



Journals
of the
House of Representatives
of New Zealand

Forty-ninth Parliament

For the period
8 December 2009 – 10 December 2009

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Tuesday, 8 December 2009

The House met at 2.00 pm.

Prayers

1 Introduction of distinguished visitors

The Speaker informed the House that Dr William F Shija, Secretary-General of the Commonwealth Parliamentary Association, was within the precincts of the Chamber.

The Secretary-General was welcomed with applause and accorded a seat on the left of the Chair.

The Speaker also informed the House that the Public Hospital System Select Committee of the Legislative Council of Tasmania, led by Hon Ivan Dean, was within the precincts of the Chamber.

The committee was welcomed with applause.

2 Business of the House

By leave, agreed that Wednesday, 9 December 2009 be a day where private and local orders of the day and Members' orders of the day take precedence.

3 Petitions

The presentation of seven petitions was announced (*see* Schedule for petitions presented).

4 Papers

Twenty-three papers were announced as published under the authority of the House (*see* Schedule for papers published under the authority of the House).

5 Select committee reports

The presentation of 18 reports was announced.

The following bills were set down for second reading:

- Student Loan Scheme (Exemptions and Miscellaneous Provisions) Amendment Bill
- Antarctica (Environmental Protection: Liability Annex) Amendment Bill
- Cluster Munitions (Prohibition) Bill
- Children, Young Persons, and Their Families (Youth Courts Jurisdiction and Orders) Amendment Bill.

The following reports were set down for consideration:

- Recommended sitting programme for 2010

- Reserve Bank of New Zealand's financial stability report, November 2009
- Inquiry into the appointment of an auditor of the Office of the Controller and Auditor-General
- Interim report on the Complaint regarding the Resource Management (Forms, Fees and Procedure) Amendment Regulations 2009

(see Schedule for select committee reports).

6 Introduction of bills

The introduction of the—

- Courts (Remote Participation) Bill
- Financial Service Providers (Pre-Implementation Adjustments) Bill—

was announced and the bills were set down for first reading.

7 Questions for oral answer

Twelve questions to Ministers were answered.

8 Government orders of the day

Taxation (Annual Rates, Trans-Tasman Savings Portability, KiwiSaver, and Remedial Matters) Bill

The Taxation (Annual Rates, Trans-Tasman Savings Portability, KiwiSaver, and Remedial Matters) Bill was read a first time and stood referred to a select committee.

Resolved, That the Finance and Expenditure Committee consider the Taxation (Annual Rates, Trans-Tasman Savings Portability, KiwiSaver, and Remedial Matters) Bill (*Hon Peter Dunne*).

Insurance (Prudential Supervision) Bill

The Insurance (Prudential Supervision) Bill was read a first time and stood referred to a select committee.

Resolved, That the Finance and Expenditure Committee consider the Insurance (Prudential Supervision) Bill (*Hon Phil Heatley for Hon Bill English*).

Statutes Amendment Bill

The Statutes Amendment Bill was read a first time and stood referred to a select committee.

Resolved, That the Government Administration Committee consider the Statutes Amendment Bill, and that the committee report finally to the House on or before 1 April 2010 (*Hon Phil Heatley for Hon Nathan Guy*).

Human Assisted Reproductive Technology (Storage) Amendment Bill

The Human Assisted Reproductive Technology (Storage) Amendment Bill was read a first time and stood referred to a select committee.

Resolved, That the Health Committee consider the Human Assisted Reproductive Technology (Storage) Amendment Bill (*Hon Simon Power*).

Legal Services Amendment Bill

The Speaker declared the House in Committee for consideration of the Legal Services Amendment Bill.

(In the Committee)

Part 1 read.

Resolved, That Part 1 stand part.

Part 2 read.

Resolved, That Part 2 stand part.

Clauses 1, 2, and 3 read.

Resolved, That clause 1 stand part.

Resolved, That clause 2 stand part.

Resolved, That clause 3 stand part.

The Chairperson announced that the bill would be reported without amendment.

Reporting of bill

The Speaker resumed the Chair, and the Chairperson reported the Legal Services Amendment Bill without amendment.

The report was adopted and the bill set down for third reading next sitting day.

Maori Commercial Aquaculture Claims Settlement (Regional Agreements)

Amendment Bill

The Maori Commercial Aquaculture Claims Settlement (Regional Agreements) Amendment Bill was read a second time and set down for Committee stage next sitting day.

Residential Tenancies Amendment Bill

Hon Phil Heatley moved, and the question was proposed, That the Residential Tenancies Amendment Bill be now read a second time.

9 Adjournment

At 10.00 pm the Speaker interrupted the debate, set it down for resumption next sitting day, and left the Chair.

Wednesday, 9 December 2009

The House met at 2.00 pm.

Prayers

1 Petitions

The presentation of the petition of the Board of Governors of Christ's College (Canterbury) requesting that the Christ's College (Canterbury) Amendment Bill be introduced was announced.

An endorsement by the Clerk of the House that Standing Orders had been complied with was read by the Speaker.

The presentation of three other petitions was announced (*see* Schedule for petitions presented).

2 Papers

Three papers were announced as published under the authority of the House (*see* Schedule for papers published under the authority of the House).

3 Select committee reports

The presentation of one report was announced.

The report on the visit of the Primary Production Committee to Australia, 10–14 August 2009 was set down for consideration (*see* Schedule for select committee reports).

4 Introduction of bills

The introduction of the—

- Christ's College (Canterbury) Amendment Bill
- Appropriation (2008/09 Financial Review) Bill
- Television New Zealand Amendment Bill

was announced and the bills were set down for first reading.

5 Questions for oral answer

Twelve questions to Ministers were answered.

6 Application to debate matter of urgent public importance

The Speaker notified the House that Jeanette Fitzsimons had indicated her desire to move (for the purpose of debating the Government's emissions reduction target in the light of evidence from a new study), That the House take note of a matter of urgent public importance.

The Speaker informed the House that he had declined the application.

7 General debate

Hon Phil Goff moved, and the question was proposed, That the House take note of miscellaneous business.

The motion lapsed.

8 Private and local orders of the day

Methodist Church of New Zealand Trusts Bill

The Methodist Church of New Zealand Trusts Bill was read a third time.

9 Members' orders of the day

Fair Trading (Soliciting on Behalf of Charities) Amendment Bill

The Fair Trading (Soliciting on Behalf of Charities) Amendment Bill was read a first time and stood referred to a select committee.

Resolved, That the Commerce Committee consider the Fair Trading (Soliciting on Behalf of Charities) Amendment Bill (*Amy Adams*).

Shop Trading Hours Act 1990 Repeal (Easter Sunday Local Choice) Amendment Bill

Todd McClay moved, and the question was proposed, That the Shop Trading Hours Act 1990 Repeal (Easter Sunday Local Choice) Amendment Bill be now read a first time.

On the question, That the bill be now read a first time, the votes were recorded as follows:

Ayes 59

| | | | |
|----------------|---------------|---------------|----------------|
| Adams | Finlayson (P) | McClay | Wilkinson (P) |
| Auchinvole (P) | Flavell | McCully (P) | Williamson (P) |
| Bakshi (P) | Foss (P) | Parata | Wong |
| Bennett D | Garrett (P) | Peachey (P) | Woodhouse |
| Bennett P (P) | Gilmore | Power (P) | |
| Blue | Goudie (P) | Quinn | <i>Teller:</i> |
| Boscawen (P) | Groser (P) | Roy H (P) | Goodhew |
| Bridges | Guy (P) | Ryall (P) | |
| Brownlee | Hayes | Sharples (P) | |
| Calder | Henare (P) | Smith L (P) | |
| Carter D (P) | Hide (P) | Smith N (P) | |
| Carter J (P) | Hutchison (P) | te Heuheu (P) | |
| Chadwick | Joyce (P) | Tisch (P) | |
| Coleman (P) | Kaye | Tolley (P) | |
| Collins | Key (P) | Tremain | |
| Dean (P) | King C (P) | Turia (P) | |
| Douglas (P) | Lee | Upston | |
| Dunne (P) | Mapp (P) | Wagner (P) | |

Noes 62

| | | | |
|---------------|-------------|-------------------|----------------|
| Anderton | English (P) | Lees-Galloway (P) | Shanks (P) |
| Ardern J | Fenton | Locke | Shearer (P) |
| Ardern S (P) | Fitzsimons | Lotu-Iiga (P) | Sio (P) |
| Barker | Goff (P) | Macindoe (P) | Street |
| Beaumont | Graham (P) | Mahuta (P) | Turei |
| Borrows | Hague (P) | Mallard (P) | Twyford (P) |
| Burns (P) | Hawkins (P) | Moroney (P) | Young |
| Carter C | Heatley (P) | Nash (P) | |
| Chauvel (P) | Hipkins | Norman | <i>Teller:</i> |
| Choudhary (P) | Hodgson | O'Connor (P) | Mackey |
| Clendon | Horomia (P) | Parker (P) | |
| Cosgrove (P) | Hughes | Pillay | |
| Cunliffe (P) | Huo | Prasad | |
| Curran | Jones | Ririnui (P) | |
| Dalziel (P) | Katene | Robertson G | |
| Davis (P) | Kedgley (P) | Robertson R (P) | |
| Delahunty | King A (P) | Roy E (P) | |
| Dyson | Laban (P) | Sepuloni | |

(P) denotes proxy vote.

Motion not agreed to.

Complaint regarding Medicines Regulations 1984

The order of the day for the consideration of the report on the Complaint regarding the Medicines Regulations 1984 was called.

No member moved a motion relating to the report, and the order of the day was discharged.

Briefing from New Zealand Baha'i community

Resolved, That the House take note of the report of the Foreign Affairs, Defence and Trade Committee on the briefing from the New Zealand Baha'i community (*John Hayes*).

Report from the Parliamentary Commissioner for the Environment on Change in the high country: Environmental stewardship and tenure review and related briefing

The order of the day for the consideration of the report on the Report from the Parliamentary Commissioner for the Environment on Change in the high country: Environmental stewardship and tenure review and a related briefing was called.

No member moved a motion relating to the report, and the order of the day was discharged.

Reserve Bank of New Zealand's financial stability report, November 2009

Resolved, That the House take note of the report of the Finance and Expenditure Committee on the Reserve Bank of New Zealand's financial stability report, November 2009 (*Dr Russel Norman*).

Interim report on the Complaint regarding the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2009 (SR 2009/73)

Resolved, That the House take note of the interim report of the Regulations Review Committee on the Complaint regarding the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2009 (SR 2009/73) (*Jacinda Ardern*).

10 Adjournment

At 9.20 pm the House adjourned.



Thursday, 10 December 2009

The House met at 2.00 pm.

Prayers

1 Business statement

The Leader of the House made a statement relating to the business of the House.

2 Petitions

The presentation of one petition was announced (*see* Schedule for petitions presented).

3 Papers

Seven papers were announced as published under the authority of the House (*see* Schedule for papers published under the authority of the House).

4 Select committee reports

The presentation of eight reports was announced.

The following reports were set down for consideration:

- Special report in relation to the Reserve Bank of New Zealand's financial stability report, November 2009
- Investigation into Securities Amendment Act 2002 Commencement Order 2009 (SR 2009/10)
- International treaty examination of the Convention between New Zealand and Australia for the Avoidance of Double Taxation with Respect to Taxes on Income and Fringe Benefits and the Prevention of Fiscal Evasion

(*see* Schedule for select committee reports).

5 Introduction of bills

The introduction of the—

- Electricity Industry Bill
- Local Government (Auckland Law Reform) Bill
- Mental Health (Compulsory Assessment and Treatment) Amendment Bill—

was announced and the bills were set down for first reading.

6 Questions for oral answer

Twelve questions to Ministers were answered.

7 Government orders of the day

Subordinate Legislation (Confirmation and Validation) Bill

The Subordinate Legislation (Confirmation and Validation) Bill was read a second time and a third time.

Education (Polytechnics) Amendment Bill

Hon Gerry Brownlee for Hon Anne Tolley moved, and the question was proposed, That the Education (Polytechnics) Amendment Bill be now read a second time.

On the question, That the amendments recommended by the Education and Science Committee by majority be agreed to, the votes were recorded as follows:

Ayes 69

New Zealand National 58; ACT New Zealand 5; Māori Party 5; United Future 1

Noes 53

New Zealand Labour 43; Green Party 9; Progressive 1

Resolved, That the amendments recommended by the Education and Science Committee by majority be agreed to.

On the question, That the bill be now read a second time, the votes were recorded as follows:

Ayes 69

New Zealand National 58; ACT New Zealand 5; Māori Party 5; United Future 1

Noes 53

New Zealand Labour 43; Green Party 9; Progressive 1

Motion agreed to.

The Education (Polytechnics) Amendment Bill was read a second time and set down for Committee stage next sitting day.

Cluster Munitions (Prohibition) Bill

The Cluster Munitions Prohibition Bill was read a second time and a third time.

Legal Services Amendment Bill

The Legal Services Amendment Bill was read a third time.

8 Adjournment

At 5.58 pm the House adjourned.

SCHEDULE

Business transacted by the House for the period
7 December — 11 December 2009

Petitions Presented

Reference number, petitioner and request, Member presenting petition (in italics), and select committee referred to.

Tuesday, 8 December 2009

- 56 Petition of Dr Mei Meiyalaghan and 13 others, requesting that the New Zealand Parliament follow the lead of the United Nations, several Governments and NGOs (such as Amnesty International and Human Rights Watch) and call on the Sri Lankan Government to immediately allow freedom of movement for the 280,000 Tamil people who continue to be incarcerated in appalling conditions in military detention camps in northern Sri Lanka.

(Amy Adams)

Foreign Affairs, Defence and Trade

- 57 Petition of Ramesh Manicavasagar and 98 others, requesting that the New Zealand Parliament follow the lead of the United Nations, several Governments and NGOs (such as Amnesty International and Human Rights Watch) and call on the Sri Lankan Government to immediately allow freedom of movement for the 280,000 Tamil people who continue to be incarcerated in appalling conditions in military detention camps in northern Sri Lanka.

(Hon Trevor Mallard)

Foreign Affairs, Defence and Trade

- 58 Petition of Neil Ahilakumaran and 47 others, requesting that the New Zealand Parliament follow the lead of the United Nations, several Governments and NGOs (such as Amnesty International and Human Rights Watch) and call on the Sri Lankan Government to immediately allow freedom of movement for the 280,000 Tamil people who continue to be incarcerated in appalling conditions in military detention camps in northern Sri Lanka.

(John Boscawen)

Foreign Affairs, Defence and Trade

- 59 Petition of Neil Henderson and 10,067 others, requesting that the House of Representatives urge the Government not to commit to any emissions reductions at the Copenhagen climate change negotiations, so that excessive hardship to individual New Zealand families and to the New Zealand economy for no measurable benefit to the climate can be avoided.

(John Boscawen)

Local Government and Environment

Wednesday, 9 December 2009

- 60 Petition of Penelope Mary Bright and 171 others, requesting that the House of Representatives do not implement any legislative changes to the Local Government Act 2002 which would make it easier to privatise water services via changes to 'contracting out', and 'Public Private Partnership' (PPP) provisions, until a full and thorough independent investigation of the pricing practices of private water company United Water's seven contracts in New Zealand has been undertaken.

(Su'a William Sio)

Local Government and Environment

- 61 Petition of Lynne Pillay and 1,469 others, requesting that the House of Representatives call on the National Government to reverse all expenditure cuts in Budget 2009 that affect funding for Occupational Therapists and Physical Therapists working in schools.

(Hon Ruth Dyson)

Education and Science

- 62** Petition of Nicola Nancy Chapman and 3,133 others, requesting that the House of Representatives urge the New Zealand Government to address climate change through setting a target, to be reached as soon as possible, for greenhouse gases in the atmosphere to be no more than 350 parts per million of CO₂ equivalents, as the basis for New Zealand policy in legislation and international negotiations; taking into account the latest scientific research, working in a spirit of partnership with New Zealand communities and other countries.

(Dr Russel Norman)

Local Government and Environment

Thursday, 10 December 2009

- 63** Petition of Sue Rowe, requesting that the House note that 8,791 people have signed a petition requesting that for the sake of our unborn children and the health and welfare of our women, the Abortion Supervisory Committee be instructed to decline the application from the New Zealand Family Planning Association which seeks a licence to carry out abortions in its Hamilton clinic.

(Tim Macindoe)

Justice and Electoral

Papers Presented

Parliamentary Papers are papers presented by Ministers or the Speaker that are published under the authority of the House (SO 363 and SO 364).

Non-parliamentary Papers are papers presented by Ministers (SO 363(1)) or by the Speaker (SO 363) that are not published under the authority of the House.

Date paper presented, name of organisation where applicable, title, parliamentary paper number or statutory regulations (S R) series number where applicable.

Monday, 7 December 2009

Parliamentary Papers

Legal Services Agency, Pokapū Ratonga Ture, Annual Report for the year ended 30 June 2009 E.7

Southland Fish and Game Council, Report for the year ended 31 August 2009 C.21L

Non-parliamentary Papers

Pacific Cooperation Foundation, Annual Report 2008/2009

Tuesday, 8 December 2009

Parliamentary Papers

Abortion Supervisory Committee, Report for the year ended 30 June 2009 E.28

Māori Language Commission, Te Taura Whiri i te Reo Māori, Annual Report for the year ended 30 June 2009 E.34

Road Safety Trust, Twentieth Annual Report for the year ended 30 June 2009 F.15

Non-parliamentary Papers

New Zealand Lawyers and Conveyancers Disciplinary Tribunal, Annual Report for the twelve months ended 30 June 2009

Wednesday, 9 December 2009

Parliamentary Papers

New Zealand Lottery Grants Board, Te Puna Tahua, Annual Report for the year ended 30 June 2009 G.7B

Unappropriated Expenses and Capital Expenditure, Report for the financial year ended 30 June 2009, issued December 2009 B.15

Wellington Fish and Game Council, Report for the year ended 31 August 2009 C.21F

Non-parliamentary Papers

Chartered Accountants of New Zealand, Institute of, Amendments to the Rules of the Institute as passed at the Annual General Meeting on 11 November 2009, presented pursuant to section 4 of the Regulations (Disallowance) Act 1989

New Zealand Equivalent to International Financial Reporting Standard 9, Financial Instruments (NZ IFRS 9) Issued November 2009 and incorporates amendments up to December 2009

Thursday, 10 December 2009

Parliamentary Papers

Eastern Region Fish and Game New Zealand, Report for the year ended 31 August 2009 C.21C

Hawke's Bay Fish and Game Council, Report for the year ended 31 August 2009 C.21E

New Zealand Fish and Game Council, Report for the year ended 31 August 2009 C.21

New Zealand Game Bird Habitat Trust, Report for the year ended 31 August 2009 C.22

North Canterbury Fish and Game Council, Report for the year ended 31 August 2009 C.21H

Northland Fish and Game Council, Report for the year ended 31 August 2009 C.21A

Ozone Layer Protection Act 1996: Report of the Minister of Commerce and Minister for the Environment on the operation of the Act for the period ended 31 December 2008 G.22

Non-parliamentary Papers

Chartered Professional Engineers Council (CPEC), Kāhui Kaiwetepanga Ngaio Whaimana, Annual Report for the period 1 July 2008 to 30 June 2009

Hutt Valley District Health Board, Annual Report 2009

New Zealand Law Society, Report on the Exercise of Regulatory Functions and Powers for the period of 11 months ending on 30 June 2009

Northern District Health Board Support Agency Limited, Annual Report 2009

Northland District Health Board, Te Poari Hauora ā Rohe O Te Taitokerau, Annual Report 2008/2009

Reserve Bank of New Zealand, Monetary Policy Statement, December 2009

South Island Shared Service Agency Limited, Annual Report for the year ended 30 June 2009

Special Assistance Welfare Programme: Recoverable Assistance for Study Costs Programme, effective 1 February 2010, pursuant to section 124(10)(d) of the Social Security Act 1964, dated 8 December 2009

Friday, 11 December 2009

Non-parliamentary Papers

Securities Act (Macquarie Media Group) Exemption Notice 2009 (2009/381)

Securities Act (Short Form Prospectus) Exemption Amendment Notice 2009 (2009/382)

Takeovers Code (Biovittoria Limited) Exemption Notice 2009 (2009/380)

Takeovers Code (Te Kairanga Wines Limited) Exemption Notice 2009 (2009/383)

Documents Tabled by Leave

'Documents tabled by leave' are documents tabled by Members with the unanimous agreement of the House or Committee of the whole House.

Document description, and Member tabling document (in italics).

Tuesday, 8 December 2009

Unemployment benefits, letter from Hon Paula Bennett to Hon Annette King, dated 6 November 2009 (*Hon Annette King*)

Unemployment benefits, letter from Hon Paula Bennett to Hon Dr Lockwood Smith, Speaker of the House, dated 17 August 2009 (*Hon Annette King*)

Unemployment benefits, benefit figures from the Ministry of Social Development (*Hon Annette King*)

Wednesday, 9 December 2009

Vehicle noise control rules, excerpt from the National Party's election pamphlet (*Brendon Burns*)

Climate change, excerpt from the *Climate Action Tracker* (*Hon Dr Nick Smith*)

Select Committee Reports Presented

Name of select committee, report, and parliamentary paper number or bill number where applicable.

Wednesday, 9 December 2009

Primary Production

Visit of the Primary Production Committee to Australia, 10–14 August 2009 (I.11A)

Thursday, 10 December 2009

Education and Science

2008/09 financial review of non-departmental appropriations for Curriculum Support, School Transport, Supporting Parenting, and Tertiary and International Advisory Services

2008/09 financial review of non-departmental appropriations for Engaging New Zealanders with Science and Technology, International Science and Technology Linkages, Marsden Fund, and Supporting Promising Individuals

2008/09 financial review of the Education Review Office

2008/09 financial review of the Ministry of Research, Science and Technology

2008/09 financial review of the National Library of New Zealand

Finance and Expenditure

International treaty examination of the Convention between New Zealand and Australia for the Avoidance of Double Taxation with Respect to Taxes on Income and Fringe Benefits and the Prevention of Fiscal Evasion

Special report in relation to the Reserve Bank of New Zealand's financial stability report, November 2009 (I.3H)

Regulations Review

Investigation into Securities Amendment Act 2002 Commencement Order 2009 (SR 2009/10)

Friday, 11 December 2009

Finance and Expenditure

2008/09 financial review of the Reserve Bank of New Zealand

Special report on the draft annual plan of the Controller and Auditor-General

Justice and Electoral

2008/09 financial review of non-departmental appropriations for Support and Assistance provided by Victim Support to Victims of Crime and of Crime Prevention and Community Safety Programmes

2008/09 financial review of the Electoral Commission, the Human Rights Commission, the Law Commission, and the Privacy Commissioner

2008/09 financial review of the Ministry of Justice

2008/09 financial review of the Parliamentary Counsel Office and of the Crown Law Office

Petition 2008/39 of Penelope Mary Bright and 86 others

Māori Affairs

2008/09 financial review of the Ministry of Maori Development