

## Legislation Process FAQ



### 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 are introduced by the Government. Ministers are responsible for introducing the bills into the parliament. Individual members who are not ministers may introduce bills. This type of bill is known as a Private Member's Bill.

### What stages does legislation go through before it is introduced in the Parliament?

The stages that occur before a Government bill is introduced in parliament are—

- Policy approval by the Government. Cabinet approves all major new policies, new or major expenditure and contentious matters. For legislation this is called the “authority to prepare a bill” stage. The proposed legislation is then ranked in order of priority on the legislation program for the sitting by Cabinet.
- Drafting instructions are prepared by the department sponsoring the legislation and sent to the Office of the Queensland Parliamentary Counsel for the drafting of the bill.
- The draft bill and draft Explanatory Memorandum are submitted to Cabinet for “authority to introduce a bill” approval.
- Cabinet reviews the bill after drafting and before it is introduced in Parliament.
- The minister responsible for the bill seeks a clearance from the Parliamentary Members of his or her party for the bill's introduction.
- The final bill is printed ready for introduction in parliament.

### 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

### 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 members 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, Statement of Compatibility with human rights and nominates a portfolio committee (or other parliamentary committee) to consider the bill.<sup>1</sup>

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.

<sup>1</sup> If the bill includes an override declaration under the Human Rights Act 2019, the minister will table a statement regarding the declaration.

# Queensland Parliament Factsheet

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### What is committee consideration?

To ensure Queensland has the best possible legislation, bills are examined by a parliamentary committee. Each committee is made up of a group of both government and non-government Members of Parliament. A committee is able to examine issues in more detail than is possible in the Legislative Assembly. Committees conduct inquiries 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. After 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 final 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 King. This is called Royal Assent.

### What happens to the two parchment copies?

When the Governor has assented to the bill, the Clerk of the Parliament—

- deposits one copy with Queensland State Archives; and
- retains one copy in the records of the Parliament.

### What is an Act of Parliament?

An Act of Parliament, usually just called an Act, is a law passed through the Legislative Assembly and assented to by the Governor.

When does an Act come into force?

When an Act has a commencement clause it usually states when an Act will come into force. It will specify that the Act comes into force—

- on a particular date or dates;
- or upon proclamation in the Government Gazette.

If an Act does not have a commencement clause, it will come into force on the date of assent when it is signed by the Governor.



*An example of a bill receiving Royal Assent.*