



The Parliament of Queensland

HISTORY AND ORIGINS

The Queensland Parliament can trace its ancestry back to the British parliamentary or Westminster system. Because Britain was the colonising nation and the majority of Queensland's early settlers were of British stock, it was natural that the colony's legislature would be based on the British model. The term *Parliament* is derived from the French word *parler* (to speak or parley) and was first used by Matthew Paris of St Albans to describe a great council of prelates, earls and barons in the 13th century. Meetings were held at the Palace of Westminster, which was the monarch's residence from the reign of Edward the Confessor (1042 - 1066) to Henry VIII (1509 - 1547). Over the succeeding years, the British Houses of Parliament were established on the site (hence the term *Westminster system*).

ESTABLISHMENT AND STRUCTURE OF THE QUEENSLAND PARLIAMENT

On 6 June 1859, when the separate colony of Queensland was created, the Queensland Parliament was established by Letters Patent and an Order in Council under the authority of Section 7 of the *New South Wales Constitution Act 1855*. The Parliament consisted of two Houses, an Upper House (the Legislative Council) with its members appointed by the Governor, and an elected Lower House (the Legislative Assembly). In 1922, the Theodore Labor Government abolished the Legislative Council, thereby converting the Queensland Parliament from a bicameral arrangement (two Houses) to a unicameral (one House) arrangement.

Today, the Queensland Parliament comprises the Queen, represented by the Governor of Queensland, and the Legislative Assembly. The present Parliament is composed of 89 Members each representing a single Member electorate and the parliamentary term is three years having been reduced from the original five years in 1890.



Legislative Assembly Chamber

THE GOVERNOR

The Governor is the Queen's representative who holds his/her office during Her Majesty's pleasure and is referred to as the Crown. The Governor's role is both an executive one as well as ceremonial and includes - presiding over the Executive Council which legitimises the decisions of Cabinet; giving Royal Assent, in the Queen's name, to the Bills passed by the Legislative Assembly which then become the State's laws;

holding discretionary power (reserve power) to dissolve the Legislative Assembly and to appoint and dismiss Ministers; representing the Queen at official occasions, e.g. the opening of Parliament; and visiting and officiating at cities, towns and areas throughout the State.

THE GOVERNMENT

After the completion of a State election, the Governor commissions the leader of the political party, or coalition of parties, which has won a majority of seats in the Legislative Assembly, to form a Government. The leader of the Government is called the Premier who leads a Cabinet Ministry comprised of Ministers from the Government party(ies). In Queensland, there are eighteen Ministers who all hold portfolios through which the various government departments are administered. Some of the Ministers are assisted by Parliamentary Secretaries. Cabinet meets privately to formulate Government policy and once a decision is made, all Ministers must take collective responsibility for that decision regardless of individual opinions.

The Premier

The Premier is the chief spokesperson for the Government inside and outside the Parliament, and the communication link between the Ministry and the Governor and between the State Government and other governments. As chief Minister, the Premier chairs meetings of Cabinet and has overall responsibility for the development and implementation of Government policy.

THE OPPOSITION

The Government's political opponents in the Parliament are called the Opposition and the leader of the next largest political party, or coalition of parties, is known as the Leader of the Opposition. A number of Opposition Members are appointed as Shadow Ministers to follow closely the areas of responsibility and activities of Government Ministers and collectively they make up the Shadow Cabinet.

The Leader of the Opposition

The Leader of the Opposition has a responsibility to make the Government accountable and present the views of an alternative Government. In the Parliament, the Leader of the Opposition plays a leading role for the Opposition in parliamentary and policy debate and thus serves as an alternative Premier. The Leader of the Opposition chairs the meetings of the Shadow Cabinet and ensures that the time spent in Opposition is used efficiently as a "preparation for government" time.

FUNCTIONS AND ROLE OF THE QUEENSLAND PARLIAMENT

As a representative assembly, the Queensland Parliament has a number of functions which overlap and interact:

First, after a general election, it provides the State Government, which is formed from the political party or coalition of parties that has a majority of the seats in the Legislative Assembly;

Second, it has a law making function by the passage of legislation, which, as statutes, constitute the State's laws;

Third, it has financial responsibility to oversee and approve the Government's yearly budget;

Fourth, it provides a forum for the scrutiny of Executive Government through a variety of parliamentary procedures e.g. Question Time, Adjournment Debates, Matters of Public Interest, legislation debates and Parliamentary Committee activities;

Fifth, it is a representative institution for all of the State's citizens via their elected Members, who represent their constituents' interest within the Parliament through a range of parliamentary processes.

THE SPEAKER

The Chief Presiding Officer of Westminster Parliaments is the Speaker. The office of Speaker is an ancient one and dates back to the early English Parliaments of the fourteenth century. In the Queensland Parliament, the Speaker is elected by a secret ballot involving all Members of Parliament. This occurs when a new Parliament meets following a general election. The Speaker presides over the debates in the Chamber, impartially applying the rules (Standing Orders) to ensure orderly conduct. In a tied vote situation, the Speaker has a casting vote. Within the Parliament's jurisdiction, the Speaker enjoys considerable powers and can issue writs for by-elections and warrants for offenders who have been found to have committed a contempt of Parliament. The Speaker also has an administrative role and oversees the Parliament's budget, services and administration.



The Speaker's Chair

OFFICERS OF THE PARLIAMENT

The Clerk of the Parliament

The Clerk is appointed by the Governor by Commission on the recommendation of the Premier and is the highest ranking permanent official in the Parliament. As the principal officer of the House, the duties of the Clerk include advising the Speaker and Members to ensure that the procedural rules are correctly followed by the Assembly and its Members. The Clerk is the custodian of all records and other documents laid before the Legislative Assembly, and is responsible for keeping the minutes of all proceedings in the Assembly, certifying all Bills passed by the Assembly and presenting them to the Governor for Royal Assent (except for Appropriation Bills). Administratively, the Clerk of the Parliament is the chief executive of the Parliamentary Service and is responsible for its efficient and economical management.

Sergeant-at-Arms

The office of Sergeant-at-Arms is another ancient, parliamentary position which dates back to the 15th century when the House of Commons appointed its first Sergeant-at-Arms to serve the Speaker of the House. In the Queensland Parliament, the role of the Sergeant-at-Arms is both ceremonial and procedural, and since 1993, has been combined with the Clerk Assistant's position.

In his/her ceremonial role as the bearer of the Mace, which is the symbol of the power and authority of the Speaker and Parliament, the duties of the Sergeant-at-Arms include: accompanying the Speaker when he/she is presented to the Governor at Government House, following the Speaker's election; and, on each sitting day of the House, preceding the Speaker into the Chamber; announcing the Speaker's arrival; placing the Mace on the Assembly Table; and preceding the Speaker out of the Chamber at the end of the sitting day.

The Mace

The Mace is the symbol of authority of the Parliament via the Speaker, which has been derived from the Crown. Originally, the Mace was a club-like weapon designed to break through the strongest armour. It became associated with the Sergeant-at-Arms of the monarch's bodyguard who was given authority to enforce law and order, arrest offenders and collect loans and taxes. By the fifteenth century, the Sergeant-at-Arms had become a permanent officer of the Parliament and the Crown's authority was invested in the Speaker.

In 1978, the Queensland Parliament obtained its own Mace which had been designed and made in Britain by a Birmingham firm of goldsmiths and silversmiths. The Queensland Mace is made out of sterling silver with a heavy, hard gold plating. There are 32 Queensland gemstones set in the Mace: 9 opals, 2 garnets, 6 amethysts and 15 sapphires.

While the Parliament is sitting, the Mace is placed on two raised brackets on the Table, with the ceremonial head pointing towards the Government's side of the Chamber.



The Mace of the Queensland Parliament.

PARLIAMENTARY PROCEDURES AND PROCESSES

The proceedings of the Legislative Assembly are governed partly by Acts of Parliament, such as the *Constitution Acts* and the *Legislative Assembly Acts*, and partly by a set of rules known as the Standing Orders and by previous Speakers' precedents and rulings.

A DAY IN THE LIFE OF THE PARLIAMENT

A usual day commences at 9.30 am. Prior to the House assembling, all Members receive a copy of the **Notice Paper** (agenda). Bells are rung twice throughout the parliamentary complex to call the Members to the Parliament and the Speaker is led into the Chamber by the Sergeant-at-Arms carrying the Mace. After the Speaker reads the Prayer, **Preliminary Business** begins, which can include messages from the Governor, Petitions, the tabling of papers by Ministers, Ministerial Statements, Personal Explanations, Private Members' Motions, Private Members' Bills, Private Members' Statements, and at times, Condolence Motions.

Then, for an hour, one of the highlights of the day, **Question Time**, commences (see below). On one day of the week, the **Matters of Public Interest** debate allows Members to raise matters about issues and Government policies.

The major part of the parliamentary day is focused upon **Government Business** which mainly involves debating proposed new laws and amendments to existing laws or, at Budget time, debate upon the Government's estimated revenue and expenditure. At the end of the day's sitting, prior to the official **Adjournment** of the Parliament, a period is set aside for an **Adjournment Debate** where Members are provided with another opportunity to raise matters about issues and Government policies or discuss matters pertaining to their electorate and constituents.

Question Time

Each sitting day an hour is set aside for Question Time. In this hour, the House provides an opportunity for the Opposition and other Members to question the Government about its policies and activities.

Questions can be presented in two formats, Without Notice or on Notice. Questions Without Notice are asked during Question Time and may contain an element of surprise, since the Government can only speculate on the types of Question Without Notice that an Opposition might ask. Questions On Notice, requiring detailed answers, are submitted in writing to the Clerk of the Parliament in the Chamber. Under Sessional Orders, Ministers are allowed up to 30 days in which to reply. The question and its answer are later published on the Parliament's website.

Voting in the Parliament

The quorum for a sitting of the Legislative Assembly is 16 Members, excluding the Speaker. Decisions are made by a majority vote and, if the voting is equal, the Speaker has a casting vote. Voting begins when the Speaker puts the question and decides by the Members' voices whether "the Ayes or Noes have it".

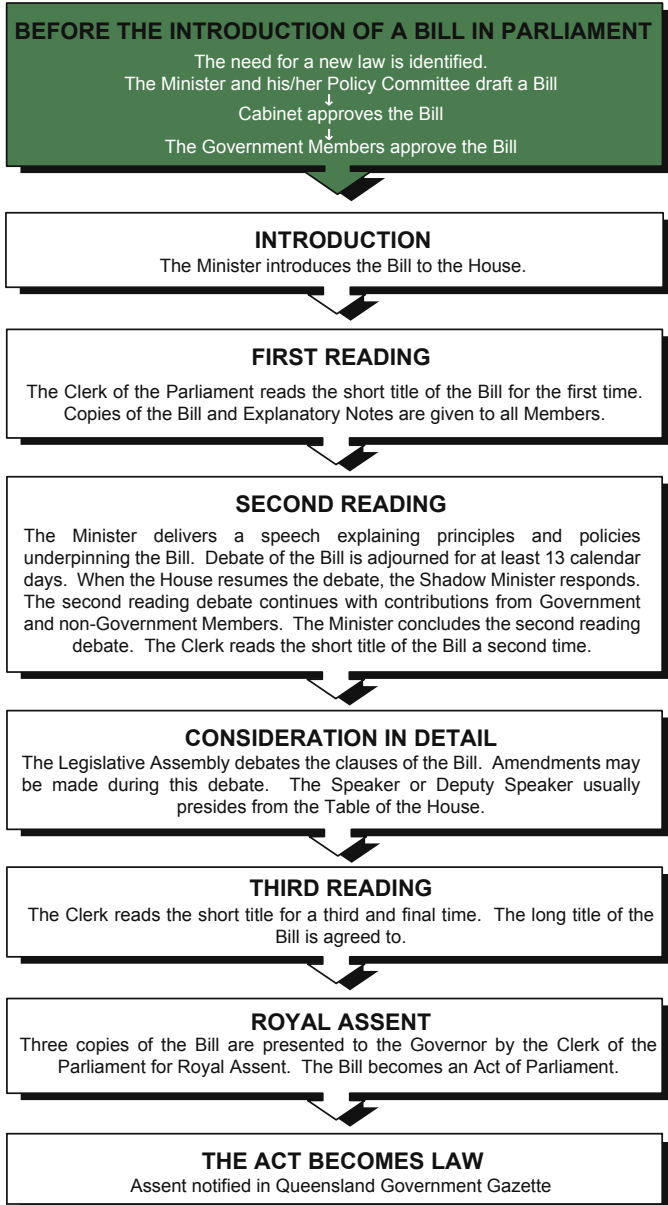
Divisions

Any Member on the losing side of a vote can challenge the Speaker's opinion and call "Divide". The Speaker then says "Ring the Bells". The Division bells, which are transmitted throughout the parliamentary complex, are rung by a Table Officer. Members have four minutes to appear in the Chamber before the Bars at the three entrances are closed and the vote is taken. Members voting for the "Ayes" move to the right of the Speaker and those for the "Noes" to the left. Each side appoints two Tellers who record the votes and hand the results to the Speaker, who then announces the result of the vote.

LEGISLATION - THE MAKING OF A LAW

A major function of the Parliament is the making of the State's laws. A new law begins as a Bill introduced into the House by a Minister. After passage through the Assembly, the Bill becomes a law when it receives Royal Assent. The following flowchart provides an overview of the legislative process.

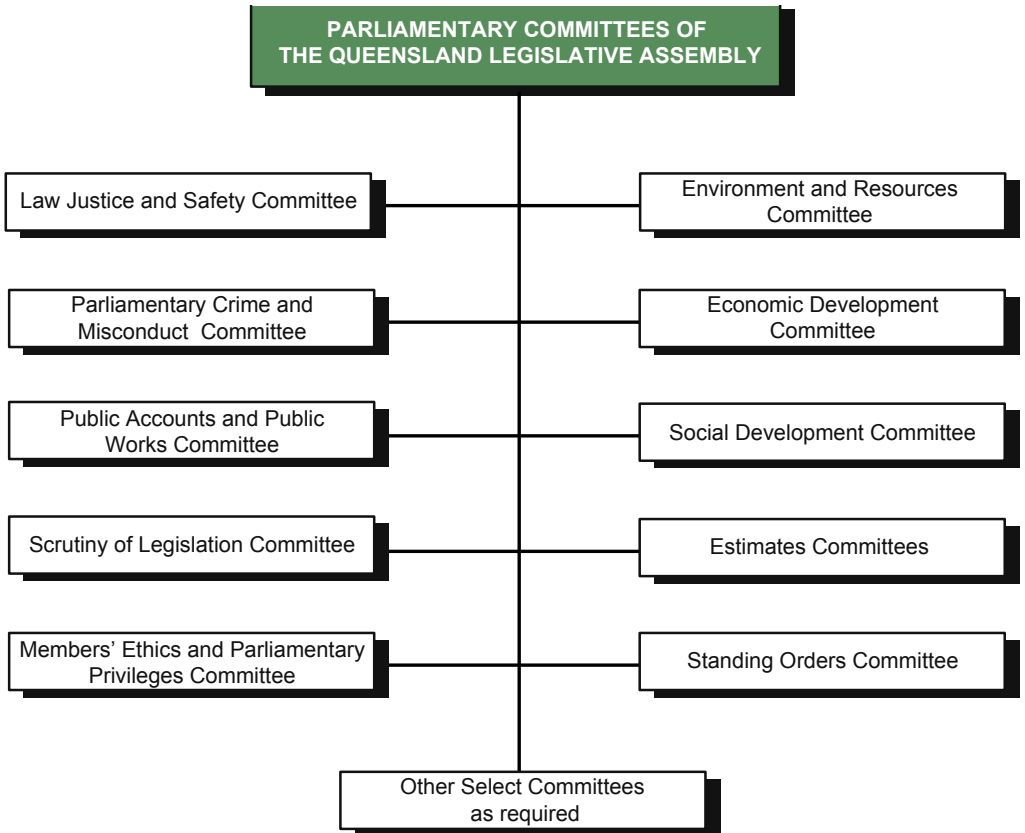
STAGES OF THE LEGISLATIVE PROCESS



THE QUEENSLAND PARLIAMENT'S COMMITTEE SYSTEM

Parliamentary Committees play a major role in scrutinising Government activity. Evolving from the 16th century, Committees consisting of parliamentarians were established to perform functions or investigate matters which were either too complex or too technical for the normal routine of parliamentary business.

Today, Parliamentary Committees are involved in a wide range of duties including: the examination of legislation and regulations; the scrutiny of Government expenditure; the monitoring of the criminal justice system; the operations of Parliamentary Procedures; and the investigation of any issue into which the Parliament may require a detailed inquiry. As investigative bodies, Parliamentary Committees are able to summon and examine witnesses, canvass public opinion, subpoena documents and papers, evaluate the evidence gathered and compile a report for the Parliament, usually with a set of recommendations.



For further information

Website www.parliament.qld.gov.au

Address Legislative Assembly, Parliament House, Cnr George and Alice Streets, Brisbane 4000

Phone (07) 3406 7111