

TUESDAY, 16 DECEMBER 2008

Tuesday, 16 December 2008

The House met at 2.00 pm.

Prayers

1. Member sworn

Catherine Delahunty presented herself at the bar of the House, was called forward to the Chair by the Speaker, made the Affirmation of Allegiance required by law, and took her seat in the House.

2. Petitions

The presentation of four petitions was announced.

(see Schedule for petitions presented)

3. Papers

Twelve 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)

4. Select committee reports

The presentation of one report was announced.

The report on the proposed sitting programme for 2009 was set down for consideration.

(see Schedule for select committee reports)

5. Questions for oral answer

Twelve questions to Ministers were answered.

6. 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:

TUESDAY, 16 DECEMBER 2008

Ayes 63

New Zealand National 57; ACT New Zealand 5; United Future 1

Noes 53

New Zealand Labour 43; Green Party 9; Progressive 1

Abstentions 5

Māori Party 5

Motion agreed to.

Resolved, That urgency be accorded the introduction and passing of the Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill, the Electricity (Renewable Preference) Repeal Bill, and the Domestic Violence (Enhancing Safety) Bill; the passing through their remaining stages of Government orders of the day Nos 1 and 2; any maiden statements to be made at times determined by the Business Committee, and a motion to adjourn the House and adopt the sitting dates for 2009.

7. Introduction and passing of Government bills

Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill

The Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill was introduced and set down for first reading forthwith.

Hon Gerry Brownlee moved, and the question was proposed, That the Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill be now read a first time.

The Speaker interrupted proceedings in accordance with a decision of the Business Committee.

8. Maiden statements

Simon Bridges, Tim Macindoe, Paul Quinn, Raymond Huo, Clare Curran, Chris Hipkins, and Jacinda Ardern made maiden statements.

9. Introduction and passing of Government bills, *continued*

Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill

The House resumed the interrupted debate on the question, That the Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill be now read a first time.

TUESDAY, 16 DECEMBER 2008

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

Ayes 62

New Zealand National 57; ACT New Zealand 5

Noes 59

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

Motion agreed to.

The bill was read a first time and set down for second reading forthwith.

Hon Gerry Brownlee moved, and the question was proposed, That the Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill be now read a second time.

The sitting was suspended between 10.00 pm and 9.00 am.

Wednesday, 17 December 2008

The House resumed the interrupted debate.

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

Ayes 62

New Zealand National 57; ACT New Zealand 5

Noes 59

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

Motion agreed to.

The bill was read a second time.

The Speaker declared the House in Committee for consideration of the Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill.

(In the Committee)

Part 1 read.

Chris Tremain moved, That the question be now put. The Chairperson declined the motion.

TUESDAY, 16 DECEMBER 2008

Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill

Jacqui Dean moved, That the question be now put.

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

Ayes 62

New Zealand National 57; ACT New Zealand 5

Noes 59

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

Resolved, That the question be now put.

The following amendment was put:

Clause 4:

To omit “Part 3A is repealed.”, and substitute
“Sections 34B to 34F and 34I to 34ZA of Part 3A are repealed.”

(Hon David Parker)

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

Ayes 58

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

Noes 62

New Zealand National 57; ACT New Zealand 5

Amendment not agreed to.

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

Ayes 62

New Zealand National 57; ACT New Zealand 5

Noes 59

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

Resolved, That Part 1 stand part.

Part 2 read.

Chris Tremain moved, That the question be now put. The Chairperson declined the motion.

Chester Borrows moved, That the question be now put. The Chairperson declined the motion.

TUESDAY, 16 DECEMBER 2008

Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill

Chris Tremain moved, That the question be now put. The Chairperson declined the motion.

Amy Adams moved, That the question be now put. The Chairperson declined the motion.

Colin King moved, That the question be now put.

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

Ayes 62

New Zealand National 57; ACT New Zealand 5

Noes 59

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

Resolved, That the question be now put.

The following amendments were put:

New clause 5A:

- 5A** The Minister will on or before 30 June 2009 table in Parliament a report on the financial and unemployment effects of the Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill on New Zealand's tallow to biodiesel industry.

(Hon David Parker)

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

Ayes 58

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

Noes 63

New Zealand National 57; ACT New Zealand 5; United Future 1

Amendment not agreed to.

New clause 16:

- 16** Section 24 of principal Act is amended by inserting the following after subsection (4):

“(5) A credit shall be allowed against the levies otherwise payable under this section equivalent to 42.524 cents per litre of biodiesel sold by the levy payer.”

(Hon David Parker)

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

TUESDAY, 16 DECEMBER 2008

Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill

Ayes 58

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

Noes 63

New Zealand National 57; 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 63

New Zealand National 57; ACT New Zealand 5; Progressive 1

Noes 58

New Zealand Labour 43; Green Party 9; Māori Party 5; United Future 1

Resolved, That Part 2 stand part.

Clauses 1 to 3 read.

Hon John Carter moved, That the question be now put. The Chairperson declined the motion.

Nathan Guy moved, That the question be now put. The Chairperson declined the motion.

Amy Adams moved, That the question be now put.

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

Ayes 62

New Zealand National 57; ACT New Zealand 5

Noes 59

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

Resolved, That the question be now put.

The following amendment was tabled:

Clause 1:

To omit this clause and substitute the following:

1 Title

This Act is the Biofuel Act 2008

Amendment ruled out of order as not being a serious amendment.

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

TUESDAY, 16 DECEMBER 2008

Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill

Ayes 62

New Zealand National 57; ACT New Zealand 5

Noes 59

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

Resolved, That clause 1 stand part.

The following amendment was put:

Clause 2:

To omit this clause and substitute the following:

2 Commencement

This Act shall not be submitted for Royal Assent until 30 days after a regulatory impact assessment and the report on the financial and unemployment effects on New Zealand's tallow to biodiesel industry have been presented to Parliament.

(Hon David Parker)

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

Ayes 58

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

Noes 63

New Zealand National 57; ACT New Zealand 5; United Future 1

Amendment not agreed to.

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

Ayes 62

New Zealand National 57; ACT New Zealand 5

Noes 59

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

Resolved, That clause 2 stand part.

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

Ayes 62

New Zealand National 57; ACT New Zealand 5

TUESDAY, 16 DECEMBER 2008

Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill

Noes 59

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

Resolved, That clause 3 stand part.

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

Reporting and passing of bill

The Speaker resumed the Chair and the Chairperson reported the Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Bill without amendment.

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

Ayes 62

New Zealand National 57; ACT New Zealand 5

Noes 59

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

Motion agreed to.

Resolved, That the report be adopted.

The bill was set down for third reading forthwith.

Hon Gerry Brownlee moved, and the question was proposed, That the Energy (Fuels, Levies, and References) Biofuel Obligation 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 62

New Zealand National 57; ACT New Zealand 5

Noes 59

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

Motion agreed to.

The bill was read a third time.

Electricity (Renewable Preference) Repeal Bill

The Electricity (Renewable Preference) Repeal Bill was introduced and set down for first reading forthwith.

TUESDAY, 16 DECEMBER 2008

Electricity (Renewable Preference) Repeal Bill

Hon Gerry Brownlee moved, and the question was proposed, That the Electricity (Renewable Preference) Repeal Bill be now read a first time.

The Speaker interrupted proceedings in accordance with a decision of the Business Committee.

10. Maiden statements

Louise Upston, Michael Woodhouse, Aaron Gilmore, John Boscawen, David Garrett, Stuart Nash, Carmel Sepuloni, and Carol Beaumont made maiden statements.

11. Introduction and passing of Government bills, *continued*

Electricity (Renewable Preference) Repeal Bill

The House resumed the interrupted debate.

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

Ayes 63

New Zealand National 57; 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 bill was read a first time and set down for second reading forthwith.

Hon Gerry Brownlee moved, and the question was proposed, That the Electricity (Renewable Preference) 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 63

New Zealand National 57; 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 bill was read a second time.

The Speaker declared the House in Committee for consideration of the Electricity (Renewable Preference) Repeal Bill.

TUESDAY, 16 DECEMBER 2008

Electricity (Renewable Preference) Repeal Bill

(In the Committee)

Part 1 read.

Nathan Guy moved, That the question be now put. The Chairperson declined the motion.

Paul Quinn 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 57; ACT New Zealand 5; United Future 1

Noes 58

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

Resolved, That the question be now put.

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

Ayes 63

New Zealand National 57; ACT New Zealand 5; United Future 1

Noes 58

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

Resolved, That Part 1 stand part.

Part 2 read.

Nathan Guy moved, That the question be now put. The Chairperson declined the motion.

Michael Woodhouse moved, That the question be now put. The Chairperson declined the motion.

Tim Macindoe 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 57; ACT New Zealand 5; United Future 1

Noes 53

New Zealand Labour 43; Green Party 9; Progressive 1

Resolved, That the question be now put.

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

TUESDAY, 16 DECEMBER 2008

Electricity (Renewable Preference) Repeal Bill

Ayes 63

New Zealand National 57; ACT New Zealand 5; United Future 1

Noes 58

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

Resolved, That Part 2 stand part.

Clauses 1 to 3 read.

Hon David Carter moved, That the question be now put. The Chairperson declined the motion.

Dr Paul Hutchison moved, That the question be now put. The Chairperson declined the motion.

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 57; ACT New Zealand 5; United Future 1

Noes 58

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

Resolved, That the question be now put.

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

Ayes 63

New Zealand National 57; ACT New Zealand 5; United Future 1

Noes 58

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

Resolved, That clause 1 stand part.

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

Ayes 63

New Zealand National 57; ACT New Zealand 5; United Future 1

Noes 58

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

Resolved, That clause 2 stand part.

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

TUESDAY, 16 DECEMBER 2008

Electricity (Renewable Preference) Repeal Bill

Ayes 63

New Zealand National 57; ACT New Zealand 5; United Future 1

Noes 58

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

Resolved, That clause 3 stand part.

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

Reporting and passing of bill

The Speaker resumed the Chair and the Chairperson reported the Electricity (Renewable Preference) Repeal Bill without amendment.

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

Hon Gerry Brownlee moved, and the question was proposed, That the Electricity (Renewable Preference) Repeal Bill be now read a third time.

The sitting was suspended between 12.00 am and 9.00 am.

Thursday, 18 December 2008

The House resumed the interrupted debate.

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

Ayes 63

New Zealand National 57; 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 bill was read a third time.

Domestic Violence (Enhancing Safety) Bill

The Domestic Violence (Enhancing Safety) Bill was introduced and set down for first reading forthwith.

The bill was read a first time and stood referred to a select committee.

TUESDAY, 16 DECEMBER 2008

Resolved, That the Justice and Electoral Committee consider the bill (*Hon Simon Power*).

12. Government order of the day

Corrections Amendment Bill (No 2)

Hon Simon Power moved, and the question was proposed, That the Corrections Amendment Bill (No 2) be now read a second time.

Debate interrupted.

13. Member sworn

Timothy John Groser presented himself at the bar of the House, was called forward to the Chair by the Speaker, took the Oath of Allegiance required by law, and took his seat in the House.

14. Government order of the day, *continued*

Corrections Amendment Bill (No 2)

The House resumed the interrupted debate.

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

Ayes 113

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

Noes 9

Green Party 9

Motion agreed to.

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

15. Adjournment

Resolved, That the House do at its rising adjourn until 2.00 pm on Tuesday, 10 February 2009, and that the sitting programme for 2009 recommended by the Business Committee be adopted (*Hon Bill English*).

16. Business of the House

Reprinting of bills

By leave, agreed that the Clerk of the House of Representatives, when reprinting bills at any stage during their passage through the House or when preparing them for the Royal assent, after consultation with the Chief Parliamentary Counsel or (as the case may be) the Commissioner of Inland Revenue, may make amendments to bills currently before the House or its committees—

- (a) to incorporate the changes in drafting style adopted by the Parliamentary Counsel Office referred to in the document Changes in drafting style: List of proposed changes in drafting style in legislation, presented to the House on 15 March 2006; and
- (b) to amend bills by omitting where applicable any clause 1(2) (relating to the principal Act) and substituting a new clause that describes the principal Act being amended—

but, in each case, not so as to alter the meaning of the provisions of those bills.

Public organisations

By leave, agreed that the Abortion Supervisory Committee, the Reserve Bank of New Zealand and Air New Zealand Limited be public organisations for the purposes of the Standing Orders.

Timing of financial review debate

By leave, agreed that the financial review debate be held on 7 April 2009, despite Standing Order 338(5).

Ministerial statements

By leave, agreed that in addition to the members able to comment on a ministerial statement under Standing Order 348, the leaders of each party with five or fewer members, or a member authorised by the leader, may comment on a ministerial statement for up to two minutes.

Membership of the Parliamentary Service Commission

Resolved, That, pursuant to section 15(1)(d) of the Parliamentary Service Act 2000, the following members be appointed as members of the Parliamentary Service

TUESDAY, 16 DECEMBER 2008

Commission: Nathan Guy, Hon Darren Hughes, Metiria Turei, John Boscawen, Te Ururoa Flavell, and Hon Jim Anderton (*Hon Gerry Brownlee*).

17. Adjournment

At 3.55 pm on Thursday, 18 December 2008 the House adjourned.
