

Wednesday, 29 July 2026

The Speaker took the Chair at 2 p.m.

Start of Sitting Day

KARAKIA/PRAYERS

TEANAU TUIONO (Assistant Speaker) (14:00): E te Atua kaha rawa, ka tuku whakamoemiti atu mātou, mō ngā karakia kua waihotia mai ki runga i a mātou. Ka waiho i ō mātou pānga whaiaro katoa ki te taha. Ka mihi mātou ki te Kīngi, me te inoi atu mō te ārahitanga i roto i ō mātou whakaaroarohanga, kia mōhio ai, kia whakaiti ai tā mātou whakahaere i ngā take o te Whare nei, mō te oranga, te maungārongo, me te aroha o Aotearoa. Āmene.

[Almighty God, we give thanks for the blessings which have been bestowed on us. Laying aside all personal interests, we acknowledge the King and pray for guidance in our deliberations that we may conduct the affairs of this House with wisdom and humility, for the welfare, peace, and compassion of New Zealand. Amen.]

Visitors

PACIFIC REGION—MEMBERS OF PARLIAMENTS

SPEAKER: I'm sure that members would wish to welcome the members of Parliaments from across the Pacific region who are in Wellington for the Pacific Women's Wānanga and are present in the gallery.

I look forward to a number of members joining with me at a formal dinner later this evening—just a diary reminder for some.

Speaker's Rulings

COMMITTEE OF THE WHOLE HOUSE—RECALLING THE SPEAKER

SPEAKER: Members, before we come to general business, I want to raise the issue of the recall of the Speaker during committee of the whole House. Standing Order 179 provides that any member may move “that the chairperson obtain a Speaker's ruling on a matter of procedure.” Successive Parliaments have shown restraint in the call on that provision, as the motion may not be debated or amended and does not require notice. Accordingly, it's been a longstanding custom for the committee of the whole House, that it agree to that motion. Customs such as this underpin the effective operation of the House rules and it's important that the custom continue.

Presentation

PETITIONS

SPEAKER: A petition has been delivered to the Clerk for presentation.

CLERK (14:02): Petition of GE Free NZ in Food and Environment requesting that the House pause the progress of the Hazardous Substances and New Organisms Amendment Bill until the Government has undertaken public consultation on the proposed regulations and Schedule 2 - type exclusions.

SPEAKER: That petition stands referred to the Petitions Committee.

PAPERS

SPEAKER: Eight papers have been delivered for presentation.

CLERK (14:02):

- 2026-27 statements of performance expectations for:
 - the Electoral Commission

- the Human Rights Commission
- the Independent Police Conduct Authority
- the Law Commission
- the Privacy Commissioner, and
- the Criminal Cases Review Commission
- 2026 to 2030 statement of intent for the Privacy Commissioner
- Government response to the New Zealand Royal Commission of Inquiry into COVID-19 Lessons Learned.

SPEAKER: I present the report of the Parliamentary Commissioner for the Environment entitled *Unlocking New Zealand's environmental information*. Those papers are published under the authority of the House.

SELECT COMMITTEE REPORTS

SPEAKER: A select committee report has been delivered for presentation.

CLERK (14:03): Report of the Finance and Expenditure Committee on the Te Here ā Nuku (Nelson Tenth's) Bill.

SPEAKER: That bill is set down for second reading. No bills have been introduced. The House comes to oral questions.

Points of Order

SPEAKER'S RULING—URGENT DEBATE DECLINED 28 JULY

Rt Hon WINSTON PETERS (Minister of Foreign Affairs) (14:03): Point of order. Mr Speaker, yesterday the Labour Party requested an urgent debate on the question of the reappointment of the UN High Commissioner for Human Rights, □Volker Türk. Now, you rightly noted that this was a subject the Labour Party could ask a response from a Minister by way of an oral question, and then the former Labour Party leader Helen Clark said she was ashamed to be a New Zealander because of this issue.

Now, Mr Speaker, I seek your guidance on this issue because there is no question on the Order Paper today about this matter. Has there been some sort of clerical error, perhaps, leading to the question mistakenly not appearing? Or does the Labour Party consider this matter important enough to hold up the whole House in a question of urgency, but when it comes to asking questions, they're absent.

Hon Shane Jones: Missing in action.

Rt Hon WINSTON PETERS: Missing in action. Perhaps we could find out what the answer is: was there a question submitted?

SPEAKER: No, no. It's not for me to ask the Labour Party, or any other party, what their process is for deciding on what the questions are of the day. Clearly that's a matter for them to put their priorities on.

Oral Questions to Ministers

PRIME MINISTER

Question No. 1

Hon CARMEL SEPULONI (Deputy Leader—Labour) (14:04) to the **Prime Minister:** Does he stand by all his Government's statements and actions?

Rt Hon CHRISTOPHER LUXON (Prime Minister) (14:04): Yes.

Hon Carmel Sepuloni: When he said he had “a laser focus on bringing down the cost of living”, does this mean Kiwis are actually paying less?

Rt Hon CHRISTOPHER LUXON: Well, inflation is down. The prices of things are going up slower than they were under the previous Labour Government. To give the member some numbers, it was 7.3 percent; it's now 4.1 percent. If you strip out the effects of the Iran conflict, we're down at 2.9 percent within the inflation band. If you look at food inflation, 12.3 percent food inflation under Labour—terrible number—now down to 2.8 percent under this Government. And, most excitingly, we've got rent increases of only 0.5 percent, which is the lowest in 25 years.

Hon Carmel Sepuloni: Has he succeeded in bringing down the cost of living when in just two years the cost of white bread is up 68 percent, butter 41 percent, cheese 30 percent, mince 28 percent, and milk 26 percent?

Rt Hon CHRISTOPHER LUXON: Well, again, I just highlight to the member that under her Government, food inflation was at 12.3 percent—

Hon Carmel Sepuloni: I didn't want to know about that; I want to know about you.

Rt Hon CHRISTOPHER LUXON: I was about to tell you. To give you some sense of context, we are now at 2.8 percent—2.8 percent is lower than 12.3 percent. That's a good thing.

Hon Carmel Sepuloni: Has he succeeded in bringing down the cost of living when 40 percent of Kiwis are now having to borrow just to cover basic costs, according to Kiwibank?

Rt Hon CHRISTOPHER LUXON: Well, we have got more to do, but we have done a good job of getting inflation down from 7.3 percent to 4.1 percent today while we're managing our biggest oil shock. It was a rather unique skill to have a 32-year high—7.3 percent—inflation that was outside the band for 11 whole quarters under the previous administration.

Hon Carmel Sepuloni: When a record number of Kiwis are making hardship withdrawals from their KiwiSaver just to make ends meet, is this a sign that the cost of living has gotten better or worse?

Rt Hon CHRISTOPHER LUXON: Well, again, inflation is within the band and is lower than it was under Labour, so, clearly, inflation is in a much better place than it was under the Labour Government. But I just say to the member, yeah, I appreciate the line of questioning this week, but if you were actually serious about helping on the cost of living, the Labour Party would support the council rates cap, one of the biggest drivers of that; the Labour Party would support oil and gas and fast track so we can lower power bills for people. You'd do fast track; you'd actually support extending prescriptions to 12 months so we can lower GP costs for people. But you're not serious about working New Zealanders, and you're not serious about low and middle income working people.

Hon David Seymour: Is the Prime Minister aware that inflation's been negative only twice since records began in World War I—the first time was during the Great Depression of the early 1930s, before even Winston Peters was born, and the second time was in the aftermath of World War II, when he was attending Plunket?

Rt Hon CHRISTOPHER LUXON: The point I've tried to make is that negative inflation is bad for an economy; that's well understood. It's not understood by the Labour Party, but I get that. But I just say it's a bit rich when you won't support council rate caps, you don't support Resource Management Act (RMA) reform or fast-track legislation, you don't support oil and gas and a liquefied natural gas (LNG) import facility—things that are designed to lower rates for people, lower power bills for people—and you just don't care.

Hon Carmel Sepuloni: When pensioners are facing 4.5 percent household inflation and are increasingly having to turn to hardship grants to get by, is this a sign that the cost of living has gotten better or worse?

Rt Hon CHRISTOPHER LUXON: Well, again, if you look at the data that came out this week, the household living-costs price indexes, you'll see that for superannuitants, under Labour

it was 7.4 percent inflation, and today they're at 4.5 percent under this Government. So that is a better record than what your Government delivered, period.

Hon Carmel Sepuloni: Why, when food prices are up, power prices are up, KiwiSaver hardship withdrawals are up, and more and more pensioners are applying for hardship support, has he abandoned his promise to be laser focused on the cost of living?

Rt Hon CHRISTOPHER LUXON: Well, again, as I've tried to highlight, food inflation went up to 12.3 percent; right now it's 2.8 percent. That is a massive improvement and a massive effort. But if you are serious about cost of living, support the council rates cap, support oil and gas and the LNG import facility, support fast track and RMA reform, support extending prescriptions, support tax relief for low and middle income working New Zealanders—not ideological; just common-sense, practical help to working middle income New Zealanders. This Government cares about it. You used to care about them; you don't.

FINANCE

Question No. 2

DAN BIDOIS (National—Northcote) (14:10) to the **Minister of Finance:** What recent reports has she seen on fuel prices?

Hon NICOLA WILLIS (Minister of Finance) (14:10): I have seen a number of reports on fuel prices. Today, the Ministry of Business, Innovation and Employment published the latest official fuel price data, confirming the national average price for 91 octane petrol has remained below \$3 a litre for a fourth consecutive week, at \$2.96. While that requires Cabinet to review the temporary fuel support measures, officials advise that the conditions are highly volatile. International fuel markets remain highly volatile and recent increases in global fuel prices are only now beginning to flow through to prices at the pump—for example, today's provisional daily price is \$3.05.

Dan Bidois: Why has the Government not automatically ended the temporary fuel support measures?

Hon NICOLA WILLIS: Officials advise that domestic fuel prices are lagging recent international market movements. Over the past fortnight, Brent crude oil prices have increased by around 21 percent, international refined petrol prices have increased by around 27 percent, and forward wholesale market indicators have also risen sharply. Officials advise that those increases typically take one to two weeks to flow through to New Zealand pump prices. Cabinet will, therefore, next week, consider both the latest domestic data and the international outlook before making a final decision on the future for temporary supports in relation to the fuel price.

Dan Bidois: What principles are guiding the Government's decisions on the temporary fuel support measures?

Hon NICOLA WILLIS: The Government's approach remains the same as when these measures were introduced. We cannot control global oil markets, or conflict in the Middle East, but we can soften the impact on New Zealand families in a responsible, timely, and targeted way. That is why this support was designed to be temporary, and directly linked to fuel markets stabilising, not to remain in place indefinitely. International volatility remains elevated, so Cabinet will continue to follow the evidence before making a final decision.

Dan Bidois: What is the latest advice the Government has received on developments in the Middle East?

Hon NICOLA WILLIS: Treasury advises that while there has been a pause in military action, the situation remains highly uncertain. Only two vessels transited the Strait of Hormuz as of last Sunday, compared with 57 on 24 June, and there are now, unfortunately, emerging signs of disruption through the Bab el-Mandeb Strait in Yemen, an increasingly important alternative shipping route. These ongoing geopolitical risks continue to place upward pressure on global fuel markets, which is why the Government continues to monitor developments closely.

FINANCE

Question No. 3

Hon BARBARA EDMONDS (Labour—Mana) (14:13) to the **Minister of Finance**: Halo olgeta. How does the Budget's forecast for negative real-wage growth and higher unemployment affect the cost of living for Kiwis?

Hon NICOLA WILLIS (Minister of Finance) (14:13): The Budget forecasts show that over the forecast period, wages are expected to grow by 5.1 percent in real terms, unemployment to fall to 4.3 percent, and annual Consumers Price Index inflation to fall to 2 percent. I would, therefore, say that that is positive for the cost of living. I also note the comments by Westpac economist, Kelly Eckhold, this morning, who said, "There was a lot more of a crisis back in 2022/23 when high inflation meant living costs were rising over double the current pace and were outstripping wages growth by 2-3 percentage points. That was the crisis in my view."

Hon Barbara Edmonds: When can New Zealanders expect "rising employment", as she promised in her Budget 2026 speech, when, according to the June Westpac McDermott Miller survey, we are experiencing the lowest employment confidence level since 2004?

Hon NICOLA WILLIS: As the member is aware, there are two measures. One is employment and one is unemployment. While we can experience increasing employment, unemployment is also a factor of how many people are participating in the labour force. In terms of forecasts for the future, the Treasury had forecast that unemployment would peak in the second quarter of this year, which was the three months we've just had, peaking in their estimate at 5.5 percent, and would then decline from there—as I said in my earlier answer—coming down to 4.3 percent over the forecast period.

Hon Barbara Edmonds: How are young people meant to keep up with the cost of living when Student Job Search says it has 434,000 applications for just 53,000 positions?

Hon NICOLA WILLIS: Well, I want to acknowledge that that's very challenging, and I want to commend those young people who seek employment and opportunities to grow their own income through their own efforts and their own work. That's why we are working so hard as a Government to support growth in this economy—which is why I once again urge the member to support measures such as fast track, which has ensured development that will support thousands of jobs being created in this economy to occur over the coming period; which is why I encourage that member to support Investment Boost, which is allowing businesses to make investments to grow their firms for the future; which is why I encourage that member to support the range of initiatives this Government is progressing to grow the economy and create more employment opportunities for every Kiwi who wants to work hard; and which is why I'd urge all members of this House to oppose universal benefits funded by new taxes, which would put a wrecking ball through the economy.

Hon Barbara Edmonds: Does she agree with Alicia, a recent graduate, who said, "Students put this investment into coming to university for a better future and for better job outcomes and that kind of opportunity feels like it's been taken away"?

Hon NICOLA WILLIS: Well, I agree with the sentiments that Alicia is expressing in that there are thousands of young New Zealanders who choose to go to university in order to pursue aspirations for their future of great jobs, living standards, and opportunities. That is why, as a Government, we continue to heavily subsidise tertiary education, both through the subsidies we pay to polytechs, universities, and employers. It is why we have sustained the interest-free student loan scheme. What I'd say to Alicia is, absolutely, it has been a tough period, but when we look ahead—not just in my view but in the view of the Treasury and many independent economists—we can expect many more jobs to be created in the New Zealand economy over the coming months and years, for wages to grow, and for this to be a country of more opportunity. I'd also say to Alicia, if you are listening to politicians who tell you that New Zealand is not a good place to pursue your future, then you should ask them why they are asking for your vote.

Hon Barbara Edmonds: How can she say she is “securing our future” when unemployment is higher, inflation is increasing, growth is lower, and wages are falling behind for everyday working New Zealanders?

Hon NICOLA WILLIS: Because, as I reprised in my primary answer, we are looking forward in all of the official forecasts to unemployment falling, to real wages rising, and the cost of living becoming more affordable for New Zealanders in the years ahead. But, more importantly, this Government is taking responsibility for the actions it can take control of in relation to growing this economy and making New Zealand more affordable. That’s why we are proposing rates caps; it is why we are fast tracking the generation of new electricity; it is why we are pursuing free-trade agreements; and it is why we are reducing taxes. The question, as I have outlined to this member time and time again, is not whether things could be better; it’s what are your plans for making them better? A hidden bill and more taxes will not deliver a better future for New Zealanders.

Hon Kieran McAnulty: Point of order, sir. I was respectfully waiting for intervention there, but, since it didn’t happen, I feel the need to raise a point of order. It is totally inappropriate—and you’ve said so yourself on numerous occasions—for Ministers to be posing questions. It is their job to be accountable to the House by answering questions, not asking them.

SPEAKER: I was listening very intently, because I have made it clear in the last few days that using question time to attack the Opposition is not the purpose of question time. But, in this case, if you check the *Hansard*, I’m sure you’ll find that what the Minister said is “the question is”, and I don’t think that was directed in any particular way. In terms of an answer, that’s not unreasonable.

Hon Kieran McAnulty: Perhaps that would be true if the Minister weren’t pointing to a member and saying “you”. Look, the point is, sir, we’re not actually complaining about political responses to questions from this side. Political questions get political responses, we know that, but Ministers should not be posing questions to the Opposition. That’s been made very clear, and there was an example of it just then.

SPEAKER: Well, the example you’ve just pointed out would, in fact, have been addressed to me as the Speaker, and I should not be brought into it—

Hon Kieran McAnulty: Either way, sir—

SPEAKER: Look, let me just finish what I’m saying before you keep on running to your own judgments on these things. The point is that over the course of this Parliament, we’ve allowed the use of the word “you” to mean a general reflection on a population. I don’t think that answer was out of order, but I will look at it, as I do most days, going through the *Hansard* record to see if there was a transgression.

SOCIAL DEVELOPMENT AND EMPLOYMENT

Question No. 4

RICARDO MENÉNDEZ MARCH (Green) (14:21) to the Minister for Social Development and Employment: How many 18- and 19-year-olds, if any, are receiving jobseeker support (health condition, injury, or disability), and what percentage of them have psychological or psychiatric conditions?

Hon LOUISE UPSTON (Minister for Social Development and Employment) (14:21): Those on jobseeker support (health condition, injury, or disability) are temporarily unable to work full time. These young people will have better future outcomes if they remain close to the labour market or are studying. Around a third of jobseeker health condition and disability (HCD) clients are already working, are actively seeking work, or want more hours. The number of young people aged 18 to 19 on jobseeker HCD is 2,733 as at the end of June this year. Of those, 69 percent are young people with a psychological or psychiatric condition. Our Government expects that if an 18- or 19-year-old job seeker on HCD is unable to work at the moment, then they are in further education or training or preparing for work in the future.

Ricardo Menéndez March: Does she expect that stripping people of their income support would likely improve or worsen someone's mental health?

Hon LOUISE UPSTON: Well, we've been very clear about our expectations that we want to see 18- or 19-year-olds in education, training, or preparing for work and that in the first instance, support should come from their families.

Ricardo Menéndez March: Is she aware that people who are on jobseeker health condition, injury, or disability are, by definition, unable to work full time or have had to stop working full time because of that very same health condition, injury, or disability, and, if so, why is she making the assumption that they would be able to easily transition into study or employment?

Hon LOUISE UPSTON: Well, the point of this is that 18- or 19-year-olds in some of the circumstances that the member suggests—we believe, on this side of the House, they should be the responsibility of their parents. If somebody is experiencing challenging health conditions, I would totally expect that their families are there to support them.

Ricardo Menéndez March: What would she say to the cancer patients who are receiving jobseeker health and disability who are at risk of losing their benefits due to her reforms?

Hon LOUISE UPSTON: Well, it doesn't change the fundamental point. We believe that we don't want 18- or 19-year-olds trapped on welfare, we don't want them stuck on a benefit for another 20 years of their life; we want them to be supported by their family in the first instances and preferably in education, training, or in work.

Ricardo Menéndez March: So is a cancer patient or someone with a psychiatric or psychological condition deemed to be trapped in welfare—according to her—if they simply need support to get better or access treatment?

Hon LOUISE UPSTON: The policy that the member is referring to is specifically for 18- and 19-year-olds. Absolutely, if somebody is going through cancer treatment, that is an incredibly challenging time, but, actually, we do believe during that period of time, their parents, their families should be there to support them. I'd be really worried if they weren't. We do have a parental assistance gap test for that very reason, but 18- and 19-year-olds should be supported by their family and when they are well enough, when they have capacity, they should be in training, education, or work.

HOUSING

Question No. 5

Dr CARLOS CHEUNG (National—Mt Roskill) (14:25) to the **Minister of Housing:** What recent improvements has the Government made to infrastructure funding and financing?

Hon CHRIS BISHOP (Minister of Housing) (14:25): Yesterday, the House passed the Infrastructure Funding and Financing (IFF) Amendment Bill unanimously, and I want to thank the House for the support. Together, we have given developers, councils, and infrastructure providers a better tool to fund the infrastructure New Zealand needs to grow. I want to give particular thanks to the Under-Secretary for Infrastructure, Simon Court, for his work on this. For decades, housing growth has been beleaguered by red tape, land-use restrictions, an inefficient planning system, and infrastructure being used as a veto or a reason to say no to new housing. The IFF Act, passed yesterday, helps unclog this deeply troubling system.

Dr Carlos Cheung: How does the Infrastructure Funding and Financing Act work?

Hon CHRIS BISHOP: The Act enables a special-purpose vehicle to raise finance off councils' balance sheets for infrastructure that supports housing and urban development, including three waters, transport, flood protection, and some community amenities. The infrastructure is then paid for by charging a levy on the people who benefit from it. Instead of relying on council borrowing, the Act allows infrastructure to be financed by private investors and repaid over time through levies on the properties that directly benefit from the infrastructure. The Act was originally inspired

by the successful Milldale development north of Auckland, and now we are replicating it in other parts of the country.

Dr Carlos Cheung: Why did the Infrastructure Funding and Financing Act need to be updated?

Hon CHRIS BISHOP: The IFF Act was originally passed in 2020. I think it would be fair to say that it has not been utilised to the extent people thought. In fact, only just a couple of months ago, it was used for a new greenfield housing development—Te Awa Lakes in Hamilton. The original vision was to liberalise development of economically viable projects by letting high-growth, high-demand areas build vital housing and enabling infrastructure without hitting council debt limits. The Act was not delivering as much as we wanted it to. It was complex and cumbersome with bureaucratic hurdles, so we have changed the Act yesterday in order to make it more streamlined and easier to use.

Dr Carlos Cheung: What changes did the Government make to the Infrastructure Funding and Financing Act, and how will this benefit New Zealanders?

Hon CHRIS BISHOP: The Act has now been simplified in terms of approval processes, the removal of unnecessary barriers, and we've also expanded the types of infrastructure that can be funded and provided greater certainty so that more infrastructure projects can get under way. It is now the case that transport projects delivered by the New Zealand Transport Agency and KiwiRail, as well as water service infrastructure, can be funded and financed using IFF Act levies. This is a good step forward and, I think, will make a substantial contribution to future infrastructure needs of these critical projects around the country.

RMA REFORM

Question No. 6

Hon WILLIE JACKSON (Labour) (14:28) to the **Minister responsible for RMA Reform:** Does he believe tangata whenua should be involved in decision-making processes; if not, why not?

Hon CHRIS BISHOP (Minister responsible for RMA Reform) (14:28): Yes, Māori participation is a crucial part of the new planning system. This is recognised in the bill's clauses and the system goals, which specifically include providing for Māori interests through participation in the development of national instruments, regional spatial plans, and environment and land-use plans. The intent is that these interests will be provided for higher up in the system through involvement in national instruments and plan making. This will benefit everyone, including iwi, by providing more certainty about how these interests should be considered. It is also true that iwi Māori should not be involved in every individual consent merely as of right. That is the kind of red tape we are trying to get away from in the new system. The new planning system will enhance the ability for Māori to develop their own land. They will benefit from a new enabling planning system like everybody else. It is unconscionable that barriers that many iwi face, who were wanting to develop things on their own whenua, get in the way and we are proud to be tearing those barriers down.

Hon Willie Jackson: Is the Hon Nick Smith wrong, who introduced Mana Whakahono ā Rohe agreements into the Resource Management Act, who said, "It will enable councils to work out practical ways for iwi to participate in the process and help the system to work better by getting early involvement.", and if not, why not?

Hon CHRIS BISHOP: Well, those arrangements were a creature of their time and they reflected the environment at the time. Of course, we are changing the underlying planning legislation, so it doesn't make a lot of sense to import something that reflects the law of the day to a system that is different. Instead, we've provided for iwi participation agreements which are more narrowly scoped and tightly constrained, but I think they will provide many of the things that the member talked about in the latter part of his primary question.

Hon Willie Jackson: To the Minister: does he agree with former Treaty negotiations Minister Chris Finlayson who said, and I quote, "All the fantastic work that was done by Doug Graham and Jim Bolger is now being undone by this Government."; if not, why?

Hon CHRIS BISHOP: I've agreed with some of what Chris Finlayson said recently—maybe that member would too—but I don't agree with the characterisation of those remarks. I mean, for starters, his reference to Doug Graham and Jim Bolger was a reference to the totemic settlement of long grievances against the Crown, and the Government has agreed that those Treaty settlements—the ones that those particular senior figures were involved in—are protected into the new planning system, so let's focus on the facts not the rhetoric.

SPEAKER: The Hon Willie Jackson. Oh, the Rt Hon Winston Peters.

Rt Hon Winston Peters: No, no, he's had his three. Does the Minister agree that the priority for infrastructure should be more do-ey and less hui?

Hon CHRIS BISHOP: In a general sense, yes.

Hon Willie Jackson: To the Minister: does he respect the advice of former Prime Minister John Key, who told the Minister and his colleagues that "Māori are Treaty partners, so you have to treat them with respect.", or is it just a load of crap, like what the Minister said about Stan Walker's Māori performance at the Aotearoa Music Awards?

SPEAKER: Wait on, if you want that question to stand, withdraw what you've just said and start again.

Hon Willie Jackson: Point of order, Mr Speaker.

SPEAKER: Don't ask me to clarify.

Hon Willie Jackson: The Minister said—I'm quoting what the Minister said. It's on public record so—

Hon Member: It's a direct quote.

Hon Willie Jackson: It's a direct quote.

SPEAKER: Yes, but a number of members, quite rightly, have got upset about some use of language in the House. We've got to draw the line somewhere, so I'm drawing it here. I suggest that you use the word "profanity" if you want—something like that—but don't bring that into this. Keep it seemly. He'll get what you mean.

Hon Willie Jackson: Alright, so do it again, aye? Ok, no problem. Does the Minister respect the advice of former Prime Minister John Key, who told the Minister and his colleagues that "Māori are Treaty partners, so you have to treat them with respect.", or is it just a load of nonsense, like what the Minister said about Stan Walker's Māori performance at the New Zealand Music Awards?

SPEAKER: Well, in so much as those two are connected.

Hon CHRIS BISHOP: To the first part of the question, yes.

Rt Hon Winston Peters: Is there are road, a railway, a building, a power station, or even a road cone that are used by Māori only, or we one country, one people, with one flag, and one name?

Hon CHRIS BISHOP: We are, but I'd also say that there are sites of significance to our indigenous people that I think most reasonable, fair-minded people would say the planning system should protect, and indeed the planning system has protected for well over 100 years: old pā sites, battlegrounds, sites where kaumātua and kuia are buried. I think the planning system should protect those sites of significance, and the good news is the planning system that the Government is building will do that, and it makes sure that those sites of significance are protected, but it also makes clear that at an individual resource consent level, with rare exception, you should not have to go and talk to every Tom, Dick and Harry, and the local iwi in order to get permission to do something on your land. Striking that balance has been part of the Government's agenda. I think we've got the balance about right because I think most Kiwis would say the balance is wrong at the moment.

Hon Willie Jackson: Is the Minister “a traitor to National Party traditions,” as described by former National Party Treaty negotiations Minister Chris Finlayson?

Hon Shane Jones: Point of order, Mr Speaker. Really? That can’t stand—194 rules that out immediately.

SPEAKER: Not necessarily. The fact is he was, in this case, quoting something that someone from outside had said, by way of allegation—

Rt Hon Winston Peters: With no basis—with no basis!

Hon Willie Jackson: What do you mean “no basis”? Don’t you read the news?

SPEAKER: I’m speaking—no one else. For public clarity, it would be quite reasonable for the Minister to answer that.

Hon Shane Jones: Speaking to the point of order—

SPEAKER: Yup.

Hon Shane Jones: He used the word “traitorous”. There’s no way you should let that stand.

SPEAKER: He used that insomuch as it was a quote by someone else, and I think if someone else makes that claim, the Minister should be at least able to respond to it.

Hon CHRIS BISHOP: Currently going through the fast-track process is permission for Ngāi Tahu to develop the Hananui Aquaculture Project, which was settled with them by the previous Government and then denied the ability to actually be done under the Resource Management Act. I’m very proud that it’s this Government that has developed a fast-track regime that will allow the Hananui Aquaculture Project, which will provide jobs for hundreds of Ngāi Tahu locals and others, partly through our new planning system. I don’t consider that traitorous; I consider that progress.

Rt Hon Winston Peters: Is the Minister aware that Project iReX had a Labour policy approved budget of \$1 million per ship to tell an iwi journey story, and is this the type of wasteful decision-making involvement that New Zealanders want to see in any infrastructure in the future?

Hon Kieran McAnulty: How’s that linked to the primary?

SPEAKER: Hang on. I’ve just had, by way of interjection, a question from my left—I get constant questions from my left. Let me just say that any read of this *Hansard* will show how broadly this particular question has gone, largely encouraged by the questions from the primary question asker. That question can be answered—briefly.

Hon CHRIS BISHOP: I congratulate the question asker for his hard work, and may I just say, in relation to that question, my views on performative behaviour are well-known.

Hon Tama Potaka: Can the Minister please confirm that the national environmental standard on Papakāinga granny flat arrangements will make it easier for Māori to build housing on our own land, employ people, create jobs, and house Māori in those whare?

Hon CHRIS BISHOP: Yes. For 30 years—for 30 years—Governments have had the ability to issue a national environmental standard to standardise the rules around Papakāinga housebuilding around New Zealand, and no Government has done it until this Government—that they say is anti-Māori—turned up and did it, and we did it within two years. *[Interruption]*

SPEAKER: Question No. 7—Chlöe Swarbrick. Just wait for a minute, Ms Swarbrick, while the House gathers itself.

Hon Willie Jackson: You did well there, Bish.

SPEAKER: Who spoke then? Willie? Not very smart. Hang on—now, that didn’t come out very well. I know him very well. I’d have him on my Trivial Pursuit team any time. When the House settles—Chlöe Swarbrick.

PRIME MINISTER

Question No. 7

CHLÖE SWARBRICK (Co-Leader—Green) (14:39) to the **Prime Minister**: E tautoko ana ia i ngā kōrero me ngā mahi katoa a tōna Kāwanatanga?

[Does he stand by all of his Government's statements and actions?]

Rt Hon CHRISTOPHER LUXON (Prime Minister) (14:39): Yes.

Chlöe Swarbrick: What is his message to young people with cancer or severe mental ill-health who will have their income support cut, leaving them with less to meet the cost of housing and healthcare, as a result of his Government's policies articulated just a moment ago by his Minister of social development?

Rt Hon CHRISTOPHER LUXON: Well, we've had a position, very clearly, that we want to send a message to young people that coming out of school and not having a plan around employment and training and work is very important, and that's why for 18- to 19-year-olds who are in that situation, that is the responsibility of their parents and their family. I think the Minister answered that last question very well.

Chlöe Swarbrick: Does that opinion about young people hold, even for those with severe mental ill-health and cancer, for whom his Government will cut support?

Rt Hon CHRISTOPHER LUXON: Again, I think the Minister has addressed the question that was previously asked.

Chlöe Swarbrick: Does he agree with his resources Minister, then, who said about AI data centres: "they don't actually employ a lot of people over the long term"?

Rt Hon CHRISTOPHER LUXON: Well, I think having data centres is a huge opportunity for New Zealand. It's a critical part of our infrastructure for a modern economy, it's how we do our communications, and it's how we do healthcare, logistics, and business services. We have some natural competitive advantages in that space. As we discussed yesterday, we think there's a need for some sensible rules around that.

Chlöe Swarbrick: What exactly did the Prime Minister mean when he said yesterday in response to my questions that "we just need to take a step back and actually think about what sensible rules we put about the investment," of these AI data centres, if he doesn't actually intend to take a step back and implement those common-sense, sensible rules before any more of these AI data centres are consented?

Rt Hon CHRISTOPHER LUXON: Well, I reject the assertion and the assumption in the second part of that question.

Chlöe Swarbrick: Can the Prime Minister please articulate clearly for this House and the people of New Zealand exactly what specific economic or job benefit there may be in the long run for New Zealanders with regard to the consenting of hyperscale AI data centres?

Rt Hon CHRISTOPHER LUXON: Great—well, let me step the member through it. As I've said, data centres are critical infrastructure for a modern economy. All of us are going to be reliant on data centres. As we look out over the next 10 years, there will be a fourfold increase in demand needed for data centres. We have significant natural advantages: highly renewable, cool climates, good political stability, and—here's the part—data centre investment does work. If we can get it working for New Zealand, it can support jobs and productivity. It can increase electricity generation. It is important to our data sovereignty, it's important for our resilience, and it's important for our national security. So data centres, we need to embrace; we just need to make sure we've got some sensible rules and principles around it.

PREVENTION OF FAMILY AND SEXUAL VIOLENCE

Question No. 8

TODD STEPHENSON (ACT) (14:42) to the **Minister for the Prevention of Family and Sexual Violence**: What updates, if any, can she provide on the milestones achieved under the second Te Aorerekura Action Plan?

Hon KAREN CHHOUR (Minister for the Prevention of Family and Sexual Violence) (14:42): We launched the second Te Aorerekura Action Plan to build on progress made under the first action plan, and on agencies' efforts to work together to break the cycle of intergenerational family violence and sexual violence. To ensure accountability and delivery, each of the seven focus areas of the second action plan set out activities and milestones that were to be achieved in a specific time frame. I'm pleased to announce that we have achieved another milestone, with our target of training 10,000 front-line workers in responding to family violence and sexual violence over the two years being reached almost six months ahead of schedule. These workers have mainly come from New Zealand Police, Oranga Tamariki, Department of Corrections, Ministry of Justice, and ACC. I want to thank all those workers who have taken part in this training.

Todd Stephenson: Why is it important that statutory workers are trained in responding to family violence and sexual violence?

Hon KAREN CHHOUR: Victims of violence need to know that they can get the right help, when and where they need it. It is a brave step to come forward and to tell someone what has happened, or is currently happening, to you. These people should know that whoever they are dealing with in the system has the capability, skills, and confidence necessary to respond appropriately. That is why one of the focus areas under the second action plan is strengthening our workforce. This training is not only supporting the victims of violence, but what is often not talked about are the perpetrators of violence. While this Government is doing absolutely everything to ensure these people are held accountable for the harm they cause, we must also ensure they're supported in changing their behaviour. Unless this part is addressed, we will never truly break the cycle of violence.

Todd Stephenson: What are the next steps under the focus area for strengthening our workforce?

Hon KAREN CHHOUR: In May this year, the Sexual Violence Workforce Capability Frameworks were finalised and published. These frameworks set the benchmarks and standards to deliver early identification and intervention, provide safer and more effective responses for victims, and create training pathways for career development. Agencies are now turning their focus to how they will implement these frameworks across their workforces. The Centre for Family Violence and Sexual Violence Prevention has already started this work by arranging sexual violence workshops in Auckland, Wellington, and Christchurch. The goal is to build a specialist family violence and sexual violence system that provides more safe, consistent, and effective responses for people who need support.

Todd Stephenson: Are these frameworks only available to statutory workers in Government agencies?

Hon KAREN CHHOUR: No. I think it is important to note that any organisation can apply both the family violence and sexual violence frameworks and improve their workforce capability using these tools. This includes specialist organisations who have a primary focus in the family violence and sexual violence space, and more generalist workforces whose work involves supporting potential victims or perpetrators of violence. The workforce frameworks can help organisations to design, evaluate, and review their internal systems and practices to deliver effective and trauma-informed services and inform career planning and professional development.

JUSTICE

Question No. 9

CAMILLA BELICH (Labour) (14:46) to the **Minister of Justice**: Does he stand by his statements and actions in relation to the Summary Offences (Move-on Orders) Amendment Bill?

Hon PAUL GOLDSMITH (Minister of Justice) (14:46): Yes, in the context in which they were made—particularly my statement that our Government is committed to fixing the basics in law and order and building a future where everyone feels safe to visit, work, and live in our central cities, and also my statement that this is about reclaiming our town squares and streets for the enjoyment of people who live there, who work there, and who visit there.

Camilla Belich: Why, then, has he ignored the Police Association, the organisation representing police officers, who said “Repeated move-on orders could divert frontline officers from core policing functions such as prevention, response, and investigations.”?

Hon PAUL GOLDSMITH: Well, I didn’t ignore those comments; I disagreed with those comments. I have every confidence in the ability of police to make priorities about how they go about their business.

Camilla Belich: Does he agree with Retail New Zealand, the body whose members account for nearly 70 percent of all retail turnover in New Zealand, who submitted that “Introducing these new clauses will not solve the underlying problems and risks fracturing support networks and making their vital work significantly more difficult”?

Hon PAUL GOLDSMITH: Well, I agree with the first part, that it won’t solve the underlying problems, and this was never intended to be our solution to the deeper issues that those people in our town centres have to deal with. If this was the only Government response to homelessness, for example, or for addictions and mental health issues that are represented in our cities, then the member would be right to criticise us—but, of course, it isn’t. This is just giving the police one extra tool to deal with antisocial behaviour and intimidation in our central business districts, and we’re doing that because we believe it’s important to reclaim those streets for the enjoyment of people who live there, who work there, and who visit there.

Camilla Belich: Will he listen to the Karangahape Road Business Association, who stated, “Move-on orders will damage social cohesion, and they represent a missed opportunity to take real steps to help our city”?

Hon PAUL GOLDSMITH: Yes, I will listen to them, and I have listened to them. I’ve also listened to Ian Wright, for example, an Auckland retailer, who said, “it’s very much about holding people to account, drawing a line in the sand and saying we’ve actually got a right to be here too, the people, our visitors, ... we want ... to [feel] safe and secure and I don’t think that’s too much to ask.”

Camilla Belich: Why is he progressing with the inclusion of the rough sleeping and begging aspects of the move-on orders bill when almost every submitter to the Justice Committee opposed them?

Hon PAUL GOLDSMITH: Because we want to give the police extra tools to deal with a longstanding and widespread problem. Yes, a number of the submitters opposed, but I would like to say that the silent majority of people in our towns who don’t want to get their head blown off by standing up and actually saying that we need to change these things do support it, and they want to see our streets and our town squares be a safer place to be—including one Mr W Brown from Auckland, who wrote an article on the topic that was quite discursive, I have to admit, but it did conclude, however, “It is good that the Government is moving on the moving-on problem through the select committee”, and I agree with him on that matter.

JUSTICE

Question No. 10

Rt Hon Winston Peters: Point of order. I noticed, earlier today, that this question No. 10 was forfeited by Mariameno Kapa-Kingi, and so I move that the Labour Party be granted this question to ask about the appointment of Volker Türk at the United Nations recently, of which they've made such a song and dance over the last 24 hours.

SPEAKER: The member will know, of course, that it's not possible for one member to seek leave on behalf of another.

Rt Hon Winston Peters: Why don't they move for it, then?

SPEAKER: I appreciate your concern for the Labour Party and their processes, but we're going on to Rima Nakhle.

RIMA NAKHLE (National—Takanini) (14:50) to the Minister of Justice: What measures has the Government taken to restore real consequences for crime?

Hon PAUL GOLDSMITH (Minister of Justice) (14:50): Funny you should ask. The Government has taken a number of measures to restore real consequences for crime by committing to fixing the basics, and ensuring that victims' interests are at the centre of our justice system. We've banned gang insignia and given the Police more power to disrupt gangs, who peddle misery in our streets; we've reformed the sentencing regime to send clearer consequences; and we've progressed major reform of the Crimes Act so that criminals face stronger consequences for their actions.

Rima Nakhle: Why is the Government reforming the Crimes Act?

Hon PAUL GOLDSMITH: Well, our Government is committed to fixing the basics, as we've said, and ensuring victims' interests are at the centre of the justice system. A vital part of that is making sure criminals face real consequences for crimes, such as coward punches, attacking first responders, retail crime, and human trafficking. Specific offences are created for those who offend against our first responders, those Kiwis who run towards danger to help those who are most at need, and for the matter of coward punches, which can cause lifelong harm to others and to their families.

Rima Nakhle: How will the Crimes Amendment Bill strengthen consequences for retail crime?

Hon PAUL GOLDSMITH: Well, the bill gives effect to the Government's expansion of the citizen's arrest powers so that business owners and all New Zealanders have an additional and optional tool to protect themselves and their livelihoods. It fixes an anomaly which allows people to do certain things after 9 p.m., but not before 9 p.m. Secondly, it creates a new infringement offence to allow Police to issue an instant fine for shoplifting, fulfilling a coalition agreement between National and New Zealand First to ensure real consequences for lower-level crime.

Rima Nakhle: How will the Crimes Amendment Bill strengthen consequences for trafficking and people smuggling?

Hon PAUL GOLDSMITH: Well, I'm pleased that we have widespread support across the House for this element of the bill. People smuggling and trafficking is a heinous crime. In the previous 15 years, only two convictions have occurred, but there have been 50 victims identified—probably many more. The Crimes Act will increase penalties for offences dealing with slaves and will modernise our trafficking offences for both international and domestic trafficking to be more consistent with international standards. I'd like to thank my colleague Greg Fleming for his advocacy on this issue to stop criminals using loopholes to evade real consequences for their actions.

HEALTH

Question No. 11

Hon PHIL TWYFORD (Labour—Te Atatū) (14:53) to the **Minister of Health**: Is Health NZ's internal communication correct that the new 30-bed medical ward at Waitākere Hospital will result in an increase of only 11 new beds on opening?

Hon SIMEON BROWN (Minister of Health) (14:53): I'm advised Health New Zealand's communication is accurate. It reflects the business case approved by the previous Government in 2021, which always intended the ward to open in a phased way to allow for planning and growth over time. The good news is this building will allow for an additional 11 staffed medical beds on opening, and further beds coming online as Health New Zealand's regional planning determines. Recruitment is under way. The good news is West Auckland gets a new ward by the end of the year.

Hon Phil Twyford: Will he commit to opening the other 19 beds now, given that Waitākere Hospital is in crisis, with patients left for long periods in corridors because of a lack of beds?

Hon SIMEON BROWN: Well, I would just point to the member to the Health New Zealand shorter wait times for our emergency department target data, which shows that there was a significant reduction in performance at Waitākere Hospital under the Labour Government, and that 96.3 percent of patients were being seen within six hours under National. That fell to 63.9 percent under Labour. That has improved to 84 percent in the most recent published data. Yes, there's more work to do, and those beds will open over time.

Hon Phil Twyford: What is stopping all the promised 30 beds being opened now, other than the Government's unwillingness to hire the necessary nurses and other staff?

Hon SIMEON BROWN: Well, I would point the member to my primary response, which said that the business case approved by the previous Government, which he was a Minister in—it was always intended the ward to open in a phased way, to allow for planning and growth over time. I would also point out to the member that, since September 2023, there is an additional 355 nursing staff working at the Waitematā district.

Hon Phil Twyford: Can he not understand why West Aucklanders are furious about the promised 30-bed ward only delivering 11 new beds when the emergency department at Waitākere is overwhelmed because there aren't enough beds to move people to?

Hon SIMEON BROWN: Well, they should talk to the former Minister who—

SPEAKER: No—no. Start again. No, sorry. You're the Minister, you answer as the Minister, not with a direction to talk to someone from a previous Government.

Hon SIMEON BROWN: Well, as I said in the primary response, the business case approved by the previous Government in 2021 always intended this ward to open in a phased way, to allow for planning and growth over time. That planning is under way. The good news is there'll be a new ward in place at the end of this year.

Hon Phil Twyford: How does his plan address the concerns of Waitākere Hospital employees who messaged me yesterday to say, "Simeon Brown should have visited the hospital today. Patients in corridors all over the place." And another: "We've had over 30 medical-ward patients in the emergency department each morning for the past three days as there are no medical beds for them to go to."

Hon SIMEON BROWN: Well, the good news is that there is a new ward opening later this year. There will be additional beds. I was also privileged to be at the hospital earlier this year to open the new cancer infusion centre, which has been delivered by this Government, which means patients in West Auckland don't need to travel to Auckland Hospital for their chemotherapy, thanks to funding under this Government.

SPEAKER: That concludes oral questions. We'll take 30 seconds for those who have to go to other business. Do so quietly before I call on some honourable member to move a motion of miscellaneous business.

Debates

GENERAL DEBATE

Hon DAVID SEYMOUR (Deputy Prime Minister) (14:58): I move, *That the House take note of miscellaneous business.*

I'm proud to lead this ACT team in this House. We may not be the biggest, the loudest—we may not be the newest—in New Zealand politics, but we are the most effective and consistent party when it comes to unlocking New Zealand's potential.

Let me count the ways. Just today, we saw the first oil and gas exploration permit issued in this country in eight years since the Labour - New Zealand First - Green Government banned them. We were right then to oppose it, and we were right now when we put oil and gas exploration back on the table so New Zealanders can provide for their own energy future.

Just last week, we saw resource management law reported back to Parliament, with a tremendous effort by Chris Bishop and our own Simon Court working together to ensure that the biggest handbrake on New Zealanders prosperity is let off so that Kiwis can get on using their own property under a law based on property rights. Again, the ACT Party has been consistent, because this law will not have Mana Whakahono ā Rohe or iwi participation agreements as were put in by the National Party and the Māori Party 10 years ago. They are now gone.

We've seen infrastructure funding and financing law passed so that Kiwis can not only build more homes under this new resource management law but that the pipes and the pumping stations to connect those homes to opportunity—meaning education and jobs—can be funded and financed too. That is something we have campaigned for a long time. I was pleased to hear Chris Bishop point to the efforts of, once again, Simon Court making that happen. After this debate, the Parliament will consider two bills, both of which have been long in the planning, intense in the work, and important to the future of this country.

The first is the Arms Bill. The old Arms Act from 1983—a good year, I might add—had not aged as well as some products of that year. In fact, it looked like an old bicycle tyre, with so many patches. Until along comes Nicole McKee to give a brand new Arms Act, including a separate arms administrator, that will keep the public safe while treating licensed firearms owners with the respect and dignity deserved by law abiding New Zealand citizens, which, in case anyone forgot, they are—another area where ACT has stood against the whole Parliament to arrive where we are today. When others wavered, we were principled and looked to the North Star, only to be proven correct.

After that bill, we'll see the Employment Leave Bill, the replacement for the Holidays Act, which is so bureaucratic and so complicated that even Government departments, with their vast resources, have not been able to fairly calculate Kiwis' pay, let alone small business. When Brooke van Velden took it on, former Ministers from National and Labour took to Facebook and they said, "Good luck, girl, but this is not going to be an easy rodeo." Brooke van Velden threw out the work that had been done, because that work was unworkable, started again, and this afternoon New Zealand will have common sense in holiday pay, a task that had been failed at for 10 years by successive Ministers from nearly all parties.

Just last week, we celebrated record school attendance, the best term 2 school attendance in 10 years, and that is unlocking New Zealand's potential in a very real way. The work this Government is doing is important—Erica Stanford making sure we've got a good Curriculum, that we've got good teachers, and that they're well trained and have the latest pedagogy in all matters—but none of it makes any difference if the children aren't actually at the school. The honour for that goes to the parents and the children who got it done and got to school despite the carping about a fuel crisis, but I'm proud to have played a minor role in revamping the policies to have made some of that possible.

That is just a small selection, a current selection, of things that have happened in the last two weeks, and today, that the ACT Party—not the loudest, not the biggest, not the newest, but certainly the most consistent and effective on the issues, bringing about real change to unlock the potential of this great country. I can't wait to bring another and even bigger team yet again. While it is wrong to refer to the absence of members, we can talk about forthcoming members: Henrymania is coming here to Parliament.

Hon NICOLA WILLIS (Minister of Finance) (15:03): We are at a very exciting time in the term. This is the time when parties start announcing their election manifestos in anticipation of the general election, and our party has taken great pleasure in announcing some of our ideas for building the future that New Zealand deserves. Meanwhile, the Labour Party has also started making some announcements of their own. Now, how's that going for them? Well, it has been observed—not just by me but by many others—that the more policy they announce, the lower their polling goes. The small target strategy which Chris Hipkins was choosing, by which the least he said the better he would poll, is, sadly for him, coming to an end.

What have we had from the Labour Party? Well, it has been, I think, a bit like watching one of those episodes of *Grand Designs*—you know, the ones where the beautiful, aspirational couple sit down and they say, "Let's design a spectacular mansion." They skip over the whole bit about the budget and the fact that it might have to be practically achievable and you might have to pay for it, and they sort of think that they can build the whole thing on a fantasy budget.

Then the episodes of *Grand Designs* play through and that same aspirational couple just look quite surprised and dejected when it turns out they've run out of money halfway through the project and all they have is four walls without a roof. Well, the looks on the faces of those people on *Grand Designs* is very similar to the looks on the faces of the members opposite me today. They're looking a little sad. They're looking a little dejected. Because here's the thing: fundamentally, the question at the election is not whether things are perfect in New Zealand right now. Of course they are not. The question for New Zealanders is: are we going forwards or do we want to go back to the prescription of the last Government?

The data is compelling, because let's think about where we were three years ago. Inflation at 7.3 percent; today, yes, too high at 4.1 percent, but nothing like what Hipkins managed to drive it up to on his watch. Food inflation, now at 2.8 percent; was 12.3 percent under the Labour lot. Rent inflation; rents which had increased by more than \$100 a week under the last Government are now having the lowest increases in 25 years of New Zealand's history. GDP growth—the growth of our economy; we were growing three times as fast as Australia in the first three months of the year and twice as fast as the United States. Business investment is up, exports are up, business confidence is improving, and Treasury are forecasting real wage growth and 220,000 more jobs.

What do Labour have to say about this? Well, they say it's terrible. Mr Hipkins gets all offended when he's asked how he would pay for his promises. Here's the thing: all he has proposed so far is more taxes, more borrowing, more red tape, and more spending. That comes with a hidden bill of \$18 billion. And so he doesn't want to answer how he pays for that bill.

But the good news is, guys—the good news is that the Greens have the answer. They have worked out how to pay for the bill. And here's what the answer reads like: wealth tax, inheritance tax, land tax, gift tax, company tax hike, personal tax hike, new property taxes. Te Pāti Māori have a suggestion too; they want a ghost house tax. Now, it isn't clear, members, whether this is just referring to the ghosts of Te Pāti Māori past, Mariameno Kapa-Kingi and Tākuta Ferris, but nonetheless, that's what they want, a ghost tax.

What we have is a very clear case of Labour putting forward prescriptions that will not solve the challenges that New Zealand faces. I just want to mention here another regression to the past that got played out on Radio New Zealand today, because Vanushi Walters, on behalf of the Labour Party, was asked whether she would support flexible wage provisions, and what she said is she would be more mindful of World Health Organization guidance about the need for women to stay at home and breastfeed. While welcome to 2026; New Zealanders don't want your paternalism. They want parents to choose. Labour haven't learnt their lessons. They want to tell you what to do in your own family. They want to tax you more. They want to drive up inflation. And New Zealanders won't vote for it. Bring on 7 November.

Hon Dr AYESHA VERRALL (Labour) (15:08): Well, I've never heard more bravado trying to cover over the fact that the Government's failed to take action on the cost of living than that contribution from the Minister of Finance. If I could summarise her contribution, her entire defence of her record is that we're going backwards less quickly.

Right now in New Zealand, there are over 1,300 nursing jobs sitting empty in hospitals across the country. We all know how busy nursing jobs are, and while those roles sit empty, people are not getting the care they need. Under National, there are huge delays in hiring staff. That's why there are so many gaps and why it takes so long to get the care you need. Christopher Luxon won't let hospitals hire the staff they need. When someone leaves a role, it can take months to get approval to replace them—in one case in Wellington Hospital, over a year. Our hospitals are busier than ever; yet, over the past two years, the nursing workforce growth has completely stalled, and, in that time, hundreds of nursing graduates were left without jobs in our hospitals. Our hospitals are struggling and New Zealanders continue to wait for care. Our graduate nurses, they're already trained—they were ready to work, but they're forced to go to Australia.

Of course, we have raised these issues with Simeon Brown. What has Simeon Brown been doing? Throwing long tantrums on his Facebook when the truth about vacancies is reported by journalists; passing laws to make every doctor and nurse in a public hospital a public servant so they can silence their criticism of him; siccing his personal troll farm on to a journalist who asks questions about appointments to the Medical Council. Removing the independence of professional regulators to make them kowtow to his ministerial edicts; disestablishing Māori voice in the health system, because Māori have a tendency to disagree with him; repeating lies about the findings of a royal commission. And he never pays this House the respect of actually answering a question.

Well, I've worked for 20 years as a doctor, and I can diagnose a case of Napoleon syndrome when I see one. He spends most of his time on vindictive little hit jobs on me, on journalists, on unions, on medical professionals, and doesn't actually run the health system.

Perhaps if he were focused on his job, he would've paid attention to the official warnings and that due diligence on the rapid-build ward at Waikato Hospital would've been done. Perhaps if he did his job, they'd have that ward already. Actually, it was planned originally for completion last week.

National promised to fix the health system, but, three years on, things are worse. Health costs are soaring right in the middle of a cost of living crisis. GP costs have gone up 21 percent under Christopher Luxon. National has no plan to reduce the cost of basic care, and that's why people end up sicker and in our emergency departments.

Just today, it was reported that Christchurch Hospital is in code red almost on a daily basis. A doctor there said that practice made it impossible to deliver the standard of care that patients deserve. "You can't ask them intimate questions [in a corridor], you can't examine them", he said. "It's very difficult to do tests ... in [a corridor] ... things like ECGs and blood tests are challenging Patients don't have call bells, so they can't call for help [when something goes wrong]. It's a dangerous place"—this is a doctor describing a public hospital as a dangerous place. "You certainly can't offer good care", he says, "It's substandard care." He said patients were often left in corridors overnight. "You can easily have 20 [or] 30 patients waiting in the [corridor] ... for hours."

Right now, the reality in public hospitals includes rats, cockroaches, fleas, and leaky buildings. Let's not forget that National has cut the maintenance budgets for hospitals. Waitākere Hospital was promised 30 beds; it's now been revealed they're only getting 11.

Labour is the only option to stop National's cuts. We have a plan to make sure that care is affordable for every New Zealander. We'll back doctors to set up clinics right across New Zealand. We'll make sure people can see a doctor when they need it so that a hospital is there for emergencies. I ask you: what will our health system look like after another three years of National's cuts? Well, New Zealand can't afford to find out.

Rt Hon WINSTON PETERS (Minister of Foreign Affairs) (15:13): That would be one of the most ridiculous speeches made by somebody that should not be in this House. There's a COVID inquiry out today, and, amongst other things, it points out that she and Chris Hipkins, in terms of the 100,000 young people, gave them treatments which they should never have got.

There she is sitting there, and the first thing she did when she was asked that question in the House by me was she and Hipkins said they didn't know. Well, all the evidence out there today says they were not telling the truth. They knew. What on earth is she doing here when times will come when there'll be all sorts of civil cases being brought against her and Hipkins—and how he could still be the leader of the Labour Party is beyond me—because they were irresponsible in the extreme. You've been found out for the useless, hopeless personality you are.

What's worse is Hipkins, Verrall, Robertson, and Ardern refused to turn up to give public evidence after being questioned. We now know why.

Ingrid Leary: Point of order, Mr Speaker. Thank you, Mr Speaker. I understand we're supposed to not just use second names, and the speaker has referred to many of my colleagues by their second names without using their full names.

SPEAKER: I'll tell you what we'll do. We'll start his time again. The Rt Hon Winston Peters—please use full names.

Rt Hon WINSTON PETERS: From the moment we saw the COVID inquiry terms of reference, we were against it, because they were grossly inadequate. No proper inquirer or commissioner would have taken the role on, given how limited the terms of reference were. Here we come now, despite that, Hipkins, Verrall, Robertson, Ardern—

SPEAKER: No—no, no.

Rt Hon WINSTON PETERS: —refused to turn up to an inquiry.

SPEAKER: Yeah, no, look—

Rt Hon WINSTON PETERS: These people were responsible—

SPEAKER: Sorry—sorry, sorry. Look, we've just given you an extension of time so that you can actually say Chris Hipkins, Dr Ayesha Verrall, and others, so that will satisfy other members of the House.

Rt Hon WINSTON PETERS: All right. Well, four leading Labour Party Ministers—past Ministers—refused to turn up to an inquiry. How damn arrogant! And there she is, walks out of the room, the former Minister of Health—wouldn't even turn up to the inquiry because you know why? If anybody asks the right question, she's going to be a goner. The original sham inquiry even failed to identify that Chris Hipkins and Verrall knew about advice that highlighted danger to under-17-year-olds having two shots and suffering from myocarditis. They knew about it, and then they claimed they didn't know.

Dr Lawrence Xu-Nan: Are you vaccinated?

Rt Hon WINSTON PETERS: I'm not making it up, sunshine. I noticed you came here five minutes ago. Go back to your own country—that's where they lie like a flatfish, but they don't lie like that here, all right? This is called a democracy—this is called a democracy, unlike what you're used to. Go back to where you've come from, you loudmouth, and maybe you'll learn something about the political system of New Zealand in time before you go streaming out of here in three months' time.

The fact is, it's not informed consent if people don't know. That's the second thing; the mainstream media have been silent on this issue. They have been a damn disgrace to let responsible Ministers get by. Guess why! Because they all got sucked into the podium of truth—unbelievable. They all got sucked into the podium of truth. You've got people who are trying to come back to Parliament who called all those protestors out there—rightfully, after they were losing all their business after 30 or 40 years—this person called those people out there the river of filth.

Hon Shane Jones: River of filth.

Rt Hon WINSTON PETERS: The river of filth. Not only did he say that, and he wants to come back to Parliament, but 12 times he wouldn't declare a document he was required to do as a Minister—12 damn times! Then they have a huge article in the Sunday paper—no mention of that whatsoever about the river of filth. What on earth are the mainstream media doing in this

country? They've sold out, and on this issue in particular, they were the worst, because they said that anybody who went down there was complying with breaches of the law. Anybody who went down to speak to those people rightfully protesting in a democracy that's been going since 1854 with the right to say, "I disagree", was being shut down and gaslit by the media of this country. This is a whole disgrace.

You know something? Here we are—here we are, look, the commission also found that more than half of the \$60 billion COVID-19 Response and Recovery Fund, spread across more than 800 programmes, was not directly related to the pandemic. More than half of the \$60 billion was not even related to the pandemic. This has left New Zealand carrying higher debt, higher costs of living, and higher everything as a consequence—and she has the audacity to get up here and criticise the Government on this side of the House and say that Labour's the only help they've got. The only hope for desperation, despair, and bankruptcy is what we've got if Labour's the next Government, and we're going to do our utmost to make sure that does not happen. That's one promise I make to New Zealanders: no matter what happens, we're going for broke—we're on a mission to stop these people ever getting back into Government again, because their irresponsibility knows no bounds, and their record is just dreadful.

How can two people responsible—and there will be many, many people who will be short of life, or dying early, or dying unnecessarily because of this second vaccination, and who will have on their lawyer's plate the very people who were responsible—persons called Chris Hipkins and Ayesha Verrall. And here they sat in this Parliament. How could Labour even bear to have them anymore as their leaders when they're as guilty as sin. But I want to know this from the mainstream media: why aren't they asking questions? Why did it take Mr Cheung to do the proper article? Pages and pages of identified—Derek Cheung has done this country a favour. But why has it been so remote? Just one guy getting behind the scenes, doing the hard work, finding out the detail. We owe him a debt of gratitude, because the truth is coming out.

I see those Labour members over there, heads down now—not shouting out now, are they? Because they're all guilty by your association. By your deeds, we know you. You're damned useless. You should have been protesting back then. In whose interests? In the interests of your constituencies, in the interests of ordinary people—

Hon Kieran McAnulty: Keep slurring, old man.

Rt Hon WINSTON PETERS: —in the interests of young people. No, no, no no—I'm not losing my hair. I might be growing old, but I ain't losing my hair like somebody I know—

Hon Kieran McAnulty: Lost his mind.

Rt Hon WINSTON PETERS: —and besides which—look, mate, you were senile when you were 20 years younger. You were senile then. You weren't making sense then. I know you're just jealous, but I'll tell you what: I'll be around here long after you're gone.

Hon SIMON WATTS (Minister of Revenue) (15:20): Well, thank you very much, Mr Speaker. Under this Government, house prices have stabilised, and first-home buyers made up 28 percent of the market in February—the highest proportion in more than 20 years. Rental affordability has improved by 7 percent since December 2023. GDP is growing and inflation has fallen from a peak of 7.3 percent under the previous Labour Government. Manufacturing activity has reached a four-year high, with orders at their highest level since July 2021. These are not just signs of a recovery; they are evidence that our plan is working to fix the basics. Our responsible economic management is building the future that New Zealanders deserve, and people across this country are recognising that change. The effects are even more felt beyond New Zealand. Our recovery is contributing to more New Zealanders returning from Australia, with an additional 12,800 people choosing to come back to help shape New Zealand's future.

However, this hard-fought recovery has never been more at risk, with policies from the other side of the House that could reverse it all and send us back to stagnation that had taken hold before this Government came into office. A capital gains tax would affect every single New Zealander who invests in small business, rental properties, and funds such—

Hon Damien O'Connor: Point of order, Mr Speaker. I don't do this very often, but for such a senior member to be reading a speech in this House, when clearly, we know Standing Orders

prevents the reading of speeches, and he should at least make an effort to have a little bit of an ad hoc contribution.

SPEAKER: Well, I didn't hear his contribution as read—I heard his contribution as a flow taken from notes, which, as the member knows, is perfectly reasonable.

Hon SIMON WATTS: Well, it's pretty obvious that when I mentioned the words "capital gains" it starts to get a little bit of concern from the other side. But I tell you what, have a little think about poor New Zealanders who will bear the brunt of a capital gains tax by a Labour Government. I can tell you what: no New Zealander wants that as a future.

That's why, on this side of the House, as a Government, we are focused on fixing the basics and building the future. We are focused on investment, ambition, and also innovation; not putting more costs on businesses and households. We've been hearing also—and this may get a reaction—about the concept of a wealth tax from the other side of the House. Well, a wealth tax is a tax on envy, and that should be a legacy of the past. It has no place in this nation's future.

On this side of the House, we are ambitious about this country. We are focused on economic growth, we are focused on increasing productivity, and we are focused on increasing jobs. Backing that innovation will create more opportunities for New Zealanders. We know that Treasury numbers have signalled already that even a small wealth tax of around 2.5 percent would trigger a behavioural response in the region of 40 percent. What that means for those watching at home is that is less investment in the New Zealand economy, less growth, and more borrowing to fund political promises made off the back of shoddy promises.

When the money from these taxes doesn't come in, instead it goes offshore, every single Kiwi household and business will pay the price for that. More taxes; less growth. We can see that the contrast between a National-led Government and the Opposition is no more clear than because of the reality that an increase in taxes will stymie our economic growth as a country. That is why I am very proud to be part of a Government that is focused on improving the outlook and benefits for all New Zealanders. We have spent a significant amount of time fixing the basics of which we have inherited. We have also spent considerable time building the foundations and platforms to build a better future for this country.

The election on 7 November places the reality of this in a significant light. If we do not continue to implement the changes in which this Government have undertaken and reformed in the past 2½ years, we put at risk and we put at threat that progress. The only people that will pay the price of that threat not being continued are New Zealanders. We owe it to them to do better.

Dr LAWRENCE XU-NAN (Green) (15:26): Thank you, Mr Speaker. Once again, we're seeing Te Tiriti o Waitangi in our education system under attack by this Government. We have already seen some of the submissions and also some of the findings at the Waitangi Tribunal over the removal of section 127 in the Education and Training Act. It has been considered and it has been noted that the Crown has breached its Tiriti obligations, yet we're seeing just in recent weeks that the New Zealand Qualifications Authority (NZQA) is proposing to disestablish Ngā Poutoko Aromatawai Māori. This is a serious concern for ākonga Māori, for whānau, for mātauranga Māori, and for kaupapa Māori in our education system.

Ngā Poutoko Aromatawai Māori was established in 2021 to bring together dispersed kaupapa Māori assessment functions throughout the assessment division of NZQA into a single, integrated, organisational capacity. It looks after aspects of that assessment and aspects of Māori education in general. But what we have seen is this proposal to disestablish the unit without consultation, with no Māori in the leadership roles within NZQA, no Te Tiriti impact analysis, no consultation with ākonga Māori, whānau, hapū, or iwi. This should be a concern for everyone. This, in particular, should be a concern for this Government when we have a Minister of Education repeatedly suggest and note that it is her responsibility to uphold Te Tiriti obligations as part of the Crown, yet we have seen that being violated again.

It is important to note that with Ngā Poutoko Aromatawai Māori being disestablished, we will see immediate and long-term impacts to our ākonga. We're going to see that rather than having mātauranga Māori being integrated as a part of our education system, it will be continuously treated as an add-on. We'll see a moving away from some of the core fundings that we're seeing for kaupapa Māori education. We have already noted that despite repeated evaluations and

reviews where we know that for ākonga Māori they have achieved success and also succeeded within a Māori-medium context, we do not see the level of funding that is reflected in puna reo, kōhanga reo, and kura kaupapa settings.

We are seeing that once again the Government not only has let down ākonga Māori in Māori medium but also the 97 percent of ākonga Māori in the English-medium setting. We're seeing again that rather than achievement outcomes as Māori, this Government is only interested in achievement outcomes for Māori. We are seeing the undermining of matauranga Māori, of taonga Māori, and of that breach and violation of article 2 of Te Tiriti o Waitangi.

It is important for us to note, as we are moving forward as a country, that the Tiriti obligation within our education system is paramount. The Green Party, as a Tiriti party, is fully committed—myself as well as our Māori education spokesperson Hūhana Lyndon—to upholding Te Tiriti o Waitangi, as well as the original intent of Te Mātaiaho, to ensure that we have an education system that is for all of us, not simply what we're seeing, which is a whitewash of our current education system. We are deeply concerned with the proposed disestablishment of such a unit.

Hon MELISSA LEE (National) (15:31): Thank you, Mr Speaker. National has a long-term plan to fix the basics and build the future. At the heart of that plan are mums and dads who balance hard work with the pressures that come with raising their children. In June, Christopher Luxon announced that a re-elected National Government will make unconditional KiwiSaver contributions for working mums and dads who choose to take paid parental leave and are sometimes not contributing themselves—the Government will step in. That's because we know that many parents choose not to contribute because it is the time when everything is so expensive with a new baby. I remember 27 years ago, nearly 28 years ago, when my son was born, everything was strange. Everything was so expensive. You had to get nappies, you had to get cleaning products to actually clean the bottles which was different to normal dishwashing detergents, and you also had to sanitise them. You had to do so many things that, as a new parent, you have to discover, and it takes a lot of time and effort, and it is actually very expensive, and so the Government is coming to support these new parents, to make sure that we are helping them contribute to their superannuation so they can have better savings for their retirement.

Now, we're talking about the next steps to modernise paid parental leave as well. The arrival of a new baby should be the happiest time, but sometimes it is really difficult. As I said, 28 years ago, when my son was born, I didn't realise that parents actually didn't have much sleep, sleepless nights, and I didn't even know how to change nappies, and all of that comes with being a new parent. The modern economy depends on parents being able to take the time that they need with a new baby so that they can return to work with confidence. That is why a re-elected National Government will gradually increase paid parental leave to 30 weeks by 2029. We will start contributing to 27 weeks in July 2027—that is more than what we currently have—followed with increases in 2028, and ultimately, in 2029, we will lift the entitlement to 30 weeks. That is with the long-term vision that we will get to 40 weeks of paid parental leave in the future.

We are making this commitment to paid parental leave, as well as making it more flexible. Currently, parents who actually get paid parental leave only have 26 weeks and they cannot take it at the same time. It's either the mum or the dad who can take parental leave, and we want to make paid parental leave more flexible so that they can take the paid parental leave together, all at the same time, or separately. That is what New Zealand's National Government will deliver for people.

Under our policy, parents will actually have the option, as I said, and it means that we also protect the changes in the new Employment Leave Bill that remove an unfair penalty on working mums and dads who take paid parental leave as well. Annual leave is currently paid based on average weekly earnings over the previous 12 months, and if parents take paid parental leave, that means that when they do take the leave, then it is much smaller, and so we want to make sure that the parents are not punished as a result of taking leave.

I think everyone who is a parent will agree that it is a very special time when newborns are born.

Dan Bidois: It's the best time.

Hon MELISSA LEE: It is, in fact, the best time, but also the worst time because you are running on very, very, small amounts of sleep. I remember my son was the most terrible sleeper.

He only slept for, like, an hour at a time. In the middle of the night, you're waking up, and me being a nice partner to my then husband, I wanted him to sleep, so I would wake up and do the nursing and take care of my son. But that is so bad when you're trying to cope with a new baby with the view that you will ultimately return to work. I did eventually return to work after five weeks of my son being born. I didn't have the kind of paid parental leave—we are very generous in this country—that we have now.

I think it's wonderful that the Government is actually supporting new parents to be able to share paid parental leave in terms of time, and doing it together, or it is ultimately their choice. They can do it separately; mum can take 10 weeks and then the dad could take so many weeks. They can split it or do it together. I think it's a wonderful thing and I'm really proud that the New Zealand National Party is actually committed to fixing the basics, delivering a greater future, and building the future for New Zealanders.

Hon KIERAN McANULTY (Labour) (15:36): That wasn't really the speech from someone that was confident they are going to come back in a few months was it, and it wasn't really the speech of a Government that are confident that they have delivered for this country. The lack of energy coming from the Government side today is quite telling, and it is no real surprise that the National Party are worried. They keep looking at the polls and they keep seeing themselves languishing in the twenties, and there are MPs in marginal seats who know, deep down, they're not coming back, and there are list MPs over there who think, "Gee whiz, there's actually a genuine chance that we might not have any list MPs!"

In that context, is it any wonder now that the National Party, the party who has opposed the introduction of paid parental leave, the party that has opposed the extension of paid parental leave, are desperately trying to rewrite history now doing a speech—a lacklustre speech that it was, but a speech nonetheless—and did you hear her say only 26 weeks? She tried to claim that parents only get 26 weeks of paid parental leave. The question I have for the National Party is: why did you vote against it?

They voted against it because they don't believe in it. They never have believed in it, and, actually, New Zealanders have seen right through it. This is not a policy announcement of a party that believes in supporting working parents. This is a party that is worried about their jobs. It is a party that is worried about their re-election chances, not about supporting parents. If they were about supporting parents, they wouldn't have shafted women workers by scrapping pay equity. They would not have pulled back on many of the support structures that families and young working parents need in this country that they have pulled back. Add in the disability community; add in Māori; add in young and low-wage earners; add in those on the minimum wage. There is a long list of people that have paid for this Government's dumb decisions and their prioritising of landlords, tobacco companies, and oil companies over working families and workers in this country. Then, they try and turn around, thinking that New Zealanders are thick and that they're going to swallow what this Government is giving them and say, "Don't worry, we have always been the party of paid parental leave." Nonsense. Absolute rubbish. They try to hoodwink New Zealanders, but New Zealanders simply will not fall for it.

Just look at the behaviour of this Government today: they've issued some public relations claiming that they have built 3,000 houses in Auckland. What a load of rot. It doesn't take a genius to figure out they promised 1,500 houses in Budget '24, and 600 houses in Budget '25—that doesn't add up to 3,000 houses. Also, if you actually dive into it, how many houses have they built? There were 270 out of Budget '24, and 263 out of Budget '25. It takes a special type of person to have a special type of confidence and, I would argue, arrogance, to think that you can actually only build 270 and 263 and then try and pretend to New Zealanders that it adds up to 3,000. Why are they doing this? It is because their record on delivery on housing is so abysmal that they have to count redirects and they have to count the houses that were funded and commenced under the last Government.

Why are they doing this? Because Nicola Willis signed a pledge that this Government would increase the number of houses in Auckland by 1,000 a year, and they know they're not going to meet it. They know deep down that there's yet another broken promise by this Government, so they've tried to do a little bit of creative accounting to make it look like they've done it, but they haven't. People involved in social housing know they haven't. People that need social housing—God knows they know that this Government hasn't delivered. But their arrogance is so much that

they think that they can say something and New Zealanders will swallow it. Well, they have had three years of broken promises, they have had three years of empty promises, they have had three years of infighting, and New Zealanders are sick of it.

Even in question time, they can't help themselves. They've given up, to some degree, trying to talk about their so-called achievements, and now they're asking patsy questions of themselves to have a crack at their cooker mates in New Zealand First—it's quite extraordinary. They are worried because the National Party is leaking votes to New Zealand First, and God help us if that party continues to grow, because I would hate to think what half-cooked ideas they come up with next. New Zealand has almost run out of tinfoil because of that crowd over there. Just listen to Winston Peters' speech today; it was actually quite extraordinary.

New Zealanders are pretty clued up to this, though. They know that the National Party's empty promises have gone on too long. They know they're full of it, they know they're a pack of blowhards, and New Zealanders won't back them. My pick is half of them will lose their jobs, and they deserve it.

DAVID MacLEOD (National—New Plymouth) (15:41): Thank you. I will start my general debate speech with 10.93 seconds—that there is the time it took Zoe Hobbs to get down the 100 metres at the Commonwealth Games earlier this morning, the first New Zealand athlete to be able to win the 100 metre sprint in a Commonwealth Games.

Hon Damien O'Connor: Tell us what you've done!

DAVID MacLEOD: I think it was an extraordinary outcome and one that I'm sure everybody, including the person heckling from the other side, should all support in congratulating Zoe.

Grant McCallum: Where's she from?

DAVID MacLEOD: Where is she from? That's a good question. She happens to be from Taranaki. Thank you—Taranaki. She is a very proud athlete and an athlete that I know that New Zealand is very proud of.

It's been a great couple of weeks for New Zealand in sports. Ryan Fox—what an outcome with that one! Ryan Fox winning the The Open Championship, otherwise known as the British Open, and what an amazing last round he had. He had a rare round on the last six holes. He birdied numerous of them, but I want to talk about one hole. That was the 15th hole. On the 15th, he drove a very good drive, but unfortunately not quite good enough. It fell into a bunker and it fell into an extremely difficult position. It was so difficult that when he got there, he made a very quick decision, because Ryan Fox is now renowned worldwide for making very quick decisions and getting on with the job. He took his medicine, he hit the ball away from the hole backwards—he took his medicine. It was a par 3; that was his second shot. He hit it on to the green, close enough for him to be able to put the ball in with his putter. He first-pumped when he got it in there because he knew that taking his medicine was exactly the right thing to do.

Why am I talking about that? Well, a Government of the day has to make difficult decisions at times, and this Government had to do that very early on in this term. Early on in this term, we had to make a very challenging decision to do restructures through numerous departments, numerous agencies, where—and my heart goes out to the individuals—people actually did lose their jobs as a result of the restructuring.

That is the medicine that this Government chose to take. Why? Because we feel it is critical for us to reposition our Government moving forward to be in a strong position to be able to cater for any catastrophes or anything like that that comes our way. We are an island nation in the middle of the South Pacific, we are exposed to earthquakes, we are exposed to cyclones—all that type of stuff. So we want to make sure that our books are in order, and one of the tough decisions was indeed what I just mentioned.

It is said that, in terms of the employment of bureaucrats within Government, the norm of the past, historically, has been about 1 percent of GDP. Well, we saw an expansion since 2017 to 2023, going from 48,000 up to 65,000 people employed by the Government of New Zealand—65,000. One percent of that is not the population of New Zealand. We have an intention as a Government

to head back to that 1 percent over time—55,000 by 2030 is the anticipated level that we're aiming for, and we're on that journey.

I want to talk about tax. Tax is a choice; revenue generation of a Government of the day is a choice. You can generate it from taxes, and you can generate it by borrowing more money. And didn't we see that from the previous Government? We are endeavouring to get that under control, and I congratulate the Minister of Finance on the great work that she has done over the Budgets where she's been here. They measure the actual balance sheet of a country as debt to GDP. And it is said that the sweet spot is somewhere around 33 percent to 34 percent. We are now close to that through some tough decisions that we've had to make.

A lot of people would not realise how much tax we actually gather annually. I look to my members beside me. What is the total amount of tax that we actually gather from New Zealanders every year? If I ask that to a layperson, they wouldn't know. I can tell you that it's in the vicinity of \$146 billion.

Dan Bidois: That's a lot of money.

DAVID MacLEOD: That is a lot of money. We get more revenue from the likes of the State-owned enterprises with their dividends, and many other places as well. Our total revenue is about \$184 billion. We need to be very careful with every dollar we spend.

Hon Dr DEBORAH RUSSELL (Labour) (15:46): Clearly, David MacLeod knows that, come 8 November, the excellent Amanda Clinton-Gohdes will be coming to this House as the MP for New Plymouth, and that's why we had an audition to be a sports reporter over there.

As I stand here today, we've come through yet another set of storms in New Zealand, storms that have taken our roads out, storms that have created flash flooding, storms that are perhaps not more frequent than they used to be but are certainly much more intense because of climate change. That's having a real and serious effect on our country. If we're reading the news of the world, people would have seen that there are extraordinary forest fires in Spain and in France, fires that are perhaps not started by climate change but are exacerbated by it, so that one fool with a Zippo can start an enormous fire because the air is dry, the tinder is dry, and there is not weather coming through to put a fire out. And so enormous firestorms have swept across those countries. The same thing has happened in Canada.

Climate change is real and it is happening now. Worldwide, we have had a real response to climate change. In fact, we need to do our bit. It won't make a lot of difference what New Zealand itself does, but we need to do our bit as part of a world community to reduce our emissions. Even if we hadn't committed to Paris, our trading partners are demanding that we do our bit. Just in this last few days, I've heard that supermarket chains like Waitrose are starting to question our commitment to sustainability, and they are the purchasers of our products.

So even if a person didn't believe in climate change, their insurance company does. Even if we thought we shouldn't do much here in New Zealand, our trading partners think we ought to do our share. But last week, what have we heard in terms of New Zealand's work towards reducing emissions? We are at risk. The independent Climate Change Commission has presented its annual monitoring report, and it turns out that, now, in terms of meeting our second emissions budget and our third emissions budget, we are at significant risk of not meeting those budgets, of not doing our bit. The policies of the current Government, they said, will put us at significant risk of not meeting our climate budgets.

And then they pointed out that what we need to do is accelerate decarbonisation. We need to move faster now, within the next 12 to 24 months, to start working harder on decarbonisation. But here's the thing: working on decarbonisation saves people money. It saves people's back pockets. It's cheaper to work on decarbonisation than it is to continue with the current high-emissions processes.

Let's start with the simple things. Alternative transport modes save people money. Making public transport less expensive gets people on to public transport; it reduces emissions. Using modes of transport like walking and cycling saves people money, and it cuts emissions. Promoting those alternative modes of transport now would make a difference. Electric vehicles make a difference. On current purchase prices, buying an electric compact SUV saves you about \$7,000 over five

years, in comparison to buying the same type of vehicle that is driven by petrol. Over time, electric vehicles are cheaper, and they save emissions. This is what the Climate Change Commission is telling us. Solar panels save people money; it's cheaper, and it creates resilience during climate disasters. That's the sort of action we need, and the Climate Change Commission is urging us to take this action now, because—because—it will cut our emissions, because it will help us to meet our climate budgets, and because it will save us money.

GRANT McCALLUM (National—Northland) (15:51): Thank you, Mr Speaker. Well, if there's any issue that defines the difference between this side of the House and the Opposition, it is tax. In fact, the Opposition are nothing more than the coalition of tax, a coalition of taxing ambition and success. As we approach the election, I say to those parties on the other side, who are obsessed with campaigning on increasing taxes, "Go ahead, make our day."

What are the taxes they've all come up with so far? And this is only the start; it's only just starting. We've had the ute tax. We've got the fart tax, the land tax, the tax on landlords, the higher company tax, the new income tax thresholds, a ghost tax, a wealth tax, a capital gains tax, and inheritance tax. That is quite some list—that is quite some list—of taxes. So let's work through a few of these and the impacts they have on people's lives, starting with the ute tax, which was nothing more than a tax on people that work hard and prop up our economies: people like the tradies—the electricians, the plumbers—that come round and do those jobs for you, or the farmers who had no choice but to buy a ute to help run their farms. There was no alternative, so guess what, they had to pay the tax.

Then there's the fart tax—

SPEAKER: Hang on—wait. I let that go once, but not twice. It's not called that. Call it by its proper name or don't bother to continue with the speech.

GRANT McCALLUM: Sorry, Mr Speaker. A tax on methane emissions—there we go. I think that's more appropriate. Thank you, Mr Speaker. I take that on board.

SPEAKER: Now everyone knows what you're talking about.

GRANT McCALLUM: Ha, ha! Oh, I think they knew, Mr Speaker!

SPEAKER: I don't think so.

GRANT McCALLUM: The emissions tax for methane, right? All that was going to do was tax the farming community of New Zealand, which is propping up this economy and getting us out of the hole we're in, which the last lot left us in. That is all that would do.

Then we've got this thing called a land tax. Let's think about land taxes. People get brassed off enough about rates and having to pay rates, right? Well, this is just another form of rates, because everyone is going to pay it. For example, if you've got a house that's worth \$500,000, that's another \$8,750 that you'll have to pay, given some tax policies out there. If you're a farm worth \$5 million—a lot of farms are worth at least that—that's another \$25,000 per year that you have to find. What a waste of money that is, and unfair on those landowners.

Then there's a tax on landlords. Yes, we know all about that. They seem to go on and on and on about it, forgetting the fact that all it is is a genuine business expense for people that are actually renting out houses, saving money, building up some equity for their retirement, and renting out houses for people to live in, whether they be students or retirees who need somewhere to live, for example. You've got higher company taxes, right, which, of course, will not exactly encourage people to come and invest in our country. And then you've got the new income tax thresholds. Well, that's just a jealousy tax. It means, if you work hard, they're just going to punish you more. That's clearly what that's about.

Another one that's of quite a bit of interest is the wealth tax. Well, that's just another way of taxing people for being successful. And it's a tax you just have to pay, regardless of your income for that year. It's just crazy, unfair, and unrealistic. Then there's the second to final tax—there's one more after this—the capital gains tax. The other lot are obsessed with capital gains tax, because, once again, they don't want you to get ahead in life and build up equity in your businesses. But then there is the inheritance tax. All your life—all your life—you've been paying your taxes, building up

assets, and guess what! When you die, they have another go at you. The Government taxes you again. It's just totally, totally unfair and what you would expect from people on the other side, who just do not accept that people should be able to get ahead and get rewarded for that. It's complete socialism.

I'd just like to finish off—and just with the inheritance tax—actually, no, going back to the land tax, I just want to make a reference to a great article written by—the wealth tax, actually—Thomas Coughlan this morning. He wrote in the article—he quoted from Phil Whittington—“I think it's a risky policy, and I would expect that if it became more likely to happen, the very wealthiest would start getting their affairs in order and leave.” There you go.

SCOTT WILLIS (Green) (15:56): This Government really has fossil gas on the brain, and it's not particularly healthy. I've heard the member opposite demonstrate just how unhealthy it is. We know the effects of fossil fumes: they accelerate cognitive decline. This certainly seems to be the case for the Government. The Strait of Hormuz is shut. The price of liquefied natural gas (LNG) continues to spike. No one—not the OECD, not Frontier, not Concept Consulting, not the Sapere report—no one—thinks LNG is a good idea, except this Government, and they're pressing ahead against expert advice. Their neural connections certainly are not sparking.

What did National tell us prior to the 2023 election? They said electrification was their goal. They said, “We need to double the amount of renewable electricity generation we produce from New Zealand's abundant natural resources, particularly solar, wind, and geothermal. National will make it happen.” That's what we were told—that they are fixing their basics and building the future. Absolute bollocks. They are failing on the basics and screwing the future. We just heard that this Government—

SPEAKER: Mr Willis, I have reminded others today about the use of intemperate language, and I would suggest that you take that advice into account for the balance of your speech.

SCOTT WILLIS: Thank you, Mr Speaker. We've just heard that this Government is preparing for a coming catastrophe. They are the catastrophe. Now they're going to make us all pay for LNG by making gentailers buy LNG. Is this a Government of body doubles? Come on! Were they just spouting bulldust on the election trail and had no idea, really, about what they were going to do? It certainly looks like that. This is a Government that has refused to work on a national energy strategy and, instead, seeks to lock us into a costly fossil-fuelled future for the next 15 years, governing through Trump-inspired ad hoc-ism. No one—no one—undertakes a complex transition to electrification without a strategy, and now we risk volatile price spikes, grid instability, and a hefty bill for missed climate targets.

Remember, this is the Government that slashed the Clean Car Standard, put extra-high road charges on electric and hybrid vehicles, cancelled funding to councils to fund electric buses, cancelled the Government Investment in Decarbonising Industry Fund, and is offering a \$200 million subsidy for the fossil fuel sector through the Gas Security Fund. It is a Government in open climate denial. It is overseeing the active de-industrialisation of our nation, as energy prices continue to spiral out of control.

On top of this, this is a Government openly inviting artificial intelligence (AI) data centres to come and use our electricity. The Prime Minister said yesterday, “we want to attract a lot of data centres to New Zealand.” But the Government has no rules in place around energy supply or water use. In fact, the Prime Minister seems to have drunk the Kool-Aid, like the members opposite, and seems to have not understood that AI data centres do not make money. There's already a global oversupply of AI compute capacity. The customers for these facilities are businesses that are wildly unprofitable, and yet the Government wants to fast-track AI data centre deployment with no idea on the impact on electricity prices for ordinary Kiwis.

No strategy, no plan, no vision—a Government bereft of ideas and unwilling to lead. We could do so much better—we could do so much better. I am so proud to lead the energy transition for the Green Party of Aotearoa New Zealand. Just over a week ago, we launched our energy policy, “Power for all of us”: affordable household power, energy access for renters, community and public ownership, public and Māori housing initiatives, Kiwipower, and energy security.

The debate having concluded, the motion lapsed.

Bills

ARMS BILL

Legislative Statement

Hon NICOLE McKEE (Associate Minister of Justice) (16:02): I present a legislative statement on the Arms Bill.

ASSISTANT SPEAKER (Greg O'Connor): That legislative statement is published under the authority of the House and can be found on the Parliament website.

Third Reading

Hon NICOLE McKEE (Associate Minister of Justice) (16:02): I move, *That the Arms Bill be now read a third time.*

I am honoured, on behalf of the Government but, most importantly, as a Minister for the ACT Party, to bring to the House today and complete, by way of third reading, the Arms Bill. Before I start, I'd just like to reminisce or think about how we got here. Six years ago, David Seymour saw the potential that I had. He thought that I might be able to come to Parliament and make a bit of a change. With his support and the support of the ACT Party, I've been able to come to Parliament and rewrite the Arms Act and modernise it. I thank David Seymour for his support, his trust, and his confidence in me to be able to do so.

Hon David Seymour: All well placed.

Hon NICOLE McKEE: Thank you. I'd also like to take a moment of time to think about and talk about one of the main architects of the Arms Act, Mr Bob Badland QSM. In 1983, he, with a few others, actually went about writing an Arms Act. They spent two years doing it. Mr Badland will be turning 90 years old tomorrow. He is very, very sick. I just want to acknowledge him and his contribution to firearms.

I also would like to acknowledge Matthew O'Connor, my adviser, who for the last six years has helped us get to this place. You have been my rock when it's come to working through the different clauses and everything we've had to do with the Arms Act. It has been quite a trip, especially in the last three years. Thank you, Matthew.

I'd also like to acknowledge the Ministry of Justice firearms team. Wow—what a three years we've had. I am so privileged to have such a strong team beside me and behind me helping to get this great piece of legislation that we have before us now. ACT MPs who have also supported us and what we've tried to do—my colleagues here; I would not have been able to push as far and as hard as I have been without them.

I also think it's important to acknowledge my family. For the last six years, they've had a mother that's not been there and they've had a lot of abuse—personal abuse, attacks, threats—because of the work that I've tried to do. I know they're proud of me, and I'm proud of them, because they've stuck beside me through thick and thin—get that out of the way.

I stand in front of you wearing a korowai that the Council of Licensed Firearm Owners gave to me six years ago. They placed it around my shoulders, and they told me that I had the weight of licensed firearm owners around my shoulders. I have hung this korowai in my office for the last six years, and every time I've made a decision about firearms, I've looked at the wall and I've looked at that, and I've had the best intent for all firearm licence holders throughout New Zealand in every decision that we've made. I thank them for their ongoing support, I thank them for their submissions, and I thank them for the trust that they've had in me.

Firearms are used by licensed New Zealanders to put food on the table, to earn a living, to manage pests, to humanely dispatch animals, to compete in sports, and to enjoy the outdoors. These are all legal and legitimate activities. The process that we've gone through to get to this firearms legislation has been robust, and it's included three years of getting to this state with consultation and with select committee due process—a full six months.

I have commended the Justice Committee for the changes that they've made and, also, for the unanimous support that they've had on the changes within the Arms Bill to improve it for the future. It's disappointing that they won't be supporting it. I think it's more about politicking when it comes to whether or not they want legislation that will see us through into the future and give us another 40 years of really good arms law. I do not understand their reasoning, especially when they have, as I said, unanimously supported changes. I mean, to vote against this bill is effectively saying that they'll be voting against stopping gang members from getting licences, and I just simply don't understand that.

Respect for licensed firearm owners will be made as a point of this bill, especially by separating the Firearms Safety Authority from New Zealand Police, once again rebuilding trust and confidence in the system, and ensuring that the licensed firearm owners are once again treated with respect, because they are fit and proper people. They have been judged to be so, and they must maintain that, continuously, throughout their tenure of having a licence. How hard has it been on them for the last seven years as they have been demonised—demonised—by the media, demonised by others, especially Opposition political parties where they have been conflated as being nothing more than criminals, when the reality is the legislation that went through in 2019 and 2020, rushed as it was, without any consultation, without due select committee process, didn't address the issue of unlicensed criminal behaviour. Instead, it pointed the finger at those that conform and those that do behave.

These legislative changes that we're making will do some greatness, I think, towards being able to show and build trust and confidence in a regime again. From 23 September, we will have Firearms Safety and Education New Zealand. Of course, with the education part, it's not just about educating licensed firearm owners on what their new conditions will be in order to comply, but about educating the general public that lawful use of firearms is actually OK in New Zealand. We've been doing it for decades. We contribute to conservation, we put food on the tables, and we win gold medals. We win gold medals at international competitions, and that is nothing to be ashamed of.

We are changing a whole lot of things in the Arms Act. We are ensuring that, for example, large-capacity pistol magazines are being regulated, only being able to be held by those with pistol licences—closing a loophole that was similar to what the terrorist attacker used in the past, but wasn't closed in the rushed 2019 legislation.

We're introducing infringement notices so that people can be educated on a pathway of how to comply, instead of just having revocation. We're extending dealer licence durations. We are making sure that gang members cannot get licences. We're introducing the Firearms Licensing Review Committee. But at the end of the day, what we're doing, is giving that trust and respect back to the LFOs—the licensed firearm owners. Most of these changes and supporting regulations are going to come into effect on 23 September 2026, with the remaining provisions by 23 February 2028.

There's only one party that stood apart from all others, and that same party has come in to fix the Act. We are updating; we are modernising, consolidating, and giving clarity to this law. We're keeping firearms out of the hands of criminals while making compliance easier for LFOs. We're giving licensed firearm owners back that respect that they so deserve for being and maintaining fit and proper law-abiding status. We're fixing what matters, not just for licensed firearm owners, but also for New Zealand.

I have appreciated the opportunity to bring my skill set to this House and effect positive change for our country. I see the Greens member shaking his head over in the corner. I'd just remind him that firearm ownership and public safety are not in conflict; they actually go hand in hand. If the member was able to respect licensed firearm owners for the law abiding, fit and proper people that they are—and he's shaking his head, even though he is one of them. I guess that speaks quite a lot.

At the end of the day, ACT has done this, and, on behalf of the Government, we will have an Arms Act 2026, and I am so proud to have brought this to this House. I thank my colleagues across the House for their support to bring in one of the best laws in the world again.

ASSISTANT SPEAKER (Greg O'Connor): The question is that the motion be agreed to.

Hon Dr DUNCAN WEBB (Labour—Christchurch Central) (16:12): Kia ora e te Mana Whakawā —thank you for that. Look, the Labour Party has always supported the responsible use and licensing of firearms. It's simply not accurate to say that there's been any demonising of licensed firearms owners. The Minister referred to the reforms that all but one member of this House, at the time, supported, which was to put an effective ban on semi-automatic weapons.

Now, the Minister came to Parliament and said that she was going to reverse that ban. Indeed, to her credit, she came to the Justice Committee and spoke to the committee about this, and, in fact, indicated that it was her hope that the regulation-making power in less legislation would enable her to permit people to use semi-automatic weapons—in particular, I understand, for sporting purposes. That caused real concern at the select committee for myself and other members. We were very careful and queried our officials, who assisted us ably, about this very matter. It was made clear to us that the Minister doesn't have sweeping powers to deregulate the use of semi-automatic weapons, and such a wide-ranging use of those regulation-making powers would be *ultra vires*.

Semi-automatic weapons can be used in New Zealand for very limited purposes—pest control being the primary reason—under special license. It's a restricted firearm, and that's the way it should be, and that's the way it will stay. Having said that—and the Minister seemed to be confused as to the Labour Party's position. Let me put it very clearly: we absolutely support the responsible regulation of firearms, and that's why—as we went through the bill and, with the cooperation of all parties around that table, improved the regulations, made them more workable, made New Zealanders more safe, and, essentially, made the bill a more effective thing—we supported the changes that were made.

The problem is that this bill is built on a poor foundation. One of the main things—the critical things—that the Minister didn't really refer to in her speech is the removal of the regulation and supervision of firearms from the police to a new Firearms Safety Authority. She has been very clear that she wants the police to have nothing to do with the regulation of firearms. This new firearms safety authority, which will probably, it appears, sit within the Police—its support services will be provided by Police—this regulator will not have any police assistance, intervention, or support. That seems very strange to me.

Within the Police, we have a huge amount of expertise around firearms. Not only are they one of the agencies that uses firearms and has the technical knowledge of firearms but they also have a long history of being involved in the regulation of firearms—and, look, to be perfectly honest, within the framework of the Arms Act, they've been doing a pretty good job. But the Minister, for one reason or another, has listened to the Council of Licensed Firearms Owners—the lobby group that she, previously, was closely involved with—and has set up an entirely new agency. We think the Police are the proper agency to supervise the use of firearms.

Firearms are many things—and I think it's really important to recognise that firearms can be tools for pest control; they can be recreational, for hunting; they can be sporting, for target shooting. They also, of course, can be weapons—either in the hands of the right people, such as police and armed forces, or in the hands of the wrong people, such as gangs and other criminals and people with malicious intent. This isn't just about making life good for licensed firearms owners. It's also about keeping New Zealanders safe. There is a balance to be struck, and the existence of a firearms register is an important part of that, so that we know who owns firearms and where they are at any given time.

We worked through a lot of detail. If you lend a firearm to someone, how long do they have before they have to actually register it? If you give it to a gunsmith to get fixed, how long do they have to do it? What about visitor licenses—what's the duration of a visitor licence? All details, but taken together, they create an ecosystem of rules that strikes a balance between the ease of use for responsible people who want to use a firearm in an appropriate way and making sure there's not a gap.

When I speak about gaps, there's one thing that was raised very late in the committee of the whole House and, to be perfectly honest, too late for us to do anything meaningful about it. That is the emergence of push-button firearms—a kind of firearm that, although it's not new, has found its way into jurisdictions that have put tough restrictions on semi-automatics. This is a firearm that can be fired roughly as quick as a semi-automatic by the use of a trigger and using the gas of the

discharge of the bullet to then reload, and by pushing a push-button, it's chambered, and then you can fire it again—all in the matter of less than a second. It's quite different from, for example, a bolt-action rifle.

Now, the difficulty here is that it's fundamentally or functionally equivalent to a semi-automatic, even though it uses a different mechanism. We hope the Minister will look carefully at these firearms to see whether—and they're currently being imported at far higher rates than previously. We hope the Minister will look at that, because she does have regulation-making powers, and whilst she can liberalise, in some ways, some regulations, we hope she will look at these and ask the really important questions around the safety and availability of these push-button firearms.

Ultimately, we do support much of what's in this bill, and we think the rules themselves are by and large workable and appropriate. We could nibble around the edges, but it's select committee, and it was a good select committee, and we did listen to a lot of submitters from right across the spectrum. We listened carefully, and some of them made some very good points about workability and the balance to be struck with safety. It has been well consulted on, and there's pretty much a consensus on the regulations themselves.

What we didn't agree on, and can't agree on, is the creation of this new agency. We're not convinced that the agency has the infrastructure and tools to do its job. We don't know if it's got the financing. In the committee of the whole House—and it's worth putting on the record here—the Minister was asked whether things like the information-sharing agreements are in place, and her answer was, "We're working hard to put them in place." Now, there's a lot of work to be done before this organisation, the Firearms Safety Authority New Zealand, is going to be up and running, and is going to have the people and the expertise and the systems and the resources in place. The irony is all of those things exist already, but for a reason of ideology, the Minister doesn't want the police to be the regulator of firearms. It wants an independent organisation, so the police cannot now go and look and search houses on the basis of the Arms Act; they'll have to find some other basis.

That's why we don't support the bill. It's a very clear and reasoned basis for not supporting the bill. Having said that, we'll always be prepared to work with any other party on fair, reasonable firearms regulation that balances safety with responsible use of firearms.

SCOTT WILLIS (Green) (16:22): I want to acknowledge the Minister for her work on drafting and guiding this bill through the process. I also want to acknowledge the Government members in reining back some of the more extreme aspects, so we do still have the firearms registry, and we have still ensured that semi-automatic centrefire weapons are not freely available. These are positives in this bill. I also want to acknowledge the Justice Committee and my colleagues there for the work that went into this, the thorough examination that went on, on this bill. It repeals the Arms Act 1983, so it's something that has been overdue. It's been needed to be done. I was just listening to the Minister earlier, and hearing about the Council of Licensed Firearm Owners representing just 5 percent of firearm owners. I really heard what I consider nonsense that firearm owners have been vilified. As a firearm owner myself, I have never felt under attack by the current regime. That is just a bunch of nonsense, and it really is irritating to hear the type of conspiracy, really, that is festering in the Government benches at the moment.

I certainly haven't felt, as a firearm owner, that I deserve any respect, either, and I haven't felt any disrespect to other firearm owners. I don't know where this language comes from. It's some strange idea that's cooked up by a bunch of conspiracy theorists by the sounds of it. We are in absolute support of responsible firearm use, and we are in absolute support of providing greater protection for public safety. That's why we took great interest in this bill. That's why, in the committee of the whole House, I proposed an amendment to the bill that is about essentially using the Arms Bill to ensure that we don't create more risk for hunters and for other people in our conservation estate. It's an amendment to deal with poaching by hunters, because currently we know that the law does not enable people to be prosecuted under the Arms Bill for what is incredibly dangerous activity. I can talk from experience. I have hunted in blocks that were allocated to me, and I've heard shots in very close proximity—people who were not allowed to be there, firing in my vicinity. One of the submitters John Knight, who submitted on the Arms Bill, has talked about the risk he has seen, and the risk that he fears for his family, on a block of forestry he owns, close to the Clutha River, where it is a known spot for poachers—where poachers come in and shoot animals, but perhaps one day they may shoot someone else.

This is a real challenge we have. There are still gaps in this bill. My amendment was designed—and I heard that the Minister has an intent that poaching will be able to be prosecuted—but I'm really disappointed that my amendment about "Unlawfully carrying or possessing standard firearm, air gun, ammunition, or explosive on private land. A person commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding \$15,000. If the person without lawful purpose carries a standard firearm, an air gun, ammunition, or explosive on private land without the express permission of the owner of that land, or possesses a standard firearm, etc., on private land without the express permission of the owner of that land possesses one."

This is an essential addition, we believe, to make sure we create a safe environment for people who are out there hunting, and for people who may not be hunting, but who are lawful owners of the land. We have examples that John Knight documented in his submission of a farmer killed on his Hawke's Bay farm, probably by a hunter—a murder, or an accidental death, that has never been solved. No one has come forward—some camouflaged armed man we don't know. This is what's happened in other places around the country.

So our concern with this bill is that it still has gaps. It is still not increasing the safety of Kiwis, and it still exposes Kiwis to undue risk, whether they are hunters out there hunting, whether they are people in our conservation estate, whether they are people on private land. There is still no clear mechanism through this bill to ensure that there can be prosecution for poaching or for unlawful firearm use on private land, or in the conservation estate, or on blocks that have been dedicated to hunters.

I have heard from the Minister that there is some intent to enable that. I would like to see some progress, and some clearer direction from the Minister, to make sure we can improve on this bill, and we can have more safety in our wild areas. Lots of work has gone into this bill, and the most frustrating part is that we almost got there, but the most disappointing part has been the antagonism directed at the police, resulting in the establishment of a new firearms regulatory agency, totally independent of the police. This, as my colleague mentioned earlier, is just nonsensical. This is where we have a problem with the bill. For everything else, we would have seen an improvement, and for everything else this would have had our support, but for that. But for this irrational antagonism, distrust of the police, who have been doing an exceptional job in maintaining the registry, and in maintaining the licensing system, up until this bill. The replacement of the police with an independent firearms statutory body is inefficient. It will be difficult to do, as we have heard, in the time frame that is given to it. It will reduce trust and confidence in our system, and it will complicate the sharing of intelligence.

So we have real questions about how much money—the waste; \$65 million of establishing a new agency that no one except for a very small proportion of conspiracy-laden firearms owners are calling for, and the Minister. This is such a waste of resource. There is no need for it, and this is why we are opposing this bill despite our desire to make progress in this space, because we do think that there is real value in much of what's in this bill. Unfortunately, this little bit has spiralled into the conspiracy zone, and, of course, we can do so much better.

At least we will have a new arms bill, and that arms bill almost certainly will be amended under a new Government to improve it. This is where we had much more of an opportunity to get it right, because this is not 1983; this is 2026. We should have been able to work a bit better to get all of our agreements aligned to make sure we got an arms bill that would endure for another 40 years.

So that's what's so ultimately disappointing with where we've got to. In my heart of hearts, I would like us to be in full support of this bill, and I've said so to the Minister. We think there's been a lot of good work done. It has just fallen with the unwillingness to compromise on what seems to be an irrational approach to how we manage firearm safety. We think it is very clear that the police should have that responsibility, are the right people for it, and can maintain that intelligence sharing that we so need to maintain public safety for all of us. Thank you.

TOM RUTHERFORD (National—Bay of Plenty) (16:32): Thank you very much, Mr Speaker. I'm not going to wallow in the misfortune of what might've been with this legislation. I'm going to firstly credit the Associate Minister of Justice, who has led the charge on this. This has been her baby for a long time. I look up to the gallery and I see the officials who supported and

guided both her and us as the Justice Committee through this process as well, and I acknowledge and I thank all of them for their tireless and hard work in this space, too.

The bill, ultimately, has two fundamental purposes that it's focused on delivering: to promote the safe possession and use of firearms in New Zealand, and to impose controls to prevent the possession and use of firearms for criminal activity. Surely, that is a good thing for public safety here in New Zealand. It's about recognising those firearm holders across the country who actually follow the law, follow the requirements set to them, and saying, "We trust you. We know that you know what is best, and we're going to empower you to do what you can." But, in the same breath, we're going to remove the powers for the bad people out there who utilise firearms for criminal activity.

That's why one of the points I want to highlight is ensuring that gang membership automatically disqualifies someone from holding a firearms licence. That is a good thing in New Zealand for public safety and for also recognising those lawful gun licence holders for what they actually do by not being members of criminal activity groups like gangs.

Two other points I really want to highlight are the more flexible rules regulating storage of firearms—that was one of the big things we heard on the Justice Committee, and allowing them also to be secured in locations that are approved by the regulator. Licensed firearm holders often know what is best and where is best suited for them to store their firearms, and so utilising their expertise and getting the guidance from the regulator is a good thing. The other thing this law does is it updates it, because, in 2026, with 3D printing technology, this is a dynamic space and this is an ever-changing space. The Arms Bill is bringing about changes to recognise 3D printing and other changes that are being made in this space so that legislation keeps up with changes we're seeing in our country.

This has been a substantial piece of work. The Justice Committee took our work on this bill extremely seriously. We worked collaboratively with the officials who guided us through the process, with the public submitters who submitted on the bill, and with the Minister who led the charge on it. Therefore, I commend it to the House.

Hon CASEY COSTELLO (Minister of Customs) (16:35): I rise on behalf of New Zealand First to speak in support of the Arms Bill, and I would like to take this moment to reflect on the Associate Minister of Justice, who has driven this work so admirably. She has openly consulted, engaged, and broadly connected with New Zealanders across the country to ensure we do deliver a positive piece of legislation that actually puts at the heart of this an ability to make it easier to enforce this law and it makes it easier to ensure that illegal activity is identified and prosecuted.

I cannot help—and I did this in the second reading. It is encouraging to me that yet again we have a Green Party member celebrating the importance, the integrity, the quality of the New Zealand Police force. I hope he is not a lone rider, that this is the Green Party turning around and recognising how wonderful our New Zealand Police force is and that they will continue to advocate in such a way about our New Zealand police officers.

But, to the bill, I would like to really recognise the fact that having a firearm safety authority, having a system of licensing—it is not so much about where it sits; it is about the fact that it is effective, comprehensive, clearly understood, and makes the process of obtaining a licence, retaining that licence, meeting the criteria that is needed to be a licensed firearms owner. I think that is an encouraging framework to work forward on. Every bill that we pass in this House will never be completely perfect, and the fact that we have members who are choosing not to vote on the fundamental good qualities of this bill because it's not quite perfect is really unfair to New Zealanders.

I think this is an impressive piece of legislation that has not just been important to New Zealanders; it's been important to gun safety overall. The fact that we had a 1983 piece of legislation that was just not fit for purpose and for many years has been kicked down the road as something we must get around to—the fact that someone has got around to it and has given us a piece of legislation that will enable us to ensure that we have fit for purpose legislation moving forward that protects licensed, law abiding firearms owners and holds those who would seek to use firearms in a way to harm, threaten, or damage New Zealanders is really important. Therefore, on behalf of New Zealand First, I commend this bill to the House.

ORIINI KAIPARA (Te Pāti Māori—Tāmaki Makaurau) (16:38): Tēnā koe e te Pīka. I rise on behalf of Te Pāti Māori to remind this House that Parliament's first responsibility is not to make regulation easier; it's to make Aotearoa safer. The first duty of any Government under Te Tiriti o Waitangi is to protect the people. When there's doubt, the Crown should lean towards safety, not convenience, and that's why Te Pāti Māori cannot support this bill. This bill asks the people of Aotearoa to place their faith in a theory, and that is that by making the regulator friendlier, the country will somehow become safer. But when Parliament legislates for firearms, hope is not a substitute for evidence. The Government says that this bill is about modernising the law, but the question is not whether it is newer; the question is whether it is safer.

Throughout this debate, the Associate Minister of Justice has been good at telling us who this bill helps, although she has been far less convincing in explaining how these changes will make our communities safer. Every concern has been answered with reassurance, but reassurance is not evidence. Confidence is not a substitute for proof. The burden of proof doesn't sit with those of us who want to keep safeguards in place; it sits with those who want to remove them.

At its heart, this bill reflects a particular ideology. Only ACT could look at firearms legislation and decide that the biggest danger facing our nation is too much paperwork. ACT has mistaken deregulation for reform. It sees safeguards as red tape. We see safeguards as the line between precaution and regrets. Reducing regulation isn't a public safety strategy; it's a political philosophy.

Let us be clear about something else: this debate isn't about responsible firearms owners; it is not about hunters, farmers, or sporting shooters; it is about the strength of the system that keeps everyone safe. Firearms regulation works because it's a connected public safety system—licensing, registry information, inspections, police intelligence, and operational policing all work together. The strength of that system comes from those connections. That's why the concerns raised about reducing Police involvement really do matter. The issue isn't whether civilian regulators are capable; the issue is whether vital information and intelligence can flow as effectively when those functions are separated. The question isn't whether a new system can work; the question is why this House would weaken a proven one before showing that the replacement is actually better. Firearms aren't paperwork; they are lethal weapons. Good legislation asks, "Will this save lives?"; too often this bill asks, "Will this save time?"

We can't discuss firearms laws without remembering why many of these protections actually exist. The reforms after the Christchurch mosque attacks were not written in theory; they were written in grief. The lessons of 15 March 2019 were paid for with 51 lives. Parliament should be extraordinarily cautious before deciding those lessons have become inconvenient. Those changes were never intended to be politically fashionable; they were intended to make Aotearoa safer. Mana is never diminished by acting with caution. The mana of this House is strengthened when we choose protection over political convenience. Tikanga teaches us that every action demands balance. If safeguards are removed, the Government must show what protections have been put back in their place. So far, that balance has not been shown.

For Te Pāti Māori, the answer is very clear: this bill lowers the standard of proof while asking the public to carry the risk. Our tīpuna taught us that every decision leaves a whakapapa. The whakapapa of this bill will not be measured by how many forms it removed but by whether or not our mokopuna inherit a safer Aotearoa. We oppose this bill.

STEVE ABEL (Green) (16:43): Thank you, Mr Speaker. The Green Party will also be opposing this bill. We have a Government and parties on the other side of the House that purport to be on the side of Police, but, in fact, over many, many years when the Police have proposed tougher regulations around guns, those parties on the right side of the House have opposed those regulations. The most stark and glaring and horrific example being that in the select committee reviewing the permissibility of certain types of very dangerous weapons before the Christchurch mosque attack, the only party in the House on that committee that supported the Police's call for tougher regulations on semi-automatic weapons was the Green Party. The consequences of this House, in previous iterations, not acting on the advice of the Police that we needed to be stronger on those particularly dangerous weapons was the most appalling atrocity in our modern history, undertaken by a lone actor with a very dangerous weapon. This nation learnt the hard way and didn't take the advice of the Police.

The removal of the responsibility for managing firearms from the Police has an ideological basis. It is not in the interests of public safety. It is not in the interests of even those who advocate for appropriate gun controls, who made it clear that they wanted the Police to maintain the responsibility. They've opposed moving the Firearms Safety Authority from the Police because there needs to be real-time information flowing between the regulator and the Police. Having them separate means that the Police, who are one of the most exposed authorities to the negative impacts and risks of gun violence, don't have their hand on the pulse of what's going on, so the Green Party supports the Police maintaining the responsibility for firearms.

We have to be aware of the fact that firearms are a part of our society. They are used for reasonable, legal, and positive uses—pest management and the likes, hunting—but they are also deadly weapons, and there are iterations of those weapons that are more deadly than others when in the hands of actors who wish to act lethally against their fellow humans. It is vital that we have appropriate firearm safety protections, and it is appropriate that it remain with the New Zealand Police. The Green Party will continue to take the advice of those on the front line of managing the impacts of firearms, and we will continue to advocate for the Police being at the centre of managing firearms and their safety. We will not be supporting this legislation. Thank you.

RIMA NAKHLE (National—Takanini) (16:47): Thank you, Mr Speaker. The third reading of the Arms Bill—this is a colossal piece of legislation, and I congratulate the Hon Nicole McKee for getting this across the line and for actually materialising the dream that you had on behalf of many firearm holders.

The most important change out of this plethora of very good changes for me is that after this bill is passed, gang membership will become an automatic disqualifying reason for holding a firearms licence, because we're sending a clear message to organised criminal activity gangs that, on this side of the House, they're not getting a free ride under this Government. Congratulations, Minister. I commend this bill to the House.

CAMILLA BELICH (Labour) (16:47): Thank you, Mr Speaker. I rise to take a call on the Arms Bill. This is a really sensitive issue, and it's a tricky issue to speak on because I do believe that many of the people that have come have spoken on this bill and have submitted to the select committee and have been working on this reform have come to work with good intentions. I want to acknowledge Nicole McKee. This is an issue we disagree on, but I don't believe that Minister McKee has come to this with ill intentions. I believe it's a genuine difference of opinion that she has with the Labour Party on this issue. I want to acknowledge that in this way, because this is an emotional issue and this is an issue that we have strong views on, but it is an issue that we differ on.

One of the reasons that, I think, we differ on this is that if you read this Arms Bill, you'll see that the Arms Bill is older than me. I'm quite old.

Hon Rachel Brooking: No, you're not.

CAMILLA BELICH: Well, compared to—for a piece of legislation, the Arms Bill is over 40 years old. Possibly, on that fact alone, there could be an argument made for its review and renewal, and that is, I'm sure, why it is included in the introduction to this bill—because of the fact that that appears to be the justification for some of this work.

I hesitate to say, but I think we're aware that the reason that we're looking at this bill is because of the changes that were made following the March 15 terrible, terrible, awful tragedy that occurred in Christchurch, where so many people were lost, and the country was devastated by those events. I was so proud of the way the country came together to condemn that, and I know that that is a condemnation that is shared to this day throughout the House, no matter what side of the House that you sit on. I know that is shared by the Minister as well.

Sadly, in the arms community—and this is what I have observed, and it's not an area that I participate in. I know many rural communities have a the need to have guns; I know there are people who do it for sporting reasons, and I know we celebrate those sportspeople and members of our sporting community—we have the Commonwealth Games on at the moment, and I would be very surprised if there wasn't a shooting aspect of that, and we wish our competitors in that very legitimate and skilled sport all the best.

There is, I don't think anyone would disagree, a legitimate use for arms, for guns, within our community. That in itself is really hard to say, because these are weapons that are capable, more easily than anything else, of taking lives, and, sadly, that's what we've seen in New Zealand. Coming to this debate, there is a lot of history, and there are a lot of perspectives and viewpoints, and it is hard to find a way forward that, for myself personally, weighs the gravity and the seriousness of the weapons we are talking about with the communities within New Zealand that value them and utilise them for legitimate aims. That is the task that Minister McKee has taken forward, and that is the bill that we have before us today.

I think it's important to note that this bill was going to initially be more permissive in relation to arms; it was going to be more permissive in relation to semi-automatic weapons, and it has been limited in that regard. That is important, and I commend the Minister for that retreat. I think that is appropriate, and that is something that we're very supportive of. The reason that is so important is that from our perspective, gun ownership and firearms ownership is a privilege, and it is not a right. That is maybe something that not everyone would agree with, but it's something that certainly, I think, needs to drive our regulatory change in New Zealand. It is a privilege, and it is not a right. Whatever regulatory system we have, public safety must be at its core.

In terms of this particular bill, we do have a concern around the fact that the Police are not going to be at the heart of the regulatory system in relation to regulation of ownership. That is regretful, in our view, because of the very high trust that New Zealand Police have in relation to firearms and the proven track record and the work that they have done with communities affected by gun violence. I mentioned March 15 earlier, but that is certainly not the only tragedy that has occurred in New Zealand with the use of firearms. It's important to acknowledge that that is the reason that we haven't been supporting this bill—because we don't think that the right balance has been struck in relation to the involvement of the Police and moving forward with the gun regulation in that place.

For me, this is a heavy subject—you can probably tell. It's very tricky to talk about this with the recent history that we have. While I have probably talked a lot about that, there are slightly more minor aspects that none the less took a large amount of the Justice Committee's time on this bill. For example, when we talk about guns, we're not just talking about new guns that are purchased; we also have regulations and quite a bit of discussion around the requirements for museums and museum workers who work with firearms. The reason for that is because we have to reflect that a firearm is a lethal weapon when it is able to be utilised, and that is true regardless of the age of the weapon and regardless of the speed of the weapon. When we do have these slightly older guns that are kept for important reasons, then we do have to have regulations around that. I know that's maybe not the main aspect of this bill, but it certainly took an amount of time during the select committee process to look at that.

Another issue that I know my colleague Dan Rosewarne, who's unable to speak in this debate today, has been looking at is push-button rifles. Another thing that we have to realise with guns and the regulation of guns is the fact that there will be innovations in technology that will change the definitions that we utilise in order to regulate arms. One of the things that has happened recently is that there has been a gun that you can use a push-button for, and the argument is that ends up being very similar to a semi-automatic rifle, although the mechanism is different.

Anyway, this is something that I know the officials on the committee were able to give us very good advice around, and very detailed advice. I don't want to at all undermine the amount of attention that went into this piece of legislation through the select committee process. It was immense. It hasn't landed where we would have wanted it to land, but there was certainly a lot of effort to make sure that it was the best possible version of this bill that could have been put forward.

I'll conclude my comments there and just thank those who have worked on this. We won't be supporting it but acknowledge the time and effort that has gone into trying to get this piece of legislation to the place that it's landed at, which I think is an improvement on where it started.

Dr CARLOS CHEUNG (National—Mt Roskill) (16:57): This is a heavy topic for me and people in Mt Roskill. People in Mt Roskill experienced firsthand that gun violence can have serious consequences. A few years ago, a suspected gang-related shooting in Mt Roskill left one person heavily injured. This is why I support this bill—because this bill improves public safety by helping

to keep firearms out of criminal hands. I support this bill because it's making gang membership an automatic disqualification for holding a firearms licence. These are practical steps to help keep our community safe. I commend this bill to the House.

INGRID LEARY (Labour—Taieri) (16:58): Thank you, Mr Speaker. I think members across the House will probably remember where they were when they heard the terrible news on March 15.

For our family, we were coming over the brow of the hill into the wonderful place of Taranaki, New Plymouth, for a WOMAD festival and heard the news that was mentioned, and the whole car went silent. Even though we knew the gravity of what had happened, I don't think we appreciated the impact that it would really have on our nation, on our communities, and on our sense of identity as a nation. WOMAD kind of reluctantly went ahead. It was a very sad and sombre event, and it's one I'll never forget.

I also was very proud to see the leadership that was shown by our then leader, the Rt Hon Jacinda Ardern, and the decisiveness with which she rallied, first of all, to support the directly impacted communities, and then secondly to commit to taking bold action, and then taking bold action. I also then acknowledge the communities in Dunedin who not only had the terrorist live amongst us, and even do surveillance of school children and so on, but we had communities directly impacted who had whānau and so on, and I really want to think of them today.

I really appreciate the comments made by Camilla Belich. I think it is great to see that this is the best version of this possible bill, but I also want to acknowledge the Green Party's comments about the significance of police not being able to have full control or control over something that is going to directly impact their livelihoods, their lives, their work experience, and ultimately, their safety. In so many ways, it is just disempowering for them. They are at the front line. They are the ones who are dealing with this, and I would refer to some of the comments that they made where they said, "While independence in licensing decisions is commendable, the association is concerned that this legislation will create a regulator that is operationally detached from frontline realities."

It's easy for us to get very conceptual in this House and to get very academic about where rules and regulations should sit. Often the unintended consequences on the ground are vastly different, and it is my view that we should have really prioritised the voice of the police, not only because they have that operational knowledge and that day-to-day knowledge, but because they are the very people who are probably most at risk with the unintended consequences of the separation of them and that integral part to the system.

While I agree with Camilla Belich about the sentiment that this has been done in good faith by the honourable Minister, and that it has been panel-beaten with a lot of changes to really try and knock it into shape, my real fear is that one day we will be back in this House and something devastating will have happened either to the community or to the police, to those brave men and women who do keep us safe, as a result of the fact we didn't listen to them adequately and we didn't change the bill enough to make sure that, fundamentally, they were able to have that level of input and level of operational integration with the system that we are passing in this House today.

That is my fear, and so with the same respect to the Associate Minister of Justice and with the same respect to all of those who have submitted—because it is an emotional issue—and to all of those farmers I've spoken to who may be removed a little from what happened on 15 March, and who are more prescient to the day-to-day circumstances of their farming life and convenience in being able to get on with things, I understand that. But what we're trying to avoid here is never, ever having to come to this House and speak about something like 15 March again; never, ever having to put our front-line officers in a position where, with a little more listening, we could have protected them further.

With those thoughts, while I appreciate the level of thoughtfulness that has gone into this and appreciate all the submissions, I don't think we're getting this bill right today. I think we're making a mistake, and for that reason, like the rest of my Labour colleagues, I cannot commend this bill to the House.

MILES ANDERSON (National—Waitaki) (17:03): Thank you, Mr Speaker. When talking about this bill, I just want to firstly acknowledge the Associate Minister of Justice, the Justice Committee, the officials, and all those who have helped steer this through the House.

I believe this bill has struck a balance between safety and firearm use. I do agree with Camilla Belich that ownership is a privilege, but it's a privilege that comes with responsibility, and that is why penalties have been increased for more than 60 offences, and new offences have been created. I commend this bill.

GLEN BENNETT (Labour) (17:04): Kia ora, Mr Speaker. I rise as another member of the Labour Party to take a call to oppose this Arms Bill. We're at the stage of the third reading where this is kind of, I guess, the end of the line. Unless some changes or some people are willing to come with us on this, it will become law. As has been said, there's been some thoughtful contributions and engagement on this, and I just want to reflect from my personal thinking. I have family in the police and family who have spent a long time looking after and protecting the people of New Zealand, of our communities. I wasn't on the Justice Committee, I wasn't a participant in that, but I did follow along through my Justice Committee colleagues in listening to some of their reports back on what was happening.

From hearing across the floor this afternoon, public safety always has to come first, and it sounds like we are in agreeance on that. It is about public safety, and when you talk about firearms and firearms legislation, it's, yes, how do we look after and protect our firearms holders, but it's also how do we make sure that we do protect the whole of our community. We should always be looking at this legislation and all bills that come through the House on how it impacts our communities and how it does make New Zealand a safer place.

Now, I think that our concern isn't with responsible firearm owners; our concern is what is being seen around the weakening of the role of the police in the firearms regulation. We know that police are responsible on a daily basis when it comes to so many parts of things like family harm, call-outs, gang activities, and organised crime—the police are dealing with this on the daily. They understand the risks. They work hard to understand and know the criminal networks. As I said, sadly, family harm incidents do occasionally—or too often actually, because once is too many—involve firearms. They execute search warrants. They need to have immediate access to information to know what's going on. As our team was going through the process, they were listening carefully to what police had to say on this bill, and there were concerns around weakening their understanding, their access to information quickly, and how they can actually respond and know what is going on.

I know that, within my family, they have dealt with, sadly, many homicides, many related incidents when it comes to firearms, and so I know through second-hand conversations what it is to turn up to situations and not know what is on the other side of the door, what is on the other side of the gate, and to ensure that they are protected. That's where I think the police need to stay in this space because they are the ones who earn that space on a daily basis.

Then I want to reflect on the public safety questions. As I've listened to my colleagues on this side of the House speak, and some on the other side of the House, it is just some of those unanswered questions around the practicality of the changes that are being made. I said before: will police have real time access to licensing information? Will front-line officers know immediately whether firearms may be present at an incident? These are things that are so often more easily accessed when it is within the police itself.

As I've listened, and it's been acknowledged in this heavy conversation this afternoon, we have to trace our steps back, and my previous colleague, Ingrid Leary, spoke about 15 March. I was also in New Plymouth and Taranaki that day, and yes, WOMAD was also the festival that I had planned to attend. The Prime Minister was also in New Plymouth on that day, and she was attending a youth—well, she didn't actually attend the youth event. She was going to attend a large youth event on that day, but, of course, her team had to hurriedly move her on and find travel arrangements for her to come back to Wellington to assess the situation and to find a way forward. Those steps from 15 March trace and walk us to where we are today and to what this is all about. So we need to acknowledge the fact that firearms, yes, can be used when it comes to pest control, when it comes to sports that I know the Minister has been involved with, when it

comes to all sorts of parts of everyday life, but the challenge is when we have those major incidences within the country and how we do respond and how we make a difference.

I remember recently also watching a documentary around the Tasmanian shooting back in the 1990s and the impacts and the effects that Government regulation made that has changed the nature of mass shootings and harm in Australia, and we need to reflect on that.

I'm sure and I hope that all of us come into this House to make a difference for our communities. For us, as the Labour Party, we feel like this is the wrong kind of difference and we don't feel that there are the safety balances and checks in place that will ensure that our communities are protected from future harm.

We acknowledge responsible firearm owners, we acknowledge—

Hon David Seymour: If the member hasn't prepared a speech, you can just sit down.

GLEN BENNETT: Oh, thank you very much, sir. We want to acknowledge the responsible firearm owners, who deserve the opportunity to participate in their sports or their eradication of pests or whatever they do, but we want to ensure that the Police have the resources they need. We want to make sure that they know and have swift access to what they need to know when it comes to situations when it is around harm or incidences in the house. We've made our points very clear. Labour will not support this bill, and we cannot commend it to the House.

PAULO GARCIA (National—New Lynn) (17:12): I'm the last speaker in support of this final phase of the reform of firearms legislation in New Zealand. This law ensures public safety and, at the same time, makes sure that firearms don't easily get into the hands of criminals. It allows licensed firearms owners to continue to use their firearms safely and responsibly. I commend this bill to the House.

A party vote was called for on the question, *That the Arms Bill be now read a third time.*

Ayes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Noes 53

New Zealand Labour 34; Green Party of Aotearoa New Zealand 15; Te Pāti Māori 2; Ferris; Kapa-Kingi.

Motion agreed to.

Bill read a third time.

EMPLOYMENT LEAVE BILL

Third Reading

Hon BROOKE VAN VELDEN (Minister for Workplace Relations and Safety) (17:14): I move, *That the Employment Leave Bill be now read a third time.*

Today marks an important milestone for New Zealand's workplaces. With this bill, we are delivering long-overdue reform to one of the most complex and problematic areas of our employment law: the Holidays Act 2003. For too long, both employers and employees have struggled with uncertainty, compliance costs, and repeated payroll error. The status quo was not acceptable, and this Government has taken action to fix it.

This bill delivers a simpler, fairer, and more workable system. First, it introduces an hours-based accrual system for annual and sick leave, with leave now being earned, taken, and paid in hours. Employees will now accrue annual and sick leave in direct proportion to their standard hours of work from day one of employment, with no need to wait months before accessing their entitlements. This removes the need for confusing conversions between hours, days, and weeks, and better reflects the reality of modern work practices, especially for those with variable hours.

Additionally, bereavement and family violence leave will also be available from day one, in recognition that life's most challenging moments do not wait for length-of-service requirements.

Second, the bill improves fairness in the sick leave system. No longer will a part-time employee receive the same amount of sick leave as someone working full time. The hours-based accrual model is designed to make the system more equitable and better reflect the actual leave needs of part-time and full-time employees. Unused sick leave can still be carried over up to a cap of 160 hours, which is the equivalent of the current 20 days.

Next, this bill reforms the way annual leave is stored. Leave will be banked in hours as it is accrued and balances will no longer need to be recalculated when an employee's working hours change. This is fairer, more transparent, and easier for both employers and employees to understand.

We are also simplifying how leave is paid. Instead of multiple overlapping calculations, a single hourly rate based on the employee's current base wage will apply across all leave types. This removes unnecessary complexity and ensures that people can be confident that they're being paid correctly.

For those who work casual hours or additional hours on top of the hours in their employment agreement, the bill introduces a practical alternative: a leave compensation payment of 12.5 percent on top of the hourly rate. This means they receive leave entitlements upfront, while still being compensated for leave for every hour they work. Employers will be freed from the complexity and administrative burden of tracking and calculating leave for variable hours of work.

This bill also resolves a longstanding inequity affecting parents. Employees returning from parental leave will no longer be penalised and have their annual leave paid at a reduced rate simply because they choose to take time off to care for their child.

Next, the employees will have increased visibility of their own entitlements. Pay statements will clearly show leave balances, helping employees understand what they've earned and what they can access.

Just as important as the changes themselves is how we implement them. This bill provides for a careful and manageable transition period of 24 months to move to the new leave system, with additional time for the more complex education sector.

Finally, I wish to acknowledge and thank all stakeholders who have contributed to the development of this reform and who rose to the challenge of turning this bill into a reality. I also acknowledge those who have made submissions to the process, whose considered input has helped ensure this legislation is practical, workable, and fit for decades to come. I also wish to thank my senior adviser Jenesa as well as the officials at the Ministry of Business, Innovation and Employment, who have worked tirelessly on this reform with me over the last 2½ years.

When I assumed this role, I was acutely aware of the long history of Holidays Act reform—a piece of legislation marked by repeated delays and growing public frustration at the lack of progress. Today, I'm proud to commend a milestone that successive Ministers have sought but until now have been unable to achieve. This bill delivers what the Holidays Act has failed to provide: a clear, balanced, and forward-looking solution that gives people confidence in their leave entitlements and in the systems that support them. I commend this bill to the House.

ASSISTANT SPEAKER (Maureen Pugh): The question is that the motion be agreed to.

Hon PHIL TWYFORD (Labour—Te Atatū) (17:20): Well, I wish that I could say that it's a pleasure to stand and speak on this bill, but it's not. Like so much of what this Government does, it takes from those who can least afford it. From all of the documents, from all of the debates we've had in the House, all the submissions we heard at select committee, all of the exchanges with the Minister in the committee stage, it's clear that she and this Government have chosen to prioritise administrative efficiency for employers at the expense of part-time and casual workers, who lose money and lose time off as a result of this law.

Where we agree is that the Holidays Act was a mess. It was complicated and unclear, and that led to a lot of unnecessary time and cost being wasted in firms, unpaid holiday pay, and some humongously expensive and long-running payroll fiascos in some of the country's biggest governmental agencies—namely, in health and education. It had to change. We agree on that. In fact, work was advanced under the former Labour Government, which this Government chose to throw out and start again. My point? Not to defend their earlier work, but I will say this: this

Government consciously and deliberately chose a policy design that sacrifices the economic interests of part-time and casual workers. They sacrificed the interests of working people.

At the heart of this bill is the definition of so-called “standard hours” and “non-standard hours”. Standard hours are those that are regular contractually committed hours; non-standard hours include overtime and casual hours. Under this bill, annual leave and sick leave accrue from standard hours, and non-standard hours generate what the bill calls a “leave compensation payment”.

It's been established, beyond doubt, through this entire passage of the bill, through the Parliament, that employees with proportionately higher numbers of non-standard hours are going to lose time off and lose money when this bill becomes law, notwithstanding the payment of the leave compensation payment. That alone would be enough for us in Labour to oppose this bill. The Government had any number of policy design options. They knowingly chose one that will weaken the position of workers who have the least power in our economy—part-time and casual workers. According to the Household Labour Force Survey, there are 588,000 part-time workers in New Zealand. That's one in five workers. These are the people who will be adversely affected by this National Party - ACT - New Zealand First law.

As many submitters said at the committee, and the Government's own officials advised them, the other big downside risk with this bill is that it makes part-time and casual workers cheaper for employers. In a competitive market economy, that will undoubtedly act as an incentive for more employers to casualise their workforce. The insecure and precarious work that is a feature of life in New Zealand, with few guaranteed weekly hours and the source of a kind of soul-sapping stress on so many working people, will become even more pervasive under this bill.

The apparent nonchalance of Government MPs about taking time off away from part-time and casual workers during these debates makes me wonder if they consider part-time and casual workers to be real workers—proper workers. Do they think that part-time work is something you do when you're at uni or something that you do as a kind of hobby? Because it's not—not for most people. There are a lot of people in this country right now who are struggling to survive. It is hard getting to the end of the week and having enough to feed your family and pay your bills. People cannot find full-time work, and they end up working multiple part-time jobs to try and make enough to get to the end of the week. And part-time work, combined with raising kids or looking after dependent family members, is bloody hard. These people cannot afford to lose time off and lose money. They are the ones who can least afford it.

There's another way that this bill attacks working people: it undermines the principle of rest and recreation that is vital to people recovering from the stress and exhaustion of work. Whether you're in a job that's high stress or physically demanding or both, you need rest. But this bill converts the annual leave or time off into a cash allowance. On top of that, the conversion of so-called non-standard hours into a payment allows workers to cash up 25 percent of their entitlement. I ask members: who do you think is going to do that cashing up? Who are the people who are going to do that? In the committee stage, the Minister mused that it would be people who don't like taking holidays, which speaks volumes about the narrowness of her life experience.

I'll tell you who's going to be the people who cash up their holidays: low-income workers, because they don't have the money to survive. They are the ones. That is a form of economic coercion. They can't afford to live on what they get paid, so if you offer them a chance to cash up their holidays, they will sadly take it.

This Government is the most anti-worker Government that New Zealand has seen for a very, very long time. This bill, which takes money and time off away from New Zealand workers—more than half a million New Zealand workers—is only the latest outrage. This Government abolished fair-pay agreements that would have allowed several hundred thousand New Zealanders in low-paid jobs to better bargain and negotiate fair pay. They restored the right of all employers to fire at will during the so-called trial period. They legislated away the right of gig workers, like Uber drivers, to go to court and get the court to decide whether they are independent contractors or in fact employees with the rights of employees. They paid for their tax cuts for the rich, for landlords, and tobacco companies by taking \$13 billion that had been earmarked to level up the pay of workers—low-paid workers—in female-dominated industries.

Who does that? Who balances their Budget and pays for tax cuts for the rich by taking away the money that was set aside to level up the pay of low-paid workers? Who does it? They do it—they do it. Most recently, they weakened the health and safety protections of 673,000 workers who work in small and medium enterprises. They weakened the health and safety protections, and they have allowed the minimum wage each year to fall further and further behind inflation during a cost of living crisis.

ASSISTANT SPEAKER (Maureen Pugh): The member's time has expired.

TEANAU TUIONO (Green) (17:30): Thank you, Madam Speaker. I rise on behalf of the Greens to oppose this bill. This bill is another example of a pattern of behaviour from that side of the House, where they trample on the rights of workers. We have seen that since the beginning of this Parliament with the cancelling of fair pay agreements, the bringing back of 90-day trials, etc., etc., etc.

Just a reminder to the House that a number of us were on those steps of Parliament when the Pike River families came to this Parliament and asked members of Parliament across the House to oppose the ACT Party's health and safety reforms. But just as a part of that pattern of behaviour, every single one of those Government parties supported those reforms. So my key message tonight to the workers is to remember all of those Government parties that supported all of these anti-worker pieces of legislation.

In the committee of the whole House stage, we talked and had a number of discussions, working our way through the bill. In the beginning of Part 1, we discussed the purpose of the bill. I found the Minister for Workplace Relations and Safety's responses to be Orwellian doublespeak, because when you look at the purpose of the bill—and I'll read it out to you here: "The purpose of this Act is to promote a balance between work and other aspects of employees' lives and, to that end, to—(a) provide employees with minimal entitlements to—(i) annual leave to give them the opportunity to take paid time away for work and for rest and recreation: (ii) public holidays for the observance of days of national, religious, or cultural significance: (iii) sick leave ... (iv) bereavement leave ... (v) family violence leave".

But, instead, what we've got is a bill which will significantly punch down on part-time and casual workers and will impact 200,000 workers. This was a number that I put to the Minister during the committee of the whole House stage to see whether she had done any work at all on the impact that this would have on the workers. It had been recorded in the media quite far and wide, work done by the Public Service Association in terms of the analysis that they did on the impact on workers—over 200,000 workers is the number they came up with. They had a few more specific details: it will negatively impact manufacturing of meat, seafood, dairy, fruit and vegetables, wood, chemical, and metal workers, which is an estimated 24,000 affected workers; electricity supply, an estimated 1,500 affected workers; heavy and civil engineering and road construction, an estimated 1,500 affected workers; retail of supermarkets, motor vehicles, electronic goods, and furniture, an estimated 11,000 affected workers; road, bus, rail, water, and air transport, an estimated 13,500 affected workers; newspaper publishing, broadcasting and telecommunications services, an estimated 1,500 affected workers; financial and insurance services, an estimated 6,500 affected workers; Police, Corrections, Inland Revenue, the Department of Internal Affairs, the Department of Conservation, and local government, an estimated 35,500 affected workers; in the health sector, allied health, health administration, doctors, nurses, midwives, orderlies, care and support workers, ambulance officers, social workers, an estimated 106,500 affected workers. That is a lot of workers negatively impacted by this bill.

As we have moved through the stages, I've actually bumped into people who have actually done the new calculations on how their leave will be impacted. None of it is good—none of it is good at all.

I do take the point around the previous system and the need to make sure that there is clarity and simplicity. That is something I think both sides of the House would agree on: making sure that something is clearer, making sure that something is more simple, making sure that something is more accessible is a good thing. But here's the thing: there were options. If you look back at the regulatory impact statement, there were three options that were canvassed—three options that were canvassed. Option one was the status quo. Well, nobody wants that; nobody wants an overly complicated system—acknowledging that there has been work they've done to make sure that

we've sorted and worked through that. Option two was weeks-based accruals. This option reflected the proposal presented in the exposure draft bill, which was largely based on the 2020 Holidays Act Taskforce recommendation. So a whole lot of work that had been done to actually sort this stuff out. The key change here was to move it to a weeks-based accrual model for annual leave with a focus on—and this is the important point—providing clarity and certainty. And option three was the option that the Minister opted for.

We heard through the debates and also through the committee of the whole House stage, again and again, the Minister wanting to focus on clarity, wanting to focus on simplicity. Well, you actually had two options there that could've done that, but that Minister chose the option that would take away rights of workers, that would punch down on part-time workers, and punch down on casual workers.

We also asked specifically about a case that was brought as a part of the submission from the Workers First Union, and it was an example that was used to actually try to get a sense of what the changes would be to this particular worker. The example that Workers First brought to the Education and Workforce Committee was workers as a part of Cotton On. They had three standard hours, but these workers were working around about 20 hours. So the question that we put to the Minister, and she affirmed it—or my understanding was that she affirmed it—was that under these new changes, those full 20 hours that previously would have counted to the annual accrual of this worker's leave would in fact be impacted in this way. That is, under this definition, the Cotton On members would only accrue annual leave for three hours per week. So, over 52 weeks, these members would receive less than 12 hours of annual leave. Could you imagine that? You work for a whole year—for a whole year—you get 12 hours. A whole year, you get 12 hours. That makes a mockery of the purpose of this bill, and that is just one example of the way that workers will be negatively impacted by this bill.

What it will do is it'll force workers to make those types of calculations. Do I take the time off work? Do I transfer my sick leave to my annual leave, or do I go to work? Now, we are in a cost of living crisis, and I know that for many of these workers, many of these low-paid workers, the calculation that they will make is "I will go to work. I will go to work even if we are sick."—even if they are sick.

Just a reminder, because we also asked, around the connections to the other reforms that this Minister has put out: what does that mean for health and safety reforms? We heard just recently, a couple of weeks ago, laws that were passed where non-critical risks will no longer be covered and be the responsibility of persons conducting a business or undertaking, of small-business owners. So we could have the scenario where workers are sick, can't afford to be sick, will go to work, and other people will get sick. This makes a mockery of actually what this bill should've really been about: if you're sick, you stay home; you get better. If you need bereavement leave, you take that. Your annual leave should be used to make sure that you have the ability to rest and get that work-life balance properly. But that has not happened.

So the Greens do not support this bill. It is another example of this Government punching down on the workers. It's another example of this Government not listening at all to the workers. It is another example, and a pattern of behaviour, unfortunately, of every single one of those Government parties, and one of them in particular, cosplaying like they pretend that they care about the workers, going around pretending that they care about the workers, but my message to the constituents and to New Zealand out there is to judge them by their words. Judge them by the way that they vote on this bill. Judge them on the way that they've voted on all of the other bills. From the cancelling of fair pay agreements, to the bringing back of 90-day trials, to the rolling back of health and safety protections, to the misclassification of gig economy workers, this is a Government which I can only think despises the workers. It's no wonder that workers are getting up and getting on a plane and getting out of here, going to greener pastures where there are better pay and conditions. The Greens oppose this bill. It will disproportionately impact women workers, and Māori, Pacific, and disabled workers. This is another example of a terrible bill.

CARL BATES (National—Whanganui) (17:40): Thank you, Madam Speaker. As part of the National Party's focus at the moment on parental leave and ensuring we really support parents that are on leave and when they return to work, one of the things that this bill will do is ensure that new parents, when they return to work, will receive the full value of their annual leave. It's a major shift from the status quo, and, therefore, I commend the bill to the House.

Hon MARK PATTERSON (Minister for Rural Communities) (17:40): I rise on behalf of New Zealand First to support the Employment Leave Bill. It is a change in how leave is accrued. The Holidays Act is an absolute dog's breakfast. Our own Government departments could not navigate it. I think the nurses were up for a big whack to compensate them because Government departments weren't able to comply with this law. Small and medium businesses and those of us that have employed people will attest to that.

We're moving to an hourly-based accrual model. There's a clear distinction here between standard and required hours, additional hours, excess work, and casual hours, and the 12 percent leave compensation payments for part-time and casual-based workers, and, of course, the elegant solution that's been found for maternity leave. This had simplicity, clarity, certainty, and proportionality. It's a significant improvement on the status quo, and New Zealand First commend the bill to the House.

ORIINI KAIPARA (Te Pāti Māori—Tāmaki Makaurau) (17:42): Let me begin from a place of balance. There's no serious dispute that the Holidays Act needed reform. Employers, workers, unions, payroll providers, and submitters all recognise that the current law has become too complex, too uncertain, and too difficult to administer well. The question before this House is not where the change was needed; the question is what kind of change we're prepared to accept and whose wellbeing sits at the centre of that change.

In te ao Māori, mahi is never separated from the person who does the mahi. A worker is not simply a unit of productivity. A worker is a mokopuna, a matua, a parent, a caregiver, a partner, and a member of a whānau. Their labour carries mana, because their life carries mana. That is the lens through which Te Pāti Māori approaches this bill—mana, whānau, whakapapa, manaakitanga, and the responsibility we all carry to uphold the dignity of those who work.

This bill may make some calculations easier. It may offer certainty to payroll systems. It may respond to genuine problems created by the old Act, but simplicity is not the same as fairness. Certainty for systems must not come at the cost of uncertainty for workers. The concern is that leave is being shifted from a protection into a formula. Annual leave and sick leave exist because people are not machines. Rest is not a bonus. Recovery is not a luxury. Time with whānau is not an administrative inconvenience. These are the things that keep people whole, and Matariki, which we all celebrated nationally as a country, as a whenua, should have reminded every single member in this House of that. For Māori, wellbeing is collective. When one worker is exhausted, it's not only that worker who carries the burden; their tamariki carry it, their partners carry it, their communities carry it, their kaumātua even carries it, and their whānau does. A law that weakens rest really does weaken more than an individual entitlement; it weakens the fabric around that person.

That is why the leave compensation payment troubles us. We support increasing the pay-as-you-go scheme, but we do not support the elimination of rules that enable some casual workers to get leave, and the overriding of leave entitlements for overtime. Money pays bills, and many of our people know the pressure of needing every single dollar and cent that they can get, but you can't cash out exhaustion. You can't spend a percentage payment on your tamariki if you're too tired to be present. Burnout does not disappear just because it arrived on a payslip. This is not an abstract concern. It reaches the people cleaning our hospitals, caring for our kaumātua, driving the trucks, working shifts, working weekends, taking extra hours because the rent is due and kai still needs to be put on the table. Those carrying the heaviest workloads should not receive the lightest protections.

We also hear the concern that a three-tier system of standard, additional, and casual hours may not deliver the simplicity that is promised. If even those who build payroll systems say that the framework remains complicated, then we must ask who this bill has truly become simpler for. A Māori position does not require us to reject reform; it requires us to ask whether reform is tika. Does it uphold mana? Does it protect whānau? Does it recognise whakapapa, including the obligation we owe to those coming after us, our mokopuna? Does it build a workplace system where people are cared for, or one where people are simply calculated? On that test, this bill falls short. It fails.

We can modernise employment law without reducing the restorative purpose of leave. We can make payroll workable without making workers bear the cost. We can create certainty without

diminishing dignity. Every generation is remembered for the choices it makes. Today, this House can choose to build a leave system around people, not around payroll. Te Pāti Māori will not support this bill.

FRANCISCO HERNANDEZ (Green) (17:46): Thank you, Madam Speaker. I rise to oppose this bill. Before I begin my speech properly, I just wanted to thank my colleagues who've been holding the fort on this bill during the committee of the whole House stage: Teanau Tuiono, Ricardo Menéndez March, Mike Davidson, and, of course, the indomitable and formidable Dr Lawrence Xu-Nan, who, contrary to the assertions of some in the House, probably understands democracy more than any other person, because of how much they've spoken in the House.

Look, the Greens oppose this bill for three key reasons. They're interlinked, and they're really cut into the mythology of what this Government claims to stand for. The first is that this bill is deeply anti-worker legislation, especially the provisions around sick leave. The second is that this bill creates, contrary to the assertions of many people across the House and evidenced by the numerous submissions against it, more yellow, blue, and black tape. It creates an increasing amount of complicated rules and bureaucracy, and it actually creates uncertainty for business. The third reason is that, contrary to the frequent assertions by many in the Government benches, it actually goes backwards on building a modern, productive Aotearoa that everyone in this country needs.

Now, let's go through it one by one. The first is the sick leave provisions. We've heard from submitters, like Workers First Union, about what this bill might do to people who work in our ambulance sector. I just wanted to tell a story, because in the last campaign, one of the volunteers from my campaign was an ambulance worker. The sorts of shifts they work are pretty brutal. They tend to work 12 hours a day in four blocks of four. They do four days off and four days on. I really admired this volunteer, because even though they were working really long hours, they still found time to help out with my campaign. But because they're working such irregular hours, the nature of the proposals in this bill would make it so that—in the current regime, they're currently eligible for 10 days of sick leave every year. Now, the regime that the Government would change this to would shift it to seven days a year. That's a 30 percent cut to the people who are working some of the longest hours and doing some of the most difficult jobs in Aotearoa, doing really essential work right at the front lines. And they're being exposed to not just diseases, not just potential for injury, but also—and we need to recognise this, and I do want to applaud the steps that this Government has taken in terms of mental health—recognising that, actually, mental health injury can be just as valid as an actual physical injury. A lot of these ambulance workers are encountering potential mental health injury because of their workplace. The shift from 10 to seven days of sick leave means that they're potentially not being able to take as much sick leave as they should be.

Now, the second concern is the potential for this to create—and I want to quote from one of the submitters—"complex and disjointed regimes". This has the potential to actually increase the complexity that's currently in our legislation. I'm sure you've gotten really familiar with the bill as you've presided over parts of the committee of the whole House, Madam Speaker, but this bill is really thick and really complicated. It's over 168 pages of legislation. Now, I really struggle to imagine that a bill of this length is actually any less complex than the regime that it proceeded. In fact, from the submissions and the submitters that submitted to this bill, they've told us, in fact, that it increases complexity. So how could this bill be of benefit to business when it's increasing the complexity?

It also increases the potential for uncertainty, because in theory you would want some broad consensus around labour laws in this country so that it's not shifting from Government to Government. Now, when we make this Government a one-term Government, businesses will face the potential risk that this bill might be changed. So how could that not be disruptive to them?

And the third and final point is that this bill is supposed to be advancing the Government's agenda of a modern, productive economy. But tell me: how is forcing ambulance workers to take less sick leave leading to a modern, productive economy? Thank you, Madam Speaker.

Dr VANESSA WEENINK (National—Banks Peninsula) (17:52): Thank you, Madam Speaker. It is a pleasure to speak on the Employment Leave Bill. This has been well-traversed this evening and we've finally made it through. People who have had to deal with all of the hassle

of the Holidays Act and all of those huge bills that have had to be paid will be relieved to know that relief is on the way. It is much more sensible to accrue leave on an hours-based rather than just on a set number per year. So I commend the bill to the House.

CAMILLA BELICH (Labour) (17:52): Thank you, Madam Speaker. Well, it gives me no pleasure at all to talk on this bill, for a few reasons. This issue has been around in New Zealand Parliament for a long time. It's not a straightforward issue. It involves calculations on entitlements for people that have different lives and for businesses that work differently. So this is never going to be a straightforward piece of legislation, but various Governments have attempted to address this, and the previous Labour Government did attempt to address this.

The way that the previous Labour Government addressed this differs from this Government in one really fundamental way. The way that we sought to address it was by recognising that the single biggest thing that is helpful to businesses in terms of holiday pay or employment leave is certainty. The way that you get certainty for a bill like the Employment Leave Bill or the Holidays Act is you build consensus. Building consensus is not easy. Building consensus on such a complex issue and making sure that people did not lose entitlements is very hard. Trying to prove something that people derive personal entitlements for, that are connected to their employment contracts, it's tricky and it is hard and it's difficult work.

What we saw from this Government and from Minister Brooke van Velden is that the bipartisan consensus mode of trying to achieve certainty for businesses in New Zealand was thrown out the window in exchange for getting this bill through and ticking off her to-do list. I think that that is a shame, because it means that the bill that we are discussing and debating today is a bill that takes away people's employment rights and limits their entitlements to leave. That is the one rule when you are reforming the Holidays Act that you should not break is you should not leave the country and leave the legislation and leave the people that rely on this for their wellbeing worse off. That is what the Minister has done. Shame on this Government for giving up on that noble work to try and give businesses certainty and build consensus up across trade unions and businesses and political parties in order to be able to say, "We ticked off the Employment Leave Bill box." My goodness, it certainly hasn't been something that they have been shy about crowing about either, has it?

But the sad thing about it is that while they crow about this achievement of getting this bill through the House, the people who are paying are the people who can least afford to pay: the people who need their employment leave, the part-time workers. This Government recently has announced policies around supporting working mothers. Well, I'll tell you who the greatest percentage of part-time workers who will lose out under this bill are: working mothers. If you work part-time, you will lose your sick leave. What is the single most important leave that you need as a working parent? Sick leave, not for yourself, but for your family, to be able to actually do your job as a carer. This bill takes that away. It does so in a way that distrusts people from actually being able to say the types of work that they usually do and the structure of their work that usually occurs. The modification to part-time workers' sick leave is based on distrust of part-time workers and it makes me sick.

The other thing that this bill does is it changes the way that calculations are made to an hourly basis. Now, we've heard from the other side: "That is way more sensible. That makes a lot of sense." But when we actually look at the facts, they don't marry up to that. We've got a submission here from the Law Society—a notably nonpartisan organisation that assesses laws and submits to Parliament based on the facts of the actual workability. They have said, "while the hours-based framework might be simpler in principle, we are of the view that the classification of hours in rostering must continue to account for complex working arrangements". They say that "These can be difficult to accommodate within an hours-based system". So we will still have complexity around holiday pay. Simply changing it to an hours-based system is not the fix-all that we've heard from the other side. So there is still going to be complexity.

I had a particular perspective on this which I will share with the House, which is the reason we had so many problems with the Holidays Act was not, in fact, of the inherent problems associated with the Holidays Act; it was the fact that we kept buying and promoting and using software from payroll companies in Australia that had a different system to us. So when we tried to get the Holidays Act—which isn't based on an hours model currently—with an hours-based system in Australia, it didn't work. That is because it was not designed for our system. That is why we had

so many issues with Government departments and other organisations that have been mentioned about why the Holidays Act ended up with having a deficiency in the amount of pay that it was paying out—that is the reason. The actual law itself, if it had software that worked to back it up, could be utilised in a very similar way that this law is going to be utilised. So it's a great day for the payroll companies in Australia, because they can now sell their products to us without having to change anything fundamental about their system. But I can't say there are many other winners in this bill.

This bill, it has been predicted, will mean that 500,000 New Zealand workers get less leave. That means less pay and that actually means less time off with friends and family. From my perspective—and I've worked here and overseas in relation to workplace leave laws, and I've worked with the EU directive on employment leave—one of the fundamental purposes of annual leave is actually a health and safety purpose. We do not want to be a country where everyone cannot take any time off and burns out and has bad mental health and has a life that is not worth living because of the fact that they can't take leave. That is why it's a health and safety—*[Interruption]* That's true, Simon Watts, actually. If you look at the International Labour Organization and you look at the reasons that annual leave was initiated, it was a health and safety reason. So when we have provisions that make it easier to cash up leave, that is a direct disincentive for those on low incomes to actually take annual leave. That means that they're not spending time with friends and family, they're not taking care of their health, and it means that they are constantly at work. It's not about having a break or going on an expensive holiday; it's actually about valuing workers as people.

This bill takes a step away from that, especially for casual workers, who are only entitled to a payment. Well, some people may argue, "Well, they receive a payment, and therefore they shouldn't be entitled to annual leave because it's a 12.5 percent payment, so it's more generous than they would have otherwise received." Well, they deserve to be able to take leave, because they are human beings. That is the thing that is missing from this bill: the fact that people are not just a calculation; they actually have entitlements and they have lives, and even if they are casual workers, they deserve to be able to take paid leave. The reality all around the world is, if you can't take paid leave at the same rate that you would usually get paid, people will not take it. Why wouldn't they do that? Because we are living in a situation where the economy is totally tanked, the cost of living crisis is out of control, and people don't have spare money. So if they are going to get paid less on annual leave than they would if they were at work, they're going to decide to stay at work instead. That is a real shame.

I don't have much time left in this call, but I really want to emphasise the fact that it's deeply disappointing that we were unable to have a Government courageous enough to do the work of finding a consensus and finding a way of not disadvantaging people. Now, that is hard—I don't say that it's not hard—but the fact that we have just turned our backs on this and just put in place a piece of legislation that actually takes leave away from the hardest hit, our most vulnerable, our lowest paid, our people in the least stable employment, is a real shame. It means that this bill is not sustainable long term. It has a two-year implementation period—for people in the education sector, it's 10 years. So if there isn't a way to build consensus around these reforms, they will not give the business the certainty it deserves. That is the entire call that businesses said to this Government: "Give me certainty." They have asked the Government for that, and the Government has taken the easy way out that disadvantages our most vulnerable.

ASSISTANT SPEAKER (Maureen Pugh): Members, the time has come for me to leave the Chair for the dinner break. The House will resume at 7.30 p.m.

Sitting suspended from 6.02 p.m. to 7.30 p.m.

ASSISTANT SPEAKER (Maureen Pugh): Good evening, members. When we broke for the dinner break, we were debating the Employment Leave Bill in its third reading. We were up to call No. 9, which is a National Party call.

GRANT MCCALLUM (National—Northland) (19:30): Thank you, Madam Speaker. Well, it's great to take a call in the third reading of the Employment Leave Bill. The Holidays Act has been a problem for quite some time and it's caused real challenges for workers and for employers, and so it's great to have a piece of legislation that will help sort that out. I commend it to the House.

RACHEL BOYACK (Labour—Nelson) (19:30): Thank you, Madam Speaker. Something I agree with the previous member on is that the Holidays Act did require a tidy-up, but this is a lot more than a tidy-up. In reality, it makes things a lot more difficult for employees and, in my view, will add some real confusion to how employment leave is calculated and applied across New Zealand. There are some particular concerns that the Labour Party has with this bill, which is why we're not supporting it throughout this stage.

I'm going to talk mostly around the need for workers to be able to build up proper time to have leave for proper rest and relaxation. In New Zealand, the principle is that workers should have access to a minimum of four weeks' annual leave. That is a principle that we abide by.

What this bill does is it will put the leave that workers receive into two parts. For those workers that have a small, set number of hours, and then have their hours flex, in a casual way, up and down each week. Let's say they're rostered for five to 10 hours a week. Members have used the Cotton On example, and those are workers I used to represent when I was a union organiser prior to coming to Parliament. It was very common for them to have one day a week or half a day a week, and then receive a lot of extra hours that fluctuated from week to week. What will happen for those workers is that for those set hours, they'll be able to build up the relevant amount of annual leave, but for everything they do on top of that, it will have a compensatory payment that, essentially, becomes the holiday pay paid out to them weekly. Unlike now, when they can elect to have that as a lump sum if they decide to save that up for when they have leave, they will actually be paid out on a weekly basis.

Now, members opposite and Ministers have said, "Oh, but workers can just save that money." We know that workers on low wages are not in a position to save money at the moment, especially with the cost of living crisis that this current Government is presiding over. If a worker is deciding between saving some money each week and fixing the car, paying the increased power bill that's happened through winter, buying the new school shoes for the children, and making those kinds of decisions that we know working people make on a weekly basis, they won't be saving that extra compensatory payment. What it means is that when it comes time to having a holiday and when it comes time to having proper rest and relaxation, those workers will not have the appropriate amount of time built up to actually have a proper break.

What this bill is going to do is penalise those workers. It's going to make their wages look inflated. They'll be receiving extra money each week that, essentially, makes it seem like they're earning more than they really are. In this current economic crisis that we face, I can see—because I've worked with a lot of those workers, I've sat down with them in their tearooms, and I've talked to them about how their lives work—that they will be paying those extra bills and those extra costs that they have every week. They won't be saving that money up for a break.

Now, there are a few other things that we have real problems with inside this bill as well that I'll just touch on in my last minute and a half. One is that workers won't be able to take leave in advance and they won't have a guarantee of two consecutive weeks off. For people who work really difficult, tough jobs that are labour-intensive or that have a large mental load, it's actually really important for them to have a decent break because it can take a couple of days to actually get through that wind-down period before you can actually start to enjoy yourself and actually relax. We know that having two weeks and having that decent length of time is something that workers really value, and so not being able to have that as a guarantee is a real problem.

There are other issues around the close-down periods, which we touched on during the committee stage, where an employer can basically make an employee use the entirety of their annual leave in a close-down period. What that would do is that if that's happening over Christmas, which is when it normally occurs, you might then have a worker who needs to go to their child's graduation, or who may have a sick day when they have used up their sick leave and need to take annual leave. All of these types of things can now actually use up the entirety of a person's annual leave over that close-down period—you know, if you have a wedding to go to or another significant family occasion to attend, and there's no leave throughout the year.

It is the Labour Party's view that this bill takes the application of leave backwards in New Zealand for workers. It is not a tidy-up, it will make things more confused, it penalises workers, and we in the Labour Party do not support it.

DAN BIDOIS (National—Northcote) (19:35): Today is a good day for the nearly 600,000 businesses right across New Zealand, because, as has been traversed, the Holidays Act has been an absolute mess for some time. I commend the Minister for taking the bull by the horns on this occasion and actually resolving this through this bill.

This bill is about fairness. It's about fairness for those that accrue annual leave and sick leave, and I commend it to the House.

Hon Dr DUNCAN WEBB (Labour—Christchurch Central) (19:36): Thank you, Madam Speaker. It's almost sad to see the National Party members stand up and parrot off those remarks when I know that they're not fools—not all of them, anyway—and if they read the bill, they'd understand what it actually does. The National Party that I remember actually wanted to treat people decently, particularly the most vulnerable workers—those who are on part-time and casual contracts. Obviously, here in the Labour Party, it's in the name, and it tells you what we stand for: we do stand for workers, and—

Andy Foster: Well, what you used to stand for.

Hon Dr DUNCAN WEBB: —one of the things that we stand for, have stood for, and have fought for is decent holidays, because holidays are not some trivial thing. They're actually something that recognises people's humanity and that they have a life outside of the workplace—that they can spend time relaxing, doing things that they love with the people that they love—and what this bill does is it erodes substantially the right to holidays, especially for part-time workers and particularly those workers who are on contracts which might have a few core hours of maybe three or five hours a week, and who then pick up additional hours on top of that.

Whilst they'll get some actual holiday accrued on this hours basis for the hours that they work on the regular contract, any casual hours that they have are just accrued on a per-dollar basis, and so they're compensated for it. But there's a real problem there, because to have a proper holiday and to have a period of time where you can genuinely refresh and recharge and spend that time with friends and family, you need to be able to do it for an extended period. If, over the course of a year, you've accrued only three full days' leave, then that's all your employer has to give you. There is no entitlement to say, "I would like to have a week to visit my family who have gone to get better jobs in Brisbane.", or those kinds of things.

That's a real shortcoming of this bill, and, of course, the same can be said of the sick leave provisions. The fact of the matter is that this bill is just one in a long list of pieces of legislation through which this Government has undermined the rights of workers.

I heard someone from the New Zealand First Party harping out before. They now say that they stand for workers, but if you look at their record, they're the ones who voted in favour of bringing back 90-day trials and they're the ones who voted in favour of abolishing pay equity. They are actually the master underminers of the rights of workers. Whilst it comes as no surprise to me that the ACT Party, the party of big business, wants to give tax breaks to landlords, New Zealand First claims to be the party of people, but it's equally as happy to give tax breaks to tobacco companies and undermine the rights of workers, especially working women.

Whilst it's fair to say, as my colleague said before, that there could've been a tidy-up here, this did not require wholesale reform; it required some clarifications. The fact of the matter is that in terms of sick leave in particular, this strips from part-time workers meaningful sick leave. So what we have here is some of our most vulnerable and most important workers—a good example would be some of our care workers, who do go into rest homes or people's homes and deal with the elderly or the unwell or the disabled. They now, because of the reduction in the number of sick days given to part-time workers—because it's now accrued on an hours-worked basis rather than on a weeks-worked basis—will be going into those places unwell because they've got no sick leave left and if they don't work, they can't pay the rent. So we've got a real problem on our hands.

We as a country have done well historically in protecting and recognising the rights of workers, and we know that we have come in leaps and bounds since COVID in saying, "Well, look, if you're sick, stay at home." And what do you know? It creates a more productive and healthier workplace and a more productive economy because we don't have people making entire workplaces sick or making the people that they're working with sick or, you know, our hospitality staff delivering food to our tables being sick—they're all very bad things.

But this bill is forcing people, people who are on the lowest income—I've talked about care workers; students are another class of people who have been in the news recently because there is simply not enough work for students to be able to support themselves whilst they undertake their studies. These reforms, in particular the way holidays, overtime, and sick leave are dealt with, undermine the rights of students. So those students—they're struggling as it is; they might be able to borrow more money and increase their student loans, but that's not going to help them. That's not going to help them in a cost of living crisis. It's not going to help them afford their first home when they finally get a job that pays enough money to save.

It's a real tragedy here, because the Labour Party of course wants to make leave and holidays work. We want to get it right, and we accept that there was work to do and we stood ready to work with the Government on that in a way that endured. But this Government doesn't care about enduring, fair, workable, economically effective, and efficient holiday provisions; it just cares about the bottom line of big business.

It's alarming that the Government pressed on with these reforms, despite very substantial and worthy and thoughtful submissions to the contrary, from what I understand, from the Education and Workforce Committee proceedings, and has pushed that on, and now we're in the invidious position, once again, where we're going to get a pendulum effect, because we want to make sure that workers' rights are properly protected.

What I would say to the Government is: let's talk. Let's talk and get it right in an enduring way, because at the moment we haven't, and we're going to run into problems with these most vulnerable workers. We do know that the workers who are affected here—and it's so fatuous for the Government to come out with a paid parental leave policy and in the same week have a bill passing this House which affects our most vulnerable and precarious workers, who are predominantly women. So here we go: not really giving with one hand, and slapping with the other. It's really problematic.

So, look, the Labour Party does stand for workers. We're focused on real jobs, not precarious jobs. We're focused on jobs that pay a decent wage so that people can look after themselves, can take holidays, look after their health, pay for their homes, whereas the Government on the other side is, basically, happy to punch down on the most vulnerable and to undermine the rights of workers, which, over many years, hundreds of years—the hundreds of years that the Labour Party has been advocating for workers; that's how long it's taken to build this up, and that's what that Government and that party over there, that odd party in the corner, are doing.

So it's with some consternation that I see this bill progressing in the House tonight. It's a bill that the Government should be ashamed of, and it's a bill that this party will have no part of.

NANCY LU (National) (19:46): As the last speaker on this bill, and to see it passing the third reading, I have to say this is a bill that will fix the basics for New Zealanders and for many, many, many of the small and medium enterprises. In the last two years, we've been around the country, we've had submissions, we've had people who have come to us and said the Holidays Act before this bill was complicated, it created a lot of uncertainty, and that is why it needed to be fixed. That is how the National-led Government is fixing the basics and building the future for all employers and employees. I commend the bill to the House.

A party vote was called for on the question, *That the Employment Leave Bill be now read a third time.*

Ayes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Noes 53

New Zealand Labour 34; Green Party of Aotearoa New Zealand 13; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Motion agreed to.

Bill read a third time.

DEPUTY SPEAKER: I declare the House in committee for consideration of the Crimes Amendment Bill and the English Language Bill.

CRIMES AMENDMENT BILL

Committee of the whole House

Part 1 Amendments to Crimes Act 1961 (continued)

CHAIRPERSON (Maureen Pugh): Members, the House is in committee on the Crimes Amendment Bill and the English Language Bill. We come first to the Crimes Amendment Bill. When we last considered this bill, we were debating Part 1, which is the debate on clauses 3 to 28, “Amendments to Crimes Act 1961”. Once again, the question is that Part 1 stand part.

CAMILLA BELICH (Labour) (19:48): Thank you, Madam Chair. I was here for that previous part, and I just have a final question on Subpart 5 for the Minister in the chair, Karen Chhour, around the first responders changes that are being made. In the Minister of Justice’s amendment that has been put to the committee, there’s a substantial change around corrections officers, and, as has been traversed—and I won’t go over this again—there were a number of other suggested professions that were advocated to be included in this. So I just wanted to know for what reason was the corrections officer—why did the Minister decide to bring that particular amendment to the House to include that group, and his reasoning for why that was. I know he said that he was correcting some errors and everything, but it’s quite a substantive change that has been put in as part of his Amendment Paper 660.

It may be that some colleagues still have questions on Part 5, but I’d like to move on to Subpart 6, which is the part around theft, which we haven’t touched on at all today in the committee stage. I have to say that when I first saw all these provisions and we were considering them in the Education and Workforce Committee—and I am aware that this was something that was brought up by the Ministerial Advisory Group for Victims of Retail Crime, and I know that the provisions in here, as I understand, are slightly different from what the Ministerial Advisory Group for Victims of Retail Crime had recommended, and so I wanted to ask the Minister the reasoning around the selection of the changes.

We’re changing the upper level of punishment in terms of a fine for theft; and, also, we will be—and this is, I think, the most important point, and it’s not a point that I picked up at first reading, but it is something that’s come through select committee and, also, through the subsequent release of the projected prison population through the Ministry of Justice. From time to time, they do release that, and I’m not sure, actually, if it was even available at the time of the first reading, but the point is that replacing three months with a year as the punishment for theft is predicted to have an absolutely enormous impact on the number of prisoners in New Zealand. I know that there is a talk around that in the preliminary information, in the regulatory impact statement and in the documentation that was taken to Cabinet. It’s important to note that reflected throughout that documentation is the fact that there was not extensive consultation before these changes were brought in. There was not the opportunity to consult more widely than internal Government organisations. So I want to know whether this was brought to the Minister.

I don’t know if the Minister can see—I might actually hold this up [*Member holds up a graph*—but the woman’s prison population, based on mainly these changes to theft, is expected to increase by 63 percent. I’ll hold that up, if the Minister can see that, but this is the women’s prison population here, and you can see how it’s increased significantly as a result of these changes. It’s not easy to see that from the written words in this—

Carl Bates: Don’t worry, the Greens will close the prisons.

CAMILLA BELICH: Please just take a call, my friend. It’s not easy to see this in clauses 25 and 26, because it just, obviously, increases the punishment for those who are convicted of theft at the lower level from three months to a year, which is a significant increase. That is going to lead to a significant increase in the women’s prison population. I think that, on its own, is worthy for the Minister to address, in terms of the impact of this bill and the justification for that, because we all want to see people who are dangerous no longer in the position where they can hurt other people. But, in this instance, we’re talking about theft. Of course there are victims of theft, there

are shop owners, but there are also people who will be severely impacted by having a member of their family in prison. It's not only the person who is in prison who is punished for that; it's, additionally, the members of the family.

Hon KAREN CHHOUR (Minister for the Prevention of Family and Sexual Violence) (19:54): There was quite a bit in there, so I'll try to cover everything, and if I've missed anything just let me know. Talking about the increased prisoners, it's an outcome the Government is willing to accept to ensure tougher consequences on offending. Approximately 250 additional prisoners per year resulting from this bill is what's estimated. The reason behind front-line corrections workers being included in this is that front-line corrections workers take lots of risks and they should also be protected. Some of the key facts around that and some of the reasoning behind that is that between 2023 and 2024, there were 38 serious assaults, 311 non-serious assaults, and 499 no-injury assaults on prison staff. Prison officers are often first on site in emergencies and go towards danger to help others, and this bill includes them for that reason.

How did the Ministerial Advisory Group for Victims of Retail Crime influence the proposals in this bill? The ministerial advisory group engaged with victims, workers, business owners, retail experts, and advocacy groups in relation to amendments to the citizen's arrest and theft provisions. The Ministry of Justice officials liaised with the ministerial advisory group to come up with a workable and pragmatic proposal to help deter shoplifting and low-level retail theft. Some of the changes we're making to address retail theft: New Zealand retailers are doing it tough, with an increase to retail crime and escalation in the behaviour of offenders. This bill includes a new infringement regime for shoplifting in retail premises, strengthens the penalties for low-level theft, and creates a new theft defence for targeting aggravated behaviour.

There was another question, I think, around lowering the penalty for theft between \$1,000 and \$2,000. It simplifies the theft penalty framework, strengthens penalties for lower-value theft under \$500, and it also reduces the complexity in determining penalties based on the value of the stolen goods.

Dr LAWRENCE XU-NAN (Green) (19:56): Thank you, Madam Chair. I just want to also remind the Minister that just before we broke on this bill previously, I asked a question to the Minister regarding clause 21, "Section 2 amended", and especially amended section 2(c)(ii), which is around designated services. I asked about whether, under section 6 of the Fire and Emergency New Zealand Act 2017, section 6 only covers Fire and Emergency New Zealand, not necessarily the New Zealand Defence Force or civil defence. In the event of emergency, they're also on the front line, so I just want to check with the Minister if that was something that's considered or potentially is captured by another relevant legislation.

I do want to move on to Subpart 6 around theft, and I want to start with clause 25, "New section 219A inserted". I do have a couple of related questions. The first one is—section 219A of the Crimes Act is on theft, and you have section 234, which is on robbery. I want to check with the new section 219A(1)(a), particularly when we're looking at the words "offensive, insulting, or disorderly manner": what is the threshold when one shifts from theft in an offensive, insulting, or disorderly manner into robbery, which is, essentially, theft, but potentially with threat of violence? That is one possible interpretation of robbery, if you're looking at, I believe, section 234(1). That's my first question on clause 25.

My second question is that theft, particularly with the recommendation from the ministerial advisory group, is in the context of retail crime, but theft is much broader than simply just retail crime. You know, say you accidentally take your neighbour's lawnmower; that's technically theft. You break something that doesn't belong to you, and you cannot return in the same state; that, technically, can be considered theft. I just want to check, in terms of this, whether there has been any sort of consideration, because I don't believe this is something that we've touched on in close scrutiny in select committee, around what some of the broader manifestations of this new part are when you're looking at something that's beyond theft in a retail setting.

My final question around this is how this new section 219A would potentially interact with section 66 of the Crimes Act around party liability. For example, if you have two people, one of them potentially could be considered as committing theft in an offensive, insulting, or disorderly manner under the new section 219A; while the other person might simply just be looking at theft under section 219. Since, as we see with party liabilities, sometimes you can be charged with similar

offences, how would, for example, party liability be considered under this new offence? That is my one question for clause 21, and three questions for clause 25.

Hon KAREN CHHOUR (Minister for the Prevention of Family and Sexual Violence) (20:00): Thank you, Madam Chair. Just in response to the Green Party member, the threshold is for courts to determine between aggregated theft versus robbery, and the courts, I'm sure, will take a common-sense approach to what constitutes as theft, and it does not change party liability. Also there was another question around defence force and civil response. The simple answer is, no, defence force and civil response would not be covered by the assault offences.

CAMILLA BELICH (Labour) (20:00): Thank you. I just have a couple more questions around this theft part of the bill. Thank you to the Minister for engaging on these questions. I just have a follow-up question in relation to your response on the question that I had around the prison population. I think you said that there would be 250 prisoners—

Hon Karen Chhour: Per year.

CAMILLA BELICH: —per year, but, specifically, I think the overall increase is mainly in the female prison population, so I did wonder if it would be possible just to get a breakdown of that estimate. Obviously, there's been something published by the Ministry of Justice indicating that there would be a disproportionate impact on female prisoners. That is because more women are charged with lower-level theft. If it's possible to find it out, that would be good.

Also, in terms of facilities, has there been a corresponding exercise that has been undertaken with this bill? You said that the Government accepts that there is a consequence of implementing these tougher theft laws. That obviously has a financial cost, too, in terms of where they will be housed or where the prisons will be and whether that was a consideration as part of this bill. Obviously, if it wasn't part of this bill, you're welcome to say that, but I do think that that is important.

You did respond in relation to the difference of the ministerial advisory group, but I don't think I heard—and this is my last question on this particular section—the reasoning for the change in the recommendation. You said that there was a consultation that took place with the ministerial advisory group and that it was changed, but not the reason why it was changed. I don't know if officials are aware of what that reason might be, but those are the remaining questions I have on Subpart 6.

Hon KAREN CHHOUR (Minister for the Prevention of Family and Sexual Violence) (20:03): In regards to the reason for the change and speaking to the ministerial advisory group, they would have engaged with victims, workers, business owners, retail experts, and advocacy groups, and the changes would have been made through those conversations and through their engagement with those people. In regards to women in prison, I've been informed that that's correct around women. I don't have a breakdown in front of me, but you can see the Ministry of Justice's published analysis.

TOM RUTHERFORD (National—Bay of Plenty) (20:03): I move, *That debate on this question now close.*

A party vote was called for on the question, *That debate on this question now close.*

Ayes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Noes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Motion agreed to.

CHAIRPERSON (Maureen Pugh): The question is that the Minister's amendments to Part 1 set out on Amendment Paper 660 be agreed to.

Amendments agreed to.

CHAIRPERSON (Maureen Pugh): The question is that Dr Lawrence Xu-Nan's tabled amendments deleting clause 4(1) and (2) be agreed to.

A party vote was called for on the question, *That the amendments be agreed to.*

Ayes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Noes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Amendments not agreed to.

CHAIRPERSON (Maureen Pugh): The question is that Dr Lawrence Xu-Nan's tabled amendment to clause 4(4) inserting new subsection (5) be agreed to.

A party vote was called for on the question, *That the amendment be agreed to.*

Ayes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Noes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Amendment not agreed to.

CHAIRPERSON (Maureen Pugh): The question is that Dr Lawrence Xu-Nan's tabled amendments to clause 8 and 9 stating "if the arrested person is over the age of 18" be agreed to.

A party vote was called for on the question, *That the amendments be agreed to.*

Ayes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Noes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Amendments not agreed to.

CHAIRPERSON (Maureen Pugh): The question is that the Hon Casey Costello's amendment to clause 19 set out on Amendment Paper 650 be agreed to.

A party vote was called for on the question, *That the amendment be agreed to.*

Ayes 19

ACT New Zealand 11; New Zealand First 8.

Noes 102

New Zealand National 48; New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Amendment not agreed to.

CHAIRPERSON (Maureen Pugh): The question is that Todd Stephenson's tabled amendment replacing clause 19 be agreed to.

A party vote was called for on the question, *That the amendment be agreed to.*

Ayes 19

ACT New Zealand 11; New Zealand First 8.

Noes 102

New Zealand National 48; New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Amendment not agreed to.

CHAIRPERSON (Maureen Pugh): The question is that Dr Lawrence Xu-Nan's tabled amendment deleting clause 19 be agreed to.

A party vote was called for on the question, *That the amendment be agreed to.*

Ayes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Noes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Amendment not agreed to.

CHAIRPERSON (Maureen Pugh): The question is that Dr Lawrence Xu-Nan's tabled amendment to clause 20(2) replacing "15 years" with "14 years" be agreed to.

A party vote was called for on the question, *That the amendment be agreed to.*

Ayes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Noes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Amendment not agreed to.

CHAIRPERSON (Maureen Pugh): The question is that Dr Lawrence Xu-Nan's tabled amendment to clause 20(2) replacing "8 years" with "7 years" be agreed to.

A party vote was called for on the question, *That the amendment be agreed to.*

Ayes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Noes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Amendment not agreed to.

CHAIRPERSON (Maureen Pugh): The question is that the Hon Casey Costello's amendment to clause 24 set out on Amendment Paper 649 be agreed to.

A party vote was called for on the question, *That the amendment be agreed to.*

Ayes 19

ACT New Zealand 11; New Zealand First 8.

Noes 102

New Zealand National 48; New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Amendment not agreed to.

CHAIRPERSON (Maureen Pugh): The question is that Dr Lawrence Xu-Nan's tabled amendments deleting clauses 26(4)(b), 27(3)(b), and 28(3)(b) be agreed to.

A party vote was called for on the question, *That the amendments be agreed to.*

Ayes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Noes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Amendments not agreed to.

A party vote was called for on the question, *That Part 1 as amended be agreed to.*

Ayes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Noes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Part 1 as amended agreed to.

Committee of the whole House

Part 2 Amendments to other legislation, and the Schedule

CHAIRPERSON (Maureen Pugh): Members, we come now to Part 2. This is the debate on clauses 29 to 31, "Amendments to other legislation", and the Schedule. The question is that Part 2 stand part.

Dr LAWRENCE XU-NAN (Green) (20:16): Thank you, Madam Chair. I think, starting with Part 2, one of the things we've noticed is the new supplementary departmental disclosure statement that has been put on the Table. I want to start, first, by addressing the addition of the amendments to the Summary Offences Act, noting that this particular part, before coming to the Justice Committee, was originally an extra Amendment Paper by the Minister because it does cover a different area. We're now just seeing the departmental disclosure statement for the first time.

I think one of the things I want to pick up on is if there have been any follow-up considerations regarding what Te Puni Kōkiri has said regarding a lack of wider consultation with Māori on issues and the concern around unconscious bias with the infringement notice. Noting that when it comes to infringement notices here, in particular, I think we're looking at, I believe, one of the pages—it's not in here; it's somewhere in there. It's around the fact that, when it comes to infringement notices, all you need is actus reus but not necessarily the mens rea. I want to just, as a starting question, check with the Minister what kind of guidelines will be provided for the police or for anyone, I guess, in this instance, when it comes to addressing the issue of unconscious bias when it comes to, I guess, new section 14AA, inserted by clause 30A.

CAMILLA BELICH (Labour) (20:18): Thank you, Madam Chair. I'll just pick up where my colleague Lawrence Xu-Nan left off. The additional supplementary departmental disclosure statement raises a number of issues around the changes to the Summary Offences Act. I think probably my first question to the Minister is that we just discussed theft and changes to theft in the last section—this is a totally different way of treating theft. This is putting in place a regime where it's an infringement. In the documentation provided by the Government and considered by the Government before putting this Amendment Paper up to amend the Summary Offences Act, it was actually modelled on something similar to traffic infringement. It's treating theft like traffic infringements are treated, which is different, and there are some issues with it, as you could imagine.

One of the issues that has come up in the supplementary departmental disclosure statement is again and again with the police. We have a problem with the systems that they have in place to be able to keep records of infringement offences. We have specifically stated in this additional disclosure statement that the police have an infringement processing system, the Police Infringement Processing System. It's a stand-alone IT system, and it's designed for traffic infringement offences.

The proposal is that this will perhaps be used for these new infringement offences, but there's a key important point in this document, which is that this system is now end-of-life—so it's end-of-life technology. So the question really is: what is to be done about a system for keeping a record of these infringement offences, when there is such clear information about the deficits in the IT system? There is mention of perhaps there might be a new system. An update from the Minister: is this new system actually going to be ready for when these infringement offences are put in place, because that seems to be key.

I also am pleased that my colleague asked around the comments of Te Puni Kōkiri. I thought that those deserved to be answered. I have a related question—it's not the same—and it's about the feedback that was provided by Mana Mokopuna—the Children's Commissioner. This also recognised that Māori children might be affected, but also raised a really important point, which I would like to ask the Minister about. That is whether the infringement offences are in direct contrast and contradict the Oranga Tamariki Act 1989.

This is actually the second time we've had a crimes bill which has allegedly conflicted with the Oranga Tamariki Act. The other one that we have got in front of select committee at the moment is the Summary Offences (Move-on Orders) Amendment Bill. But there is an allegation there that, in fact, having these infringement offences—and it'd be good to know from the Minister what age range is it envisaged that these infringement offences would apply to, and what is the conflict with the Oranga Tamariki Act?

I know the Minister will be familiar with those provisions in terms of the duties, and from what I know of it—and she will know more about it than I will, definitely—there is an assumption that you act in a way which doesn't lead to putting a child in the criminal system under the Oranga Tamariki Act, and the allegation here from the Children's Commissioner appears to be that there may be a conflict with that.

So there's more to say—there are more questions—but I'll just leave it there for the Minister and, hopefully, she can get some advice.

Hon KAREN CHHOUR (Minister for the Prevention of Family and Sexual Violence) (20:22): Thank you, Madam Chair. Just in response to Lawrence Xu-Nan's questions: no, no further consultation has occurred in regards to—sorry. And there'll be no new guidelines coming forward from police to be telling people not to steal, because it's always been: "You do not steal." Nothing's changed in that. Shoplifting is a crime and robbery is a crime. So there's no new guidelines coming forward to kind of tell people, because the law hasn't changed.

Police will retain discretion. Alternative options include warnings. This is where it hasn't changed. Discretion is still there. They have the ability for warnings and alternative actions—for example, for a first-time offender, police may decide a warning is more appropriate and the use of discretion is an operational matter for police. I accept that there are disparities within the criminal justice system. The purpose of the infringement offences is not to address this, but rather to give police another tool to respond swiftly to shoplifting. It allows consequences without creating a criminal record which may reduce long-term impacts.

There were a few questions from a Labour Party member around "How do these proposals apply to youth and to children?" The Oranga Tamariki Act does not override this law, but in saying that, the new offences don't change anything in relation to the application of the youth justice provisions within the Oranga Tamariki Act. Young people aged between 14 and 17 can already be charged for criminal offences such as theft and are also subject to infringements—an example of that would be driving offences. So police will retain discretion on how to deal with young offenders and which pathways and alternative actions could happen, and warnings when they're appropriate also.

Hon Dr DUNCAN WEBB (Labour—Christchurch Central) (20:25): Thank you, Madam Chair. I just want to talk, essentially, about what this new infringement offence is, because it's been talked about as if it's shoplifting, but it actually appears to me to create something quite different, and that's why it's called something different. Because the Minister's got up before and said, "We just can't steal." The crime of theft requires dishonest intent. So you've, basically, got to know that you're taking something and know that you're not allowed to take it and that it's dishonest to do so. So it's a defence to theft, for example, if you forgot to pay, because you weren't being dishonest. It's actually a defence to theft if, for example, you took something thinking you were repossessing your own goods, but, in fact, that was a mistake, because it wasn't dishonest.

This infringement offence creates a crime if someone, without reasonable excuse, removes property from a retail premise. So my kind of guiding question is: is there a mental element there? What has to go on in the mind of the offender? Must they have dishonest intent? Because if you think about it, if you go shopping and you're one of those people—you know, and I've actually done it myself—where you put the item in a bag. You've been to one shop, you think, "Oh, I'll just grab myself some muesli.", put it in the bag, and then you kind of get distracted and you walk out. It's not reasonable to do so. It's not a reasonable excuse, it's a blimmin' stupid thing to do, but it would appear here that if you walk out with no dishonest intent, but without a reasonable excuse, you're guilty of this infringement offence, which would be shifting the dial substantially, because whilst you don't get a criminal record, it is an offence—it's a quasi-criminal offence that you've got here.

So that's my critical point. And what I want to talk about next is how that will work and what the opportunities to defend yourself are. So the question has two parts: is there a mental element and what will amount to a reasonable excuse? Is stupidity, for example, a reasonable excuse?

Hon KAREN CHHOUR (Minister for the Prevention of Family and Sexual Violence) (20:27): So in response to a couple more questions from Camilla Belich around upgrades to our systems, because enabling them to make sure that we can manage what's coming for Police. So Police have budgeted for upgrades to its infringement management system, and the work is under way. But there is a six-month delay for commencement of the infringement offence to give Police time for implementation activities, including the IT changes.

In response to Duncan Webb: the infringement includes a without-reasonable-excuse provision, and we would expect Police to take a common-sense approach to what is a reasonable excuse. The infringements are a way of ensuring that there's a consequence for these lower-level offending, without overburdening the courts.

DAN ROSEWARNE (Labour) (20:28): Thank you, Madam Chair. We've just been talking about the infringement offences, and I just want to focus on the issue of fairness. So, for example, take two young people who commit exactly the same offence: they steal the same item from the same store on the same day, for example. One has parents who can immediately pay a \$750 or a \$1,500 infringement and the matter is, effectively, dealt with. But the other comes from a family who simply can't afford it. My question is whether we end up with different outcomes for the same offending.

Now, one young person moves on without a criminal record; the other may find themselves drawn further into the justice system because they can't meet that financial penalty. I appreciate from other contributions that the Police retain discretion and that an infringement regime is intended to provide a proportionate response, but Parliament should be satisfied that consequences are being driven by the offending itself and not by the offender's ability to pay or whether they have rich parents. So I'd be interested in hearing from the Minister about what consideration has been given to that issue and whether any safeguards exist to ensure that this does not become a system where wealth determines outcome.

Essentially, what advice has the Minister received on that risk, and can the Minister explain how the Government intends to avoid that situation where a young person from a wealthy family can simply just pay an infringement notice and move on while a young person from a lower income family faces that escalation to the court system for, effectively, the same offence? Thank you.

Hon KAREN CHHOUR (Minister for the Prevention of Family and Sexual Violence) (20:30): Look, that's a hypothetical scenario that that member Dan Rosewarne is

speaking to, but what I would say is that individuals have the ability to challenge an infringement directly to the police. If it's not resolved through this channel, they can challenge it in court.

When it comes to an infringement notice and being unable to pay, a person who is issued a notice who cannot pay at that time may contact the police directly to discuss payment options. It's not like they have to fork out the money right then and there. If they do not pay the fee, the infringement will be transferred to the courts, where it will be made a court fine, and the individual will need to work with the Ministry of Justice collection services to determine a payment plan.

All they have to do is pay the fine or make an arrangement to be able to pay the fine, and so it's not about having a rich parent that can come up with the money right away and then ending up at a higher level. They just have to find a way to make the payment over time, if they can't.

Hon Dr DUNCAN WEBB (Labour—Christchurch Central) (20:31): Thank you, Madam Chair. I want to move on a little bit, but I do want to say the that Minister's response to my earlier question was a little dismissive. I explained "reasonable excuse", and she said back to me, "Well, there's a reasonable excuse defence." The crux of the question is: is there a mental element in this offence, or is it simply the act of having this item that you've taken out of a retail premise? That was the question. Is there—to use the Latin—a mens rea, or a mental element, to this offence?

I want to move on to what my real concerns around this are. If we think about it, what you've got is the ability of the police to, ultimately—if you look at new section 38CC—email an infringement notice to someone, or to use post. There are some real problems here, because if we see what large retailers are doing now, they're using CCTV.

We can imagine a situation where someone is identified walking out of a shop with an item, the police are contacted and given this footage, someone says, "I know who that is." They go and they say "It's this person here.", they check their everyday rewards database to find their email address, and they email the infringement notice to the last known email address. It turns out it's a mistaken identity, which is quite possible, and the email is never seen by the person whom it actually relates to, and, in fact, it's never seen by anyone because that person doesn't check their emails. It goes through court, a fine is imposed, the fine isn't paid, and, all of a sudden, we've got a huge problem.

Now, all this is entirely feasible, and we've heard already that the police's IT systems are not yet even up to managing this system. So if we've got this pretty much entirely automated system of issuing infringement offences based on, quite conceivably, CCTV footage, how can we guard against the possibility of having infringement notices going to emails that aren't answered in respect of people who weren't in the store at the time?

CAMILLA BELICH (Labour) (20:34): Thank you, Madam Chair. I have a related question to mistakes in the documentation. It's not exactly the same point, but it's related to the comments made by the Hon Dr Duncan Webb.

We've heard feedback from the Privacy Commissioner, who was consulted throughout this process. One of the statements that the Privacy Commissioner has made in the consultation on the summary offences part of the bill is that the Privacy Commissioner is concerned that it was not clear that the information that individuals who are issued notices under this section would be able to challenge the notice or prove the defence. It kind of follows on from the question that Dr Duncan Webb was talking about around how people would know that they were served. Well, this is, in fact, how they would challenge an incorrect Summary Offences Act notice that was sent to them.

The response from the Ministry of Justice was to say that there was a police adjudicator. I'm interested that a police adjudicator may be involved in some of these instances, and I'm interested in how a police adjudicator would be contacted by someone who had had an incorrect infringement notice in their name—or some aspect of it was incorrect—and what the process would be for people to know that that was the way that they could challenge the notice.

I haven't had that much to do with police adjudicators. I'm not familiar with exactly how that particular role fits within the normal complaints system, especially as this is an infringement offence. If the Minister could maybe reflect on the concerns that were raised by the Privacy

Commissioner, I ask whether she has any comment to make on the concerns that they raised with the ministry, and also what the police adjudicator would be able to do to rectify a situation where there was a genuine error made, because that's something that the Privacy Commissioner has, obviously, thought was quite serious within the infringement regime.

Hon KAREN CHHOUR (Minister for the Prevention of Family and Sexual Violence) (20:37): In response to the Hon Dr Duncan Webb's question, no mental element is required for the infringement offence. This reflects the lower penalties available for offences other than theft, which has that mental element.

As both of you have asked similar questions: it's the electronic issuing of infringement notices. This is actually already allowed under the Land Transport Act, and they've just copied the same processes as for the Land Transport Act when it comes to issuing infringements electronically. People can challenge those unfair situations. It's a matter for the police operations, but the process exists, and, usually, it's done by email and post.

TAMATHA PAUL (Green—Wellington Central) (20:38): Thanks, Madam Chair. My questions relate to clause 30A, new section 14AA, and they are along the same lines in terms of the questioning around privacy. They are mainly around some of the information that's listed here in the supplementary departmental disclosure statement, which says that "Police may collect and retain evidence of the infringement. This is likely to include CCTV footage of the incident,"—da-da, da-da, da-da.

I'm interested in the bit around CCTV footage of the incident and the use of facial recognition technology within, let's say, a supermarket, for example. I guess what we're keen to understand is if AI technology using facial recognition—which is really prevalent within most supermarkets these days around the world and here in New Zealand—that technology is also known for its errors, particularly when misidentifying people of colour or darker-skinned individuals, and this can often lead to wrongful arrests.

There is a situation from 2024 which I don't think has been discussed in this committee of the whole House phase. In April 2024, there was a Māori woman named Te Ani Solomon, who was falsely matched by AI as a trespassed thief at a New World supermarket in Rotorua. I guess what we're trying to show here is that some of the facial recognition technology that is used and matched with CCTV within supermarkets is flawed and it can discriminate against people who are darker-skinned.

That is just objectively what the evidence said and where the misidentification comes from. So what are the steps that will be taken to make sure that people aren't misidentified where facial recognition technology is used and where that kind of evidence and footage is supplied to police? How can people contest the process if they have been wrongfully identified, as we have seen as recently as April 2024?

RIMA NAKHLE (National—Takanini) (20:40): I move, *That debate on this question now close.*

CHAIRPERSON (Maureen Pugh): Thank you, but I think there is a little bit more we can cover in this part. Lawrence Xu-Nan.

Dr LAWRENCE XU-NAN (Green) (20:40): Thank you, Madam Chair. I will keep my contribution quite short. It's to do with the infringement fee amount in new section 14AA, inserted by clause 30A. I do have an Amendment Paper on this which is timed to 20:30:09. One of the questions I have over here is I understand why it says, "(2) A person who commits an infringement offence against the section is liable ... by ... court not exceeding—".

The two questions I have are: in general, I want to check the Legislation Design and Advisory Committee (LDAC) guidelines, which suggest that infringement fees should not be more than \$1,000 or—I think the wording in the LDAC guidelines should be \$1,000 or less. Just checking on the consideration for let's say, new section 14AA(2)(b) to be above that amount, but also noting that, over here at subclause (a), "if the value of the property removed is equal to or less than \$500;", you're fined for \$750, but if it is above \$500, you're fined to \$1,500 with no upper threshold. One would assume if you hit above the \$2,000 mark, you would then be hit with what we saw

previously under theft for \$2,000 and above. But I just want to check: is there, again, an upper threshold for the value of the property removed, because even if it's, let's say, up to \$2,000, if you remove something that is \$1,800 or \$1,900, but the fine is \$1,500, you in some ways are still gaining a couple hundred. I just want to check if that's something that has been considered and whether there's been a scale that has been considered for that as well. That's all.

Hon KAREN CHHOUR (Minister for the Prevention of Family and Sexual Violence) (20:42): Just in regards to Tamatha Paul's question around police and CCTV footage and incident details being collected in that manner: whilst police may collect and retain evidence such as CCTV footage, we recognise that facial recognition technology is an evolving issue and the police privacy commissioner has issued guidance for retailers on the risks of CCTV, and we would expect that would be continuing, and that we'd be keeping an eye on any issues that happen in that space.

CAMILLA BELICH (Labour) (20:43): Thank you, Madam Chair. Obviously, we're getting near the end of the summary offences part of this bill, but there is a part that we haven't discussed in Subpart 2, which is the Schedule, which is the other legislation that is impacted on this. I haven't been able to have a close look at all of the different bills that are listed there but I just wanted to specifically check with the Minister about the substantive adding to the Aviation Crimes Act. I just wanted to know why that was more substantive than the other bills, which just kind of added these new crimes, which you can maybe understand, to a list. I wanted to know why specifically that was added to the Aviation Crimes Act 1972 in this way.

The other question I had was—and I appreciate that there were some errors in the Amendment Paper that the Minister put forward that were corrected in this, too. Hopefully you don't come across any of those because those would have been picked up. We did talk about the Oranga Tamariki Act 1989 and new offences are inserted into that Act. I wanted to just check with the Minister her understanding of the impact of listing those particular offences. I know we did talk about the Children's Commissioner and the alleged conflict between the duties in that Act. I know the Minister said that it doesn't override the Oranga Tamariki Act, but I just wanted to, for fullness, check that particular point with the Minister while we're still discussing this part of this bill.

Hon KAREN CHHOUR (Minister for the Prevention of Family and Sexual Violence) (20:45): Just in response to Lawrence Xu-Nan about infringement fees and the amount: the amount was considered by the Minister as appropriate, and the Legislation Design and Advisory Committee guidelines were just guidelines, and no, there's no upper threshold.

The Schedule that Camilla Belich was just speaking to adds coward punch and manslaughter to the Civil Aviation Act, among others.

TOM RUTHERFORD (National—Bay of Plenty) (20:45): I move, *That debate on this question now close.*

A party vote was called for on the question, *That debate on this question now close.*

Ayes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Noes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Motion agreed to.

CHAIRPERSON (Maureen Pugh): Dr Lawrence Xu-Nan's tabled amendment to Amendment Paper 660 deleting new Subpart 1AAA of Part 2 is out of order as being a direct negation of the question.

The question is that the Minister's amendment to Part 2 set out on Amendment Paper 660 be agreed to.

Amendment agreed to.

CHAIRPERSON (Maureen Pugh): The question is that Dr Lawrence Xu-Nan's tabled amendments to clause 30A new section 14AA(2)(a) and (b) be agreed to.

A party vote was called for on the question, *That the amendments be agreed to.*

Ayes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Noes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Amendments not agreed to.

A party vote was called for on the question, *That the Part 2 as amended be agreed to.*

Ayes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Noes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Part 2 as amended agreed to.

CHAIRPERSON (Maureen Pugh): We come to the Schedule.

The question is that the Minister's amendments to the Schedule as set out on Amendment Paper 660 be agreed to.

A party vote was called for on the question, *That the amendments be agreed to.*

Ayes 87

New Zealand National 48; Green Party of Aotearoa New Zealand 14; ACT New Zealand 11; New Zealand First 8; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Noes 34

New Zealand Labour 34.

Amendments agreed to.

CHAIRPERSON (Maureen Pugh): The Hon Casey Costello's amendment to the Schedule set out on Amendment Paper 649 is out of order as being inconsistent with a previous decision of the committee.

The Hon Casey Costello's amendment to the Schedule set out on Amendment Paper 650 is out of order as being inconsistent with a previous decision of the committee.

A party vote was called for on the question, *That the Schedule as amended be agreed to.*

Ayes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Noes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Schedule as amended agreed to.

Committee of the whole House

Clauses 1 and 2

CHAIRPERSON (Maureen Pugh): Members, we come now to our final debate. This is the debate on clauses 1 and 2, “Title” and “Commencement”.

Dr LAWRENCE XU-NAN (Green) (20:51): Thank you, Madam Chair. I want to discuss the commencement date. I think the first thing, when we’re looking at the commencement date—I just want to double check that I’ve got the right section. The main thing is around some of the things that we saw in Part 1, particularly when we were looking at things like the expanded scope of citizen’s arrest, both in terms of the kind of crime that is now encapsulated under citizen’s arrest and also in terms of things like the use of physical and mechanical restraint.

It’s something that will take some time, I guess, to communicate with the broader public, but that particular section will come into force today after Royal assent. As we see with a lot of justice-based bills, there’s usually somewhat of a lead-up period when it comes to the implementation of significant changes, so I do want to check if the Minister would consider my amendment, which is to replace “the day after Royal assent” with “1 July 2027”. It gives about 11 months for there to be genuine communication with the public on that. Even as we saw during the select committee stage, Retail New Zealand, the Police Association, and, I believe, Business New Zealand as well all raised concerns around that citizen’s arrest provision and are trying to get their heads around the workability and feasibility of that part. I guess I just want to check with the Minister if that is something that the Minister would consider.

I guess, in relation to that, what we saw in terms clause 2(2) and clauses 30A to 30E when we’re looking at the new Summary Offences Act and the new infringement offence, that is going to be done by Order in Council with a deadline of six months after Royal assent. I do think that even something like that should have been considered for Part 1—specifically the citizen’s arrest part of Part 1. The other question there would be: has the Minister considered including clauses 4 to 12 into what we see here in clause 2(2) and (3) as well? That’s my first question. Thank you.

Hon KAREN CHHOUR (Minister for the Prevention of Family and Sexual Violence) (20:54): We won’t be considering changing those commencement dates. There’s a specific reason around the delay for the commencement of the infringement offence, and I think I spoke to that in an answer previously around giving the Police time to implement activities, including the IT changes that need to be ready, but it’s not necessary for Part 1 of the bill.

CAMILLA BELICH (Labour) (20:54): Thank you, Madam Chair. There’s more in this commencement section than in many commencement sections, and I had a couple of questions around this too.

Look, this whole bill is a bit of a mess, to be honest, and I appreciate that the Minister for the Prevention of Family and Sexual Violence is not the Minister with conduct of this bill. It’s kind of reflected in the commencement section, because I don’t think I’ve ever seen a less specific commencement section in any bill that I’ve seen come before the House. The reason for the six months date, the Minister has already discussed, which I think is prudent. I think it could possibly be longer, knowing that sometimes these IT systems take longer than six months. I do actually think the suggestion to think about whether that could be even longer would be prudent, and it will probably save the Government some angst or whatever the Government has to deal with, with this, because it’s not going to be possible to have an infringement regime without the completed IT system in place.

The other thing that is just bizarre with the drafting on this is that it then has kind of a catch-all in clause 2(3) that says, “Any part of the Act that has not come into force” comes into force after six months. Now, that is clearly a reference, or should be a reference, to the IT system delay, which the Minister has very capably explained, but I don’t think the drafting represents the clarity that she talked to the committee about. It’s quite bizarre.

The other thing that is really unusual about this commencement clause is the fact that it’s got a note in the commencement clause: “(see Part 3 of the Legislation Act 2019 for publication requirements)”. Well, I think we can do without a note in the second clause of a bill telling us what the legislated requirements are for legislation. It’s a terribly drafted commencement clause, and we can do better—we can do better. I’m not blaming officials here, because if you read all of the documentation and you read the regulatory impact statement, they were under the pump, and the Minister—not this Minister, but the Minister responsible—has put them under the pump, stuck a

bill in the Summary Offences Act right at the end through an Amendment Paper. There's been a second Amendment Paper. There's been two different amendments from Government parties on different aspects of this bill that differ from what went through select committee.

It's disappointing because there are aspects of this bill that we supported, especially the trafficking and the definitions around "modern slavery". It's admirable, and I'm pleased that that will pass into law. I'm very supportive of that. Also, I think recognising the increased workplace risk of first responders is something there that we can all get behind. Overall, the commencement, drafting-wise, just really leaves a lot to be desired. Also, I know this is a point that my colleague Lawrence Xu-Nan has made on other bills, but because this has taken such a long time, we also have to make an amendment to the title. I won't go on about that, but potentially it will either be 2026 or 2027.

I don't have too many questions for the Minister. I don't know if she wants to comment on the way that this has all turned out to be a little bit of a mess and if she has any thoughts around the IT system and whether that could be, perhaps, changed so there's a little bit more time to do that. I don't know if she's had assurances from the Police that the infringement notice IT system will be in place by that date—hopefully, because otherwise it would be, and it's not too late, a really good idea to change the commencement, give yourself a little bit more grace. Be like the Auckland City Rail Link people who just can't seem to announce an opening date. Christmas is coming, but it's never there, and as an Aucklander, it's a little frustrating. Anyway, I don't know if the Minister wishes to comment on that, but I want to thank the Minister for her engagement on this bill. I know it's not one that she has had conduct with, but I do appreciate her genuine engagement.

Hon KAREN CHHOUR (Minister for the Prevention of Family and Sexual Violence) (20:59): Whilst I appreciate the member Camilla Belich's views on the drafting of the commencement clause, the officials have politely written to me that the commencement clauses are standard drafting.

A party vote was called for on the question, *That clause 1 be agreed to.*

Ayes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Noes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Clause 1 agreed to.

CHAIRPERSON (Teanau Tuiono): The question is that Dr Lawrence Xu-Nan's tabled amendment to clause 2(1) replacing "the day after Royal assent" with "1 July 2027" be agreed to.

A party vote was called for on the question, *That the amendment be agreed to.*

Ayes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Noes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Amendment not agreed to.

CHAIRPERSON (Teanau Tuiono): The question is that Dr Lawrence Xu-Nan's tabled amendment to clause 2(3) replacing "6 months" with "12 months" be agreed to

A party vote was called for on the question, *That the amendment be agreed to.*

Ayes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Noes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Amendment not agreed to.

A party vote was called for on the question, *That clause 2 be agreed to.*

Ayes 67

New Zealand National 48; ACT New Zealand 11; New Zealand First 8.

Noes 54

New Zealand Labour 34; Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Clause 2 agreed to.

Bill to be reported with amendment.

ENGLISH LANGUAGE BILL

Committee of the whole House

Clause 1 Title

CHAIRPERSON (Teanau Tuiono): Members, the House is now in committee on the English Language Bill. We start with clause 1. This is the debate on clause 1, "Title". The question is that clause 1 stand part.

Hon CASEY COSTELLO (Minister of Customs) (21:04): Point of order, Mr Chair. I seek leave for all provisions to be taken as one question.

CHAIRPERSON (Teanau Tuiono): Are there any objections? There is an objection. This is the debate on clause 1, "Title". The question is that clause 1 stand part.

Dr LAWRENCE XU-NAN (Green) (21:04): Thank you, Mr Chair. I stand to take a call on the title of this bill, noting that, if we're debating this clause by clause, we will be covering the more substantial parts of this bill.

I guess the first question that I have with the title, and the issue I have with this title, is the lack of clarity in terms of the title, because the "English Language Bill" doesn't really tell us anything—noting that in select committee we discussed and reported that the English language is number one, it is already the lingua franca, it already has majority status, and the fact that it is already considered an official language.

The language itself exists. In fact, we are using it right now. I think the better response for this title over here would be something on the line of "Official Status of English Language" or the "Officiation of English Language Act 2026"—also, it is no longer 2025—because I think it will then provide some clarity of what the intended purpose of this Act is.

Again, the English language is something that is being used right now. There is nothing that the bill would do to introduce the English language, so I just want to check with the Minister regarding clarification of the title.

Hon CASEY COSTELLO (Minister of Customs) (21:06): The bill is declaratory in nature. It simply puts the official status of the English language in legislation, and that is what the title reflects.

A party vote was called for on the question, *That clause 1 be agreed to.*

Ayes 101

New Zealand National 48; New Zealand Labour 34; ACT New Zealand 11; New Zealand First 8.

Noes 20

Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Clause 1 agreed to.

Committee of the whole House

Clause 2 Commencement

CHAIRPERSON (Teanau Tuiono): We now come to clause 2. This is the debate on clause 2, “Commencement”. The question is that clause 2 stand part.

Dr LAWRENCE XU-NAN (Green) (21:08): Thank you, Mr Chair. I do want to check, in terms of the commencement date, when you’re looking at the fact that the bill comes into force on the day after Royal assent. I just wondered if, for example, that would be the most appropriate commencement date for this bill. I do feel like, if this is indeed something that the Minister has expressed, wanting to officialise the English language, legislatively speaking—you know, noting again that English is already an official language—I would say that, perhaps, maybe an appropriate commencement date would be 6 February 2027. I think, you know, just to do it on Waitangi Day for some irony. Alternatively, next year’s Matariki as a way of signalling a new beginning.

Would that be something that the Minister would consider? I do feel like, if this is something that the Government is really gung-ho about—which is technically English despite the fact that it has Chinese origins—it should be something that is taken a little bit more seriously than simply the day after Royal assent.

Hon CASEY COSTELLO (Minister of Customs) (21:10): Yes, we do take it very seriously. That is why it will be coming into force after Royal assent.

A party vote was called for on the question, *That clause 2 be agreed to.*

Ayes 101

New Zealand National 48; New Zealand Labour 34; ACT New Zealand 11; New Zealand First 8.

Noes 20

Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Clause 2 agreed to.

Committee of the whole House

Clause 3 Purpose

CHAIRPERSON (Teanau Tuiono): We now come to clause 3. This is the debate on clause 3, “Purpose”. The question is that clause 3 stand part.

CAMILLA BELICH (Labour) (21:11): Thank you, Mr Chair. I did want to ask a few questions around the purpose of this clause. I know the Minister’s a busy person, and I just want to know what is the purpose of this Act. From her answers previously, it seemed that she accepted what officials said and what also came through the select committee that English is an official language of New Zealand, so I wanted to know, in the purpose section, what is the purpose of using Parliament’s time to make English an official language in statute when, in fact, that already is the case.

Hon CASEY COSTELLO (Minister of Customs) (21:12): I think the differential here is that we have treated the English language in a status that doesn’t have legal protection in the law, so this is about ensuring that it has that legal status so that te reo Māori and the sign language will all have equal status in law.

STEVE ABEL (Green) (21:12): Thank you, Mr Chair. Further to that response, why does it need to have status in law, Minister? In the opening explanatory note, “The English language has long been a de facto official language”, as you rightly acknowledge. Is the Minister aware that no other Anglosphere nation has made English an official language through its Parliament, other than Canada, where there were two competing colonising languages, French and English? Even the United States, where Trump has passed one of his orders, has not brought the question of

whether English should be an official language to the Congress. So why, in this Parliament, are you wasting your time for something that I do not believe and that the Minister has not believed?

You have not articulated the actual problem that this bill solves, because other jurisdictions rightly recognise that the de facto status of English means it does not need protection in law, and the purpose of making languages official is to protect them in law because they are threatened, because they are marginalised, and because they may be a particular indigenous language. What is the case, Minister, for needing to pass legislation to do this? It is not sufficient simply to say that it's not recognised in law; therefore, we need to recognise it in law. That is not a sufficiently satisfactory answer. In fact, it has the stink of a cultural war position that has been adopted directly out of the foul mentality of the United States of America off the back of the attitude of Donald Trump.

Hon Members: Oh!

STEVE ABEL: These moaning, groaning fellows of your coalition seem to not have the temerity to stand up and speak against the sort of garbage that has been passed through this committee tonight. What is the actual, meaningful problem that is being solved by this legislation? None of us has any issues with the de facto status of the English language.

Dr David Wilson: Then why are you talking?

STEVE ABEL: Because the House, while people are struggling to put food on the table, is wasting the time of this Parliament with a bill that has no purpose and no credible justification. It's, indeed, a pathetic bill, and we will not be supporting it, obviously, but can the Minister give us a serious reason for what the problem is right now in Aotearoa New Zealand that requires you to pass a law to let us all know that we're speaking English all day and every day?

Hon CASEY COSTELLO (Minister of Customs) (21:16): I think that it's clear, without all the emotion and rhetoric of the previous speaker, Steven Abel, that an official language is generally understood to be a language that is recognised by State for use in Government functions such as legislation, courts, education, and public administration. Official language status can be symbolic, but it can also support language to be used in circumstances where it may not otherwise have been provided for, such as in court proceedings or in Parliament. This is about ensuring that English is an official language, as are others, rather than just in terms of current practice. I would highlight that it is not only Canada that has English as an official language. The United States and Ireland also have it as an official language, and Wales has it as an official language of Parliament.

CAMILLA BELICH (Labour) (21:16): Thank you, Mr Chair. Just while we're talking about the legal aspects of it—and I'm happy to have a debate based on the legal arguments on this—English is an official language at law. That is a fact. It may not be in a statute, but it is at law an official language now. In fact, all of our laws—most of them that aren't in te reo Māori—are written in English. I think it is regretful that there is a lack of acknowledgement around the common law, because it is such an important part of our statutory system, and, in fact, as a country without a written constitution, our conventions carry a huge amount of weight. It is clearly a part of our legislative convention that we speak English as an official language. Today, it is not required to have a statute in place.

Because we are talking about the legal issue in this very short bill and, I think, because this has been addressed in this purpose part, I've got two questions that I thought were very convincing at select committee around this. The first one was raised by Dr Dean Knight. He said that if statutory recognition was to be given to the English language, in his view—and he is a law professor—it should be in the constitution Act. All of the three official languages could be there together in the Constitution Act. I wonder why this wasn't considered, and I would like the Minister to address that.

The second question that I wanted to raise was—this is uncomfortable because this is a bill that we feel compelled to support. The reason for that is there are issues with playing around with legal statuses of languages and of the way that we communicate official decisions. I think it's accepted widely now that English is an official language, and that's why you can conduct all of your business in English. The problem is, if you start to change that, there could be minor risks,

and we have a lawyer, Graeme Edgeler, stating that there are minor risks with adopting English as an official language through statute. The reason for that is it may undermine the current status of English as an official language now.

I think the further thing, and it does bear explaining Labour's position on this as we are not supportive of this bill coming to the House, but we don't want a situation where a bill that proposes to make English an official language is voted down because it is clearly and plainly obvious that English is an official language. I don't think there's a proposal from anyone to change that, although there are proposals that are very meaningful and proper and deserve support to support the other official languages that we have in New Zealand—te reo Māori and Sign Language—and that should be done.

The legal question really is: has the Minister of Customs been advised—this came up in the Justice Committee from a lawyer—of any risks associated with the subsequent transference and codification of what is, at common law, an official language into a statute? Because we received submissions at select committee that said there were risks. I believe there would be further risks in voting a bill like this down, even though I don't agree with bringing it to the House. These are not meaningless discussions. They certainly have no impact, but there are valid concerns raised, and I appreciate the Minister if she could respond to those questions.

Dr LAWRENCE XU-NAN (Green) (21:21): Thank you, Mr Chair. I want to start by picking up from some of the responses by the Minister of Customs, and I do want to check if the Minister wouldn't mind clarifying some of her statements from before, because one of the things she said is that we are looking at English as an official language, and sometimes you give official language status to a language for protection. Can I first ask the Minister: what are we protecting the English language from here in Aotearoa New Zealand?

I also wanted to check that the Minister also stated that having an English language as an official language would allow for circumstances otherwise not provided for. Could the Minister indicate or give examples of situations here where English is not being provided for? Because it does then tie into the whole premise of the legislation we're seeing in front of us.

Additional questions that I have are looking at the departmental disclosure statement, that when we're looking at consistency with Government's Treaty of Waitangi obligations, it does state that the Ministry of Justice analysed this bill. But can I check if the Minister sought any advice, or if the ministry sought any advice, with Te Puni Kōkiri around this bill as well? Or has, for example, the Māori Language Commissioner, or the Māori Language Commission, or even a Whaikaha from a disability and New Zealand Sign Language perspective, been consulted on this bill?

Finally, just to pick up on what my colleague Camilla Belich said and some of the concerns that we did see through the Justice Committee constitutionally, which also could potentially create anomalies through this bill, as well as some of the broader constitutional implications of this bill undermining any previous official language status that English may have held. That is an important question to ask, but I think the keyword here is "legislative" recognition. The issue that we see with this bill is that this bill is not attached to any other bill. It's not referencing any other bill; it's not referenced by any other bill; it's not an amendment bill; and so, as a bill in itself, where does this bill sit on our books at all?

I think if this is something that the Government is interested in to provide consistency, I do want to support what my colleague Camilla Belich, as well as other submitters—particularly Professor Dean Knight—refer to, which is that it would have been better to put it as a constitution amendment bill, or constitution (English language) amendment bill, so that it sits alongside the other two official languages. Because right now, the way that this bill is set doesn't really sit anywhere other than simply being a legislation.

I do want to check those couple of questions with the Minister, and I will be keen to hear the Minister's responses, and I may have further questions to the Minister depending on the response.

Hon CASEY COSTELLO (Minister of Customs) (21:25): In response to the question about whether it should have been in the Constitution Act: the Constitution Act deals with significant constitutional matters such as the role of Parliament and the Governor-General, so it would not have been appropriate for the English language to be recognised within the Constitution Act. The discussion is generally about the need for this bill standing alone. It is being recognised

that it would have greater consistency to ensure that all three official languages have their own individual Acts and that's what is being proposed here.

STEVE ABEL (Green) (21:25): Thank you, Mr Chair. What evaluation was made of the impact of making English an official language on te reo Māori—that is recognised as an official language alongside New Zealand Sign Language—given that the need for its recognition was based on the fact it was prohibited from being spoken in schools and suffered the significant negative consequences of colonisation? Children were beaten, in fact, for speaking Māori within living memory. Children who were alive in the 1950s and 1960s can recall directly, people who are alive still today.

Given that the purpose of recognising te reo Māori as a taonga was to protect it from the threats that it faced and had survived over decades, what are the consequences of treating English as somehow in a similar category of needing a legislative framework to protect it? Has the Minister of Customs considered that it diminishes the taonga status of te reo Māori and diminishes the long-fought struggle by Māori to get te reo recognised as an official language?

My other question is: one of the two key impacts of the Trump executive order, which made English an official language in the United States—it did not go through the Congress, as I said earlier, but since the executive order, there has been a roll-back of State-funded sign language interpretation. What consideration did the Minister have of the effect of recognising English, insofar as it will diminish the status of those existing official languages? It also led, in the United States, to the roll-back of legislative provisions for people who have limited English proficiency. I wonder what consideration the Minister gave to those factors where English has been recognised through the executive order in the United States.

My final question is: is English an official language in England? Is the Minister aware of the answer to that question?

Hon CASEY COSTELLO (Minister of Customs) (21:28): Just in response to the earlier question: Te Puni Kōkiri was consulted in the development of this legislation. The legislation will have no wider impacts, either operational or social, including on other languages used in New Zealand. The bill creates no rights or requirements and is solely declaratory in nature. It cannot prevent or influence operational decisions, nor does it impact the Crown's obligations arising from Te Tiriti o Waitangi.

The legislative recognition of the status of English as an official language will not affect the status or use of te reo Māori or New Zealand Sign Language as the two other official languages of New Zealand. The bill does not change the relationship between the official languages and their respective Acts. Beyond legislative requirements, there will be operational decisions as to how each official language is provided for in relevant circumstances.

Dr LAWRENCE XU-NAN (Green) (21:29): Thank you, Mr Chair. I have some follow-up questions from the Minister of Customs' response to my previous question. Now, the Minister has responded that this is not an amendment to the Constitution Act because any amendments to the Constitution Act are significant, but I felt it's perplexing because—*[Interruption]*

Hon Casey Costello: Point of order. I was misquoted there. I said that the Constitution Act is for significant matters such as Parliament and the Governor-General. That is the reason that this isn't included: that it would be inappropriate for the language to be included in the Constitution Act.

CHAIRPERSON (Teana Tuiono): OK, that's not necessarily a point of order, but I think the point has been made and that correction is useful for the committee.

Dr LAWRENCE XU-NAN: Thank you, Mr Chair. I do appreciate the Minister's clarification. I think it is important, but, with that, I thought that what the Minister has said—and, again, please feel free to correct me if I misrepresented what the Minister said—is that this is something that is considered seriously and that this is to replicate the fact that the other two official languages also have their own Act.

Having just looked at both, in terms of the Māori Language Act and also the New Zealand Sign Language Act, they are a lot more substantial than what we're seeing here, because there is

legitimate effect to having a language as an official language. For example, the Māori Language Act refers to the establishment of the Māori Language Commission. The New Zealand Sign Language Act refers to the specific effect that the legislation will have on the way we look at New Zealand Sign Language. But what we see here is not any sort of effect that is attached to this. In that case, the question then is: what, then, would be the effect? We have a purpose, sure, but what would be the effect of such a recognition for the English language? That follows on from some of the effects that we see in other jurisdictions that my colleague Steve Abel has also just referred to. I think that is an important question to respond to.

I also want to check—noting that I'm waiting for the Minister's response on my other questions regarding what we are protecting the English language from and to give me an example of where English is otherwise not provided for—if it's simply that anyone or any member or any Government is able to introduce an Act such as this and then put it down as an official language, what consideration has the Minister or the Government considered if any Government could then simply add to the list of official languages? I mean, we could be adding Mandarin Chinese as an official language. We could be adding Hindi. We could be adding Samoan as an official language. That is something that I think the Minister may also want to consider—the broader legislative implications and, I guess, the example that legislation such as this will set and the precedents it will set for future Governments.

Hon CASEY COSTELLO (Minister of Customs) (21:33): As I've stated previously, this legislation is declaratory in nature. For those other two languages, legislation was considered necessary to protect the rights of linguistic minorities and to legislate for the right to use each of those languages. English has never required protections, and that is why that has not been included in the bill. As I've stated previously, it is declaratory in nature, and it is provided an official language status in law.

CHAIRPERSON (Teanau Tuiono): Before I take the next call, I do want the committee to note that there was a select committee process and that there is a number of pages there. I would encourage members who were not on that select committee to consider that report—it isn't actually very long—before you ask your questions, just so that we're not repeating things and discussions that have already happened at the select committee. I do welcome the new questions which build on the responses from the Minister, which could be useful in terms of understanding this bill. If people could keep that in mind as we move through this bill.

TOM RUTHERFORD (National—Bay of Plenty) (21:34): I move, *That debate on this question now close.*

STEVE ABEL (Green) (21:34): Thank you, Mr Chair. This will be brief. For understanding the context in which we sit globally on this position, I would appreciate if the Minister in the chair, Casey Costello, would answer my question as to whether English is an official language in England. I wonder, also, if the Minister knows whether English is an official language in Australia, to give us some context for the necessity of this being passed.

A party vote was called for on the question, *That clause 3 be agreed to.*

Ayes 101

New Zealand National 48; New Zealand Labour 34; ACT New Zealand 11; New Zealand First 8.

Noes 20

Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Clause 3 agreed to.

Committee of the whole House

Clause 4 Act binds the Crown

CHAIRPERSON (Teanau Tuiono): We now come to clause 4. This is the debate on clause 4, "Act binds the Crown". The question is that clause 4 stand part.

Dr LAWRENCE XU-NAN (Green) (21:36): Thank you, Mr Chair. Although this is quite a short clause, I do want to check one question. I guess in some ways it is somewhat philosophical in nature, but I want to check: in this case, when we're referring to binding the Crown, which we do see in many other pieces of legislation, what then would the Crown encompass in this case? For example, the Crown over here, in general, we're looking at, you know, Parliament, we're looking at the Public Service, we're looking at anything that is under the auspices of the Crown. But, for example, as we see with other official languages, there will be members of the public who, for various reasons, would not acknowledge other official languages. I guess the question is: what happens in a situation where, then, people in the public do not acknowledge English as an official language? Would they be considered part of the Crown?

A party vote was called for on the question, *That clause 4 be agreed to.*

Ayes 101

New Zealand National 48; New Zealand Labour 34; ACT New Zealand 11; New Zealand First 8.

Noes 20

Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Clause 4 agreed to.

Committee of the whole House

Clause 5 English is an official language of New Zealand

CHAIRPERSON (Teanau Tuiono): We now come to clause 5. This is the debate on clause 5, "English is an official language of New Zealand". The question is that clause 5 stand part.

CAMILLA BELICH (Labour) (21:38): Thank you, Mr Chair. I just wanted to ask a question on this particular part of the bill, because this is actually an area that I think could've been improved through the select committee process. The improvement that might've actually added something to the current status—which we've already stated is that English is an official language—is if we had New Zealand English in the bill. That was suggested by a number of submitters, and it was something that I think would've added something to this bill, because we do have a distinct dialect here. We do speak in a way that is unique—

Hon Member: Yeah, nah!

CAMILLA BELICH: —to this country—exactly. There are so many aspects of New Zealand English which are unique, and although, as I've said, we don't support the idea of bringing this bill to the House, having New Zealand English in there would've perhaps celebrated our Kiwi culture a bit more than just having English. It would've acknowledged that we have a history, that we have—I hope—moved on from being a colony into being an independent country with our own language.

We did ask about this at select committee. The advice we received, which is included in our published report, was that it would be quite a big process to go through and actually put New Zealand English as an official language. I was disappointed in that, because I think—first of all, I think this bill is a waste of time because—

Steve Abel: You should still vote against it, Labour! You can do it!

CAMILLA BELICH: —English is already an official language. Well, yeah, we could vote against it, but that would provide more legal uncertainty than the current situation. It's not a desirable position to be in at all. If the Government and if the Minister truly wanted to go through a good-faith process and they're thinking that there's actual value in it, why not look at actually putting some resource behind it and thinking about whether we could make New Zealand English the official language. That is my point, Steve Abel. It was disappointing that the officials were not willing to go through that process, presumably as directed by the Minister. I don't see why they couldn't have done that. They said that it might create risk. I don't see what that risk is.

As we already discussed, English is an official language. Additionally, we speak New Zealand English. These are fundamental truths of our life, and I just think codifying it accurately would be

a little bit better than codifying it inaccurately. I was disappointed about that. I think it's relevant to clause 5. It would be good to have a response from the Minister on that. It's kind of a missed opportunity to celebrate what is unique about our country. Unfortunately, the debate hasn't been that way. I think it's a genuine issue that could have brought a genuine benefit to what is otherwise kind of a quite meaningless bill.

Hon CASEY COSTELLO (Minister of Customs) (21:42): I thank the member for the question, because that was a discussion point that I know came up a lot. The advice, really, was more in terms of—if you use New Zealand English as the title, it did pose substantive risk because, throughout our statutes, English is referenced hundreds of times, and that's including in international law. We would create a disconnect between New Zealand English and English, creating some legal uncertainty in that space.

It's also that there would be difficulty in quantifying or sufficiently defining what New Zealand English is without kind of hampering the natural evolution of the language over time. It was really to do with not creating inconsistency within existing legislation that uses the term "English" repeatedly, and the ability to allow the language to continue to evolve.

Dr LAWRENCE XU-NAN (Green) (21:43): Thank you, Mr Chair, and I do thank the Minister for her response. Just from my colleague Camilla Belich's contribution, I think it's important to note that the whole point here is that we wanted to have some sort of national pride when it comes to the use of specifically New Zealand English, not any English, but also noting that when we're looking at NZSL—New Zealand Sign Language—it's not American Sign Language and it's not British Sign Language. It's specifically New Zealand Sign Language, and we have no issue specifying it as New Zealand Sign Language in that particular instance.

I also do think, when we're looking more broadly, what we then don't want to see is, for example, to have—I do want to acknowledge the Minister's response in terms of the natural evolution of language. I think that is incredibly important, but I think, if we really want to preserve a sense of national identity, we also must not go down the Australian track where Australia is being more and more influenced by American spelling as opposed to going with the British spelling, noting that when we're looking at the specificity of American versus British spelling, the American spelling has evolved on the basis of their printing press, as a way of reducing their characters used in the printing press, which is why you see the "u" being omitted from "colour", and why you see the "me" being dropped off "programme". We are seeing some of those adaptations already in Aotearoa New Zealand, and I think it's important that, if we really want to do that, we want to retain some of those national characteristics, not only in terms of the words that we use but also in terms of the spelling of those words, noting that the etymological nature of our language and of words is important.

I do want to ask, looking more broadly, in that case, what is "English"? Because English itself is assumed; it's not defined. English itself borrows other languages and grammar from other languages. In fact, most of the language we're using, most of the words we're using in English, has no roots in English in the Anglo-Saxon sense. Many of our words, if you're looking at British legislation, and particularly if you're looking at English legislation, still use Normandy French because of the Norman Conquest. A lot of the words that we do see nowadays in English—anything ending with "-tion"—originated with a French root, which originated, ultimately, with some of the Romantic linguistic roots that we are seeing traditionally in Latin.

At the same time, we're also seeing that English as a language—particularly when it comes to the use of medical terminologies and certain academic terminologies—heavily borrows from Greek. Does that mean that Latin, in some ways, could also be considered an official language, because so much of English is rooted from Latin? Does that also mean from Greek as well? Also, to give the examples I mentioned previously in terms of other languages as well that English would borrow from—I gave the example of the terminology "gung-ho" as a word that we tend to use, but it has Chinese roots in its nature. Does that mean that, technically, it's not English and should not be used as part of our official language?

Another excellent example—*[Interruption]* The question is, to the Minister, what is English? I want to provide some context around that.

Andy Foster: Thank God we're a party of common sense, unlike the Greens.

Dr LAWRENCE XU-NAN: Another, I think, really good example of that—and I think this would be common sense. Honestly, if any of you are a linguistics nerd like I am, this is the kind of thing that you do find exciting and interesting, and is generally, for many academics in this field, very much common sense—particularly when we're looking at other methodological approaches like linguistic relativity.

I think another good example in this case of what we consider English is even the word “ketchup”. The word “ketchup” originated from Hokkien—originated from the early Chinese migrants going to the US—and then was adopted later on by Heinz, which is why you have, originally, tomato ketchup, because ketchup in itself simply means “sauce”. Before you have tomato ketchup, you have mushroom ketchup—you have all sorts of different ketchup—but now it has been adopted as part of the English language and incorporated into this. I do want to check with the Minister, along with the question I asked following on from my colleague Camilla Belich, what then is English? How do we define English?

Lastly, the Minister mentioned updating legislation. We have seen numerous pieces of legislation going through this House that can update hundreds of pieces of legislation. It can be done fast to add New Zealand English into this word.

A party vote was called for on the question, *That clause 5 be agreed to.*

Ayes 101

New Zealand National 48; New Zealand Labour 34; ACT New Zealand 11; New Zealand First 8.

Noes 20

Green Party of Aotearoa New Zealand 14; Te Pāti Māori 4; Ferris; Kapa-Kingi.

Clause 5 agreed to.

Bill to be reported without amendment.

House resumed.

CRIMES AMENDMENT BILL

ENGLISH LANGUAGE BILL

Report of Committee of the whole House

CHAIRPERSON (Teanau Tuiono): Madam Speaker, the committee has considered the Crimes Amendment Bill and reports it with amendment. The committee has also considered the English Language Bill and reports it without amendment. I move, *That the report be adopted.*

Motion agreed to.

Report adopted.

**ORANGA TAMARIKI (RESPONDING TO SERIOUS YOUTH OFFENDING)
AMENDMENT BILL**

Legislative Statement

Hon KAREN CHHOUR (Minister for Children) (21:50): I present a legislative statement on the Oranga Tamariki (Responding to Serious Youth Offending) Amendment Bill.

ASSISTANT SPEAKER (Maureen Pugh): That legislative statement is published under the authority of the House and can be found on the Parliament website.

Second Reading

Hon KAREN CHHOUR (Minister for Children) (21:50): I move, *That the Oranga Tamariki (Responding to Serious Youth Offending) Amendment Bill be now read a second time.*

When I became Minister for Children, I made it clear that we could no longer accept the out-of-control numbers of young people committing serious crimes. Every day, we were hearing stories of harm caused to victims and the impact on communities across New Zealand as a result of the actions of a small group of young people. Every previous Government spoke of the need to help these young people make better choices, to protect business owners and communities from young people who believed there would be no consequences for their harmful actions. Every election, we were told things would be different and would get better, but repeated Governments failed to deliver new solutions, failed to keep communities safe. This Government has finally delivered, and this bill will allow us to continue this important work.

This Government has delivered a 25 percent reduction in children and young people with serious and persistent offending behaviour since June 2023. Young people are making better choices for themselves and their families. Communities are safer, but that does not mean that this important work is over. We are committed to embedding this achievement and identifying opportunities to further reduce youth offending behaviour, and this bill will contribute significantly to that commitment.

This legislation will provide a faster, stronger, and more targeted response to this group through the establishment of a young serious offender (YSO) declaration and a military-style academy order. Every young person on a military-style academy order will get in-residence support with education, rehabilitative, and cultural aspects, providing a pathway away from offending and back into their community and to employment or education.

By majority, the Social Services and Community Committee has recommended the passing of the bill with minor technical amendments that I also support and will outline now. Back-to-back orders: this amendment resolves an issue affecting Youth Court responses when a YSO declaration is nearing expiry. It allows the Youth Court to make back-to-back orders in limited circumstances for a young serious offender. Section 285(5) of the Oranga Tamariki Act does not allow the Youth Court to make orders of the same type concurrently or communicatively unless a limited exception applies. This conflicts with the recommendation from the select committee to enable orders to be made back-to-back in limited circumstances when a YSO declaration is about to expire. Due to an oversight in drafting process, this did not occur.

I'm proposing to amend clause 4 of the bill to address this. My amendment is to ensure that the select committee's changes to enable some orders to be made back-to-back can work as intended. This change is important because it ensures the Youth Court has access to consistent sentencing lengths for all young people, regardless of when their declaration expires. It also enables the Youth Court to continue to have access to non - YSO-related conditions and orders when the YSO declaration has come to an end.

The next amendment is around youth advocates. This is a technical amendment that clarifies that young people in a military-style academy order are entitled to representation by a youth advocate during secure care extension applications. This was simply missing a cross-reference in the draft bill as a result of a drafting error. The amendment ensures that young people in a military-style academy order will have the same access to legal representation as other young people in a youth justice residence. The Amendment Paper also makes two grammatical corrections to clause 58 of the bill, inserting the word of "after" and "suitability" in two places. I welcome these amendments. They provide additional safeguards, increase transparency, and strengthen the oversight of the military-style academy programmes and young serious offender declarations.

Firstly, the committee has recommended changes to the young serious offender declaration to provide additional safeguards. The bill is now clearer that any offending under the age of 14 cannot be considered as part of the application process, and other safeguards have also been strengthened to ensure every young person has a family group conference before they can be declared a young serious offender. This means a restorative justice process must take place first. It also means the young person and their family will be at the heart of a quality plan that responds to their needs and can address the underlying causes that drive the offending. The committee also recommended amendments that focus on improving the practical implementation of electronic monitoring, and the use of physical safeguards.

This bill opens up new rehabilitative opportunities for young people to get outside of the youth justice residences to take part in wilderness camps or bushcraft activities or noho marae. As

Minister for Children, the safety of all young people is my top priority. The use-of-force powers relate to young people on a military-style academy order, and are intended to keep these young people safe, including when they're off-site. Use of force is at times necessary to prevent young people from harming themselves or harming another person. There were calls for stronger safeguards around the use of force during select committee; I heard those concerns raised by submitters. The new safeguards will make de-escalation the first approach whenever possible, and the use of mechanical restraints by Oranga Tamariki staff or approved workers of qualifying providers will be expressly prohibited, and all use-of-force incidences will be recorded. Submitters also felt that young people should be examined by a healthcare professional after any use-of-force incident, and I support that amendment, which will ensure an independent healthcare professional assesses the physical and emotional wellbeing of a young person.

With the new safeguards introduced by the committee, the bill is not just stronger; it is safer, improving accountability and better protecting the rights of young people. The bill also provides for further safeguards to be outlined in regulations. With all these in place, I'm confident that the use of force will remain an exceptional and carefully executed authority, which serves its primary purpose to keep young people in our custody safe.

Greater oversight of the military-style academy programmes: the bill will now have an amendment to allow for qualifying providers to deliver components of the military-style academy programme. Submitters called for appropriate oversight on those providers, and of the military-style academy programmes more broadly. I'm pleased to see amendments from the select committee that strengthen some of these oversight mechanisms. First, the bill is now more transparent in defining a qualifying provider, and these providers will be approved as community services providers in accordance with robust additional requirements. The safety and suitability of their approved workers, who will have the authority to use force, will be assessed and approved by Oranga Tamariki.

Finally, the committee recommended—and I fully support—amendments to strengthen the independent monitoring of the military-style academy programmes. The Chief Ombudsman will now have access to all information relating to any use of force by an approved worker or a qualifying provider. This is a welcome expansion of the jurisdiction off the Ombudsman. The Ombudsman will also be able to investigate use-of-force incidences and play an active oversight role in the safety of the military-style academy programmes. Qualifying providers will also be subject to the Official Information Act in relation to their delivery of any part of the military-style academy programmes, to ensure greater transparency.

Finally, I'd like to highlight an amendment that ensures that if a young person on the young serious offender declaration breaches an order, or reoffends, the Youth Court can adequately respond to non-compliance or reoffending, even if the declaration is set to expire in the coming months. This means that the Youth Court is able to follow a young serious offender specific order with a standard Youth Court order, to follow on immediately when the declaration expires.

This Government remains committed to introducing solutions to the longstanding issue of reducing serious and persistent youth offending. We have already made excellent progress in this space. This bill complements the package of initiatives that we've already rolled out for most of the serious group of offenders. It does so by balancing public safety and accountability with the aim of reducing reoffending through rehabilitative responses. Our communities have called out for stronger, faster, and more targeted responses. Our Government heard the call, and I'm delivering in this space. This bill can stop the cycle of offending and help young people committing serious crimes to turn their lives around. I commend this bill to the House.

ASSISTANT SPEAKER (Teana Tuiono): This debate is interrupted and set down for resumption next sitting day. The House stands adjourned until 2 p.m. tomorrow. Pō mārie.

Debate interrupted.

The House adjourned at 10 p.m.