are the source of lawful authority.
- governance is exercised in trust.
- public institutions derive legitimacy from community consent.

Direct democracy is expressed through:

- the General Assembly as the primary forum for collective deliberation.
- structured consultation processes.
- formal endorsement mechanisms where constitutionally required.

The General Assembly provides a mechanism through which the people articulate their will on matters of constitutional or community significance as expressed in the Decision-Making Framework (Part F). The House gives lawful effect to decisions consistent with that expressed will.

Popular sovereignty does not displace orderly governance; rather, it grounds it. Direct democracy operates within structured procedures to ensure stability, clarity, and accountability.

Through popular sovereignty and direct democratic participation, the Norfolk Island People continue the practice of self-organisation and collective responsibility.





# PART E

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## INSTITUTIONAL RELATIONSHIPS



## **PART E: INSTITUTIONAL RELATIONSHIPS & ADVISORY BODIES**

This Section sets out the institutional relationships through which the Government of Norfolk Island engages advisory bodies in support of constitutional continuity, stewardship, and informed decision-making. These bodies contribute expertise, cultural authority, democratic legitimacy, and intergenerational perspective to the governance process, while executive authority remains vested in The House under this Charter.

The advisory bodies recognised herein operate in support of popular sovereignty, direct democratic deliberation, and Sustainability Assessment, strengthening the integrity, transparency, and coherence of governance during the period of lawful transition. Their role is consultative and supportive.

The House may establish procedural arrangements to ensure that advice submitted by the recognised advisory bodies is formally received and considered within the governance processes of this Charter.

### **Norfolk Island Council of Elders (CoE)**

The GNI recognises the Council of Elders as a cultural and community authority grounded in lineage, customary knowledge, and intergenerational continuity.

The Council of Elders:

- provides cultural guidance consistent with Pillar 6 — Culture & Intergenerational Stewardship.
- advises on matters affecting language, heritage, land, kinship structures, and community cohesion.
- may provide input into Sustainability Assessments where cultural continuity may be materially affected.
- supports intergenerational dialogue between Elders and youth.
- does not exercise executive or legislative authority under this Charter.

The Council of Elders cultural standing derives from community continuity and is not created by this Charter; this Charter recognises and structures its advisory relationship within governance.



## **Norfolk Island People for Democracy (NIPD)**

The GNI recognises Norfolk Island People for Democracy as a civic and democratic advisory body committed to the protection of electoral integrity, and the self-determination rights of the Norfolk Island People.

The Norfolk Island People for Democracy:

- provides advisory input relating to constitutional development, democratic safeguards, and civic protection.
- may provide advice relevant to Pillar 4 — Rule of Law, Rights & Civic Protection.
- may contribute to matters arising from international engagement, including but not limited to, processes connected to the 2016 United Nations Special Committee on Decolonisation (C-24) Petition.
- may provide input into Sustainability Assessments where democratic legitimacy or institutional integrity may be materially affected.
- does not exercise executive or legislative authority under this Charter.

NIPD operates independently but in structured relationship with GNI.

Recognition under this Charter does not subordinate NIPD to executive control, nor does it transfer executive authority to NIPD.

## **Norfolk Island Law Association (NILA)**

The Government of Norfolk Island recognises the Norfolk Island Law Association as a professional and legal advisory body contributing to the integrity, development, and proper administration of law and justice within Norfolk Island.

The Norfolk Island Law Association:

- provides advisory input on legal, constitutional, and regulatory matters affecting Norfolk Island.
- supports the maintenance of the rule of law, procedural fairness, and judicial independence.
- may provide advice relevant to Pillar 4 — Rule of Law, Rights & Civic Protection, and Pillar 7 — Separation of Powers, Integrity & Responsible Executive Government.
- may contribute to matters concerning judicial arrangements, legislative development, and legal system integrity.
- may provide input into Sustainability Assessments where governance integrity, constitutional continuity, or legal risk may be materially affected.
- does not exercise executive or legislative authority under this Charter.

The Norfolk Island Law Association operates independently as a professional body.

Recognition under this Charter does not subordinate it to executive control, nor does it transfer executive authority to it.



## **Norfolk Island Youth Stewardship Forum (YSF)**

The Government of Norfolk Island recognises the Norfolk Island Youth Stewardship Forum as a youth advisory body supporting intergenerational participation in governance and ensuring that decisions reflect consideration of future generations.

The Youth Stewardship Forum:

- provides an intergenerational perspective on long-term governance decisions affecting future generations.
- supports the Sustainability Assessment framework under Part F.
- may provide advisory input on matters materially affecting environmental inheritance, cultural continuity, economic opportunity, institutional resilience, and long-term community wellbeing.
- works in partnership with the Council of Elders to strengthen stewardship and cultural transmission.
- encourages youth participation in General Assembly processes.
- does not exercise executive or legislative authority under this Charter.

The Youth Stewardship Forum shall determine its own membership and internal processes, ensuring independence, inclusivity, and meaningful youth leadership in the governance of Norfolk Island.





# PART F

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## DECISION-MAKING FRAMEWORK



## **PART F: DECISION MAKING FRAMEWORK**

This Part sets out the framework by which decisions are categorised, deliberated, and given lawful effect under this Charter. It ensures that executive authority is exercised in accordance with popular sovereignty, guided by Sustainability Assessment, and proportionate to constitutional significance.

The General Assembly provides structured deliberation and expression of the people's will. The House gives formal effect to decisions within that authority. Through this framework, governance remains disciplined, transparent, and consistent with constitutional continuity.

### **23. Sustainability Assessment**

All decisions taken under this Charter shall be informed by the relevant requirements of the respective Decision Categories and structured Sustainability Assessment.

A Sustainability Assessment is the formal evaluation of a proposed decision against the Five Pillars of Sustainability established in Part C, namely:

- Environmental Sustainability
- Social Sustainability
- Economic Sustainability
- Cultural Sustainability
- Governance & Constitutional Sustainability

The purpose of Sustainability Assessment is to ensure that governance:

- protects the inheritance of future generations.
- strengthens community cohesion and dignity.
- preserves constitutional identity.
- supports long-term resilience rather than short-term expediency.

Each Sustainability Assessment shall include:

- identifiable measurable impacts.
- mitigation strategies.
- fiscal implications; and
- implementation responsibility.

The Member or officer bringing forward a proposal shall ensure that a Sustainability Assessment accompanies the decision paper where the scale, permanence, or impact of the matter warrants structured review.

The Clerk shall verify required assessments are complete prior to tabling before The House.

Where a Sustainability Assessment identifies material, long-term, or irreversible consequences, the matter shall be categorised and processed in accordance with this Part.



## 24. Decision Categories

Decisions under this Charter are categorised according to their constitutional gravity, permanence, and community impact.

Where uncertainty exists regarding classification, the higher category shall apply.

### Category A — Constitutional Decisions

Category A decisions affect the constitutional order, sovereignty, or institutional structure of Norfolk Island.

Such decisions include:

- amendment of the Pitcairn Constitution of 1838.
- alteration of the structure, powers, or legitimacy of governing institutions.
- decisions affecting sovereignty, political status, or external constitutional arrangements.
- decisions concerning arrangements under the *Norfolk Island Act 1979 (Cth)*
- new laws for Norfolk Island.

Category A decisions shall not proceed without:

1. Structured deliberation through one or more General Assemblies.
2. Clear expression of the people's will: meaning at least two-thirds of the total number of registered voters on the Electoral Roll,
3. Formal endorsement by the people, including ballot or referendum where required.
4. Resolution of The House giving lawful effect to that expressed will.

In Category A matters, the expressed will of the people is determinative, subject only to constitutional compliance.

### Category B — Major Community Decisions

Category B decisions materially affect the long-term wellbeing, assets, or governance of the community.

Such decisions include:

- major land or asset governance arrangements.
- long-term fiscal frameworks.
- establishment of public trusts or collective economic structures.
- adoption of major policy frameworks in health, education, planning, or environment.
- international agreements materially affecting Norfolk Island affairs.

Category B decisions shall require:

1. Structured community consultation.
2. Consideration of expressed community support or objection.
3. Resolution of the General Assembly.

The expressed will of the General Assembly shall bind The House.



## **Category C — Executive and Operational Decisions**

Category C decisions relate to implementation, administration, and governance within established constitutional authority.

Such decisions include:

- signing of Partnership Agreements
- executive procedures and policies.
- administrative regulations.
- operational standards and internal protocols.
- implementation of adopted frameworks.

Category C decisions shall require:

- transparency proportionate to impact.
- consultation where appropriate.
- formal resolution by The House where required.

Formal community endorsement is not required unless elevated under Section 25.

## **Category D — Routine Administrative Actions**

Category D decisions concern ordinary administrative functioning and do not materially affect constitutional authority, long-term assets, or community wellbeing.

Such actions include:

- routine correspondence.
- scheduling and internal administration.
- procedural matters without substantive impact.

Category D matters may be carried out by authorised officers in accordance with established protocols.



## **25. Role of the General Assembly**

The General Assembly is the primary forum for collective deliberation and expression of the people's will.

The General Assembly:

- provides structured public deliberation.
- contributes to Category A and Category B decisions.
- strengthens transparency and democratic legitimacy.

In Category A matters, the expressed will of the people is determinative. In Category B matters, the expressed will of the General Assembly shall be determinative. Deliberations of the General Assembly shall be recorded by the Clerk.

## **26. Role of The House**

The House is the body through which executive authority is formally exercised, and lawful effect is given to decisions under this Charter.

The House shall:

- classify decisions in accordance with Section 25.
- ensure Sustainability Assessment requirements are met, consistent with this Charter,
- consider advisory input received under Part D – Stewardship Framework.
- give formal resolution to decisions.
- record and publish decisions transparently.

The House may elevate a matter to a higher decision category where impact or constitutional significance warrants.

The House shall not diminish the authority of the people in Category A matters.

## **27. Elevation Mechanism**

Where a Sustainability Assessment identifies significant or irreversible environmental, cultural, social, economic, or institutional consequences, the matter shall be elevated to the appropriate higher decision category.

Elevation may occur where:

- intergenerational impact is substantial.
- cultural continuity may be materially affected.
- long-term asset control is implicated.
- institutional legitimacy may be compromised.

The House shall record reasons for any decision not to elevate a matter where substantial impact has been identified. Where a decision materially conflicts with one or more sustainability pillars, The House shall record written reasons explaining how the conflict is addressed and why the decision proceeds.





# PART G

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## PROTOCOLS



## **PART G: PROTOCOLS**

This Part establishes the procedural protocols that govern the orderly administration of the Government of Norfolk Island.

Protocols ensure that executive authority is exercised transparently, consistently, and in accordance with this Charter. They regulate process, communication, record-keeping, consultation, and institutional integrity.

Protocols adopted under this Part:

- operate subject to the supremacy of this Charter.
- do not alter constitutional hierarchy.
- may be amended by resolution of The House unless otherwise specified.
- shall be applied in a manner consistent with Sustainability Assessment and popular sovereignty.

The Protocols are:

28. Code of Conduct
29. Communication
30. Conflict Resolution
31. Consultation
32. Correspondence
33. Electoral Roll
34. External Relations
35. Media
36. Records
37. Representation
38. Members' Meetings
39. General Assembly Meetings



## 28. Code of Conduct

1	Purpose	<p>This Code of Conduct sets the ethical, behavioural, and professional standards expected of all members of the Government of Norfolk Island (GNI), including the Chief Magistrate, Councillor Elect, Councillor Appointed, and any person exercising public authority under the Pitcairn Constitution of 1838, the Crown Recognition (1856), and the principle of popular sovereignty, including appointed officers, committee chairs, authorised delegates, and persons exercising delegated functions.</p> <p>The Code ensures that public authority is exercised with integrity, transparency, accountability, and respect for the people of Norfolk Island.</p> <p>All members of the GNI shall uphold the following:</p>
2	Popular Sovereignty	Recognise that all authority flows from the people of Norfolk Island and shall be exercised only with their ongoing consent.
3	Stewardship	Exercise public authority as a trust held for the community and for future generations
4	Transparency & Accountability	Conduct public duties openly, honestly, and in a manner that allows the community to understand and evaluate decisions.
5	Respect & Cultural Integrity	Respect the cultural identity, language, heritage, and customs of the Pitcairn–Norfolk People and the wider community.
6	Impartiality & Fairness	Act without favour, bias, or discrimination, and ensure decisions are based on merit, evidence, and community mandate.
7	Integrity	Members shall act honestly, avoid deception, and uphold the highest ethical standards in all public duties.
8	Conflict of Interest	Members shall declare any personal, financial, or family interest that may influence, or appear to influence, their public duties. Conflicts shall be managed transparently and may require refusal.
9	Confidentiality and Respect for Information	Members shall protect sensitive information obtained through their role and use it only for lawful and legitimate public purposes.
10	Respectful Conduct	Members shall treat all persons with dignity, courtesy, and respect, and shall not engage in harassment, bullying, intimidation, or discriminatory behaviour.



11	Responsible Communication	Public statements shall be accurate, respectful, and consistent with the constitutional position of the GNI.  Members shall not misrepresent decisions, processes, or the views of colleagues.
12	Consultation Obligations	Members shall uphold the requirement for structured consultation with the community, including General Assemblies, digital platforms, and public forums.
13	Decision-Making Integrity	Decisions shall be made: <ul style="list-style-type: none"> <li>• lawfully</li> <li>• transparently</li> <li>• with proper evidence</li> <li>• in accordance with the decision-making hierarchy</li> <li>• with the community's rights and interests foremost</li> </ul>
14	Use of Public Resources	Members shall use public funds, assets, and resources solely for legitimate public purposes and shall avoid waste, misuse, or personal benefit.
15	Cultural Protection	Members shall respect and support the cultural identity, language, heritage, and customs of the Pitcairn–Norfolk Island People, including the continued use and visibility of the Norfolk language in community life and public institutions.
16	Intergenerational Stewardship	Members shall consider the long-term impacts of decisions on future generations and the sustainability of the island.
17	Respect for Elders and Community Knowledge	Members shall recognise the role of Elders, cultural advisors, and community knowledge holders in governance.
18	Dignified Representation	Members shall represent Norfolk Island with dignity, accuracy, and respect in all external engagements.
19	No Unauthorised Commitments	Members shall not enter into agreements, undertakings, or representations on behalf of the GNI without proper authority.
20	Reporting Misconduct	Members shall report breaches of this Code in good faith.
21	Community Oversight	As authority flows from the people, the community retains the right to hold members accountable through established democratic processes.



## 29. Communication

1	Purpose	This protocol establishes standards for internal and external communication by the Government of Norfolk Island, ensuring that all communications are accurate, respectful, transparent, and consistent with Norfolk Island's constitutional status and the will of the people.
2	Integrity	<p>Communications shall:</p> <ul style="list-style-type: none"> <li>● reflect constitutional continuity and popular sovereignty</li> <li>● support informed community participation</li> <li>● avoid misrepresentation of authority, decisions, or status</li> </ul>
3	Accuracy & Authenticity	<p>All official communications shall:</p> <ul style="list-style-type: none"> <li>● be truthful, clear, and capable of verification</li> <li>● distinguish between decisions taken, matters under consideration, and consultation stages</li> <li>● be issued through authorised channels</li> <li>● respect confidentiality where lawfully required</li> </ul>
4	Authority	Only authorised officeholders or delegates may issue communications on behalf of the GNI.
5	Use of Norfolk language	<p>The Government of Norfolk Island recognises Norfolk as a cultural language of the Norfolk Island community. English shall remain the working language of administration to ensure clarity in external relations and legal processes. Where practicable and appropriate, the Government of Norfolk Island shall:</p> <ul style="list-style-type: none"> <li>● provide key public documents, statements, and community communications in both Norfolk and English</li> <li>● encourage the use of Norfolk in cultural and ceremonial contexts of government</li> <li>● support bilingual public communication where it strengthens cultural continuity and community accessibility</li> <li>● ensure that the use of Norfolk is a respected legitimate expression of Norfolk Island identity.</li> </ul> <p>Where a Norfolk translation of an official document is issued, the English version shall remain the authoritative administrative text unless otherwise specified.</p>



### 30. Conflict Resolution

1	Purpose	This protocol provides mechanisms for resolving disputes constructively, fairly, and without escalation, recognising that governance authority is exercised in trust and shall preserve unity, dignity, and institutional integrity.
2	Integrity	Conflict resolution shall be: <ul style="list-style-type: none"><li>• proportionate and restorative, not punitive</li><li>• culturally respectful</li><li>• grounded in dialogue and good faith</li></ul>
3	Peaceful Resolution	Conflicts may be addressed through: <ul style="list-style-type: none"><li>• informal resolution and facilitated dialogue</li><li>• mediation by an agreed independent party</li></ul>
4	Escalation	Formal processes apply only where informal resolution fails or where conduct breaches Codes or protocols



### 31. Consultation

1	Purpose	This protocol governs how the Government of Norfolk Island (GNI) consults with the community in the exercise of public authority. It ensures that consultation is genuine, structured, inclusive, and capable of influencing outcomes, consistent with the principles of popular sovereignty, direct democracy, and community mandate set out in the Governance Charter.
2	Constitutional Basis	Consultation under this Charter is not discretionary. It arises from the principle that authority is held in trust for the people and shall be exercised with their ongoing knowledge, participation, and consent. The General Assembly is the primary forum through which the people of Norfolk Island collectively deliberate, express views, and make decisions on Norfolk Island affairs.
3	Integrity	Consultation shall be: <ul style="list-style-type: none"> <li>● genuine and undertaken in good faith</li> <li>● proportionate to the significance and impact of the matter</li> <li>● inclusive and accessible to the community</li> <li>● transparent as to scope, purpose, and limits</li> <li>● capable of informing, shaping, or redirecting decisions</li> </ul> Consultation shall not be treated as a procedural formality or used to justify predetermined outcomes.
4	When Consultation is Required	Consultation shall occur: <ul style="list-style-type: none"> <li>● early in the development of proposals, when options remain open throughout policy development where impacts evolve</li> <li>● before decisions requiring community endorsement are resolved</li> </ul> Matters falling within Category A or Category B under the Decision-Making Framework shall proceed through General Assembly consultation as process.



5	Forms of Consultation	<p>Consultation may take one or more of the following forms, depending on impact and context:</p> <ul style="list-style-type: none"> <li>● General Assembly deliberation</li> <li>● public meetings and forums</li> <li>● targeted discussions with affected groups</li> <li>● written submissions</li> <li>● community workshops or facilitated dialogue</li> </ul>
6	Targeted and Post-Decision Consultation	<p>Targeted consultation may be appropriate where:</p> <ul style="list-style-type: none"> <li>● affected groups are clearly defined</li> <li>● specialist knowledge is required</li> <li>● early policy development is underway</li> </ul> <p>Post-decision consultation may occur only where:</p> <ul style="list-style-type: none"> <li>● confidentiality is essential prior to decision</li> <li>● consultation before decision would undermine effectiveness..</li> </ul>
7	Accessibility and Inclusion	<p>The GNI shall take reasonable steps to ensure consultation is accessible by:</p> <ul style="list-style-type: none"> <li>● providing clear, plain-language information</li> <li>● allowing sufficient time for responses</li> <li>● using varied methods to reach different community members recognising cultural, practical, and logistical barriers</li> </ul>
8	Documentation and Feedback	<p>Consultation processes shall be documented. This includes:</p> <ul style="list-style-type: none"> <li>● the purpose and scope of consultation</li> <li>● methods used</li> <li>● key themes raised</li> <li>● areas of agreement and disagreement</li> <li>● how community views were considered</li> </ul> <p>Where appropriate, summaries of consultation outcomes shall be made publicly available.</p>
9	Relationship to Decision-Making	<p>Consultation informs decision-making but does not itself constitute executive authority. The House is responsible for giving formal legal effect to decisions, and shall act consistently with:</p> <ul style="list-style-type: none"> <li>● expressed community authority</li> <li>● General Assembly determination</li> <li>● this Charter and the Procedural Orders.</li> </ul>
10	Review and Evaluation	<p>Consultation practices shall be periodically reviewed to ensure they remain effective, inclusive, and aligned with community expectations and constitutional principles.</p>



## 32. Correspondence

1	Purpose	This protocol governs the preparation, authorisation, handling, and recording of all official correspondence issued or received by the Government of Norfolk Island (GNI). It ensures that correspondence reflects constitutional authority, maintains institutional integrity, and provides a clear and reliable record of government communication.
2	Integrity	<p>All correspondence shall:</p> <ul style="list-style-type: none"> <li>● reflect the constitutional status, authority, and continuity of the Government of Norfolk Island</li> <li>● be accurate, respectful, and capable of verification</li> <li>● avoid unauthorised commitments, representations, or undertakings</li> <li>● be consistent with decisions of The House and applicable protocols</li> </ul>
3	Authority and Authorisation	<p>Official correspondence on behalf of the GNI may be issued only by the Chief Magistrate.</p> <p>Where:</p> <ul style="list-style-type: none"> <li>● a Councillor acting within their portfolio authority, or an appointed Officer, seeks to issue GNI correspondence; the Secretary to Government shall be consulted to clear such communications. A copy of correspondence issued this way will be recorded in the next GNI Members meeting for information and records.</li> <li>● The Secretary to Government will seek the authority of the Chief Magistrate for GNI correspondence initiated by the Officer.</li> </ul> <p>No correspondence may commit the GNI to obligations, agreements, or positions unless duly authorised in accordance with the decision-making hierarchy and Procedural Orders.</p> <p>Consultation practices shall be periodically reviewed to ensure they remain effective, inclusive, and aligned with community expectations and constitutional principles.</p>



4	Preparation and Form	<p>Official correspondence shall:</p> <ul style="list-style-type: none"> <li>● clearly identify the issuing authority and date</li> <li>● distinguish between decisions taken, matters under consideration, and requests for information</li> <li>● use approved templates, letterheads, and where applicable, the Public Seal</li> <li>● be written in a manner consistent with dignity, cultural respect, and constitutional clarity</li> </ul>
5	Receipt and Handling	<p>All incoming correspondence addressed to the GNI:</p> <ul style="list-style-type: none"> <li>● is received and logged by the Clerk or authorised administrative officer</li> <li>● is directed to the appropriate office-holder or committee for consideration</li> <li>● is handled in accordance with confidentiality, privacy, and security requirements</li> </ul>
6	Record Keeping	<p>The Administration Executive Officer is responsible for:</p> <ul style="list-style-type: none"> <li>● maintaining a Correspondence Register of all official incoming and outgoing correspondence</li> <li>● ensuring correspondence forms part of the official record of government</li> <li>● preserving correspondence of constitutional, legal, diplomatic, or historical significance</li> </ul>
7	Transparency and Access	<p>Correspondence may be made public where appropriate, subject to lawful confidentiality, privacy, and the public interest. Requests for access to correspondence are managed in accordance with the Records Protocol and any applicable access standards.</p>



### 33. Electoral Roll

1	Purpose	This protocol governs the maintenance, security, and integrity of the Government of Norfolk Island (GNI) Electoral Roll, recognising it as a foundational instrument of democratic legitimacy and an essential expression of popular sovereignty.
2	Integrity	The Electoral Roll shall be: <ul style="list-style-type: none"> <li>● accurate and current</li> <li>● protected against misuse or unauthorised access</li> <li>● administered independently, impartially, and transparently</li> </ul>
3	Authority and Authorisation	The Government of Norfolk Island shall appoint a Returning Officer, who is responsible for the independent administration of the Electoral Roll.  The appointment of the Returning Officer shall be publicly notified, and the Returning Officer shall act in accordance with this Charter, the Procedural Orders, and applicable protocols.
4	Administration	The Returning Officer is responsible for: <ul style="list-style-type: none"> <li>● enrolment and registration processes</li> <li>● verification of eligibility in accordance with approved criteria</li> <li>● maintenance, security, and controlled access to the Electoral Roll</li> <li>● ensuring the accuracy, integrity, and confidentiality of Electoral Roll data</li> </ul>
5	Transparency and Review	Clear procedures shall exist for: <ul style="list-style-type: none"> <li>● enrolment and registration</li> <li>● correction of errors</li> <li>● review and challenge of eligibility decisions</li> </ul> <p>These procedures shall be documented, accessible, and consistent with principles of fairness, due process, and community confidence</p>



### 34. External Relations

1	Purpose	This protocol governs all external engagement to ensure that Norfolk Island is represented lawfully, consistently, and with dignity.
2	Integrity	External relations shall: <ul style="list-style-type: none"> <li>• reflect constitutional continuity</li> <li>• avoid unauthorised commitments</li> <li>• respect cultural and diplomatic protocols</li> </ul>
3	Scope	External relations include: <ul style="list-style-type: none"> <li>• correspondence with external institutions and bodies</li> <li>• participation in regional and international forums</li> <li>• diplomatic and representational activities</li> </ul>
4	Authority	Only authorised representatives may engage externally on behalf of the GNI. All engagements shall be recorded in an External Engagement Register. The Administration Executive Officer is responsible for the External Engagement Register.



### 35. Media

1	Purpose	<p>This protocol governs all media engagement and official public communications of the GNI, including statements, notices, gazettes, digital publications, and social media.</p> <p>Its purpose is to ensure accuracy, consistency, transparency, and public trust, while protecting the constitutional integrity and procedural authority of GNI.</p>
2	Integrity	<p>All media engagement and official publications shall:</p> <ul style="list-style-type: none"> <li>● be factual, measured, and non-inflammatory</li> <li>● clearly distinguish official government positions from personal opinion</li> <li>● respect ongoing processes, confidentiality, and procedural fairness</li> <li>● reflect the authority, dignity, and constitutional status of the Government of Norfolk</li> </ul>
3	Scope of Application	<p>This protocol applies to:</p> <ul style="list-style-type: none"> <li>● media statements, interviews, and press releases</li> <li>● official government notices and publications</li> <li>● government gazettes and formal notifications</li> <li>● meeting notices, agendas, and public calls</li> <li>● official websites, social media accounts, and digital platforms</li> <li>● any public communication issued in the name of, or representing, the GNI.</li> </ul>
4	Authorisation and Control	<p>Official media statements and publications must be authorised through GNI processes.</p>
5	Use of Official Branding and Templates	<p>All official media statements, publications, notices, gazettes, digital content, and public communications issued on behalf of the Government of Norfolk Island shall use the approved GNI branding kit and authorised templates</p> <p>The approved branding kit and templates ensure consistency, authenticity, and public confidence by clearly identifying official communications of the Government of Norfolk Island. No alternative logos, formats, or visual identities may be used in official publications without written authorisation.</p>



6	Government Gazettes and Official Notices	<p>Where a matter requires formal public notice, including:</p> <ul style="list-style-type: none"> <li>• adoption of resolutions or instruments</li> <li>• meeting notices of The House</li> <li>• committee appointments or terms</li> <li>• other matters prescribed by law or resolution</li> <li>• such notice shall be issued through an official Government Gazette or authorised publication, maintained as part of the public record by the Clerk.</li> </ul> <p>The Clerk is responsible for ensuring that official notices are accurate, properly dated, and archived.</p>
7	Meeting Notices and Public Information	<p>Notices of meetings of The House, committees, or public forums shall:</p> <ul style="list-style-type: none"> <li>• be issued through authorised channels</li> <li>• clearly state the nature, time, and location of the meeting</li> <li>• distinguish between formal meetings and consultative or informational gatherings</li> </ul> <p>Meeting notices do not constitute decisions or outcomes unless expressly stated.</p>
8	Social media and Digital Platforms	<p>Official GNI social media and digital platforms:</p> <ul style="list-style-type: none"> <li>• may be used to publish authorised information, notices, and updates</li> <li>• shall not be used to announce decisions prior to formal resolution</li> <li>• shall not host commentary that is misleading, partisan, or inflammatory</li> </ul> <p>Personal social media accounts of Members or officeholders shall not present personal views as official GNI positions unless expressly authorised</p>
9	Corrections and Retractions	<p>Errors in media statements or publications shall be corrected promptly and transparently through the same or equivalent channels used for the original publication.</p> <p>Where necessary, retractions or clarifications shall be clearly identified as such.</p>
10	Records and Accountability	<p>All official media statements and publications form part of the official record of government and shall be:</p> <ul style="list-style-type: none"> <li>• logged and preserved by the Clerk</li> <li>• capable of audit, review, and public reference where appropriate</li> </ul>



### 36.Records

1	Purpose	<p>This protocol establishes the framework for the creation, preservation, security, and accessibility of official records of the GNI).</p> <p>Records are instruments of constitutional continuity. They preserve institutional memory, authenticate lawful authority, and ensure transparency and accountability to the people of Norfolk Island.</p>
2	Constitutional Basis	<p>Accurate and secure record-keeping is essential to:</p> <ul style="list-style-type: none"> <li>● uphold popular sovereignty</li> <li>● protect the integrity of executive authority</li> <li>● preserve the continuity of the Pitcairn Constitution of 1838 and the Crown Recognition (1856)</li> <li>● ensure that decisions are capable of public explanation and review</li> </ul> <p>No decision shall be regarded as formally adopted unless recorded in accordance with this protocol</p>
3	Scope of Records	<p>Official records include, but are not limited to:</p> <ul style="list-style-type: none"> <li>● Resolutions of The House</li> <li>● Minutes and records of General Assembly deliberations</li> <li>● Sustainability Assessments accompanying decisions</li> <li>● Instruments of appointment (Chief Magistrate, Councillors, Officers)</li> <li>● Oaths and affirmations</li> <li>● Advisory body submissions formally received</li> <li>● External engagement records and diplomatic communications</li> <li>● Use of the Public Seal</li> <li>● Electoral Roll records (as maintained by the Returning Officer)</li> <li>● Registers established under this Charter</li> <li>● Confirmed minutes of Members meetings.</li> </ul> <p>Operational working notes or informal communications do not constitute official records unless formally adopted or relied upon in decision-making.</p>



4	Responsibility	<p>The Administration Executive is the principal custodian of official records.</p> <p>The Clerk shall:</p> <ul style="list-style-type: none"> <li>● maintain accurate minutes of The House and General Assembly</li> <li>● preserve resolutions, instruments, and official documents</li> <li>● maintain registers required under this Charter</li> <li>● ensure records are securely stored and appropriately archived</li> <li>● certify copies of official records when required</li> </ul> <p>The Administration Executive Officer may support records management under the direction of the Clerk.</p>
5	Public Seal Register	<p>Use of the Public Seal shall be recorded in a dedicated Seal Register maintained by the Clerk.</p> <p>The Register shall include:</p> <ul style="list-style-type: none"> <li>● date of use</li> <li>● instrument authenticated</li> <li>● authorising resolution (where applicable)</li> <li>● certifying officer</li> </ul> <p>The Seal Register forms part of the permanent constitutional record.</p>
6	Registers	<p>The following registers shall be maintained where applicable in secure digital and physical formats.</p> <ul style="list-style-type: none"> <li>● Register of Resolutions</li> <li>● Register of Advisory Submissions</li> <li>● External Engagement Register</li> <li>● Public Seal Register</li> <li>● Officer Appointment Register</li> </ul>
7	Accessibility and Transparency	<p>Records shall be preserved in a manner that supports transparency and public confidence.</p> <p>Subject to lawful confidentiality, privacy, and security requirements:</p> <ul style="list-style-type: none"> <li>● resolutions and adopted instruments shall be publicly accessible</li> <li>● summaries of General Assembly deliberations may be published</li> <li>● historical records shall be preserved as part of Norfolk Island's constitutional archive</li> </ul> <p>Access procedures shall be documented and applied consistently.</p>



8	Integrity and Security	<p>Records shall be protected against:</p> <ul style="list-style-type: none"><li>● unauthorised alteration</li><li>● loss or destruction</li><li>● misuse or improper disclosure</li></ul> <p>Where digital systems are used, appropriate security and backup measures shall be implemented.</p> <p>Deliberate falsification, destruction, or concealment of official records constitutes a serious breach of constitutional duty.</p>
9	Archival Stewardship	<p>Records of enduring constitutional, cultural, or historical significance shall be preserved as part of Norfolk Island's constitutional archive. Archival stewardship recognises that records are not merely administrative documents but form part of the living constitutional identity of the Norfolk Island People.</p>



### 37.Representation

1	Purpose	This protocol ensures that all representation is lawful, accurate, authorised, and consistent with the constitutional authority of the people of Norfolk Island, as exercised through the Government of Norfolk Island.
2	Constitutional Basis	<p>Norfolk Island is a distinct settlement with a continuing constitutional order. Representation of Norfolk Island arises from popular sovereignty, exercised through the Government of Norfolk Island in trust for the people.</p> <p>No individual or body may represent Norfolk Island in a governmental or constitutional capacity unless authorised in accordance with this Charter, the Procedural Orders, and this protocol.</p>
3	Forms of Representation	<p>Representation of Norfolk Island may occur in the following forms:</p> <p>Constitutional and Political Representation: relating to status, self-determination, governance, constitutional development, or external relations.</p> <ul style="list-style-type: none"> <li>● Administrative and Technical Representation: relating to operational, technical, or cooperative matters, including engagement with agencies, organisations, or forums on specific subjects.</li> <li>● Cultural and Community Representation: relating to culture, heritage, language, identity, and community relationships, where authorised.</li> </ul> <p>Each form of representation carries different authority and limitations</p>



4	Authorised Representatives	<p><b>Chief Magistrate</b></p> <p>The Chief Magistrate is the primary constitutional representative of the people of Norfolk Island and the Government of Norfolk Island. The Chief Magistrate represents Norfolk Island in matters of constitutional, political, and external significance unless authority is expressly delegated, as agreed by The House.</p> <p><b>Councillors</b></p> <p>Councillors may represent Norfolk Island:</p> <ul style="list-style-type: none"> <li>• when authorised by resolution of The House, or</li> <li>• when acting within an assigned portfolio or delegated function</li> <li>• Councillors shall represent agreed government positions and not personal views.</li> </ul> <p><b>Delegates and Representatives</b></p> <ul style="list-style-type: none"> <li>• The GNI may appoint delegates or representatives for specific purposes, forums, or engagements.</li> </ul> <p>Such appointments shall:</p> <ul style="list-style-type: none"> <li>• be clearly defined in scope and duration</li> <li>• specify the authority granted</li> <li>• be consistent with this Charter</li> </ul> <p>Delegates do not possess independent authority to bind Norfolk Island.</p>
5	Limits on Authority	<p>No representative may:</p> <ul style="list-style-type: none"> <li>• commit Norfolk Island to binding agreements</li> <li>• make representations concerning sovereignty, constitutional status, or self-determination</li> <li>• assert positions inconsistent with resolutions of</li> </ul> <p>The House or expressed community authority unless expressly authorised by The House and, where required, the people through appropriate processes.</p>
6	Representation of Community Views	<p>Where representation concerns matters of significant public interest or constitutional importance, representatives shall:</p> <ul style="list-style-type: none"> <li>• accurately reflect the expressed will of the people</li> <li>• have regard to guidance from the General Assembly</li> <li>• avoid misrepresentation or overstatement of mandate</li> </ul>



7	Cultural Integrity and Accuracy	<p>All representation shall:</p> <ul style="list-style-type: none"> <li>● respect the cultural identity and heritage of the Pitcairn–Norfolk Island People</li> <li>● avoid mischaracterisation of history, status, or identity</li> <li>● be consistent with Statements adopted under this Charter</li> </ul>
8	Record and Accountability	<p>All official representations shall be:</p> <ul style="list-style-type: none"> <li>● recorded and documented</li> <li>● reported to The House</li> <li>● preserved by the Clerk where appropriate</li> </ul> <p>Summaries of significant representations may be made public in the interests of transparency.</p>
9	Unauthorised Representation	<p>Any representation made without authority does not bind the Government of Norfolk Island or the people of Norfolk Island.</p> <p>Where unauthorised representation occurs, the Government of Norfolk Island may:</p> <ul style="list-style-type: none"> <li>● publicly clarify its position</li> <li>● withdraw or correct the representation</li> <li>● take steps to prevent recurrence</li> </ul>
10	Relationship to Other Protocols	<p>This protocol operates in conjunction with:</p> <ul style="list-style-type: none"> <li>● the External Relations Protocol</li> <li>● the Media Protocol</li> <li>● the Consultation Protocol</li> <li>● Decision-Making, Community Authority and Endorsement</li> </ul> <p>In the event of inconsistency, the principles of popular sovereignty and constitutional continuity prevail.</p>



### 38. Meetings of The House – Internal – Ordinary business

1	Purpose	This protocol governs regular meetings of Members of the Government of Norfolk Island held for the conduct of ordinary executive and administrative business.
2	Nature of Members' Meetings	Members' Meetings are executive working meetings. They are distinct from: <ul style="list-style-type: none"> <li>• meetings of The House, and</li> <li>• sessions of the General Assembly</li> </ul>
3	Frequency and Convening	Members' Meetings are ordinarily held once each week, or as otherwise agreed by Members. Meetings may be convened by: <ul style="list-style-type: none"> <li>• the Chief Magistrate, or</li> <li>• agreement of Members</li> </ul>
4	Matters Considered	Members' Meetings may consider: <ul style="list-style-type: none"> <li>• routine executive and administrative matters</li> <li>• coordination of portfolios and responsibilities</li> <li>• preparation of matters for The House</li> <li>• implementation of decisions already taken operational oversight</li> </ul> Members' Meetings shall not: <ul style="list-style-type: none"> <li>• resolve matters requiring House decision</li> <li>• make decisions requiring community endorsement</li> </ul>
5	Conduct of Meetings	Meetings are conducted in a cooperative and non-adversarial manner, consistent with collective responsibility and stewardship. The Chief Magistrate is the presiding member at meetings of The House. The Secretary to Government ordinarily chairs the meeting.
6	Record-Keeping	A record of Members' Meetings shall be maintained by the Secretary to Government or Delegate. Records shall: <ul style="list-style-type: none"> <li>• note matters considered</li> <li>• record decisions and actions agreed</li> <li>• identify matters referred onward</li> </ul>
7	Transparency and Accountability	Members' Meetings operate within the framework of: <ul style="list-style-type: none"> <li>• the Charter</li> <li>• the Procedural Orders</li> <li>• applicable protocols</li> </ul> They are subject to oversight by The House and shall not be used to bypass formal decision-making or community authority.



### 39. General Assembly Meetings

1	Purpose	This protocol governs the convening, conduct, and recording of General Assembly meetings to ensure that deliberation of the people occurs lawfully, transparently, and in accordance with constitutional continuity and popular sovereignty.
2	Integrity	<p>General Assembly proceedings shall:</p> <ul style="list-style-type: none"> <li>● reflect the constitutional identity of the Norfolk Island People.</li> <li>● uphold dignity, order, and mutual respect.</li> <li>● provide genuine opportunity for community deliberation.</li> <li>● operate transparently and free from coercion or misrepresentation.</li> <li>● preserve the deliberative — not executive — nature of the Assembly.</li> </ul> <p>The General Assembly is a forum for expression of the people’s will, and whilst it does not exercise executive authority, GNI decisions under Category A and Category B require a resolution of the General Assembly, which is binding, on The House.</p>
3	Scope	<p>General Assembly meetings may be convened for:</p> <ul style="list-style-type: none"> <li>● Category A and Category B decision deliberation under Part E.</li> <li>● structured consultation on major community matters.</li> <li>● presentation of Sustainability Assessments where required.</li> <li>● receipt of advisory input relevant to constitutional significance.</li> <li>● public discussion of matters of collective importance.</li> </ul> <p>The scope of each meeting shall be clearly stated in the public notice.</p>
4	Authority	<p>The General Assembly may be convened by:</p> <ul style="list-style-type: none"> <li>● the Chief Magistrate; or</li> <li>● resolution of The House.</li> </ul> <p>Public notice shall be issued in accordance with the Communication and Media Protocols</p>



4	Authority	<p>The Clerk is responsible for:</p> <ul style="list-style-type: none"> <li>● recording proceedings.</li> <li>● preserving deliberative outcomes.</li> <li>● maintaining the General Assembly Register.</li> </ul> <p>Where the expressed will of the Assembly informs Category A or Category B decisions, such expression shall be formally recorded and referenced in the resolution of The House, which is binding.</p>
5	Procedural Orders	<p>The detailed rules governing:</p> <ul style="list-style-type: none"> <li>● notice requirements.</li> <li>● quorum.</li> <li>● speaking order.</li> <li>● motions and resolutions.</li> <li>● voting mechanisms.</li> <li>● record-keeping.</li> <li>● maintenance of order.</li> </ul> <p>are set out in Schedule 5 — General Assembly Procedural Orders. Schedule 5 forms part of this Charter and shall govern the conduct of General Assembly meetings. In the event of inconsistency, the constitutional role of the General Assembly as defined in Part C shall prevail.</p>
6	Notice Paper for the General Assembly	<p>Prior to each meeting of the General Assembly, the Clerk shall prepare and publish a Notice Paper setting out the business proposed to be considered.</p> <p>The Notice Paper shall include:</p> <ul style="list-style-type: none"> <li>● the date, time, and location of the meeting</li> <li>● the agenda and order of business</li> <li>● motions or resolutions proposed for consideration</li> <li>● questions submitted in advance</li> <li>● supporting documents or references where relevant.</li> </ul> <p>The Notice Paper shall be circulated to Members of The House and made publicly available to the community no later than seven days prior to the meeting unless urgency requires otherwise.</p> <p>Matters not appearing on the Notice Paper may be raised only with the consent of the Chief Magistrate or by resolution of The House.</p>





# PART H

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## OPERATIONAL FRAMEWORK



## PART H: OPERATIONAL FRAMEWORK

The Five Sustainability Pillars in Part D establish the long-term stewardship principles against which decisions are assessed. The Seven Governance Pillars in Part H identify the operational priorities and work programme of the Government during the current term.

The Governance Pillars give practical effect to the Sustainability Pillars through specific actions and initiatives.

### 40. Operational Structure - 2026

<b>GOVERNMENT OF NORFOLK ISLAND</b>		
<b>CHIEF MAGISTRATE</b> Peter Christian Bailey	<b>COUNCILLOR – ELECT</b> Timothy Brown	<b>COUNCILLOR – APPOINTED</b> Rebecca Hayes
<b>PORTFOLIO RESPONSIBILITIES</b>		
<ol style="list-style-type: none"> <li>Constitutional Sovereignty &amp; Lawful Continuity</li> <li>Democratic Legitimacy &amp; Participation</li> <li>External Relations &amp; International Standing</li> </ol>	<ol style="list-style-type: none"> <li>Rule of Law, Rights &amp; Civic Protection</li> <li>Fiscal Sovereignty &amp; Economic Governance</li> </ol>	<ol style="list-style-type: none"> <li>Culture &amp; Intergenerational Stewardship</li> <li>Separation of Powers, Integrity, &amp; Responsible Executive Government</li> </ol>
<b>Consultation, transparency, and consensus are continuous and shared across all portfolios.</b>		
<b>SUPPORTED BY APPOINTED OFFICERS</b>	<ul style="list-style-type: none"> <li>Clerk of The House</li> <li>Returning Officer</li> </ul>	<ul style="list-style-type: none"> <li>Secretary to Government</li> <li>Administration Executive</li> </ul>
<b>INSTITUTIONAL &amp; ADVISORY BODIES</b>	<ul style="list-style-type: none"> <li>Norfolk Island Council of Elders</li> <li>Norfolk Island People for Democracy</li> <li>Norfolk Island Law Association</li> <li>Norfolk Island Youth Stewardship Forum</li> </ul>	
<b>DIRECT DEMOCRACY BY GENERAL ASSEMBLY</b>		
<b>GENERAL ASSEMBLY SCHEDULED MEETING DATES</b>	<ul style="list-style-type: none"> <li>30 May 2026</li> <li>11 July 2026</li> <li>22 August 2026</li> <li>03 October 2026</li> <li>14 November 2026</li> </ul>	



## 41. Member Portfolios

### **PORTFOLIO 1: CHIEF MAGISTRATE**

Constitutional Leadership. Consent, External Affairs & Representation.

The Chief Magistrate is:

- first among equals, not above the Councillors
- a facilitator of consensus, not a unilateral authority or decision-maker
- the public voice and representative of the community, not its substitute.

Consultation, transparency, and collective decision-making are inherent and continuous obligations of the office, grounded in constitutional authority, custom, and community mandate.

Strategic Pillars Aligned to the Chief Magistrate

- I. PILLAR 1 – Constitutional Sovereignty & Lawful Continuity
- II. PILLAR 2 – Democratic Legitimacy & Participation
- III. PILLAR 3 - External Relations & International Standing

### **PORTFOLIO 2: COUNCILLOR - ELECT**

Rights, Assets, Fiscal Security

The Elected Councillor ensures:

- consultation is real, structured, and continuous, not symbolic
- the Chief Magistrate & Executive remain aligned with the will of the people.

The Elected Councillor is responsible for safeguarding the people's rights, material interests, and economic foundations, and for ensuring that public authority is exercised lawfully, fairly, and with ongoing consent.

Strategic Pillars Aligned to the Councillor Elect

- I. PILLAR 4 – Rule of Law, Rights & Civic Protection
- II. PILLAR 5 – Fiscal Sovereignty & Economic Governance

### **PORTFOLIO 3: COUNCILLOR - APPOINTED**

Cultural Stewardship, Executive Discipline & Administration.

The Appointed Councillor ensures:

- Norfolk Island's cultural identity and heritage are authentically recognised and sustained
- executive authority is exercised within defined limits and standards
- government operations are orderly, transparent, and accountable.



Strategic Pillars Aligned to the Councillor

- I. PILLAR 6 – Culture & Intergenerational Stewardship
- II. PILLAR 7 – Separation of Powers, Integrity & Responsible Executive Government

## 42. Operational Priorities

The operational priorities set out below translate the principles of this Charter into practical actions that will strengthen Norfolk Island’s democratic institutions, economic resilience, cultural vitality, and international engagement over the coming decade.

<b>PILLAR I – Constitutional Sovereignty &amp; Lawful Continuity</b>	
Anchor GNI authority in lawful continuity, not delegated power	
1	Issue the formal reaffirmation instrument of the Pitcairn Constitution of 1838.
2	Create a Constitutional Register documenting all constitutional instruments, amendments, and interpretations.
3	Publish a Statement of Constitutional Interpretation Principles to guide decision-making during the transitional period.
4	Publish a Constitutional Supremacy Clause affirming the Constitution as the highest law, binding on all institutions and decisions.
5	Publish the plan for Constitutional modernisation, outlining review, consultation, drafting, and referendum stages.
6	Establish a General Assembly Select Committee to begin preparatory review and analysis of the 1838 Constitution.
7	Develop and publish an agreed Transitional Constitutional Schedule.
8	Deliver the “Constitution Explained” Public Series to build community understanding of constitutional
<b>PILLAR 2 – Democratic Legitimacy &amp; Participation</b>	
Ensure government authority flows from the people, embed ongoing consent, and maintain transparent, accessible democratic participation	
1	Establish an Independent Electoral Authority
2	Finalise a modern voter eligibility framework
3	Maintain the GNI Electoral Roll following the 01 Jan 2026 election
4	Enable ongoing new registrations on Electoral Roll.
5	Provide a public platform for community access to GNI information.
6	Publish the Digital Participation Standards Manual (verification, audit, accessibility, data integrity).



7	Launch the Community Participation Dashboard showing engagement levels, consultation outcomes, and upcoming votes.
8	Provide mechanisms for input and voting on GNI initiatives
9	Conduct a Pilot Digital Vote to validate systems and build confidence
10	Maintain a Register of all GNI engagement and community participation
11	Maintain a Community Mandate Log recording all decisions where the community expresses a mandate
12	Establish standards for community consultation and how GNI shall respond to outcomes
<p><b>PILLAR 3 – External Relations &amp; International Standing</b></p> <p>Enable lawful, dignified engagement beyond Norfolk Island, aligned with self-determination and peaceful international relations</p>	
1	Include negotiation and representation protocols in the GNI Standards Manual.
2	Publish the Transitional External Relations White Paper defining scope, limits, and priorities for external engagement.
3	Publish the Diplomatic Protocols Manual covering correspondence, ceremonial order, and representation etiquette.
4	Maintain a Register of External Engagements documenting meetings, delegations, communications, and outcomes.
5	Initiate Introductory Pacific Outreach to regional bodies for relationship-building.
6	Initiate introductory outreach to Australian Government channels for relationship building.
7	Prepare the Status & Self-Determination Briefing Pack explaining constitutional foundations and the transitional pathway.
<p><b>PILLAR 4 – Rule of Law, Rights &amp; Civic Protection</b></p> <p>Protect the people from arbitrary rule, guarantee civil dignity, and embed rights and due process</p>	
1	Draft and prepare a Bill of Rights or Rights Chapter for constitutional inclusion.
2	Explore Independent Tribunals to ensure due process and legal certainty.
3	Explore access-to-justice mechanisms to protect property, culture, and identity.
4	Formalise a mechanism for political advice from NI People for Democracy (NIPD) to GNI



<b>PILLAR 5 – Fiscal Sovereignty &amp; Economic Governance</b>	
Ensure financial autonomy, protect land and heritage, and establish transparent, sustainable economic governance	
1	Investigate development and access to core economic datasets including a census, inflation index, demographic data, land and asset inventories, and environmental and spatial data.
2	Establish a Norfolk Island governance authority to protect land, waters, heritage, and material foundations.
3	Review EEZ and spatial arrangements to resume responsibility.
4	Establish an Inventory of all Norfolk Island community owned assets including identifying assets to be resumed.
5	Explore lawful, community endorsed revenue mechanisms including a public trust or investment fund, cooperative economic models, land-based revenue, environmental opportunities, and heritage aligned initiatives.
<b>PILLAR 6 – Culture &amp; Intergenerational Stewardship</b>	
Protect cultural foundations, ensure continuity of identity, and embed intergenerational responsibility in governance	
1	Implement cultural heritage protections and a framework to deal with cultural appropriation.
2	Implement safeguards for historical records, language, and oral history.
3	Formalise the advisory mechanism - under Section 3.0 – Institutional Relationships & Advisory Bodies - for cultural advice from the NI Council of Elders (CoE) to GNI.
4	Establish a process for cultural impact assessments for all policy and development decisions.
<b>PILLAR 7 – Separation of Powers, Integrity &amp; Responsible Executive Government</b>	
Prevent concentration of power, ensure local accountability, and maintain disciplined, transparent executive operations	
1	Publish a defined executive mandate and limits in the GNI Operational Framework and on GNI media platforms.
2	Establish a protocol for GNI operations under the Governance Charter and Operational Framework.
3	Publish the GNI Operational Framework for transparency.
4	Run an Expression of Interest process to build an extensive advisory base and broad network of support locally and externally



Operational arrangements may be amended by resolution of The House provided such amendment does not alter the constitutional hierarchy established under this Charter.

### **43. Actioning the Operational Priorities**

Each of the seven governance pillars shall be supported by a published 12-month Action Plan.

Action Plans shall identify:

- measurable objectives
- responsible officeholders
- timelines
- reporting milestones

A public progress report shall be issued quarterly.





# PART I

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## 2026 ACTION PLAN



## **PART I: 2026 COMMUNITY ACTION PLAN**

### **Restoring Voice. Rebuilding Opportunity. Putting Norfolk Island Back on Track.**

This Action Plan gives practical effect to the Governance Charter for the 2026 term. It focuses on restoring authority to the people, rebuilding economic direction, protecting cultural continuity, and modernising governance in a way that the community can see, understand, and participate in.

Each action supports the seven governance pillars and reflects the expressed priorities of the Government of Norfolk Island for this term.

Timeframes may be adjusted by resolution of The House where necessary to reflect available resources, community priorities, or emerging circumstances.

Quarterly public progress reports will be issued.

### **PILLAR 1**

#### **Priority: Modernise the Constitution and restore constitutional clarity**

##### **1. Formal Reaffirmation of the 1838 Constitution**

- Issue a formal Reaffirmation Instrument, and a tangible symbol of this affirmation.
- Hold a public reaffirmation gathering.
- Record the Instrument in a publicly accessible Constitutional Register.

##### **2. Launch Constitutional Modernisation Process**

- Publish a Constitutional Modernisation plan outlining:
  - Review
  - Community consultation
  - Drafting
  - Referendum pathway
- Establish a General Assembly Select Committee to progress review of Constitution.

##### **3. Constitution – Public Workshops**

- Deliver plain-language sessions across 2026.
- Provide clear written summaries.
- Ensure youth and Elders are actively included.



## **PILLAR 2**

### **Priority: Ensure government authority visibly flows from the people**

#### **1. Strengthen Electoral Integrity**

- Maintain and update the Electoral Roll.
- Establish an independent Returning Officer framework.
- Finalise a clear voter eligibility framework.

#### **2. Restore Meaningful Community Decision-Making**

- Hold regular General Assemblies.
- Clearly classify decisions (constitutional, major, operational).
- Maintain a Community Mandate Log recording where the people express direction.

#### **3. Enable Digital Participation**

- Publish Digital Participation Standards.
- Pilot secure digital voting.
- Launch a Community Participation Dashboard showing:
  - Engagement levels
  - Issues under consultation
  - Upcoming decisions

## **PILLAR 3**

### **Priority: Speak clearly and calmly on Norfolk Island's status**

#### **1. Publish a Transitional External Relations White Paper**

- Define scope and limits of engagement.
- Clarify transitional status.
- Explain constitutional continuity and aspirations.

#### **2. Prepare Status & Self-Determination Briefing Pack**

- Plain-language summary of:
  - Constitutional foundations
  - Transitional governance
  - Pathway forward

#### **3. Rebuild Pacific Relationships**

- Initiate respectful outreach.
- Record and publish all external engagements.



## **PILLAR 4**

### **Priority: Protect fairness and prevent concentration of power**

#### **1. Begin Drafting a Bill of Rights Framework**

- Publish consultation paper.
- Identify core protections:
  - Due process
  - Equality before the law
  - Cultural protection
  - Property and civic rights

#### **2. Explore Independent Review Mechanisms**

- Assess feasibility of:
  - Independent tribunals
  - Access-to-justice pathways

#### **3. Formalise Structured Civic Advice from NIPD**

- Implement advisory mechanism under Charter.
- Record advice and GNI response.

## **PILLAR 5**

### **Priority: Rebuild opportunity and restore economic direction**

#### **1. Island Economic Review**

- Publish a clear economic snapshot covering:
  - Population trends
  - Housing pressure
  - Cost of living
  - Business environment
  - Infrastructure strain

#### **2. Community Asset & Revenue Mapping**

- Publish inventory of:
  - Community-owned assets
  - Historic revenue streams
- Identify areas where fiscal flexibility may be lawfully restored.
- Identify assets to be resumed that may be earmarked for disposal by NIRC



### **3. Economic Opportunity Roundtables**

- Host public workshops on:
  - Tourism reset
  - Culture and Heritage economy
  - Agriculture & food resilience
  - Cooperative enterprise
  - Youth employment pathways

### **4. Develop Revenue & Sustainability Options Paper**

- Explore lawful, community-endorsed revenue mechanisms.
- Ensure fiscal sustainability aligns with constitutional goals.

## **PILLAR 6**

### **Priority: Protect identity while building future opportunity**

#### **1. Activate Cultural Advisory Mechanism**

- Formalise Council of Elders advisory role.
- Record cultural advice in decision-making.

#### **2. Implement Cultural Impact Assessment Framework**

- Integrate into Sustainability Assessment.
- Apply to major decisions.

#### **3. Youth Stewardship Initiative**

- Establish Youth Stewardship Forum.
- Ensure youth participation in constitutional and economic discussions.

#### **4. Safeguard Historical Records**

- Begin structured preservation of:
  - Archives
  - Oral history
  - Language records



## **PILLAR 7**

### **Priority: Maintain disciplined, transparent leadership**

#### **1. Publish Defined Executive Mandate and Limits**

- Clarify powers and boundaries.
- Prevent overreach.

#### **2. Publish Updated Operational Framework**

- Ensure public access to governance procedures.
- Align with Charter.

#### **3. Establish Advisory Expression of Interest Process**

- Invite expertise locally and from the Norfolk diaspora.
- Build broader governance support network.

#### **4. Quarterly Public Accountability Forums**

- Open reporting on:
  - Progress
  - Finances
  - Challenges
  - Next steps

### **End-of-Term Review – December 2026**

By 31 December 2026:

- present full progress report to the General Assembly.
- identify next stage of Constitutional Modernisation.
- present economic direction pathway for 2027.
- confirm whether referendum or formal constitutional drafting should proceed.

At the conclusion of the 2026 term, the Government of Norfolk Island shall publish a public report outlining progress against the priorities and initiatives set out in this Action Plan.

The report shall identify outcomes achieved, lessons learned, and recommendations to support the work of the incoming government and the continued development of Norfolk Island's governance institutions.





# PART J

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## SCHEDULES



## **PART J: SCHEDULES**

This Part contains schedules adopted under the authority of this Charter to support its orderly operation and practical implementation. Schedules provide structured detail, instruments, and procedural frameworks that give effect to the principles and institutions established herein.

Schedules form part of this Charter but do not alter its constitutional hierarchy. In the event of inconsistency, the provisions of this Charter shall prevail.

Schedules may be amended by resolution of The House unless otherwise specified, provided that no amendment shall diminish the constitutional role of the People, the General Assembly, or the institutional architecture established under this Charter.

The Schedules are:

- Schedule 1 — Oaths
- Schedule 2 — Officer Instruments
- Schedule 3 — Advisory Body Instruments
- Schedule 4 — Sustainability Assessment Template
- Schedule 5 — General Assembly – Procedural Orders
- Schedule 6 — General Assembly - Notice Paper Template
- Schedule 7 — 1838 Constitution



## **Schedule 1. Oaths**

This Schedule prescribes the Oaths and Affirmations required under this Charter. Oaths may be sworn or affirmed in accordance with individual conscience.

### **Oath or Affirmation of the Chief Magistrate**

#### **Oath**

I, [Name], do solemnly swear that I will be faithful and bear true allegiance to His Majesty King Charles III, his heirs and successors according to law; that I will faithfully serve the People of Norfolk Island as Chief Magistrate; that I will uphold the constitutional continuity and institutions of Norfolk Island; that I will exercise the responsibilities of my office with integrity, transparency, and respect for the rule of law; and that I will protect and steward the land, culture, heritage, and future of the Norfolk Island People. So help me God.

#### **Affirmation**

I, [Name], solemnly and sincerely affirm that I will faithfully serve the People of Norfolk Island as Chief Magistrate.

that I will uphold the constitutional continuity of Norfolk Island.

that I will exercise authority in trust, with integrity and transparency.

and that I will protect the land, culture, and future of the Norfolk Island People.

### **Oath or Affirmation of Councillors**

I, [Name], do solemnly swear that I will be faithful and bear true allegiance to His Majesty King Charles III, his heirs and successors according to law; that I will faithfully serve the People of Norfolk Island as Councillor; that I will uphold the constitutional continuity and institutions of Norfolk Island; that I will exercise the responsibilities of my position with integrity, transparency, and respect for the rule of law; and that I will protect and steward the land, culture, heritage, and future of the Norfolk Island People. So help me God.

### **Oath or Affirmation of Officers**

I, [Name], do solemnly swear (or affirm) that I will faithfully perform the duties of my office.

that I will act impartially and in accordance with this Charter.

that I will preserve the integrity of the institutions of Norfolk Island.

and bear true allegiance to His Majesty King Charles III, his heirs and successors according to law; So help me God.



## Schedule 2. Officer Instruments

This Schedule provides standard form instruments for the appointment of Officers under Part B of this Charter.

### Instrument of Appointment — Clerk of The House

Pursuant to Part B of the Governance Charter,  
The House hereby appoints [Name] as Clerk of The House.

The Clerk shall:

- maintain accurate records of proceedings.
- preserve official instruments and correspondence.
- advise on procedural compliance.
- verify completion of Sustainability Assessment where required.
- ensure transparency of public record.

The Clerk exercises no executive authority and acts in support of institutional integrity.

Signed this \_\_\_ day of \_\_\_\_\_ 20\_\_

Chief Magistrate

Clerk (acknowledgement)

### Instrument of Appointment — Returning Officer

Pursuant to Part B and Protocol 31 of this Charter,  
The House hereby appoints [Name] as Returning Officer.

The Returning Officer shall:

- maintain the Electoral Roll.
- verify eligibility.
- administer ballots and referenda.
- safeguard electoral integrity and data security.

The Returning Officer acts independently in the performance of electoral duties.

### Instrument of Appointment — Executive Secretary

Pursuant to Part B,  
The House hereby appoints [Name] as Executive Secretary.

The Executive Secretary shall:

- coordinate administrative implementation.
- support communication and documentation.
- ensure operational continuity consistent with this Charter.

The Executive Secretary exercises no executive discretion beyond delegated authority.



### **Schedule 3. Advisory Body Instruments**

This Schedule provides standard form instruments recognising advisory bodies under Part D. This recognition affirms advisory relationship and does not confer executive authority

#### **Recognition Instrument — Council of Elders**

The Government of Norfolk Island formally recognises the Council of Elders as a cultural advisory body under Part D of this Charter.

The Council of Elders provides guidance on matters affecting:

- cultural continuity.
- language and heritage.
- community cohesion.
- intergenerational stewardship.

#### **Recognition Instrument — Norfolk Island People for Democracy**

The Government of Norfolk Island formally recognises Norfolk Island People for Democracy as a civic advisory body.

NIPD may provide advisory input on:

- constitutional integrity.
- democratic safeguards.
- electoral protection.
- international engagement affecting status.

#### **Recognition Instrument — Norfolk Island Law Association**

The Government of Norfolk Island hereby recognises the Norfolk Island Law Association as an advisory body under Part D.

The Law Association may provide advice on:

- legal and constitutional matters.
- governance and legislative frameworks.
- rule of law and judicial independence.
- rights, civic protections, and legal safeguards.
- institutional integrity and jurisdictional matters.

#### **Recognition Instrument — Norfolk Island Youth Stewardship Forum**

The Government of Norfolk Island hereby recognises the Norfolk Island Youth Stewardship Forum as an advisory body under Part D.

The Youth Forum shall:

- contribute youth perspective to Sustainability Assessment.
- support intergenerational stewardship.
- encourage youth civic participation.



## Schedule 4. Sustainability Assessment Template

This Schedule prescribes the structured format for Sustainability Assessment -Part D.

### Sustainability Assessment

**Proposal Title:**

**Decision Category (Proposed):**

**Prepared by:**

**Date:**

#### 1. Environmental Sustainability

- Does the proposal affect land, water, biodiversity, or ecological carrying capacity?
- Is there risk of irreversible environmental harm?
- What mitigation measures exist?
- Assessment Summary:

#### 2. Social Sustainability

- Does the proposal strengthen community cohesion?
- Does it affect access to housing, services, or opportunity?
- Does it support meaningful civic participation?
- Assessment Summary:

#### 3. Economic Sustainability

- Does the proposal promote long-term stability and resilience?
- Are fiscal implications sustainable?
- Does it avoid creating dependency or structural fragility?
- Assessment Summary:

#### 4. Cultural Sustainability

- Does the proposal affect cultural identity or heritage?
- Does it influence demographic or social balance?
- Does it strengthen or weaken intergenerational continuity?
- Assessment Summary:

#### 5. Intergenerational Impact

- What long-term consequences arise?
- Are future generations materially affected?
- Should elevation under Part E be considered?

#### 6. Governance & Constitutional Sustainability

- Does this decision strengthen or weaken institutional integrity?
- Does it align with constitutional continuity?
- Does it impact separation of powers?
- Does it enhance or undermine public trust?
- Does it support long-term governance capability?

**Signed:**

**(Member or Officer Responsible)**

**Verified by Clerk:**

**(Assessment completeness confirmed)**



## **Schedule 5. General Assembly Procedural Orders**

These General Assembly Procedural Orders (herein Procedural Orders) regulate the formal proceedings of the Government of Norfolk Island “The House”, via “The General Assembly”.

The Procedural Orders apply to:

- meetings
- decision-making
- debate
- administration
- committees
- questions and motions

These Procedural Orders take effect upon adoption by resolution of The House with the General Assembly.

### **Interpretation**

- **Members:** means the Chief Magistrate, Elected Councillor, and Appointed Councillor.
- **The House:** means a formal meeting of the Members.
- **General Assembly:** means a public meeting of The House.
- **Clerk:** means the appointed officer presiding over The House in accordance with these Procedural Orders.
- **Quorum:** means all three Members.
- **Standing Committee** is a permanent body established by The House to handle ongoing matters.
- **Select Committee** is a temporary body established by The House to investigate or address a specific issue.
- **Charter and Procedural Orders:** In the event of any inconsistency between this Governance Charter and these Procedural Orders, the Charter shall prevail as to constitutional principle and authority, and the Procedural Orders shall prevail as to procedure and conduct of business of The House.

### **Constitutional Status of the General Assembly**

- The General Assembly is a constitutional forum originating in Pitcairn practice and continued on Norfolk Island. It provides the principal means by which the people guide matters of constitutional significance, community mandate, and major public importance.
- The General Assembly does not exercise executive authority. Its expressed will carries constitutional weight and shall inform and binds the decisions and resolutions of the Government of Norfolk Island and The House, in accordance with the Charter and Procedural Orders.



## **Role of the General Assembly**

The General Assembly is the principal forum for the collective expression of the will of the people of Norfolk Island.

In matters of constitutional significance, major community impact, or where community mandate is required, The House shall refer the matter to the General Assembly for deliberation and guidance before resolving the question.

The House retains responsibility for giving formal legal effect to decisions but shall act consistently with the expressed will of the General Assembly except where prevented by law or constitutional principle.

## **Members of The House**

### **Chief Magistrate**

- Status: elected directly by the people not The House.

### **Elected Councillor**

- Status: elected directly by the people not The House.

### **Appointed Councillor**

- Status: the Appointed Councillor is appointed by the Chief Magistrate.
- The House does not elect the Appointed Councillor.

## **Officers of The House**

### **Clerk of The House**

- The House shall appoint a Clerk, who is the principal procedural officer of The House.

The Clerk is responsible for:

- The orderly functions and operations of The House.
- the preparation, publication, and archival of the Notice Paper for each General Assembly meeting.
- keeping accurate records of the proceedings of The House.
- advising the Members on process and Procedural Orders.
- carrying out any other duties in support of The House.

### **Returning Officer**

- The House shall appoint a Returning Officer, who is the electorate officer of The House.

The Returning Officer is responsible for:

- the Electoral Roll;
- supporting the Clerk at a General Assembly to facilitate voting and determining the outcome of votes; and
- for implementing Protocol #34 as defined in this Charter.

## **Appointment of the Officers of The House**

### **Appointment**



- The Clerk and the Returning Officer are appointed by The House
- The appointments shall be officially recorded and publicly notified.

### **Tenure**

- Officers of the House remain in office until resignation or removal.
- Removal may only occur for cause, by unanimous resolution of The House, after the Officer has been given the opportunity to respond.

### **Absence of Officer**

- Officer's Absence or Vacancy: the Chief Magistrate may appoint an Acting Officer.
- The Acting Officer exercises all powers and duties of the Officer.

## **Committees of The House**

### **Establishment and Purpose**

The House may appoint Standing Committees and Select Committees to support the orderly, transparent, and effective conduct of the business of the GNI.

Committees exist to examine matters referred to them by The House, undertake consultation or inquiry, and provide considered advice, findings, and recommendations to The House.

### **Procedural Oversight and Relationship to the Clerk**

Committees operate under the procedural authority of The House and in accordance with these Procedural Orders.

The Clerk of The House is the principal procedural officer and may provide guidance to committees on process, reporting requirements, and compliance with Procedural Orders. Committee proceedings do not replace or bypass the formal proceedings of The House. All committee outputs are advisory in nature and take effect only when considered and resolved by The House.

### **Operation of Committees**

Committees appointed under these Procedural Orders shall, unless otherwise stated:

- require a majority of committee members to constitute a quorum
- conduct their work in a manner that is orderly, fair, and transparent
- report findings and recommendations to The House, where such reports proceed for consideration and response
- may call for witnesses, request information, and undertake consultation relevant to their terms of reference

### **Status of Committee Members**

Members serving on committees do so in an advisory capacity and are subject to the authority of The House and the procedural oversight of the Clerk.

Committee membership does not confer independent authority to speak or act on behalf of the Government of Norfolk Island unless expressly authorised.



## 1.0 PROCEDURAL AUTHORITY

Any question relating to procedure or the conduct of business not provided for in these Procedural Orders shall be decided by a quorum of Members.

### Notice Paper Preparation Process

#### Call for Agenda Items

Members of The House may submit agenda items or motions to the Clerk.

#### Submission Deadline

Submissions should be lodged no later than **ten days prior** to the meeting, unless urgency requires otherwise.

#### Clerk Review

The Clerk shall verify that proposed items:

- fall within the authority of the Assembly
- include any required Sustainability Assessment where applicable.

#### Approval of Agenda

The draft Notice Paper shall be reviewed by the Chief Magistrate prior to publication.

#### Publication

The Clerk shall publish the Notice Paper no less than **seven days prior** to the General Assembly meeting:

- to Members of The House
- through official public channels.

#### Late Items

Late items may only be included with the consent of the Chief Magistrate or by procedural motion at the Assembly.

#### Notice Paper Register

The Clerk shall maintain a Notice Paper Register recording all items submitted for future consideration.



## **First Meeting of the General Assembly**

### **Opening of the House**

At the first meeting of the General Assembly, after an election:

- The Clerk reads the Notice Convening The House.
- The Clerk leads the Prayer of The House.
- The Clerk presents the Instrument of Constitutional Mandate for the elected Members.
- The Chaplain/ Reverend/ Parson administers the Oath or Affirmation of allegiance and office to all Members of The House before they may participate in proceedings.
- Members take the Oath or Affirmation of allegiance and office.
- The Chief Magistrate delivers an opening address. The written Address is presented to the Clerk.
- The Clerk proceeds to the business of the General Assembly via the Notice Paper.
- Norfolk Island Register: the log of all General Assembly records.

### **Prayer of The House**

Almighty God. We humbly beseech thee to vouchsafe Thy blessing  
Upon this House. Direct and prosper our deliberations to the advancement of Thy Glory, and  
the true welfare of the people of Norfolk Island. Amen.

### **Oath by the Member**

I swear that I will faithfully serve the people of Norfolk Island;

- that I will uphold and protect our constitutional order, including the Pitcairn Constitution of 1838,
- that I will exercise my duties in trust for the people, with integrity, respect for culture, land, and sea,
- and with care for present and future generations. So help me God.

### **Affirmation by the Member**

I solemnly affirm that I will faithfully serve the people of Norfolk Island;

- that I will uphold and protect our constitutional order, including the Pitcairn Constitution of 1838, and
- that I will exercise my duties in trust for the people, with integrity, respect for culture, land, and sea, and with care for past, present and future generations



## 2.0 POINTS OF ORDER

### Convening the General Assembly

1. The General Assembly may be convened by resolution of The House or by the Chief Magistrate.
2. Notice of a General Assembly shall be publicly issued.
3. Matters for deliberation and access to relevant information shall provide reasonable time for community deliberation.

### Business of the General Assembly

4. Daily routine includes opening, petitions, notices, questions, papers, statements, matters of public importance, committee reports, notices, orders of the day, and reports.
5. The House may arrange the order of business by agreement or motion.
6. Members may propose matters of public importance, requiring support of two Members.
7. Debate may be concluded by motion.
8. Leave of The House shall be granted without dissent.
9. The House may adjourn only by resolution.
10. A motion to adjourn requires support from at least two Members.
11. A motion to fix the next meeting may be moved without notice.
12. Committee reports and recommendations, once tabled, proceed to the General Assembly for debate, resolution, and response as formal business of The House.

### Notices of Motion

13. The Clerk provides the Notice Paper for the General Assembly meeting in accordance with the process prescribed under this Charter.
14. Notices become effective only when listed.

### Questions

15. Questions on notice shall be submitted to the Clerk.
16. Answers are given openly in the General Assembly.
17. Questions without notice may be asked.
18. Questions shall not contain argument, inference, or opinion.
19. Answers shall be relevant, concise, and without reservation.

### Papers & Documents

20. Papers may be tabled by any Member of The House.
21. Tabled papers become part of the official record.



### **Petitions**

22. Petitions shall be respectful, properly formatted, and signed.
23. Petitions shall be tabled into The House and gazetted.

### **Motions & Resolutions**

24. Motions require notice unless otherwise provided.
25. Unreached motions are carried forward.
26. Amendments are voted on by the General Assembly before The House resolves the main question.

### **Orders of the Day**

27. Business set down for future consideration is an Order of the Day.
28. Orders are taken in the sequence determined by The House.

### **Laws**

29. A law can be introduced by The House by giving Notice to the Clerk.
30. The Member of The House ensures the necessary assessments required to support introduction of the proposed law is included for consideration by the General Assembly.
31. Once agreed to in principle at the General Assembly, the proposed law may be referred to a select committee to review and make recommendation to The House.
32. If the proposed law returns from review with amendments, The House reviews these changes.
33. Amendments shall directly relate to the proposed law and cannot repeat or contradict previous decisions.
34. Amended clauses require approval of the General Assembly, and any clause can be postponed.
35. A law must not be finalised at the same sitting of the General Assembly it was first introduced on the Notice Paper. Time must be provided for community education.
36. Adopted laws commence from the date of public notice by Government Gazette that introduces the law of Norfolk Island.

### **Participation of the General Assembly**

37. Participation in the General Assembly is open to the Norfolk Island community in accordance with the criteria determined by the GNI Governance Charter and Operational Framework 2026.
38. Reasonable steps shall be taken to ensure accessibility, inclusivity, and informed participation.

### **Conduct and Proceedings**

39. The House meets with the General Assembly at the time notified.
40. A quorum of The House is all three Members, except where continuity arrangements have been activated in accordance with these Procedural Orders.
41. If a quorum is not present at the appointed time, the General Assembly adjourns unless a quorum is expected shortly.



42. The Clerk shall call The House and General Assembly together and open the sitting with the Prayer, followed by Condolences.
43. The Chief Magistrate shall address the General Assembly.
44. General Assemblies are conducted in a manner that is respectful, orderly, and focused on collective deliberation rather than adversarial debate.
45. The Clerk facilitates proceedings to ensure fairness, clarity, and participation.

### **Temporary Vacancy and Continuity of The House**

46. Where a Member of The House is unable to perform their duties due to resignation, death, incapacity, prolonged absence, conflict of interest, suspension, or other circumstance creating a temporary or continuing vacancy, continuity arrangements may be activated to preserve the operation of The House and General Assembly.
47. The remaining Members of The House may, by unanimous resolution, declare the existence of a temporary vacancy and initiate a continuity appointment process.
48. A person appointed under this provision shall:
  - a) be enrolled on the Norfolk Island Electoral Roll;
  - b) satisfy eligibility requirements applicable to Members;
  - c) consent to appointment; and
  - d) not be disqualified under this Charter.
49. Before appointment, expressions of interest may be invited from eligible persons on the Electoral Roll wherever practicable. Where urgency exists and continuity would otherwise be impaired, an expedited appointment process may be used.
50. The remaining Members of The House may appoint an eligible person by resolution to serve:
  - a) for the duration of the temporary absence; or
  - b) until an election or other determination of the General Assembly where the vacancy is continuing.
51. An appointment under these provisions shall:
  - a) be publicly notified;
  - b) be entered into the Norfolk Island Register; and
  - c) be reported to the next General Assembly.
52. A continuity appointment is temporary in nature and does not alter the constitutional structure of The House or prejudice future constitutional modernisation.
53. The General Assembly may review continuity arrangements and provide guidance at the next available sitting.

### **Rules of Debate**

54. The Clerk maintains order.
55. The Clerk will open the floor for community participation for matters on the Notice Paper before The House.
56. The Clerk shall recognise the orderly sequence of speakers to ensure fair participation.
57. Unless otherwise resolved by the General Assembly, individual speaking time shall normally not exceed **five minutes** per contribution, with the opportunity of a brief right of reply where necessary.



58. The Clerk may extend or reduce speaking time where required to maintain balanced participation and orderly deliberation.
59. Contributions during General Assembly deliberations shall be relevant to the matter under consideration.
60. The Clerk may direct a community participant to discontinue their contribution where it is irrelevant, repetitious, or exceeds reasonable time limits.
61. Members shall not interrupt or cause disturbance.
62. Members speak by addressing the Clerk.
63. The Clerk determines who speaks.
64. Members may speak to motions, amendments, points of order, or personal explanations.
65. Explanations shall not introduce new debate.
66. No speaking after a question is put.
67. No reflection on votes.
68. No offensive or disorderly words.
69. No digression from the subject.
70. Members may raise points of order.
71. The Clerk may direct a Member to discontinue for irrelevance or repetition.
72. Certain motions (e.g., closure, suspension) are put immediately without debate.
73. The House may resolve that the question be put or that a Member be no longer heard.
74. When discussion on a matter has been reasonably exhausted, any person may move that debate be concluded.
75. If supported by the Clerk and agreed by a majority of persons present, the General Assembly shall proceed to resolution of the motion under discussion.
76. Points of order suspend debate until the Clerk provides procedural guidance. The House shall determine the matter in accordance with that guidance.
77. A ruling of the Clerk on a point of order may be affirmed or overturned by resolution of The House without debate.
78. All participants in General Assembly deliberations shall conduct themselves with respect for others and for the integrity of the General Assembly. Personal attacks or conduct that materially disrupts proceedings may be ruled out of order by the Clerk.

### **Disorder**

79. The Clerk may direct a Member to withdraw for disorderly conduct.
80. Persistent disorder may result in suspension for the sitting by vote of Members.

### **Voting**

81. Decisions made by The House are by direct democracy via the General Assembly.
82. The will of the General Assembly is expressed by the vote of those registered on the Electoral Roll.
83. Decisions of The House are taken by majority vote and made by resolution.
84. The Returning Officer facilitates and determines the outcome of voting; the Clerk records and preserves the ballot determination in the Norfolk Island Register.
85. If a quorum is not present during a vote, The House adjourns without voting.



### **Committees & Witnesses**

86. All Committees have adopted Terms of Reference that define the work and operation of the Committee.
87. Committees shall include at least one Member of The House or their Delegate, who shall be the Chair.
88. Committees shall include or consult representatives of partnering advisory bodies where the subject matter falls within the respective institutional remit, in accordance with the Committee's Terms of Reference.
89. Committees may call for documents, hear from persons, and report to The House.
90. Witnesses may be invited to provide information relevant to Committee business.

### **Administration**

91. The Clerk maintains the Norfolk Island Register that includes a roll of Members, including dates of election and cessation.
92. Attendance is recorded in the Minutes.
93. The Clerk records all proceedings in the Norfolk Island Register and has custody of all records and documents.

### **General Assembly Procedural Orders (Procedural Orders)**

94. These Procedural Orders remain in force until amended or replaced by resolution of The House.

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### **Note: Direct Democracy — Procedural Application**

For the avoidance of doubt, the principle of Direct Democracy is given procedural effect through the proceedings of The General Assembly and The House conducted in accordance with these General Assembly Procedural Orders.

Community consultation, assemblies, referenda, and other participatory processes inform and guide the exercise of authority; however, formal decisions, resolutions, and legislative acts take effect only when duly considered and resolved by The House and the General Assembly.



## Schedule 6. General Assembly Notice Paper Template

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### Government of Norfolk Island General Assembly Notice Paper

#### Meeting Details

**Date:**

**Time:**

**Location:**

**Clerk:**

#### Motion for Consideration

**Item title:**

**Member:**

**Motion:**

**Decision Category:**

#### Questions Submitted

**Member:**

**Question:**

**Responsible Officer:**

#### Supporting Documents

**Sustainability Assessments:**

**Reports:**

**Correspondence:**

**Advisory submissions:**



## Schedule 7. 1838 Constitution

3-1231

60. Extract from despatch of Captain Elliott (H.M.S. Fly) to Rear-Admiral Ross, enclosing "Regulations for the appointment of a Magistrate at Pitcairn Island"

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Captain Du Tertre Thomsen refusing to  
listen to any offers of explanation, as  
of their inability had all his demands  
complied with in the prescribed time,  
by the loan of gun powder and the  
National Flag for the French Frigate.  
Subsequently he brought on board a  
Dutchman, who took an active part in  
the case of the French Frigate in 1816,  
was presented as the Consul of that  
Nation, and on the Queen declining to  
receive that gentleman the French  
Commander thought it his duty to  
enforce her acceptance of him.  
During my stay the Law (marked N:4)  
making Protection in the Religion of the  
State and prohibiting the public toleration  
of any other was formally enacted.  
After receiving on board six distressed  
British Subjects, and conveying Mr. Consul  
Pritchard to Limerick at his request on  
business for a day, I finally left Tahiti  
on the 11<sup>th</sup> November after receiving from  
the Queen a letter marked N:5 addressed  
to myself.  
[After a long passage I arrived  
at Pitcairn Island on the 14<sup>th</sup> of November,  
where I found the interesting community  
pursuing their seemingly happy course.]

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Extract from  
despatch of Captain  
Elliott (H.M.S. Fly)  
to Rear-Admiral  
Ross, enclosing  
"Regulations for  
the appointment  
of a Magistrate at  
Pitcairn Island"

25 January 1839



3-1232

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Extract from  
despatch of Captain  
Elliott (H.M.S. Fly)  
to Rear-Admiral  
Ross, enclosing  
"Regulations for  
the appointment  
of a Magistrate at  
Pitcairn Island"

25 January 1839

for exemplary morality, innocence and integrity, but they very earnestly represented to me the immediate necessity for their being some chief or head to their increasing community, amounting now to 99 Souls, for their internal regulation and Government, but more especially to meet the difficulties and dangers which they had already experienced and been again threatened with by lawless strangers and Whale Ships, there having been cases of recent occurrence, where half the ruffian crew of a Whale Ship were on shore for a fortnight, during which they offered every insult to the inhabitants and threatened to violate any woman whose protectors they could overcome by force, occasioning the necessary concentration of the men's strength for the personal protection of the females, and thereby great damage to their Crops, which demanded their constant attention, taunting them that they had no laws, no country, no authority, that they were to respect. American Vessels denying they were under the protection of Great Britain, as they had neither colors, or written authority; I found them however with a Merchant Union Jack flying, procured from an English ship.

Apprehending

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60

Extract from  
despatch of Captain  
Elliott (H.M.S. Fly)  
to Rear-Admiral  
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"Regulations for  
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25 January 1839

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as they had neither colors, or written  
authority; I found them however with a  
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from an English ship.

Appendix





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Extract from  
despatch of Captain  
Elliott (H.M.S. Fly)  
to Rear-Admiral  
Ross, enclosing  
"Regulations for  
the appointment  
of a Magistrate at  
Pitcairn Island"

25 January 1839

Apprehending that my duty required some decisive step in this unlooked for contingency I considered I should best afford protection to these people, and least involve my Government of whose intentions in respect of the Pitcairn Islanders I am ignorant, by conferring the stamp of Authority on their election of a Magistrate or Elder to be periodically chosen from amongst themselves, and answerable for his proceedings to Her Majesty's Government for whose information he is to keep a Journal.

I accordingly drew out a few hasty regulations to be observed, under my Authority in the election of this Officer marked N<sup>o</sup> 6, which with a formal attestation of his being sworn in before me, and an Union Jack which I supplied them with, will I trust insure them against any renewed insults from Foreigners. By their unanimous voice, they selected for the situation Edward Quintal a most able and superior Senior of their number.

I trust, Sir, you will consider my assumption of the power to confer this Authority was warranted by the

urgency

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3-1235

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Extract from  
despatch of Captain  
Elliott (H.M.S. Fly)  
to Rear-Admiral  
Ross, enclosing  
"Regulations for  
the appointment  
of a Magistrate at  
Pitcairn Island"

25 January 1839

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required some decisive step in this  
unlooked for contingency I considered I  
should best afford protection to these  
people, and least involve my  
Government of whose intentions in  
respect to the Pitcairn Islanders I am  
ignorant, by conferring the stamp of  
Authority on their election of a Magistrate  
or Elder to be periodically chosen from  
amongst themselves, and answerable  
for his proceedings to Her Majesty's  
Government for whose information he is to  
keep a Journal.

e  
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I accordingly drew out a few  
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Extract from  
despatch of Captain  
Elliott (H.M.S. Fly)  
to Rear-Admiral  
Ross, enclosing  
"Regulations for  
the appointment  
of a Magistrate at  
Pitcairn Island"

25 January 1839

urgency of circumstances and the difficulty of reference, and that you will be able to approve of the view I have taken of my duty; delaying only one day at Pitcairns I hastened to Cobija where I only arrived after a very protracted passage from Easterly winds and calms, on the 10<sup>th</sup> January. Having reason to believe you were at Callao, and considering circumstances rendered it important that I should join your Flag, I accordingly proceeded for this anchorage calling on my way at Arica and Islay.

In conclusion I have the satisfaction to be able to report the uninterrupted good health, and good conduct of the Crew during this long cruise, of 174 days, in which, from leaving the coast to our return to Cobija, we traversed 17,402  $\frac{3}{4}$  miles of Ocean; were 150 days actually under weigh and 158 on Salt Provisions.

I have the honor to be, Sir,  
Your very obed<sup>t</sup> servant.

(Signed)

R. Elliott Commander

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3-1237

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Extract from  
despatch of Captain  
Elliott (H.M.S. Fly)  
to Rear-Admiral  
Ross, enclosing  
"Regulations for  
the appointment  
of a Magistrate at  
Pitcairn Island"

25 January 1839

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agency of circumstances and the difficulty  
of reference, and that you will be able  
to approve of the view I have taken of  
my duty; delaying only one day at Pitcairn  
I hastened to Cobija where I duly arrived  
after a very protracted passage from  
Easterly winds and calms, on the 16<sup>th</sup> January.  
Having reason to believe you were at  
Callao, and considering circumstances  
rendered it important that I should  
join your Flag, I accordingly proceeded  
for this anchorage calling on my way at  
Arica and Illay.



In conclusion I have the  
satisfaction to be able to report the  
uninterrupted good health, and good  
conduct of the Crew during this long cruise,  
of 174 days, in which, from leaving the  
Coast to our return to Cobija, we traversed  
14,402 1/4 miles of Ocean; were 150 days  
actually under weigh and 158 on Salt  
Provisions.

I have the honor to be, Sir,  
Your very obed<sup>t</sup>. servant.

(Signed)

A. Elliott Commander.



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Extract from  
despatch of Captain  
Elliott (H.M.S. *Fly*)  
to Rear-Admiral  
Ross, enclosing  
"Regulations for  
the appointment  
of a Magistrate at  
Pitcairn Island"

Copy

By Russell Elliott Esq. Commander  
of H.B.M. Sloop *Fly* and Senior  
Officer at Pitcairn's Island

25 January 1839

Regulations for the appointment of a Magistrate at Pitcairns Island

On the 1<sup>st</sup> day of January every year an Elder or Magistrate is to be elected by the free votes of every Native born on the Island, Male or Female, who shall have attained the age of 18 years, or of persons who have resided 5 years on the Island;- And they shall assemble for such purpose in the School house the 1<sup>st</sup> day of every year when the business shall be presided over by the Magistrate of the preceding year, whose period of Office does not expire until the swearing in of his successor.

The greatest number of votes shall determine the Election, or re-election of the Magistrate, whose duty it shall be to hold the Chief Authority on the Island, and to settle all differences with the advice of his Council, which is to consist of two other Natives, one to be named by the Votes of the Assembly, and the other by the Magistrate himself,

but



3-1239

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Extract from  
despatch of Captain  
Elliott (H.M.S. Fly)  
to Rear-Admiral  
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"Regulations for  
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of a Magistrate at  
Pitcairn Island"

25 January 1839

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Copy

W.M.W.

By Russell W. W. Esq. Commandant  
of H.M.S. Fly, and Senior  
Officer at Pitcairn Island.

Regulations for the appointment  
of a Magistrate at Pitcairn Island.

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or Female, who shall have attained  
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1839

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by the Votes of the Assembly, and  
the other by the Magistrate himself.

