



THE  
**Parliament**  
OF QUEENSLAND



## HISTORY AND ORIGINS

The Queensland parliament can trace its ancestry back to the British parliamentary (Westminster) system. Because Britain was the colonising nation and the majority of Queensland's early settlers were of British heritage, 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 met for the first time on 22 May 1860 and 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). The Legislative Council was abolished in 1922, thereby converting the Queensland Parliament from a bicameral arrangement (two houses) to a unicameral (one house) arrangement.

Today, the Queensland Parliament comprises the King, represented by the Governor of Queensland, and the Legislative Assembly. The Parliament is composed of 93 members each representing a single member electorate and from October 2020 the parliamentary term will increase from three to four years.



Legislative Assembly Chamber

## THE GOVERNOR

The Governor is the King's representative in Queensland. 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 King'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 King at official occasions, e.g., the opening of Parliament; and visiting and officiating at events and functions throughout the state.

## THE GOVERNMENT

After each 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 comprised of ministers from the government party(ies). In Queensland, there may be up to 19 ministers (including the Premier). Ministers hold portfolios through which the various government departments are administered. 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 hold 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 the alternative premier. The Leader of the Opposition chairs the meetings of the shadow cabinet.

## 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 lawmaking 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 14th century. In the Queensland Parliament, the Speaker is elected by a secret ballot involving all members. 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. The Speaker can issue writs for by-elections and warrants for offenders who have been found to have committed a contempt of parliament.



*The Speaker's chair and desk in the Legislative Assembly Chamber*

## 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, including the Record of Proceedings (Hansard). The Clerk is responsible for 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 officer 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. 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 being 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 15th century, the Sergeant-at-Arms had become a permanent officer of the parliament and the Crown's authority was vested 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 side of the Chamber.

## **PARLIAMENTARY PROCEDURES AND PROCESSES**

The proceedings of the Legislative Assembly are governed partly by acts of parliament, such as the *Constitution Acts* and the *Parliament of Queensland Act 2001*, and partly by a set of rules known as the *Standing Rules and Orders* and by previous Speakers' precedents and rulings.



*The Mace of the Queensland Parliament*

## **A DAY IN THE LIFE OF THE QUEENSLAND PARLIAMENT**

The Parliament's Sessional Orders state that "The House shall sit on Tuesday, Wednesday and Thursday" and that "The House shall sit each day from 9.30am until the automatic adjournment is declared".

Prior to the Assembly meeting at 9.30am, all members receive a copy of the Notice Paper (agenda). Bells are rung twice throughout the parliamentary complex to call members to the House. At 9.30am, the Speaker is led into the chamber by the Sergeant-at-Arms who carries the Mace. After the Speaker reads the prayer, 'Preliminary Business' begins. This can include messages from the Governor, Speaker's Statements, petitions, Ministerial Statements, Personal Explanations, and condolence motions.

### **Question Time**

Each sitting day an hour is set aside for question time. This provides an opportunity for the opposition and other members to question the government about their policies and activities. Questions can be presented in two formats, without notice or on notice. Questions Without Notice are asked during Question Time. Questions On Notice, requiring detailed answers, are submitted in writing to the Clerk of the Parliament. Under Standing 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.

### **Government Business**

The major part of the parliamentary day is dedicated to '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 each sitting day a 30- minute period is set aside for an adjournment debate in which members are provided with another opportunity to raise matters about issues and government policies or discuss matters pertaining to their electorate and constituents.

### **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 numbers are equal the Speaker has a casting vote. The process of voting begins with the Speaker putting the question and members answering "Aye" or "No" depending on whether they support or oppose the question. The Speaker then decides on the voices whether the "Ayes" or "Noes" have it.

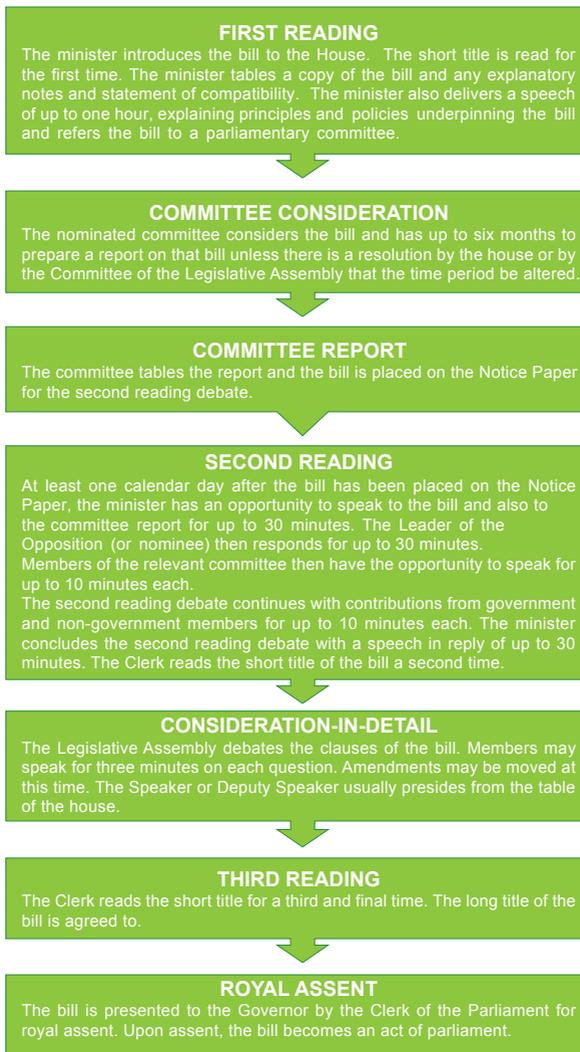
### **Divisions**

Any member on the losing side of a 'voting by the voices' decision can challenge the Speaker's opinion by calling "Divide". The Speaker then says, "Ring the bells" and the division bells are rung through the parliamentary complex. Members have four minutes to enter the chamber before the bars at each of its three entrances are closed. Members must sit in their allocated seat to vote. Members then vote either with their party, which is known as a 'party vote', or cast a vote contrary to their party. Government and opposition whips report the votes cast by their respective party members to the House. Independents and members of minor parties then report to the Clerk if they are voting "Aye" or "No". The Clerk confirms the total number of votes for the "Ayes" and "Noes" and reports this to the Speaker who then announces the result of the vote to the House.

## LEGISLATION - THE MAKING OF A LAW

A major function of the parliament is the making of the state's laws. A proposed new law begins as a bill with bills most of ten being introduced into the Legislative Assembly by a minister. If a bill passes through the Assembly, it then becomes an act of parliament when it receives royal assent. The following flowchart provides an overview of how a non-urgent government bill is passed in the normal way.

### THE LEGISLATIVE PROCESS IN THE QUEENSLAND PARLIAMENT FOR NON-URGENT GOVERNMENT BILLS



## 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, there are two types of parliamentary committees involved in a wide range of duties. The portfolio committees have responsibility for scrutinising ministerial portfolios in relation to: legislation including bills and subordinate legislation; public accounts; public works; and government expenditure. The other committees have specific responsibilities including: the monitoring and review of the Crime and Corruption Commission; responsibility for the business of the Legislative Assembly; and the examination of alleged breaches of privilege and complaints about the ethical conduct of particular members. The parliament may also direct a committee to investigate any issue that requires a detailed inquiry. Committees also consider matters under Human Rights legislation.

Parliamentary committees seek input from the public, consult with stakeholders and experts, evaluate published research and evidence gathered, and compile a report for the parliament, usually with a set of recommendations.

A list of all current parliamentary committees can be found on the parliament's website at [www.parliament.qld.gov.au/work-of-committees/committees](http://www.parliament.qld.gov.au/work-of-committees/committees)

A list of former parliamentary committees is published online at [www.parliament.qld.gov.au/work-of-committees/former-committees](http://www.parliament.qld.gov.au/work-of-committees/former-committees)

Further information about committees is contained online here- [www.parliament.qld.gov.au/work-of-committees](http://www.parliament.qld.gov.au/work-of-committees)



*A parliamentary committee hearing at Parliament House in 2018*

### For further information

Website [www.parliament.qld.gov.au](http://www.parliament.qld.gov.au)

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