



Journals
of the
House of Representatives
of New Zealand

Forty-ninth Parliament

For the period
27 October 2009 – 29 October 2009

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Schedule

Tuesday, 27 October 2009

The House met at 2.00 pm.

Prayers

1 Petitions

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

2 Papers

Two 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 Regulatory Improvement Bill was set down for second reading.

4 Introduction of bills

The introduction of the Employment Relations (Rest Breaks and Meal Breaks) Amendment Bill was announced and the bill set down for first reading.

5 Questions for oral answer

Twelve questions to Ministers were answered.

6 Application to debate a matter of urgent public importance

The Speaker notified the House that Hon Phil Goff had indicated his desire to move (for the purpose of debating the Government's decision to work on opening up the ACC Work Account to competition), That the House take note of a matter of urgent public importance.

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

7 Government orders of the day**Injury Prevention, Rehabilitation, and Compensation Amendment Bill**

Hon Dr Nick Smith moved, and the question was proposed, That the Injury Prevention, Rehabilitation, and Compensation 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 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 Injury Prevention, Rehabilitation, and Compensation Amendment Bill was read a first time and stood referred to a select committee.

Hon Dr Nick Smith moved a motion nominating the select committee to consider the bill and including an instruction in respect of the committee's consideration of the bill.

On the question, That the motion 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

Motion agreed to.

Resolved, That the Transport and Industrial Relations Committee consider the Injury Prevention, Rehabilitation, and Compensation Amendment Bill, that the committee report finally to the House on or before 12 February 2010, and that the committee have authority to meet at any time while the House is sitting (except during oral questions), during any evening on a day on which there has been a sitting of the House, and on a Friday in a week in which there has been a sitting of the House, and to meet outside the Wellington area during a sitting of the House, despite Standing Orders 187, 189, and 190(1)(b) and (c).

Electoral (Administration) Amendment Bill

The Electoral (Administration) Amendment Bill was read a first time and stood referred to a select committee.

Resolved, That the Justice and Electoral Committee consider the Electoral (Administration) Amendment Bill (*Hon Nathan Guy for Hon Simon Power*).

8 Urgency

Hon Gerry Brownlee moved a motion to accord urgency to certain business.

On the question, That the motion 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

Motion agreed to.

Resolved, That urgency be accorded—

- the passing through their remaining stages of the—
 - Criminal Investigations (Bodily Samples) Amendment Bill
 - Gangs and Organised Crime Bill
 - Whakarewarewa and Roto-a-Tamaheke Vesting Bill, and any bills into which any of those bills may be divided
- the introduction and first reading of the Dairy Industry Restructuring (Raw Milk Pricing Methods) Amendment Bill
- the second reading of the Settlement Systems, Futures, and Emission Units Bill
- the second reading of the Biosecurity Amendment Bill, and
- the introduction and first reading of Government bills.

9 Business of the House

By leave, Agreed that there be questions for oral answer at 2.00 pm on Wednesday, 28 October 2009, and that questions be lodged in the normal manner pursuant to Standing Order 372.

10 Government orders of the day—*continued*

Criminal Investigations (Bodily Samples) Amendment Bill

The Speaker declared the House in Committee for consideration of the Criminal Investigations (Bodily Samples) Amendment Bill.

(In the Committee)

Part 2 read.

The following amendment was put:

New clause 48:

To insert the following clause after clause 47:

48 Independent review of changes

The following new section is inserted after section 84:

“85 Review of operation of certain provisions of this Act

“(1) This section applies to the provisions of this Act inserted by the Criminal Investigations (Bodily Samples) Amendment Act 2009 (the **provisions**).

“(2) The House of Representatives must, as soon as practicable after 1 December 2014, refer to a select committee for consideration the following matters:

“(a) the operation of the provisions since the date of the commencement of this section:

“(b) whether the provisions should be retained or repealed:

“(c) if they should be retained, whether any further statutory amendments are necessary or desirable.

“(3) The select committee to which these matters are referred must report its view on them to the House of Representatives before 1 December 2015.”

(Charles Chauvel)

Criminal Investigations (Bodily Samples) Amendment Bill

On the question, That the amendment be agreed to, the votes were recorded as follows:

Ayes 57

New Zealand Labour 43; Green Party 8; Māori Party 5; Progressive 1

Noes 64

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

Amendment not agreed to.

On the question, That Part 2 stand part, the votes were recorded as follows:

Ayes 108

New Zealand National 58; New Zealand Labour 43; ACT New Zealand 5; Progressive 1; United Future 1

Noes 13

Green Party 8; Māori Party 5

Resolved, That Part 2 stand part.

Schedule read.

On the question, That the Schedule stand part, the votes were recorded as follows:

Ayes 108

New Zealand National 58; New Zealand Labour 43; ACT New Zealand 5; Progressive 1; United Future 1

Noes 13

Green Party 8; Māori Party 5

Resolved, That the Schedule stand part.

Clauses 1 to 3 read.

On the question, That clause 1 stand part, the votes were recorded as follows:

Ayes 108

New Zealand National 58; New Zealand Labour 43; ACT New Zealand 5; Progressive 1; United Future 1

Noes 13

Green Party 8; Māori Party 5

Resolved, That clause 1 stand part.

On the question, That clause 2 stand part, the votes were recorded as follows:

Ayes 108

New Zealand National 58; New Zealand Labour 43; ACT New Zealand 5; Progressive 1; United Future 1

Noes 13

Green Party 8; Māori Party 5

Resolved, That clause 2 stand part.

On the question, That clause 3 stand part, the votes were recorded as follows:

Ayes 108

New Zealand National 58; New Zealand Labour 43; ACT New Zealand 5; Progressive 1; United Future 1

Noes 13

Green Party 8; Māori Party 5

Resolved, That clause 3 stand part.

The Chairperson announced that the Criminal Investigations (Bodily Samples) Amendment Bill would be reported without amendment.

Reporting and passing of bill

The Speaker resumed the Chair, and the Chairperson reported the Criminal Investigations (Bodily Samples) Amendment Bill without amendment.

On the question, That the report be adopted, the votes were recorded as follows:

Ayes 108

New Zealand National 58; New Zealand Labour 43; ACT New Zealand 5; Progressive 1; United Future 1

Noes 13

Green Party 8; Māori Party 5

Motion agreed to.

The report was adopted and the bill set down for third reading forthwith.

Hon Nathan Guy for Hon Simon Power moved, and the question was proposed, That the Criminal Investigations (Bodily Samples) Amendment Bill be now read a third time.

The sitting was suspended between 10.00 pm and 9.00 am.

Wednesday, 28 October 2009

The House resumed the suspended debate on the question, That the Criminal Investigations (Bodily Samples) Amendment Bill be now read a third time.

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

Ayes 108

New Zealand National 58; New Zealand Labour 43; ACT New Zealand 5; Progressive 1; United Future 1

Noes 14

Green Party 9; Māori Party 5

Result corrected after originally being announced as Ayes 108, Noes 13.

Motion agreed to.

The Criminal Investigations (Bodily Samples) Amendment Bill was read a third time.

Gangs and Organised Crime Bill

The Speaker declared the House in Committee for consideration of the Gangs and Organised Crime Bill.

(In the Committee)

Part 1 read.

Resolved, That the question be now put (*Jonathan Young*).

Resolved, That Part 1 stand part.

Part 2 read.

Resolved, That Part 2 stand part.

Gangs and Organised Crime Bill

Part 3 read.

Resolved, That the question be now put (*Dr Cam Calder*).

Resolved, That Part 3 stand part.

Clauses 1 and 2 read.

Resolved, That clause 1 stand part.

Resolved, That clause 2 stand part.

Resolved, That the bill be divided into three bills as set out on Supplementary Order Paper No 51 (*Hon Nathan Guy for Hon Simon Power*).

The Chairperson announced that the bill would be reported without amendment and divided into three bills.

Reporting and passing of bills

The Speaker resumed the Chair, and the Chairperson reported the Gangs and Organised Crime Bill without amendment, and that the Committee had divided it into the following bills:

- Crimes Amendment Bill
- Local Government Amendment Bill
- Sentencing Amendment Bill (No 3).

The report was adopted and the bills were set down for third reading forthwith.

Hon Nathan Guy for Hon Simon Power moved, and the question was proposed, That the Crimes Amendment Bill, the Local Government Amendment Bill, and the Sentencing Amendment Bill (No 3) be now read a third time.

The debate was interrupted.

11 Questions for oral answer

Twelve questions to Ministers were answered.

12 Government orders of the day—*continued***Crimes Amendment Bill, Local Government Amendment Bill, and Sentencing Amendment Bill (No 3)**

The House resumed the interrupted debate on the question, That the Crimes Amendment Bill, the Local Government Amendment Bill, and the Sentencing Amendment Bill (No 3) be now read a third time.

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

Ayes 108

New Zealand National 58; New Zealand Labour 43; ACT New Zealand 5; Progressive 1; United Future 1

Noes 14

Green Party 9; Māori Party 5

Motion agreed to.

The Crimes Amendment Bill, the Local Government Amendment Bill, and the Sentencing Amendment Bill (No 3) were read a third time.

Whakarewarewa and Roto-a-Tamaheke Vesting Bill

The order of the day for consideration in Committee of the Whakarewarewa and Roto-a-Tamaheke Vesting Bill was called.

Instruction to Committee

By leave, Agreed that it be an instruction to the Committee of the whole House on the Whakarewarewa and Roto-a-Tamaheke Vesting Bill that it have the power to consider all the provisions of the bill as one question.

The Speaker declared the House in Committee for consideration of the Whakarewarewa and Roto-a-Tamaheke Vesting Bill.

(In the Committee)

Preamble, clauses 1 and 2, Parts 1 to 3, and Schedules 1 and 2 read.

The following amendments were put:

Amendments set out on Supplementary Order Paper No 82 (*Hon Dr Pita Sharples*).

Resolved, That the amendments be agreed to.

Resolved, That the Preamble, clauses 1 and 2, Parts 1 to 3, and Schedules 1 and 2, as amended, stand part.

The Chairperson announced that the Whakarewarewa and Roto-a-Tamaheke Vesting Bill would be reported with amendment.

Reporting and passing of bill

The Speaker resumed the Chair, and the Chairperson reported the Whakarewarewa and Roto-a-Tamaheke Vesting Bill with amendment.

The report was adopted and the bill set down for third reading forthwith.

The Whakarewarewa and Roto-a-Tamaheke Vesting Bill was read a third time.

13 Introduction and first reading of Government bill

Dairy Industry Restructuring (Raw Milk Pricing Methods) Amendment Bill

The introduction of the Dairy Industry Restructuring (Raw Milk Pricing Methods) Amendment Bill was announced, and the bill set down for first reading forthwith.

The Dairy Industry Restructuring (Raw Milk Pricing Methods) Amendment Bill was read a first time and stood referred to a select committee.

Resolved, That the Primary Production Committee consider the Dairy Industry Restructuring (Raw Milk Pricing Methods) Amendment Bill, that the committee report finally to the House on or before 2 March 2010, and that the committee have authority to meet at any time while the House is sitting (except during oral questions), and during any evening on a day on which there has been a sitting of the House, and on a Friday in a week in which there has been a sitting of the House, despite Standing Orders 187 and 190(1)(b) and (c) (*Hon Nathan Guy for Hon David Carter*).

14 Government orders of the day—continued**Settlement Systems, Futures, and Emissions Units Bill**

Hon Nathan Guy for Hon Simon Power moved, and the question was proposed, That the Settlement Systems, Futures, and Emissions Units Bill be now read a second time.

The debate was interrupted.

15 Valedictory statement

Sue Bradford made a valedictory statement.

16 Government orders of the day—continued**Settlement Systems, Futures, and Emissions Units Bill**

The House resumed the interrupted debate on the question, That the Settlement Systems, Futures, and Emissions Units Bill be now read a second time.

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

Ayes 115

New Zealand National 58; New Zealand Labour 43; Green Party 7; Māori Party 5; Progressive 1; United Future 1

Noes 5

ACT New Zealand 5

Motion agreed to.

The Settlement Systems, Futures, and Emissions Units Bill was read a second time and set down for Committee stage next sitting day.

Biosecurity Amendment Bill

The Biosecurity Amendment Bill was read a second time and set down for Committee stage next sitting day.

17 Adjournment

At 8.45 pm on Wednesday, 28 October 2009 the House adjourned.

Thursday, 29 October 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 Papers

Four papers were announced as published under the authority of the House.

The Speaker presented one further paper (*see* Schedule for papers published under the authority of the House and papers presented).

3 Select committee reports

The report on the Briefing from the New Zealand Baha'i community was set down for consideration (*see* Schedule for select committee reports).

4 Introduction of bills

The introduction of the Insurance (Prudential Supervision) Bill was announced and the bill set down for first reading.

5 Questions for oral answer

Twelve questions to Ministers were answered.

6 Application to debate a matter of urgent public importance

The Speaker notified the House that Hon Ruth Dyson had indicated her desire to move (for the purpose of debating the appointment of Dr Murray Horn as the establishment chair of the new NHB Advisory Board), That the House take note of a matter of urgent public importance.

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

7 Government orders of the day**Immigration Bill**

Hon Nathan Guy for Hon Dr Jonathan Coleman moved, and the question was proposed, That the Immigration Bill be now read a third time.

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

Ayes 108

New Zealand National 58; New Zealand Labour 43; ACT New Zealand 5; Progressive 1; United Future 1

Noes 12

Green Party 8; Māori Party 4

Motion agreed to.

The Immigration Bill was read a third time.

Settlement Systems, Futures, and Emissions Units Bill

The Speaker declared the House in Committee for consideration of the Settlement Systems, Futures, and Emissions Units Bill.

(In the Committee)

Clauses 1 and 2, Parts 1 to 5, and Schedules 1 and 2 read.

Chris Tremain moved, That the question be now put.

On the question, That the question be now put, the votes were recorded as follows:

Ayes 63

New Zealand National 58; Māori Party 4; United Future 1

Noes 58

New Zealand Labour 43; Green Party 9; ACT New Zealand 5; Progressive 1

Motion agreed to.

Resolved, That the question be now put.

The following amendments were put:

Amendments set out on Supplementary Order Paper No 80 (*Hon Simon Power*).

Resolved, That the amendments be agreed to.

Resolved, That clauses 1 and 2, Parts 1 to 5, and Schedules 1 and 2, as amended, stand part.

Resolved, That the bill be divided into four bills as set out on Supplementary Order Paper No 79 (*Hon Nathan Guy for Hon Simon Power*).

The Chairperson announced that the bill would be reported with amendment and divided into four bills.

Reporting of bill

The Speaker resumed the Chair, and the Chairperson reported the Settlement Systems, Futures, and Emissions Units Bill with amendment, and that the Committee had divided it into the following bills:

- Reserve Bank of New Zealand Amendment Bill
- Securities Markets Amendment Bill
- Personal Property Securities Amendment Bill
- Securities Amendment Bill.

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

Insolvency Amendment Bill

The House resumed the interrupted debate on the question, That the Insolvency Amendment Bill be now read a third time.

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

Ayes 112

New Zealand National 58; New Zealand Labour 43; ACT New Zealand 5; Māori Party 4; Progressive 1; United Future 1

Noes 9

Green Party 9

Motion agreed to.

The Insolvency Amendment Bill was read a third time.

8 Adjournment

At 6.00 pm the House adjourned.

SCHEDULE

Business transacted by the House for the period
27 October — 30 October 2009

Petitions Presented

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

Tuesday, 27 October 2009

- 46 Petition of Neale McMillan, requesting that the House of Representatives support the banning of the use of closed circuit television (CCTV) surveillance cameras in public toilets, and within the precincts of the House of Representatives.
(Hon Pete Hodgson)
Justice and Electoral
- 47 Petition of Mr P Findlay on behalf of the Thames Landcare Group and 3,107 others, requesting the House of Representatives that there be an inquiry into the dangerous misuse of the toxin 1080 on the Coromandel.
(Sandra Goudie)
Local Government and Environment

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.

Tuesday, 27 October 2009

Non-parliamentary Papers

New Zealand (Maximum Residue Limits of Agricultural Compounds) Food Standards 2009, Amendment No 1, pursuant to section 11L of the Food Act 1981, dated 14 October 2009

New Zealand Treaty Series, Exchange of Letters constituting an Agreement between the Government of New Zealand and the Government of Malaysia on the treatment of Alcoholic Beverages in the New Zealand–Malaysia Free Trade Agreement

New Zealand Treaty Series, New Zealand–Malaysia Agreement on Environmental Cooperation

New Zealand Treaty Series, New Zealand–Malaysia Free Trade Agreement (including annexes Vols 1 and 2), together with National Interest Analysis, presented in accordance with Standing Orders 388–391

New Zealand Treaty Series, New Zealand–Malaysia Agreement on Labour Cooperation

Research and Education Advanced Network New Zealand Limited (REANNZ), Annual Report for the year ended 30 June 2009

Television New Zealand Limited (TVNZ), Annual Report 2009

Thursday, 29 October 2009

Parliamentary Papers

Culture and Heritage, Ministry for, Te Manatū Taonga, Annual Report 2009 G.10 (09)

New Zealand Lotteries Commission, Annual Report 2008/2009 G.44

Ombudsmen, Office of the, Nga Kaitiaki Mana Tangata, Report for the year ended 30 June 2009 A.3

Treasury, The, Kaitohutohu Kaupapa Rawa, New Zealand's Long-Term Fiscal Statement, October 2009 B.10

Non-parliamentary Papers

Controller and Auditor-General, Tumuaki o te Mana Arotake, Report of the, Ministry of Education: Managing support for students with high special educational needs, October 2009

Friday, 30 October 2009

Non-parliamentary Papers

Diplomatic Privileges (CTBTO PrepCom) Amendment Order 2009 (2009/330)

Diplomatic Privileges (Customs Co-operation Council) Order 2009 (2009/329)

Diplomatic Privileges (OECD) Amendment Order 2009 (2009/331)

Diplomatic Privileges (OIML) Amendment Order 2009 (2009/332)

Diplomatic Privileges (WTO) Amendment Order 2009 (2009/333)

Executive Travel, Accommodation, Attendance, and Communications Services Determination (No 2) 2009 (2009/323)

Fisheries (Declaration of New Stocks Subject to and Stocks Determined Not to be Subject to Quota Management System) Notice 2009 (2009/325)

Fisheries (Remaining Cost Recovery Settlement Balance) Notice 2009 (2009/326)

Forests (Payment of Money) Order 2009 (2009/328)

High Court Amendment Rules (No 2) 2009 (2009/334)

Land Transport (Compulsory Impairment Test) Notice 2009 (2009/335)

Securities Act (Meridian Energy Limited) Exemption Notice 2009 (2009/327)

Securities Act (Works Superannuation Scheme) Exemption Amendment Notice 2009 (2009/322)

Takeovers Code (Southern Travel Holdings Limited) Exemption Notice 2009 (2009/324)

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, 27 October 2009

UN Development Programme, table M from the United Nations Development Programme's *Human Development Report*, dated 2009 (*Dr Kennedy Graham*)

UN Development Programme, *BusinessWeek* article Countries with the Biggest Gaps Between Rich and Poor, dated 16 October 2009 (*Dr Kennedy Graham*)

ACC sensitive claims scheme, petition to delay the implementation of changes to the accident compensation sensitive claims schemes, signed by 3,973 petitioners (*Lynne Pillay*)

ACC policy, table from ACC showing that the percentage of declined claims has grown from 5 percent in 2000 to 40 percent in 2008 (*Hon Dr Nick Smith*)

National standards in literacy and numeracy, *The Cambridge Primary Review* from the University of Cambridge, dated October 2009 (*Hon Trevor Mallard*)

National standards in literacy and numeracy, invitation from the Ministry of Education to the launch of the *School leadership and student outcomes: identifying what works and why best evidence synthesis*, dated 23 October 2009 (*Hon Trevor Mallard*)

National standards in literacy and numeracy, article from *Public Agenda* entitled Teaching for a living: how teachers see the profession today, dated 26 October 2009 (*Hon Trevor Mallard*)

National standards in literacy and numeracy, essay from Ivan Snook, Massey University, *Social class and educational achievement beyond ideology* (*Hon Trevor Mallard*)

Wednesday, 28 October 2009

UN Development Programme, table M from the United Nations Development Programme's *Human Development Report*, dated 2009 (*Metiria Turei*)

Social report 2009, excerpt regarding income inequality (*Metiria Turei*)

Social inequality, table regarding teenage births from a book entitled *The Spirit Level*, dated 2009 (*Metiria Turei*)

Social inequality, table regarding infant mortality from a book entitled *The Spirit Level*, dated 2009 (*Metiria Turei*)

Social inequality, table regarding imprisonment figures from a book entitled *The Spirit Level*, dated 2009 (*Metiria Turei*)

Social inequality, table regarding occurrence of mental illness from a book entitled *The Spirit Level*, dated 2009 (*Metiria Turei*)

Social inequality, table regarding educational outcomes from a book entitled *The Spirit Level*, dated 2009 (*Metiria Turei*)

Injury prevention, article from the University of British Columbia *A systematic review of economic evaluations of falls prevention interventions*, dated 6 August 2009 (*Hon Ruth Dyson*)

Thursday, 29 October 2009

Water privatisation, extract from proceedings of the House of Commons in the United Kingdom (*Jeanette Fitzsimons*)

Water privatisation, advisory document by Emanuele Lobina and David Hall from the University of Greenwich entitled *1989–2001 UK water privatisation* (*Jeanette Fitzsimons*)

Ministerial housing, email from Janice Calvert, general manager executive Government support, dated 22 September 2009 (*Hon Gerry Brownlee*)

Select Committee Reports Presented

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

Tuesday, 27 October 2009

Commerce

Regulatory Improvement Bill (298–2)

Thursday, 29 October 2009

Foreign Affairs, Defence and Trade

Briefing from the New Zealand Baha'i community

Friday, 30 October 2009

Government Administration

Petition 2008/35 of Tony Ciani

Transport and Industrial Relations

Petition 2008/37 of Sue Moroney and 15,808 others

Remuneration Authority Amendment Bill (82-1)