



Journals  
of the  
House of Representatives  
of New Zealand

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Forty-ninth Parliament

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For the period  
17 November 2009 – 19 November 2009

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## Contents

*Tuesday, 17 November 2009*

- 1 **Resignation of member, 556**
- 2 **Return of member, 556**
- 3 **Member sworn, 556**
- 4 **Government motion, 556**
- 5 **Petitions, 556**
- 6 **Papers, 556**
- 7 **Select committee reports, 556**
- 8 **Questions for oral answer, 557**
- 9 **Government orders of the day, 557**
  - Ngāti Apa (North Island) Claims Settlement Bill, **557**
  - Reserve Bank of New Zealand Amendment Bill, Securities Markets Amendment Bill, Personal Property Securities Amendment Bill, and Securities Amendment Bill, **557**
- 10 **Maiden statement, 557**
- 11 **Government orders of the day—  
continued, 557**
  - Corrections (Contract Management of Prisons) Amendment Bill, **557**
  - Biosecurity Amendment Bill, **558**
  - Instruction to Committee, **558**
  - Reporting of bill, **558**
  - Crimes (Provocation Repeal) Amendment Bill, **558**
- 12 **Adjournment, 558**

*Wednesday, 18 November 2009*

- 1 **Business of the House, 559**
- 2 **Papers, 559**
- 3 **Introduction of bills, 559**
- 4 **Questions for oral answer, 559**
- 5 **General debate, 559**
- 6 **Private and local orders of the day, 559**
  - Palmerston North Showgrounds Act Repeal Bill, **559**
  - Methodist Church of New Zealand Trusts Bill, **559**
- 7 **Members' orders of the day, 560**
  - Customs and Excise (Sustainable Forestry) Amendment Bill, **560**
  - Climate Change (Government Vehicle Procurement) Bill, **560**

- Briefing on finance company failures, **560**
- Interim report on complaint regarding SR 2008/319 Marine Safety Charges Amendment Regulations 2008, **560**
- Review of Emissions Trading Scheme and related matters, **560**
- Report from Controller and Auditor-General on Local Government: Results of the 2007/08 audits, **560**
- Report from Controller and Auditor-General on Inland Revenue Department: Managing tax debts, **561**
- Reserve Bank of New Zealand's monetary policy statement, September 2009, **561**
- Inquiry into 2008 general election, **561**

### 8 **Adjournment, 561**

*Thursday, 19 November 2009*

- 1 **Business statement, 562**
- 2 **Petitions, 562**
- 3 **Papers, 562**
- 4 **Introduction of bills, 562**
- 5 **Questions for oral answer, 562**
- 6 **Government orders of the day, 562**
  - Whanganui Iwi (Wanganui (Kaitoke) Prison and Northern Part of Wanganui Forest) On-account Settlement Bill, **562**
  - Taxation (Consequential Rate Alignment and Remedial Matters) Bill, **563**
  - Biosecurity Amendment Bill, **563**
- 7 **Adjournment, 563**
  - Schedule

**Tuesday, 17 November 2009**

The House met at 2.00 pm.

Prayers

**1 Resignation of member**

The Speaker advised the House that he had received a letter from Susan Bradford resigning her seat in the House with effect at midnight on Friday, 30 October 2009.

**2 Return of member**

The Speaker informed the House that he had been advised by the Chief Electoral Officer that, pursuant to section 137 of the Electoral Act 1993, David James Clendon had been declared to be elected a member of the House of Representatives in place of Susan Bradford.

**3 Member sworn**

David Clendon presented himself at the bar of the House, was called forward to the Chair by the Speaker, took the Affirmation of Allegiance required by law, and took his seat in the House.

**4 Government motion**

*Resolved*, That the House congratulate the All Whites football team on its victory over Bahrain and its qualification for the 2010 Football World Cup finals in South Africa (*Hon John Key*).

**5 Petitions**

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

**6 Papers**

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

**7 Select committee reports**

The presentation of nine reports was announced.

The following bills were set down for second reading:

- Remuneration Authority Amendment Bill
- Methodist Church of New Zealand Trusts Bill
- Taxation (Consequential Rate Alignment and Remedial Matters) Bill
- Infrastructure Bill

- Carter Observatory Act Repeal Bill
- Climate Change Response (Moderated Emissions Trading) Amendment Bill
- Border (Customs, Excise, and Tariff) Processing Bill

(*see* Schedule for select committee reports).

## 8 Questions for oral answer

Twelve questions to Ministers were answered.

Two questions to a member were also answered.

## 9 Government orders of the day

### **Ngāti Apa (North Island) Claims Settlement Bill**

The Ngāti Apa (North Island) Claims Settlement Bill was read a first time and stood referred to a select committee.

*Resolved*, That the Ngāti Apa (North Island) Claims Settlement Bill be considered by the Māori Affairs Committee, that the committee report finally to the House on or before 17 March 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, despite Standing Orders 187 and 190(1) (b) and (c) (*Hon Tariana Turia for Hon Christopher Finlayson*).

### **Reserve Bank of New Zealand Amendment Bill, Securities Markets Amendment Bill, Personal Property Securities Amendment Bill, and Securities Amendment Bill**

The Reserve Bank of New Zealand Amendment Bill, the Securities Markets Amendment Bill, the Personal Property Securities Amendment Bill, and the Securities Amendment Bill were read a third time.

## 10 Maiden statement

David Clendon made a maiden statement.

## 11 Government orders of the day—*continued*

### **Corrections (Contract Management of Prisons) Amendment Bill**

Hon Judith Collins moved, and the question was proposed, That the Corrections (Contract Management of Prisons) Amendment Bill be now read a second time.

On the question, That the amendments recommended by the Law and Order Committee 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 Law and Order 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 Corrections (Contract Management of Prisons) Amendment Bill was read a second time and set down for Committee stage next sitting day.

**Biosecurity Amendment Bill**

The order of the day for consideration in Committee of the Biosecurity Amendment Bill was called.

**Instruction to Committee**

*By leave*, That it be an instruction to the Committee of the whole House on the Biosecurity Amendment Bill that the bill be taken as one question.

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

*(In the Committee)*

Clauses 1 to 8 read.

*Resolved*, That clauses 1 to 8 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 Biosecurity Amendment Bill without amendment.

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

**Crimes (Provocation Repeal) Amendment Bill**

Hon Simon Power moved, and the question was proposed, That the Crimes (Provocation Repeal) Amendment Bill be now read a second time.

**12 Adjournment**

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

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**Wednesday, 18 November 2009**

The House met at 2.00 pm.

Prayers

**1 Business of the House**

*By leave*, agreed that the Methodist Church of New Zealand Trusts Bill be set down for second reading that day as private and local order of the day No 2, despite Standing Order 287.

**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 Introduction of bills**

The introduction of the Wanganui District Council (Port and Harbour) Bill was announced and the bill set down for first reading.

**4 Questions for oral answer**

Twelve questions to Ministers were answered.

**5 General debate**

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

The motion lapsed.

**6 Private and local orders of the day****Palmerston North Showgrounds Act Repeal Bill**

Iain Lees-Galloway moved, and the question was proposed, That the Palmerston North Showgrounds Act Repeal 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 117**

New Zealand National 58; New Zealand Labour 43; Green Party 9; ACT New Zealand 5; Progressive 1; United Future 1

**Noes 5**

Māori Party 5

Motion agreed to.

The Palmerston North Showgrounds Act Repeal Bill was read a third time.

**Methodist Church of New Zealand Trusts Bill**

The Methodist Church of New Zealand Trusts Bill was read a second time and set down for Committee stage next sitting day.

## 7 Members' orders of the day

### **Customs and Excise (Sustainable Forestry) Amendment Bill**

Catherine Delahunty moved, and the question was proposed, That the Customs and Excise (Sustainable Forestry) 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 58**

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

**Noes 64**

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

Motion not agreed to.

### **Climate Change (Government Vehicle Procurement) Bill**

Dr Russel Norman moved, and the question was proposed, That the Climate Change (Government Vehicle Procurement) 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 58**

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

**Noes 64**

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

Motion not agreed to.

### **Briefing on finance company failures**

The order of the day for the consideration of the report on the briefing on finance company failures was called.

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

### **Interim report on complaint regarding SR 2008/319 Marine Safety Charges Amendment Regulations 2008**

The order of the day for the consideration of the interim report on the complaint regarding SR 2008/319 Marine Safety Charges Amendment Regulations 2008 was called.

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

### **Review of Emissions Trading Scheme and related matters**

*Resolved*, That the report of the Emissions Trading Review Committee on the Review of the Emissions Trading Scheme and related matters be noted (*Jeanette Fitzsimons*).

### **Report from Controller and Auditor-General on Local Government: Results of the 2007/08 audits**

The order of the day for the consideration of the report on the report from the Controller and Auditor-General on Local Government: Results of the 2007/08 audits was called.

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

**Report from Controller and Auditor-General on Inland Revenue Department:**

**Managing tax debts**

The order of the day for the consideration of the report on the report from the Controller and Auditor-General on Inland Revenue Department: Managing tax debts 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 monetary policy statement, September 2009**

The order of the day for the consideration of the report on the Reserve Bank of New Zealand's monetary policy statement, September 2009 was called.

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

**Inquiry into 2008 general election**

The order of the day for the consideration of the report on the Inquiry into the 2008 general election was called.

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

**8 Adjournment**

At 8.36 pm the House adjourned.

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**Thursday, 19 November 2009**

The House met at 2.00 pm.

Prayers

**1 Business statement**

The Deputy 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**

One paper was announced as published under the authority of the House (*see* Schedule for papers published under the authority of the House).

**4 Introduction of bills**

The introduction of the—

- Taxation (Annual Rates, Trans-Tasman Savings Portability, KiwiSaver, and Remedial Matters) Bill
- Fair Trading (Soliciting on Behalf of Charities) Amendment Bill
- Shop Trading Hours Act 1990 Repeal (Easter Sunday Local Choice) 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 Government orders of the day****Whanganui Iwi (Wanganui (Kaitoke) Prison and Northern Part of Wanganui Forest) On-account Settlement Bill**

The Whanganui Iwi (Wanganui (Kaitoke) Prison and Northern Part of Wanganui Forest) On-account Settlement Bill was read a first time and stood referred to a select committee.

*Resolved*, That the Māori Affairs Committee consider the Whanganui Iwi (Wanganui (Kaitoke) Prison and Northern Part of Wanganui Forest) On-account Settlement Bill, that the committee report finally to the House on or before 19 March 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

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of the House, despite Standing Orders 187, and 190(1)(b) and (c) (*Hon John Carter for Hon Christopher Finlayson*).

**Taxation (Consequential Rate Alignment and Remedial Matters) Bill**

Hon Peter Dunne moved, and the question was proposed, that the Taxation (Consequential Rate Alignment and Remedial Matters) 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 111**

New Zealand National 56; New Zealand Labour 43; ACT New Zealand 5; Māori Party 5; Progressive 1; United Future 1

**Noes 8**

Green Party 8

Motion agreed to.

The Taxation (Consequential Rate Alignment and Remedial Matters) Bill was read a second time and set down for Committee stage next sitting day.

**Biosecurity Amendment Bill**

Hon Nathan Guy for Hon David Carter moved, and the question was proposed, That the Biosecurity Amendment Bill be now read a third time.

**7 Adjournment**

At 6.00 pm the Speaker interrupted the debate, set it down for resumption next sitting day, and left the Chair.

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## SCHEDULE

Business transacted by the House for the period  
16 November — 20 November 2009

### Petitions Presented

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

*Tuesday, 17 November 2009*

- 48** Petition of Camille Nakhid on behalf of the Migrant Action Trust and 2,626 others, requesting that the House of Representatives urge the Government to:
- 1 Provide for 6 months work permit extension for redundant workers who are work permit holders.
  - 2 Renew the work permit upon application from migrants already employed so as not to create unnecessary loss of staff on the part of the employer thus resulting in unbudgeted and unwarranted recruitment and training cost.
  - 3 Extend the graduate job search permit from 12 months to 24 months because in the present economic climate, migrants will take longer to find relevant employment.
  - 4 Create a business visa category as an option for new graduates in order to provide more opportunities for migrants to apply their relevant skills.
  - 5 Create a permanent residency scheme for long-term work permit holders of 5 years or more.
  - 6 Provide 12 months extension of the Skilled Migrant Category – Work to Residence (SMC–WTR) deferral period to migrants whose SMC–WTR 9 or 6 months deferral period is about to expire.
  - 7 Desist from carrying out labour market tests for work permit applications of migrants:
    - a if the job offer/current employment is in the Immediate Skills Shortage List and Long-term Skills Shortage List; or
    - b who have on-going Permanent Residency application under the Skilled Migrant Category.

*(Darren Fenton)*

#### **Transport and Industrial Relations**

- 49** Petition of Nathan James Ngatai and 1,050 others, requesting that the House of Representatives ensure that legislation is passed to make public displays of nudity and profanity illegal in our nation.

*(Dr Paul Hutchison)*

#### **Government Administration**

*Thursday, 19 November 2009*

- 50** Petition of Hon Phil Goff, requesting that the House note that 1,181 people have signed a petition opposing the increase of ACC levies for motorcycles.

*(Hon Annette King)*

#### **Transport and Industrial Relations**

*Friday, 20 November 2009*

- 51** Petition of Dr Russel Norman, requesting that the House of Representatives take note of the attached petition signed by 225 people asking that New Zealand support a reduction of greenhouse gas emissions of 40 percent below 1990 levels at Copenhagen.

*(Metiria Turei)*

#### **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.*

*Monday, 16 November 2009*

### **Parliamentary Papers**

Law Commission, Te Aka Matua o Te Ture, Report 109, Suppressing Names and Evidence, November 2009 E.31 (109)

Vote Health: Addendum Report in Relation to Selected Non-Departmental Appropriations for the year ended 30 June 2009 B.14 (Health)

### **Non-parliamentary Papers**

Christchurch International Airport Limited, Annual Report 2009

Dunedin International Airport Limited, Summarised Annual Report for the twelve months ended 30 June 2009

Māori Television, Annual Report 2009

Nelson Marlborough District Health Board, Annual Report 2008/2009

New Zealand Post Limited, Statement of Corporate Intent 2009–2012

West Coast District Health Board, Te Poari Hauora a Rohe o Tai Poutini, Annual Report for the year ended 30 June 2009

*Tuesday, 17 November 2009*

### **Parliamentary Papers**

New Zealand Government Property Corporation, Report for the year ended 30 June 2009 B.27(a)

New Zealand Tourism Board, Annual Report 2008/2009 G.25

Serious Fraud, Te Tari Hara Tāware, Report for the year ended 30 June 2009 E.40

*Wednesday, 18 November 2009*

### **Parliamentary Papers**

Asia New Zealand Foundation, Annual Report for the year ended 30 June 2009 G.47

Social Workers Registration Board, Kāhui Whakamana Tauwhiro, Annual Report for the year ended 30 June 2009 E.73

### **Non-parliamentary Papers**

New Zealand Teachers Council, Te Pouherenga Kaiako o Aotearoa, Annual Report 1 July 2008 to 30 June 2009

NZ On Air, Irirangi Te Motu, Annual Report for the year ended 30 June 2009

Perinatal and Maternal Mortality Review Committee, Perinatal and Maternal Mortality in New Zealand 2007, Third Report to the Minister of Health July 2008 to June 2009

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*Thursday, 19 November 2009*

**Parliamentary Papers**

Ngārimu VC and 28th (Māori) Battalion Memorial Scholarship Fund Board, Report for the year ended 31 December 2008 E.23

**Non-parliamentary Papers**

Broadcasting Standards Authority, Te Mana Whanonga Kaipāho, Annual Report 2009

Customs (Inward Report) Amendment Rules 2009 (CR 1A/2009), pursuant to sections 288(1)(a) and 288(12) of the Customs and Excise Act 1996, dated 12 October 2009

Customs (Outward Report) Amendment Rules 2009 (CR 1B/2009), pursuant to sections 288(1)(a) and 288(12) of the Customs and Excise Act 1996, dated 12 October 2009

Public Finance Act 1989: Statement of Indemnity Given Under the Public Finance Act 1989, pursuant to section 65ZD(3) of that Act, the Acting Minister of Finance on behalf of the Crown gave an indemnity to QANTAS Airways Limited in relation to the Charter of a Boeing 747 for the transportation of freight on behalf of the NZDF, dated 11 November 2009

*Friday, 20 November 2009*

**Non-parliamentary Papers**

Securities Act (Multiple Participants Superannuation Schemes) Exemption Amendment Notice 2009 (2009/346)

Civil Aviation Rules, Part 001, Amendment 041, Definitions and Abbreviations, 5/CAR/2, dated 2 November 2009

Civil Aviation Rules, Part 021, Amendment 008, Certification of Products and Parts, 5/CAR/2, dated 2 November 2009

Civil Aviation Rules, Part 043, Amendment 007, General Maintenance Rules, 5/CAR/2, dated 2 November 2009

Civil Aviation Rules, Part 047, Amendment 003, Aircraft Registration and Marking, 5/CAR/2, dated 2 November 2009

Civil Aviation Rules, Part 066, Amendment 003, Aircraft Maintenance Personnel Licensing, 5/CAR/2, dated 2 November 2009

Civil Aviation Rules, Part 091, Amendment 020, General Operating and Flight Rules, 5/CAR/2, dated 2 November 2009

Government Response to reports of the Law Commission: Presentation of New Zealand Statute Law and Review of the Statutes Drafting and Compilation Act 1920

Land Transport Rule, Rule 32013/5, Tyres and Wheels Amendment (No 2) 2009, dated 13 October 2009

National Pacific Radio Trust, Annual Report 2009

New Zealand Thoroughbred Racing Incorporated, Amended Rules of Racing, pursuant to sections 29–32 of the Racing Act 2003, effective from 5 October 2009

## 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, 17 November 2009*

Increase in ACC levies, section 4 of ACC report entitled *Motorcycle casualties and crashes*, dated 2008 (*Hon David Parker*)

Increase in ACC levies, table regarding motorcycle accident statistics for 1998–2008 (*Hon Dr Nick Smith*)

Ministry of Corrections, article from *The New Zealand Herald* entitled Bid for separate Maori prison 'mind-boggling', dated 16 April 2009 (*Hon Clayton Cosgrove*)

### *Wednesday, 18 November 2009*

Emissions trading scheme, legal opinion from Helen Aikman QC, entitled *Impact of the Emissions Trading Scheme on Te Rununga o Ngāi Tahu*, dated 26 November 2008 (*Hon Dr Nick Smith*)

Emissions trading scheme, letter from Mark Solomon on behalf of Ngāi Tahu regarding the "Aikman report", to Hon Dr Nick Smith, dated 7 August 2009 (*Hon Phil Goff*)

Minister of Finance, email from Peter Parussini of TVNZ to Craig Howie regarding the Minister's assistance in promoting a series of programmes on TVNZ, dated 10 September 2009 (*Brendon Burns*)

Minister of Finance, email from Scott Spicer of TVNZ to Craig Howie regarding indicative script for a TV NZ promotion, dated 14 September 2009 (*Brendon Burns*)

Minister of Finance, email from Craig Howie to Scott Spicer and Peter Parussini of TVNZ, regarding the Minister's shoe, shirt, and trouser size, dated 24 September 2009 (*Brendon Burns*)

Minister of Finance, balance of the documents received under the Official Information Act in relation to the "in plain English" promotion, dated 5 November 2009 (*Brendon Burns*)

Tourism New Zealand, excerpt from the World Economic Forum's Travel and Tourism Competitiveness Index regarding New Zealand's country profile (*David Clendon*)

Literacy Programmes, PricewaterhouseCoopers report entitled *Manukau Family Literacy Programme*, dated August 2006 (*Su'a William Sio*)

### *Thursday, 19 November 2009*

Emissions trading scheme, response from Ngāi Tahu to the "Aikman report", dated 6 August 2009 (*Hon Dr Nick Smith*)

Human rights, press release from Amnesty International regarding the execution of two Tibetan men, dated 6 November 2009 (*Keith Locke*)

Community Max programme, letter from Carmen Sepuloni to Rosslyn Noonan Human Rights Commissioner, dated 19 November 2009 (*Carmel Sepuloni*)

Climate change, article from *The New Zealand Medical Journal* entitled Climate change: the health consequences of inactivity, dated 9 October 2009 (*Hon Mita Rinui*)

Human rights, article from the *Human Rights Watch* entitled China: Ensure Fair Trial for Tibetan Filmmaker, dated 3 August 2009 (*Keith Locke*)

Human rights, media briefing from Amnesty International entitled People's Republic of China–Tibet Autonomous Region: A year of escalating human rights violations, dated 6 March 2009 (*Keith Locke*)

Greenhouse gas emissions, article from *The New Zealand Medical Journal*, entitled Why New Zealand must rapidly halve its greenhouse gas emissions, dated 9 October 2009 (*Kevin Hague*)

Greenhouse gas emissions, article from *The New Zealand Medical Journal*, entitled New Zealand's emissions trading scheme and health: wasting our opportunities, dated 30 October 2009 (*Kevin Hague*)

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Greenhouse gas emissions, report from the World Health Organization entitled *Climate Change and Human Health – Risks and Responses*, dated 2003 (*Kevin Hague*)

Greenhouse gas emissions, article from *The New Zealand Medical Journal*, entitled Sign On—prescribing for climate health, dated 30 October 2009 (*Kevin Hague*)

## Select Committee Reports Presented

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

*Monday, 16 November 2009*

### **Finance and Expenditure**

Climate Change Response (Moderated Emissions Trading) Amendment Bill (85–1)

*Tuesday, 17 November 2009*

### **Government Administration**

Border (Customs, Excise, and Tariff) Processing Bill (83–2)

*Friday, 20 November 2009*

### **Commerce**

2008/09 financial review of the Securities Commission

### **Education and Science**

Education (Polytechnics) Amendment Bill (70–2)

### **Government Administration**

Inquiries Bill (283–2)

### **Regulations Review**

Subordinate Legislation (Confirmation and Validation) Bill (84–1)