

Parliament of Queensland and Other Acts Amendment Bill 2015

Explanatory Notes

FOR

Amendments to be moved during Consideration in Detail by the Honourable Anastacia Palaszczuk MP, Premier and Minister for the Arts

Short title

Parliament of Queensland and Other Acts Amendment Bill 2015.

Policy objectives of the amendments for Consideration in Detail

The policy objectives of the proposed amendments are to:

- clarify how a cross bench member is included on the Committee of the Legislative Assembly (CLA) by nomination of the Leader of the House; and
- clarify the size of the membership of the CLA and the quorum that applies at a CLA meeting depending upon the membership size of the CLA.

Achievement of objectives

The policy objectives as outlined above and as explained in the notes on provisions section below, are to be achieved through three amendments to the Bill proposed at Clause 24, after Clause 24 and at Clause 25.

Alternative ways of achieving policy objectives

There is no alternative way to achieve these objectives other than by amending the Bill.

Estimates cost for government implementation

There are no costs associated with these amendments.

Consistency with fundamental legislative principles

The amendments are considered to be consistent with fundamental legislative principles set out in the *Legislative Standards Act 1992*.

Consultation

The amendments have not been subject to public consultation.

Consistency with legislation of other jurisdictions

The amendments are not being made for consistency with the legislation of other jurisdictions.

Notes on provisions

Amendment 1 amends section 81 of the *Parliament of Queensland Act 2001* (the Act) (as amended by the Bill) to indicate that reference is to be had to new section 81A of the Act to determine how a cross bench member is nominated by the Leader of the House for appointment to the Committee of the Legislative Assembly (CLA) when there are two or more members of the Assembly who are cross bench members.

The amendment also clarifies that under certain circumstances the CLA may comprise eight members.

Furthermore, the amendment clarifies that for the purpose of CLA membership, the Speaker is not a cross bench member.

This clarifies that when the Parliament has a Speaker who is not a member of a political party either in Government or Opposition, as it does now, that the cross bench appointment to the CLA is in addition to the Speaker, who is already a member of the CLA.

Amendment 2 inserts new section 81A (Nomination of cross bench member) of the Act. This new section outlines how, when the Assembly comprises two or more cross bench members, the cross bench members are to agree on who is to be the member to be nominated by the Leader of the House.

New section 81A provides that the cross bench members must agree to this by majority, and that the Leader of the House does not have a vote in any process used by the cross bench members to agree on the member to be nominated.

New section 81A also provides that if the cross bench members do not advise the Leader of the House of their nomination within two sitting days after a vacancy arises under section 81(2), the Leader of the House may decide the cross bench member to be nominated.

Furthermore, new section 81A provides that for the purpose of the cross bench membership nomination process, the Speaker is not a cross bench member.

Following on from *Amendment 1*, this clarifies that when the Parliament has a Speaker who is not a member of a political party either in Government or Opposition, as it does now, the Speaker is not counted as a cross bench member for CLA membership purposes and thus does not have a role in the nomination process conducted by the cross bench members.

Amendment 3 amends section 83 of the Act (as amended by the Bill) to provide that if the CLA includes a cross bench member under section 81(2) and is an eight member committee then the quorum at a CLA meeting is five members, or otherwise the quorum is four members.