Everyone's Parliament

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Factsheet 3·7

The Legislative Process - The Making of a Law (simplified)

In Queensland the process for making a law varies depending on the type of bill introduced, who introduces it and whether the bill is urgent.

What is a bill?

A bill is a proposal for a law, either a new law or a change to an existing law, placed before the Parliament for its consideration.

Where do bills originate?

The majority of bills introduced into the parliament are government bills, with ministers being responsible for introducing these. Individual Members of Parliament (MPs) can also introduce bills, with these being known as Private Members' Bills.

What are the parliamentary stages of a bill?

There are steps, or stages, through which a bill must pass. These are:

(1) presentation, explanatory speech and first reading

(2) committee consideration

(3) committee report

(4) second reading

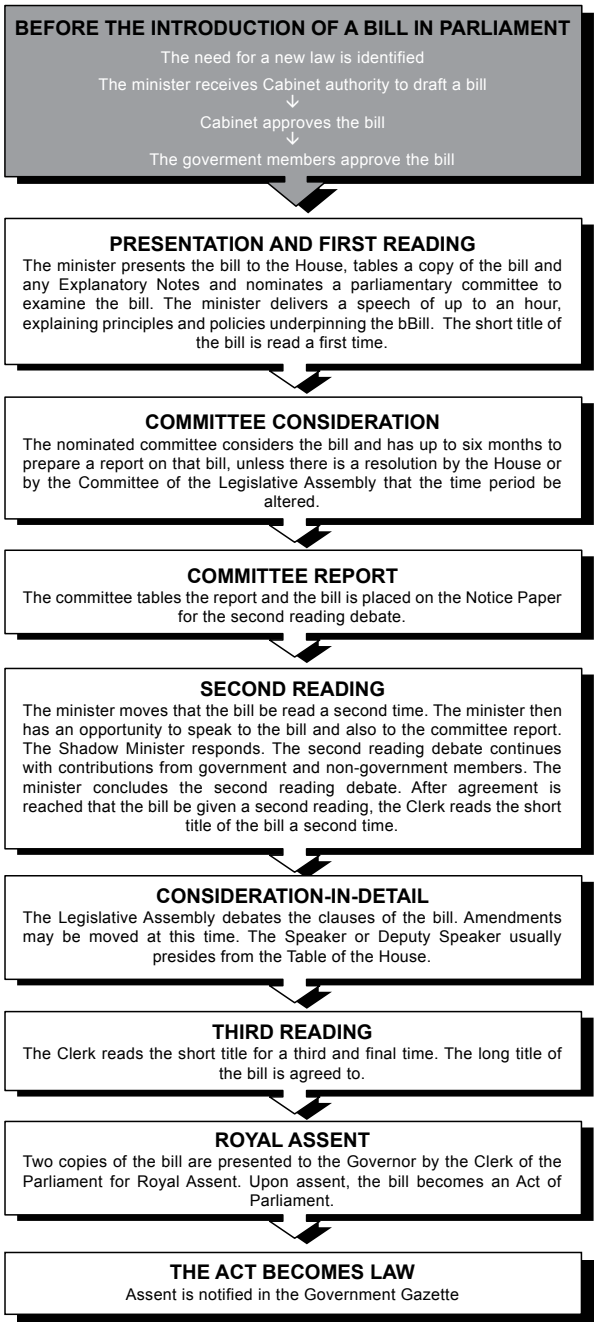
(5) consideration-in-detail

(6) third reading

(7) Royal Assent

(If a bill has been declared urgent by the parliament, the process above occurs without the committee consideration or report stages.)

The flowchart below illustrates the process for government bills having passage in the normal way.



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What is the origin of the term 'reading'?

The term has its origins before printing was invented. At that time, the Clerk of the Parliament was required to read the whole bill to the parliament, so MPs could be informed of its contents. By the end of the 16th century, it was the accepted practice for the Clerks to read bills on three separate occasions before they were passed.

What is the presentation and first reading?

The minister presents the bill and tables the bill and the Explanatory Notes and nominates a portfolio committee (or other parliamentary committee) to consider the bill. The minister then makes a speech explaining the bill. This is known as the Explanatory Speech. Following the Explanatory Speech, the minister moves that the bill be now read a first time. If this is agreed to, the Clerk, who has been handed the bill by the minister, reads out the short title of the bill.

What is committee consideration?

Each committee is made up of a group of both hovernment and non-government Members of Parliament. A committee is able to examine issues in more detail than is possible in the Legislative Assembly. Committees also have the opportunity to receive comments and suggestions for change from the public or from experts in a particular field. From the information gathered the committee will prepare a report. The committee has up to six months to complete the report unless there is a resolution by the House or by the Committee of the Legislative Assembly that the time period be altered.

What happens at the portfolio committee report stage?

Once a committee completes its report, the document is tabled in the parliament and the relevant bill will be put on the Notice Paper for the second reading debate.

What is the second reading?

The motion for the "second reading" is moved by the Minister in charge of the bill. The minister has another opportunity to speak about the bill. Debate may take place but it is restricted to the principles of the bill, the portfolio committee's examination and report as well as any amendments recommended by the committee. The Shadow Minister responds to the minister's speech. The second reading debate continues with contributions from both government and non-government members. If agreement is reached that the bill be given a second reading, the Clerk again reads the short title.

What is Consideration-in-Detail?

The next stage is the consideration of the bill in detail. Bills are examined clause by clause. During this stage amendments may be proposed to individual clauses of the bill.

What is the third reading?

The minister in charge of the bill moves the motion for the "third reading". This is the last opportunity for the parliament to consider the bill. The motion for the third reading can only be amended to dispose of the bill. The Clerk reads the short title of the bill a third and last time after the third reading motion has been agreed to. The long title is then agreed to.

What is Royal Assent?

Following the passage of legislation through the Assembly, two parchment copies of the bill are signed by the Governor on behalf of the Queen. This is called Royal Assent. Once a bill is assented to it is known as an Act of Parliament.

The Act becomes Law

Assent is notified in the Government Gazette.

www.parliament.qld.gov.au
communications@parliament.qld.gov.au
P +61 7 3553 6000
F +61 7 3553 6419

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