

Parliament of Queensland Amendment Bill 2013

Explanatory Notes

Short title

The short title of the Bill is the *Parliament of Queensland Amendment Act 2013*.

Policy objective and the reason for it

The policy objective of the Bill is to reduce the number of consecutive sitting days that a member of the Legislative Assembly can be absent from the Assembly before the member's seat becomes vacant.

On 10 September 2013, the Committee of the Legislative Assembly (CLA) tabled Report No. 9 titled *Absence from the House and vacating of seats by members*.

The CLA's report notes the absences of the Member for Redcliffe, Mr Scott Driscoll MP, from the sittings of the Assembly during 2013.

The CLA has reviewed the provisions regarding absences from the House and has recommended certain amendments to the *Parliament of Queensland Act 2001* and the *Standing Rules and Orders of the Legislative Assembly*.

The Government supports the CLA's recommendation. The Bill implements the CLA's recommendation and reduces to no more than 12 consecutive sitting days, the number of consecutive sitting days that a member can be absent without the Assembly's permission before the member's seat becomes vacant.

Achievement of policy objective

Section 72 of the *Parliament of Queensland Act 2001* outlines the circumstances under which a member's seat in the Legislative Assembly becomes automatically vacant.

Section 72(1)(m) currently provides that a member's seat becomes vacant if the member is absent without the Assembly's permission for more than 21 consecutive sitting days, whether over 1 or more sessions.

The Bill reforms the process for absences from the sittings of the Assembly by reducing to no more than 12 consecutive sitting days, the number of consecutive sitting days that a member can be absent without the Assembly's permission before the member's seat becomes vacant.

The Bill is not intended to act retrospectively and will only include sitting days for which a member is absent after the Bill's Assent.

Alternative ways of achieving policy objective

There is no alternative method of achieving the policy objective as the objective requires the amendment of existing legislation.

Estimated cost for government implementation

Nil

Consistency with fundamental legislative principles

The Bill is consistent with the fundamental legislative principles set out in the *Legislative Standards Act 1992*.

Consultation

The Clerk of the Parliament was consulted during the drafting of the Bill.

Consistency with legislation of other jurisdictions

While similar provisions exist in other jurisdictions this Bill is specific to the State of Queensland.

Notes on provisions

Clause 1 sets out the short title of the Bill.

Clause 2 states that the Act amends the *Parliament of Queensland Act 2001*.

Clause 3 amends section 72 (Vacating seats of members in particular circumstances) of the *Parliament of Queensland Act 2001* to provide that a member's seat becomes vacant if the member is absent without the Assembly's permission for more than 12 consecutive sitting days, whether over 1 or more sessions.

©The State of Queensland 2013