



Journals
of the
House of Representatives
of New Zealand

Forty-ninth Parliament

For the period
22 September 2009 – 24 September 2009

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Schedule

Tuesday, 22 September 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

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

3 Select committee reports

The presentation of two reports was announced.

The following bills were set down for second reading:

- Social Assistance (Payment of New Zealand Superannuation and Veteran's Pension Overseas) Amendment Bill
- Reserves and Other Lands Disposal Bill

(*see* Schedule for select committee reports).

4 Questions for oral answer

Twelve questions to Ministers were answered.

5 Government orders of the day**Whakarewarewa and Roto-a-Tamaheke Vesting Bill**

The Whakarewarewa and Roto-a-Tamaheke Vesting Bill was read a second time and set down for Committee stage next sitting day.

Domestic Violence (Enhancing Safety) Bill

The Domestic Violence (Enhancing Safety) Bill was read a second time and set down for Committee stage next sitting day.

Immigration Bill

The Speaker declared the House in Committee for further consideration of the Immigration Bill.

(In the Committee)

Part 5 read again.

The following amendments were put:

Amendments set out on Supplementary Order Paper No 32 (*Hon Dr Jonathan Coleman*).

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

Ayes 64

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

Noes 58

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

Amendments agreed to.

On the question, That Part 5, as amended, 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 14

Green Party 9; Māori Party 5

Resolved, That Part 5, as amended, stand part.

Part 6 read.

The following amendments were put:

Amendment to clause 152 set out on Supplementary Order Paper No 31 (*Keith Locke*).

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

Ayes 14

Green Party 9; Māori Party 5

Noes 108

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

Amendment not agreed to.

Resolved, That the amendments set out on Supplementary Order Paper No 32 be agreed to (*Hon Dr Jonathan Coleman*).

On the question, That Part 6, as amended, 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 14

Green Party 9; Māori Party 5

Resolved, That Part 6, as amended, stand part.

Immigration Bill

Part 7 read.

The following amendments were put:

Resolved, That the amendments set out on Supplementary Order Paper No 32 be agreed to (*Hon Dr Jonathan Coleman*).

Amendment to clause 174B set out on Supplementary Order Paper No 31 (*Keith Locke*).

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

Ayes 14

Green Party 9; Māori Party 5

Noes 108

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

Amendment not agreed to.

Amendment to clause 195(1)(b) set out on Supplementary Order Paper No 31 (*Keith Locke*).

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

Ayes 14

Green Party 9; Māori Party 5

Noes 108

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

Amendment not agreed to.

Amendment to clause 231(2) set out on Supplementary Order Paper No 31 (*Keith Locke*).

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

Ayes 14

Green Party 9; Māori Party 5

Noes 108

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

Amendment not agreed to.

Amendment to clause 234 set out on Supplementary Order Paper No 31 (*Keith Locke*).

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

Ayes 14

Green Party 9; Māori Party 5

Noes 108

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

Amendment not agreed to.

Immigration Bill

The following amendment was tabled:

Clause 238(1):

To omit all words after “representative” (*Keith Locke*).

Amendment ruled out of order as being inconsistent with a previous decision of the Committee.

On the question, That Part 7, as amended, 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 14

Green Party 9; Māori Party 5

Resolved, That Part 7, as amended, stand part.

Part 8 read.

At 9.55 pm the Chairperson left the Chair to report progress.

Reporting of bill

The Speaker resumed the Chair and the Chairperson reported progress on the Immigration Bill.

The report was adopted and the bill set down for further consideration in Committee next sitting day.

6 Adjournment

At 9.55 pm the House adjourned.

Wednesday, 23 September 2009

The House met at 2.00 pm.

Prayers

1 Petitions

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

2 Papers

One paper was 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 Subordinate Legislation (Confirmation and Validation) Bill was announced and the bill set down for first reading.

4 Questions for oral answer

Twelve questions to Ministers were answered.

One question to a member was also answered.

5 General debate

Hon Simon Power 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 second time.

On the question, That the bill be now read a second 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 second time and set down for Committee stage next sitting day.

7 Members' orders of the day

International Non-Aggression and Lawful Use of Force Bill

The House resumed the interrupted debate on the question, That the International Non-Aggression and Lawful Use of Force 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.

Education (Freedom of Association) Amendment Bill

Hon Sir Roger Douglas moved, and the question was proposed, That the Education (Freedom of Association) 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 64

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

Noes 58

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

Motion agreed to.

The Education (Freedom of Association) Amendment Bill was read a first time and stood referred to a select committee.

Resolved, That the Education and Science Committee consider the bill (*Hon Sir Roger Douglas*).

Inquiry into appointment of Controller and Auditor-General

The order of the day for the consideration of the report on the inquiry into the appointment of a Controller and Auditor-General was called.

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

Report from Controller and Auditor-General on Statements of intent: Examples of reporting practice

The order of the day for the consideration of the report on the report from the Controller and Auditor-General on Statements of intent: Examples of reporting practice was called.

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

8 Adjournment

At 5.56 pm the House adjourned.



Thursday, 24 September 2009

The House met at 2.00 pm.

Prayers

1 Government motion

Resolved, That the House mark the passing of the prominent New Zealander Sir Howard Morrison (*Hon Gerry Brownlee*).

Members stood and observed a period of silence as a mark of respect to his memory.

2 Business statement

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

3 Petitions

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

4 Papers

One paper was 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 one report was announced.

6 Introduction of bills

The introduction of the Resource Management (Enhancement of Iwi Management Plans) Amendment Bill was announced and the bill set down for first reading.

7 Questions for oral answer

Twelve questions to Ministers were answered.

8 Government orders of the day

Government notice of motion—Establishment of select committee to consider emissions trading legislation

Resolved, That Government order of the day No 1 be discharged (*Hon Gerry Brownlee*).

9 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 introduction and first reading of the Climate Change Response (Moderated Emissions Trading) Amendment Bill, the second reading of the Anti-Money Laundering and Countering Financing of Terrorism Bill, and the first reading of the Remuneration Authority Amendment Bill.

10 Introduction and first reading of Government bill

Climate Change Response (Moderated Emissions Trading) Amendment Bill

The introduction of the Climate Change Response (Moderated Emissions Trading) Amendment Bill was announced and the bill set down for first reading forthwith.

Hon Dr Nick Smith moved, and the question was proposed, That the Climate Change Response (Moderated Emissions Trading) 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 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

Result altered by leave after originally being announced as Ayes 68, Noes 53.

Motion agreed to.

The Climate Change Response (Moderated Emissions Trading) 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 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

Resolved, That the Finance and Expenditure Committee consider the Climate Change Response (Moderated Emissions Trading) Amendment Bill, that the committee report finally to the House on or before 16 November 2009, 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 outside the Wellington area during a sitting of the House, despite Standing Orders 187, 189, and 190(1)(b) and (c).

11 Government orders of the day

Anti-Money Laundering and Countering Financing of Terrorism Bill

The Anti-Money Laundering and Countering Financing of Terrorism Bill was read a second time and set down for Committee stage next sitting day.

Remuneration Authority Amendment Bill

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

Resolved, That the Transport and Industrial Relations Committee consider the Remuneration Authority Amendment Bill, that the committee report finally to the House on or before 16 November 2009, 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 John Carter for Hon Kate Wilkinson*).

12 Adjournment

At 9.06 pm the House adjourned.

SCHEDULE

Business transacted by the House for the period
21 September — 25 September 2009

Petitions Presented

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

Monday, 21 September 2009

- 37** Petition of Sue Moroney and 15,808 others, requesting that the House of Representatives call on the National Government to reverse its decision to scrap pay equity investigations for school support staff and social workers, implement the findings of previously completed pay and employment equity reviews, and develop a strategy to eliminate the gender pay gap in New Zealand.

(Hon Phil Goff)

Transport and Industrial Relations

Wednesday, 23 September 2009

- 38** Petition of Penelope Mary Bright and 224 others, requesting that the House repeal the Local Government (Tamaki Makaurau) Reorganisation Act 2009 forthwith, and that the lawful due process, as currently outlined in the Local Government Act 2002, section 24 “Reorganisation Proposal”, schedule 3, including a binding poll through which the majority of citizens and ratepayers (as electors under the Local Electoral Act 2001) have the final say on any such reorganisation, is upheld.

(Sue Bradford)

Local Government and Environment

Thursday, 24 September 2009

- 39** Petition of Penelope Mary Bright and 86 others, requesting that the House urgently amend the Trespass Act 1980, s. 13 ‘Savings’: “Nothing in this Act shall derogate from anything that any person is authorised to do by or under any other enactment or by law, or restrict the provisions of any of the following enactments and instruments:

(a) Section 42 of the Mining Act 1971

(b) Section 97 of the Civil Aviation Act 1990

(c) Any enactment or instrument conferring a right of entry on any land” by adding,

(d) Section 54 of the Local Government Official Information and Meetings Act 1987:

“Any provisions in any enactment in relation to attendance by the public at any meeting of any local authority or at any meeting of any committee or subcommittee of any local authority, or in relation to inspection of the minutes of any such meetings, shall be read subject to the provisions of this Part of this Act”)

(Keith Locke)

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 ordered to be 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, 21 September 2009

Non-parliamentary Papers

New Zealand Symphony Orchestra Limited (NZSO), Annual Report 2009

Tuesday, 22 September 2009

Parliamentary Papers

Clerk of the House of Representatives, Office of the, Te Tari o te Manahautū o te Whare Māngai, Annual Report for the year ended 30 June 2009 A.8

Law Commission, Te Aka Matua o Te Ture, Report 108, Private Schools and The Law, September 2009 E.31 (108)

Māori Trustee, Annual Report for the year ended 31 March 2008 E.37

Non-parliamentary Papers

Sports Fish Licences, Fees, and Forms Notice 2009, pursuant to section 48A(2A) of the Conservation Act 1987, dated 7 September 2009

Wednesday, 23 September 2009

Parliamentary Papers

New Zealand Qualifications Authority (NZQA), Mana Tohu Mātauranga O Aotearoa, Annual Report 2008/2009 E.44

Non-parliamentary Papers

New Zealand Post Limited, Annual Report 2009

Thursday, 24 September 2009

Parliamentary Papers

Government Superannuation Fund Authority and Government Superannuation Fund, Te Pūtea Penihana Kāwanatanga, Reports for the year ended 30 June 2009 B.20

Friday, 25 September 2009

Parliamentary Papers

Health and Disability Commissioner, Te Toihau Hauora Hauātanga, Annual Report for the year ended 30 June 2009 E.17

Non-parliamentary Papers

Customs and Excise (Rules of Origin) Amendment Regulations 2009 (2009/264)

Education (Hostels) Amendment Regulations 2009 (2009/262)

Health Sector Transfers (Hutt DHB) Amendment Order 2009 (2009/261)

Land Transport Amendment Act 2009 Commencement Order 2009 (2009/263)

Parliamentary Annuities Determination 2009 (2009/268)

Securities Act (New Zealand Greyhound Racing Association Incorporated) Exemption Notice 2009 (2009/266)

Securities Act (NZX—Share and Unit Purchase Plans) Exemption Amendment Notice 2009 (2009/267)

Securities Act (Rights, Options, and Convertible Securities) Exemption Amendment Notice (No 2) 2009 (2009/265)

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, 22 September 2009

Emissions trading scheme, press release from the New Zealand Business Council for Sustainable Development, dated 14 September 2009 (*Hon Phil Goff*)

Emissions trading scheme, analysis for the Ministry for the Environment regarding fiscal costs of a moderated emissions trading scheme (*Hon Dr Nick Smith*)

Adult and community education, letter from the Hearing Association Wellington to Hon Annette King, dated 17 September 2009 (*Hon Annette King*)

Funding for English language services to migrants, letter from the Auckland Regional Migrant Services to Hon Phil Goff, dated 27 August 2009 (*Hon Phil Goff*)

Ministerial accommodation, memo from acting property manager Anna Buick of the Department of Internal Affairs to Richard McDonald, dated 3 February 2009 (*Hon Pete Hodgson*)

Ministerial accommodation, details of *Executive Travel, Accommodation, Attendance, and Communications Services Determination 2009*, dated 26 May 2009 (*Hon Pete Hodgson*)

Wednesday, 23 September 2009

Superannuation Fund, statement from Hon John Key on *Agenda*, dated August 2008 (*Hon Phil Goff*)

Superannuation Fund, statement from Hon John Key on *Agenda*, dated April 2008 (*Hon Phil Goff*)

Numbers of elective surgical discharges, table regarding figures for surgical procedures (*Hon Ruth Dyson*)

Numbers of elective surgical discharges, minutes of the meeting of the Northland District Health Board, dated 2 June 2009 (*Hon Ruth Dyson*)

Emissions trading scheme, report from the Ministry for the Environment on the Green Party's emissions reduction plan (*Hon Dr Nick Smith*)

Agricultural emissions, press release from The Kyoto Forestry Association, dated 16 August 2009 (*Hon David Parker*)

Agricultural emissions, report from Associate Professor Euan Mason at the University of Canterbury, dated 18 September 2009 (*Hon David Parker*)

Emissions trading scheme, analysis of the emissions allocations to Rio Tinto for its Bluff smelter (*Hon Dr Nick Smith*)

ACT Party, article from David McLoughlin, *Act still using office loophole*, dated 19 June 2003 (*Hon Clayton Cosgrove*)

Thursday, 24 September 2009

Health care policy, speech by Hon Tony Ryall to the Australasian College for Emergency Medicine Conference, dated 24 November 2008 (*Hon Ruth Dyson*)

Adult and community education, table regarding funding cuts to ESOL, New Zealand sign language and te reo courses (*Hon Maryan Street*)

Nuclear disarmament, United Nations Resolution 63/47 *Reducing nuclear danger*, dated 12 January 2009 (*Dr Kennedy Graham*)

Nuclear disarmament, United Nations Resolution 63/75 *Convention on the Prohibition of the Use of Nuclear Weapons*, dated 3 January 2009 (*Dr Kennedy Graham*)

Nuclear disarmament, United Nations General Assembly, minutes A/63/PV.61 of the 61st plenary meeting, dated 2 December 2008 (*Dr Kennedy Graham*)

Select Committee Reports Presented

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

Monday, 21 September 2009

Primary Production

Reserves and Other Lands Disposal Bill (237–2)

Thursday, 24 September 2009

Education and Science

Petition 2005/188 of Ngahaia Nuri and 3,043 others

Friday, 25 September 2009

Commerce

2008/09 financial review of the Takeovers Panel and the Testing Laboratory Registration Council

Justice and Electoral

Petition 2008/26 of Vince Siemer and 100 others

Petition 2008/30 of Naginbhai Neil Ghelabhai Patel and 88 others

Law and Order

Corrections (Contract Management of Prisons) Amendment Bill (20–2)

Social Services

Residential Tenancies Amendment Bill (34–2)