

dozen words to say on the second reading of this Bill. The Premier asked the House to pass it under what may fairly be called false pretences, as the last-gassed returns disclose that there is only a slight increase in the number of Chinamen arriving over those departing. The Premier, on the contrary, has said that they are rapidly increasing in numbers within the last few months, though the published returns of the colony do not disclose any such fact. The Premier is consequently doing an injustice to himself, if he has information in his possession differing from that given by the Registrar-General's returns. As I understand from the Premier's signs that he has such information, then surely he is following mistaken tactics altogether, if he wishes this House to pass the Bill, when in his opening remarks he did not fully explain the circumstances. I think he said the last two or three ships had brought sixty Chinese.

Mr. SEDDON.—Fifty odd.

Mr. BUCHANAN.—Well, I think the House will be very glad to get some supplementary remarks from the Premier, and I shall sit down to give him an opportunity to make them.

Mr. SEDDON.—Those who want the Bill through will refrain from speaking.

Mr. BUCHANAN.—I want to see the Bill put through, because I sympathize with honorable members who do not believe in allowing an increased number of Chinese to come here. Even supposing the Premier were not able to state to the House that a great increase in the number of Chinamen coming to the colony could not be reported, I should still be prepared to vote for the Bill, because it is better to take time by the forelock and prevent them coming, prevention being always so much better than cure.

Mr. COLLINS.—I think the Government are to be congratulated on having brought the Bill down in its present form. As a matter of fact, those clauses which gave rise to the dissatisfaction of last session are just the ones which have been eliminated, and I think that the Bill, as it stands, should receive the general assent of this House. I should like to point out, Sir, what I think to be the weakness of the objections urged against the Bill. The honorable member for Wellington City (Mr. Duthie) has told us that we are dependent on Chinamen here—that is to say, Wellington is dependent on Chinamen for its supply of vegetables; but the Bill does not profess to send away the Chinamen already here, or to prevent those who are now working and gaining a livelihood by growing vegetables from doing so. It simply proposes to prevent them from indefinitely increasing, and I think people will admit that it is a very wise provision. The honorable member also says that this Bill is brought in simply in deference to public clamour, but, Sir, if there has been public clamour for this particular Bill, if there were a public demand that the Chinese should be restricted, surely that is sufficient reason why the Government should take action in this matter. There would not be popular

clamour for Chinese restriction unless there were a necessity for such restriction. I think there was sufficient evidence for the Bill given in the few words brought before the House by the honorable member for Wellington City (Sir Robert Stout). I thoroughly agree with the honorable gentleman when he says that on account of race purity, and on the ground of civilisation, it is absolutely necessary that the further influx of Chinese should be severely restricted. Another reason why I think this action should be taken is one of which I think this House is aware; and, if not, I would call attention to the steps recently taken in the Australian Colonies. The Premier has pointed out that the poll-tax has been raised in the Australian Colonies to £100; but I would point out that they have done more than that. In several of the Australian Colonies it has been decided that the Chinese should no longer be permitted to hold licenses as hawkers, or vendors, or stockkeepers; and, if they are to be prevented from holding licenses as pedlars or hawkers in Australia, we can easily imagine we shall be still further flooded by those who are excluded from trading in the Australian Colonies. That is exactly why we have had to large a number coming to our shores recently. Why, twenty landed at Oymouth a few weeks ago. They had probably come over from the Australian Colonies, where a short time ago they were gaining a livelihood as pedlars, hawkers, or vendors of vegetables. They are now prevented from doing so, inasmuch as licenses are no longer issued to them, and they are coming to New Zealand, and taking away the trade legitimately belonging to our people. It is urged that this element is not a menace to the morality of our community. I would like to draw the attention of the House to matters which have occurred quite recently in Dunedin and Christchurch. If we searched the records of this colony—or, shall I say, instances of vice of an exceptionally degrading character—we would fail to find anything so degrading as those instances brought to light a few weeks ago in Dunedin and a few months ago in Christchurch. I think that, while we have quite enough to do to deal with the vicious propensities of our own colonists, it is altogether unfair that we should be still further burdened in this respect by undesirable immigrants from the surplus Chinese population. These facts are, I think, sufficient to commend the Bill to the serious consideration of the House. I hardly agree with the Premier when he asked those who were in favour of the Bill, not to discuss it. I am in favour of the Bill, and desire to see it passed, but I thought it necessary to point out the weakness of the objections urged against it; and, with those few words, I shall not prevent the Bill passing by speaking at any greater length.

Mr. BELL.—Sir, I hope the Premier will consult the Law Officers of the Crown with regard to the points raised by the honorable member for Wellington City (Sir Robert Stout) and the honorable member for Wellington

suburbs. I believe it is likely the Act will not receive the Royal assent. It will receive the provisional assent of His Excellency the Governor; but the assent may be withdrawn afterwards and the Act may become nugatory. If it is found that a Hindu gentleman is unable to come to this country under the terms of this Act, I believe some amendment could be made which would enable the Minister, on special grounds, to admit an Asiatic to this country, which would obviate this difficulty; but it seems to me to be a very serious question indeed—at all events for the Home Government—if the Governor-General of India makes representations to the Home Government that Her Majesty's subjects in British India are prevented from landing in New Zealand. Any one can see the difference between the class aimed at by this Bill and the class to which I am referring.

Mr. SEDDON.—I will be most happy to accept the suggestions of the honorable member for Wellington City (Sir Robert Stout) and other speakers, who consider that there might be a danger of the Bill, as now drawn, not receiving the Royal assent. We desire to make the Bill as complete as possible. I may say, as far as the Asiatic question is concerned, that it has been dealt with very satisfactorily in Australia. There they have power given under the Hawkers Act, and the Magistrates refuse to give them licenses to hawk goods. Now, some years ago, sessionally I used to introduce a Hawkers and Pedlars Bill, and, despite all I could do in asking the House to pass it, they used not to take it seriously, and they refused to pass it. I say all those honorable members who voted against that Bill are responsible for the Asyrians and other undesirable immigrants in this country. Had that Bill been on the statute-book it would have dealt very effectively with this question, because those people would not have been given licenses by the Magistrates; and when they cannot get licenses they will not stop in the country. With regard to the Asyrians who travel through the country hawking their goods, the wives of the settlers are importuned, and, to get rid of these pests, are often forced to buy goods. I am going this session to again introduce my Hawkers and Pedlars Bill; and I shall deal very effectively with that class of persons who are coming here and who, I say, are undesirable immigrants. Now, I am surprised tonight to find the honorable member for Wellington City (Mr. Duthie) stand forward as a champion of the Chinese, and his grounds are very weak indeed, because he simply said it was on the ground of expediency, and so that the people should be supplied with cheap vegetables. How did we do for our vegetables when there were no Chinese here? How do they do for vegetables now? The fact is that, when the Chinese go into the vegetable business, they drive out the Europeans; and if they were not here we should have Europeans doing it, and I say they would do it just as well. The honorable gentleman condemns

his own case, for he says we are not getting our vegetables any cheaper. If that is the case, would it not be much better to have them grown by Europeans? The honorable gentleman asked me to give proof that the Chinese are increasing in Wellington. Well, I have got here the returns. In the counties, in 1891, there were 9,554; and in the boroughs 1,519, and 18 females, making a total of 1,537. In the counties there are 2,491, and in the boroughs there are only 1,191 at the present time. I feel sure they have increased in the boroughs; and our census returns show less in the boroughs by 400 than in 1891. From that fact I have come to the conclusion that the Chinese, when the census returns were taken, did not give their numbers in the boroughs. There is no member representing boroughs but who will admit that they have increased during the last five years, and yet the census returns show that they are less by 400.

An Hon. Member.—They have left the country.

Mr. SEDDON.—Some may have left, but if there is a loss at all it is in the counties, on the goldfields, and not in the boroughs. There is not a borough in the colony at the present time that has not more Chinamen in it than it had in 1891.

An Hon. Member.—That is not so.

Mr. SEDDON.—Well, take Wellington. In 1891, Wellington had 107 males; in 1896, there were 206 males and two females. That shows an increase in the City of Wellington. It is not only in Wellington they have increased. They have increased in every borough in the colony.

An Hon. Member.—No.

Mr. SEDDON.—I say they have increased in the boroughs. There are a dozen boroughs in the colony in which, in 1891, there was not a single Chinaman, and which contain Chinamen now. In the City of Wellington there are 153 stockkeepers, eighteen market-gardeners, one cabinetmaker, seven lodging-house keepers, one merchant, five employees of merchants, and there are twenty unemployed, actually swelling the ranks of our unemployed. Well, then, we come to what occurs. I am told that by the *Gazette* notice there is only a slight increase shown; but we cannot deny this fact—and members on these benches must know it as well as I do; that, by several steamers that have arrived recently, twenty-three came in one case, thirty-six in another, and nineteen, I think, in another. Well, why are they coming here? I know on good authority that they know we are going to restrict, and they are coming, therefore, in anticipation of the legislation which they know we are about to pass. I say the sooner we pass that legislation the better. I hope that will set aside altogether the contentions of those who oppose the Bill. Then, as regards the question raised by the senior member for Wellington City about the negroes from America, I quite agree with him, and I shall be equally prepared to pass a measure protecting our race against the immigration of a large number of people of

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being overrun by terrorists, and the security danger can be exaggerated. If Air Force Zealand keeps flying troops to Kuwait and Iraq, we might have more problems here at the present time and in the foreseeable future. New Zealand, if it presents itself as a peaceful country, will not have the sort of security situations where we could even think about bringing in those levels of surveillance measures. Generally, when these types of measures are brought in they make people more frustrated and angry at the Government and are more likely to produce terrorists than to stop them.

The other thing we were worried about in terms of due process is the trend in legislation, not only in New Zealand but around the world, to increase the power of the State to determine people's futures, particularly in relation to new migrants or refugees, and take away their right to due process. I think that the bill's provisions for the use of classified information fall into that category. Usually, when people think about classified information, they say: "Oh, that's the stuff that the intelligence agencies like the Security and Intelligence Service, or the Government Communications Security Bureau have." If one asks the average person, that is what he or she will say. In fact, under this bill, anything that comes from overseas, such as from the American post office, immigration, customs, or dog pound people—as long as it comes from overseas—that the overseas agency thinks should be kept confidential, will all be defined as classified information. That overseas agency, whatever it is, can stop it from being made public under this legislation.

Of course, most of the determination of immigration, of refugee, cases is done on the basis of information from overseas—from countries that people have visited or lived in. All of that information can be kept away not only from the person being affected—the immigrant or refugee—but from the person's lawyer. The Government has a bit of a guilty conscience on this, so it has suggested the use of the special advocate procedure that has been tried a bit overseas and is currently being tried on the initiative of the Inspector-General in the Ahmed Zaoui case that is going on right now. We can see the problem with that special advocate situation, in that the special advocates in the Zaoui case, or overseas, or under this bill are not appointed by the person affected; they are appointed either by the judge who is running the case—as in the Ahmed Zaoui hearing—or by the Government, or by a tribunal. But they are not appointed by the person.

In this bill the key point is that once the special advocate sees any of this classified information, and, as I said, it can include any information from overseas, the advocate is not allowed to talk to the person affected, about that information, at all. The advocate cannot get hints of what line of defence to run on the basis of these accusations. It is a little bit easier in the Zaoui case, because a lot of the stuff has been in the public domain and the two special advocates probably know a bit about the background. The special advocate in this case will come along, look at this classified information, and will not really know what the counter-points might be and what questions to push. So it is a very unfair justice system.

The bill gives extended powers of search and entry, and although arguments could be made for increasing powers in certain circumstances, I do not think the case has been made strongly enough. The bill extends the initial detention time from 72 hours to 48 hours—4 days—in prison, for someone like that coming into the country. It extends the powers of the Immigration Service to detain a person for up to 4 hours. Auckland International Airport is the gateway to this country, and I would have thought we would want our immigration officers to be the friendly face of New Zealand. Sure, the police and customs officers are there and have certain powers, but I think immigration officers should be welcoming. If we give them the power to detain someone for 4 hours, whether customs officers or police being around, that will colour the whole situation. So

immigration officers will be objects of fear for new migrants, to a certain extent. We do not want that, we want them to be the friendly face.

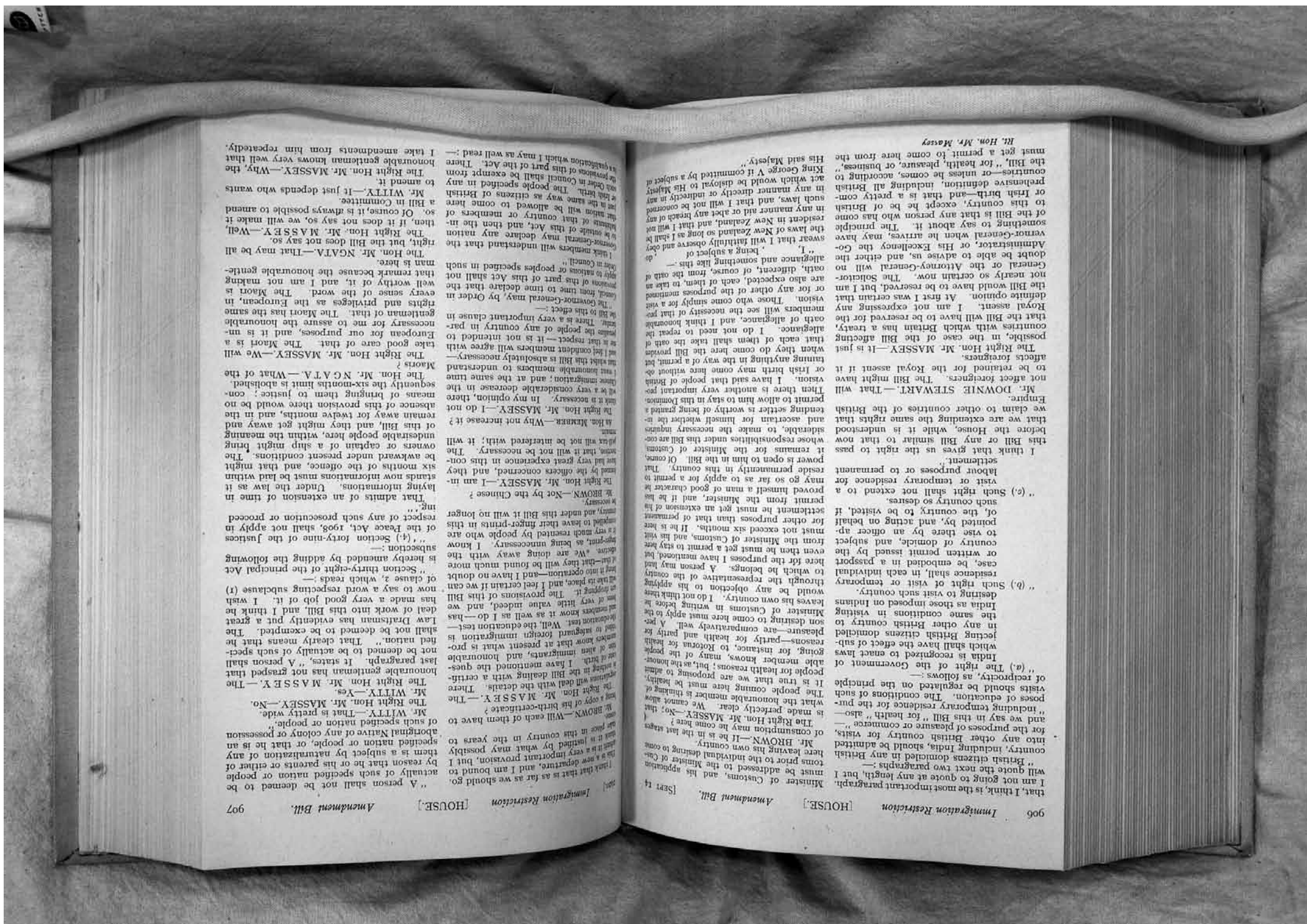
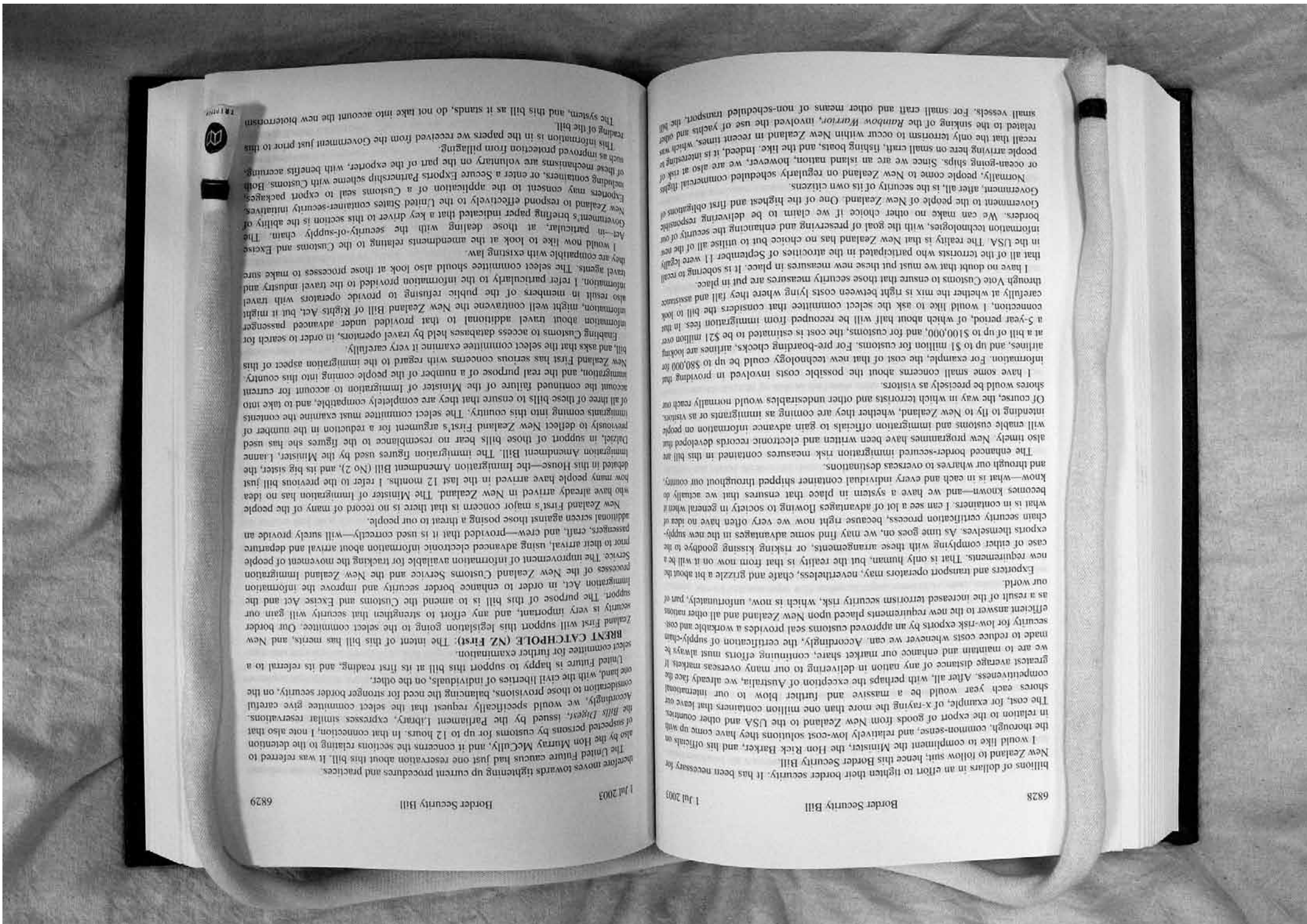
The bill streamlines the residence, removals, deportations, and refugee tribunals into one body. The Government says that is good, because it streamlines everything. The Refugee Status Appeals Authority, which has a very good record, is based on a whole raft of refugee law—for example, the 1951 refugee convention is a very specialist area—so why dissolve all of that into one appeal body? There is no requirement for this combined body to have much specialisation in it. At least overseas, in some of the tribunals, they have certain requirements for expertise whereas we require a judge and perhaps some other judges, but have no requirement of them to know anything specific about immigration law. Hopefully, they will be chosen on the basis of that knowledge, but there is nothing to bring into that tribunal and appeal system the expertise that we have seen in the Refugee Status Appeals Authority.

Another part of the process is the delegation of ministerial power to officials in terms of a final determination in exceptional circumstances. Of course, Clayton Cosgrove, who is doing that job as Associate Minister of Immigration at the moment, would welcome any delegation, I suppose, because he comes into this House with huge piles of appeals he has to go through. I think we have to keep very much in our system the fact there are a whole lot of exceptional and humanitarian systems, and the Minister's discretion has been very important in allowing that discretion to be exercised properly.

I am a bit worried that the whole thing is an official's wish-list. Officials are given more power, more cases, etc. It is all so unnecessary, too, because why can we not give people a fair go? There is not a super-security situation whereby all this information has to be kept "classified". New Zealand First may say otherwise, but there is not a great flow of refugees pouring in. No boat people get here, because we are too far away, unless they have a really big boat, in which case if they can afford one they will probably not want to come here. The only people who come here arrive on a plane, but with the Advance Passenger Processing system, with America, Australia, Singapore, and so on, it is very hard for anyone who does not have the full rights, papers, permission to come here, and everything else, to arrive here. So we get very few asylum seekers, compared with European countries, etc., where they have land borders and easy access. There is just a dribble of refugees at the moment, so I do not think we should get all upset about security and classified information.

Yesterday in question time in the House Peter Brown of New Zealand First asked how many people currently detained have been detained for over 3 months, and was surprised to hear it was only four. New Zealand First may have the image of all these people pouring in. I must say that what is happening to the detained Iranians at the moment is a shame, because they have not committed any crimes. One of the four detained is in Auckland hospital and in his 35th day of a hunger strike. I went to see him on Monday and he was lying on his bed and could not even get up to greet me. The next day, when his lawyer and main supporter went in, they found him handcuffed. How humiliating and inhuman! There has been no real apology for that, and I will be following that matter up. It is not directly the responsibility of the Minister of Immigration, in the sense it is the Department of Corrections that puts the handcuffs on and has the two guards on the door of the hospital bedroom when obviously the man is not going anywhere. This is bureaucracy gone mad, humiliation gone mad. I will be following it up. The Immigration Service's view is relevant in that case because it is in control of the destiny of the person, and it should ask the Department of Corrections why the heck it put that guy in handcuffs.

TARIANA TURIA (Co-Leader—Māori Party): Tēnā koe, Madam Speaker. Tēnā kōwhiri. Sometimes when Māori Party members come into the House and we hear



[Hon. T. P. Shand] a shipmaster who transported to New Zealand a person who had no right to come here, so that the shipmaster could be held responsible to take him away. This is pointless if the company does not have an office in New Zealand, and in any case there are adequate provisions in the law—under section 6, I think—for dealing with the situation through the person who actually lands the migrant. In other words, this is a redundant provision in the legislation and we have taken this opportunity to repeal it and to simplify the Act. I take no credit for this. It came from my department, but many other members who have been in this House a long time will, like myself, find it refreshing that somebody wants to remove a provision from the law merely because it is redundant and unnecessary.

Clause 3 deals with one of the important changes. Section 16 of the principal Act defines the offence of making a false statement or false representation as a basis for an application for a permit to migrate to this country. From experience we have found that many such false statements are made by friends or relatives in order to facilitate the migration of some other person, and the law does not at present make that an offence; so we propose to repeal section 16 and to make it an offence to make such a false representation, not only on one's own behalf, but on behalf of any other person. The clause does not make it an offence to make a wrong representation, but only to make a representation which is false, knowing it to be false. It is not intended to penalise people who commit an offence inadvertently, but it is intended to make it an offence for people to make false representations in order to assist the unlawful migration to New Zealand of other people. Clause 4 removes an oddity in the Act. Under the Aliens Act we have power to deport aliens who are discovered to have committed serious offences before they came to New Zealand or who commit an offence in this country. Similarly, there is power in this Act to deport British citizens who have committed offences leading to a sentence of 1 year or more in gaol before coming here, without

disclosing that fact, or who have committed such an offence after being admitted to New Zealand. Two groups of citizens have been omitted. They are protected British Subjects—citizens of one or two Pacific islands who do not yet have the status of a British citizen. I think people of European origin from Tonga are British protected persons.

Mr Douglas—What about people from Hong Kong?

Hon. T. P. SHAND—No, they are Hong Kong citizens. As far as I am aware this applies only to people of European race who come from Tonga and certain people from parts of the Pacific islands, such as the Solomon Islands. The other rather larger group comprises citizens of the State of Eire.

Mr Kirk—Has there ever been any trouble in that area?

Hon. T. P. SHAND—We have had difficulties once or twice with people who have been eligible for deportation—commonly people who have come in illegally, who have slipped off ships. As far as I can gather, they have been deported back to where they came from, though it was questionable whether we had any right under the law to deport them, but it is obviously absurd that we should have power to deport British citizens and aliens but not this special group of citizens from Eire. I know that many honourable members will think that citizens of Eire should have special privileges, but we propose to treat them in the same way as British citizens—neither better nor worse—and I do not think there can be any serious objection to the proposal. Clause 5 is the second important clause. It proposes a new section 33A which will enable the department to deal more effectively with people who have come to New Zealand on temporary permits and have failed to leave the country, or people who have entered illegally and are at large in the country. At present it is known that there are about 300 such people in New Zealand. They evade detection, though they are often suspected of being aliens who are here illegally or perhaps British citizens who are here illegally. When they are interviewed they

give a false name and address and the interviewing officer cannot do much until he has checked up and found that the name and address are, in fact, false. By that time the person has moved on and settled down at another address and it may be months before the department or the police catch up with him. Under the old Immigration Act, prior to 1964, immigration officers had power to deal with this situation under the Passports Act, but in the passing of the 1964 Act, through an oversight, this power was lost because immigration officers were no longer Customs officers. Therefore at present the officers of my department and the police are in the very difficult situation of having their hands tied in the questioning of a person suspected of being an illegal immigrant or illegally in the country, unless they carry proof that he is Mr X, an illegal immigrant. They cannot cross-examine or question him, and he cannot be arrested. Therefore it is proposed under this amendment to restore and make rather more effective the powers previously given under the Passports Act. Immigration officers and police officers will now have the right, when they have reason to suspect that a person is an illegal immigrant or illegally in the country, to cross-examine that person and ask him to prove his identity.

In addition, the police will have power to arrest a person if, having asked him, they believe his answer is false. He can be taken to a police station and cross-examined, as can any other person if the police are not satisfied with any answers given in connection with an offence. This power of arrest will not extend to immigration officers, who will have the power only to ask a person to produce evidence of identity. If the person questioned refuses to produce evidence of identity to an immigration officer, he can be reported to the police, who will examine the case and, if they think there is adequate evidence, will take the man to the police station and hold him until he has identified himself. As Minister, I have hesitated for several years before taking this action. I hate seeing an extension of police powers. The police seem to have enough powers now,

but I must be conscious of the difficulties that arise because these people stay at large illegally. Honourable members will appreciate the particular trouble we had during the period when very considerable numbers of workers, mostly of Indian origin, came to New Zealand from Fiji on a 3 months' permit. While a majority of those people honoured the terms of their permit and left New Zealand either before the 3 months expired or within a very reasonable time thereafter, many, having completed their 3 months' stay, decided they would disappear and take a job somewhere else. This would have been bad enough in itself, but, as has been discussed in this House, it became apparent that a number of these people were staying in New Zealand and marrying New Zealand girls under false names or without giving their proper identity, hoping that marriage to a New Zealand girl would be an excuse for their offence and give them the right to live in New Zealand. There were so many such cases that, in order to put a stop to the practice, my department and I—with Government approval—felt we had to be quite firm and decided that, whatever the circumstances, such people had to be deported. Some of those people have shown evidence of wishing to support their wives and families in New Zealand, and, after a period sufficient to demonstrate the seriousness with which we regard the offence, a number of them have been allowed back into New Zealand; but many of them, when they were deported, made it fairly plain that they had married simply for the purpose of trying to obtain New Zealand citizenship, and they have not been allowed back. We believe that with this power we will be able to keep a fairly close check on people, or at least pick them up within a reasonable time of their attempting to disappear and avoid their obligations. By that means we hope to stop this practice, which involves so many innocent people and causes them real hardship. I have thought this matter through very carefully, and I am sure that it is proper to take this power. Problems also arise when seamen from the United Kingdom disappear in New Zealand and assume a false identity. Perhaps they have a criminal record, and

extremely scanty details by the Minister and he asked whether it could be resolved in the House this afternoon. The Rt Hon. Jonathan Hunt for the Opposition advised the Leader of the House in relation to our position. He told him that we wanted to have a brief select committee hearing on this matter so that members of Parliament could be properly briefed by officials in respect of the implications of bringing forward the implementation date for this Bill.

Hon. Tuariki John Delamere: That looks fairly obvious.

LIANNE DALZIEL: The Minister can say that it looks fairly obvious, but the section of the legislation that was amended by sections 37 to 39 in clause 2 of the Bill we are now bringing forward does detail what occurs in relation to the detention of persons refused permits or persons whose eligibility for a permit is not immediately ascertainable. There are some issues in relation to multiple arrivals—or mass arrivals as they are referred to—and they were dealt with in respect of this Bill, but within the context of the time-frame for arrivals and the expiry of the 28 days and a further period of 7 days I cannot for the life of me believe that a select committee, with representatives from all parties in this Parliament, cannot have a proper briefing from officials on this matter. It does not seem to me to be an unreasonable request to make. This request was made within my earshot not some few hours ago.

I think it is important that the Government be seen not to panic in a situation such as this. It does seem to me to be a panic.

Hon. Tuariki John Delamere: What if they arrive in the meantime?

LIANNE DALZIEL: I say to the Minister that we have been given no detail whatsoever. We have been given information on numbers and a boat, but we have not been given even a prospective arrival time, nor even any suggestion that these people may even arrive. They may not arrive in this country. Here we are, panicked into a response—

Hon. Tuariki John Delamere: Prevention is better than cure.

LIANNE DALZIEL: The Minister says that prevention is better than cure, but what will the early implementation of these provisions provide over and above the present law that has detention provisions in it? This was an extension for mass arrival situations, and all it does is allow for a judge to give an extended period of time without a finite time being applied to it. I think that there is a danger of this Parliament being panicked into a response at the last minute in this manner and it would be wrong for me to do other than stand in this Parliament and voice those concerns.

I recall very clearly when Part 5 of the original Bill was dealt with in this Parliament. There had been strong representations to our select committee from the United Nations High Commissioner for Refugees and from Amnesty International that we not proceed with the provisions in Part 5.

Here we are, dealing with the fact that Part 5 will not now be implemented from 1 October but from tonight, with nothing more than what I describe as a cursory introduction by the Minister of Immigration. That is not good enough, and I believe that this House deserves more information than we have received tonight. We have heard that there are just over 100 Chinese nationals on a boat that is on its way to New Zealand. Is it the Minister's intention to turn the boat away? Does he know the circumstances of the people on the boat? Can he possibly prejudice refugee status applications that may or may not be made when those people arrive?

The point is that we have a significant Chinese population in this country, and if no one will stand and speak on their behalf then I will, at least, on behalf of the Opposition. I simply believe that we cannot be panicked into making these sorts of responses without having anything more than the cursory once-over-lightly introduction we received from the Minister.

I am very upset at the process and the fact that the Minister is sitting in the House and not even offering a briefing from officials about the full ramifications of the proposal that is set out before all parties. I am not even entirely sure whether all the Government members—[Interruption]

Hon. Tuariki John Delamere: I raise a point of order, Mr Speaker. I resent the implication that I would not do it if the people were white. I absolutely object to that

implication. I do not care whether people are black, white, or yellow. They are all the same.

An Hon. Member: That's not a point of order.

Mr DEPUTY SPEAKER: I will decide. That is a very good point of order. If there have been implications on a racist basis then that is totally out of order, and the member will—

Trevor Mallard: If there has been an implication I apologise.

LIANNE DALZIEL: I have lost the flow of what I was saying but not the intent. The point is that I am not persuaded that this Minister has even discussed the matter with all the members of the Government. Is he acting with the full understanding of Government members in relation to this matter, let alone members of the Opposition? The Labour Opposition allowed this particular part of the legislation to go through when the original legislation was introduced. We expressed severe misgivings at that time. I also recall very clearly a Minister who sat here at the table in the Committee stage and would not respond to the concerns that members raised. I particularly went back to Hansard to look at this debate on Part 5 and although there were several speeches from different members on different sides of the House—my colleague Matt Robson had a lot of say on the matter, as also did Mark Gosche and Tim Barnett—the Minister said nothing. He said not a word. He did not get up and defend this matter at all. I am concerned that we have a situation that he explains in very short terms, and then we are somehow expected to bring this legislation into force immediately.

I want to protest in the strongest possible terms in relation to the process that is being foisted on this House after having made it clear several hours ago that we would have preferred to see this matter referred to a select committee so that at least we could have had a briefing on the matter. We even told the Leader of the House that we would be willing to have this matter dealt with on Thursday, if that was the case, because we thought it was important that select committee members were properly briefed.

I worry about the fact that this legislation was passed through the House only a few short weeks ago yet some of the concerns that we raised at that time, which were not responded to by the Minister, are now heightened by the fact that he says he needs this provision because of a boatload of Chinese people who are on their way to New Zealand. I am worried that that Minister is predetermining the outcome, in terms of their arrival here: firstly, that they will arrive; secondly, that they will apply for refugee status; and, thirdly, that they are not entitled to apply for refugee status. How can he possibly say in advance of their arrival that they are not entitled to claim refugee status? We have a process for implementing that.

I want to ask the Minister this question, a very simple question, if he will listen: if he is bringing forward all the other provisions in relation to this matter—and I notice he is bringing forward the fine provision for the person who is steering the boat—then why is he not bringing the Refugee Status Appeals Authority provisions into force immediately as well? Those people will not even have the statutory protection of the Refugee Status Appeals Authority and all the provisions that are written into the legislation. Those provisions will not come into effect until 1 October but he wants these other provisions to come into effect immediately. It worries me that we have a Minister who may, in fact, be prejudging the outcome of this situation. That frightens me in relation to this legislation. I do not want to see panic on behalf of the Government. Some decent consultation and some advice from officials on this matter would have helped it to proceed in a much more reasonable way.

MATT ROBSON (The Alliance): Life is full of ironies. One of the ironies is to have a Minister who was given the immigration job because Max Bradford thought he had finished everything, in terms of tightening it up and making it one that had every ounce of humanity wrung out of it, both in refugee law and immigration law. Mr Delamere was put into the job. Since he has been in the job he has demonstrated that one does not, in the eyes of the National minority Government, need to have a grasp of the portfolio, even when it is something that involves matters as sacred and important as protecting—by a conservative estimate—the 26 million displaced people in this world. All one needs for

