



MATTERS OF PROCEDURAL INTEREST

No. 19 — July to December 2020

Prepared by Chamber and Procedural Services Office

QUEENSLAND LEGISLATIVE ASSEMBLY PROCEDURAL BULLETIN

WORK OF THE HOUSE

Further information about the work of the Legislative Assembly is available on the parliament's internet website.

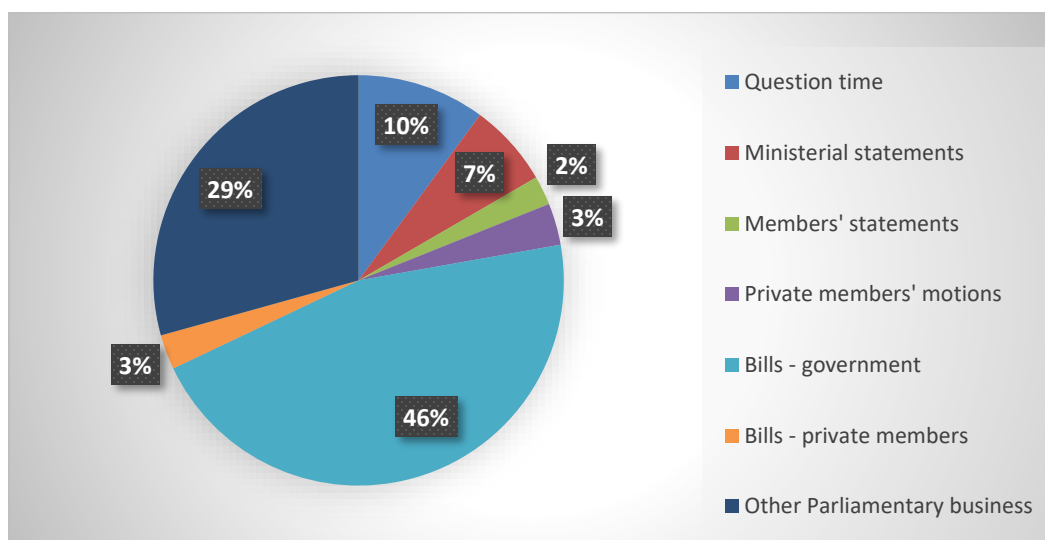
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Overview comparison

	1 Jan to 30 Jun 2020			1 Jul to 31 Dec 2020		
Sittings						
Sitting days	15			16		
Average duration per sitting day [hrs:mins]	9:50			8:55		
Legislation						
	1 Jan to 30 Jun 2020			1 Jul to 31 Dec 2020		
	Govt	PMB	Total	Govt	PMB	Total
Bills introduced	13	1	14	23	1	24
Bills passed	20	0	20	9	0	9
Bills referred to committees	8	1	9	12	0	12
Bills reported on by committees	14	3	17	12	0	12

Business conducted

The following chart shows a breakdown of the business conducted during the period 1 July to 31 December 2020.





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GENERAL ELECTION FOR THE 57TH PARLIAMENT

On 6 October 2020, a proclamation from His Excellency the Governor was received dissolving the Legislative Assembly of Queensland. A general election was held on Saturday, 31 October 2020. Eighty three former members and ten new members were elected and the Palaszczuk Labor government was returned to office as a majority government.

On 24 November 2020, the elected members were sworn into the 57th Parliament. The Parliament is made up of members as set out below:

- Australian Labor Party – 52 seats
- Liberal National Party – 34 seats
- Katter's Australian Party – 3 seats
- Queensland Greens – 2 seats
- Pauline Hanson's One Nation – 1 seat
- Independents – 1 seat.

Election of Speaker

On 24 November 2020, Hon Curtis Pitt MP, Member for Mulgrave was re-elected as Speaker of the Legislative Assembly. Hon Pitt MP is the first Speaker to have been elected for two consecutive terms since Speaker Hollis in 2005.

2020 BUDGET AND ESTIMATES

Delayed due to Covid-19, instead of June and July the 2020 Budget was delivered in December 2020 during the second sitting week of the 57th Parliament with the Estimates process occurring in the subsequent two weeks.

On 26 November 2020, the Leader of the House moved, and the House agreed to, a motion which suspended Standing Orders and set the date and schedule for each committee Estimates hearing and for the asking, responses to and publication of questions on notice.

Portfolio committees must table their report to the House on the 2020 Budget Estimates by 12 February 2021.

Record of Proceedings: 26 November 2020, p153

MEMBERS

Warnings and suspension of members

On 25 occasions between July and December 2020, the Speaker followed up warnings to members with an order to withdraw from the Chamber.

Record of Proceedings: 14 July 2020, p1512, p1514 and p1521
15 July 2020, p1695 and p1698
16 July 2020, p1739
12 August 2020, p2004 and p2019
8 September 2020, p2161, p2235 and p2241
9 September 2020, p2269 and p2325
10 September 2020, p2376, p2379 and p2380
26 November 2020, p61 and p62
1 December 2020, p171
2 December 2020, p222 and p225
3 December 2020, p409
4 December 2020, p467 and p565
Standing Order 253A



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MOTIONS

Address in Reply to Governor's opening speech

The Member for Stafford, Mr Sullivan MP, moved that the Address in Reply to the speech delivered by His Excellency, the Governor of Queensland, at the opening of the First Session of the 57th Parliament, be presented to the Governor.

Thirty one hours is allowed for debate of the Member's motion which is included on the Notice Paper as an order of business before the House.

Record of Proceedings: 26 November 2020, p68

Standing Orders 46 and 47
Sessional Orders 12 and 13

PRIVILEGE

The Ethics Committee investigates and reports on the ethical conduct of members, and on matters of privilege and possible contempts of parliament referred to it by the Speaker, the House or the Registrar of Members' interests.

Between July and December 2020 the Ethics Committee reported on five matters of privilege:

- a breach of Standing Order 271 (debating a matter before the Ethics Committee in the House) and wilfully disobeying an order of the House (Report No. 200);
- a failure to register an interest on the Register of Members' Interests (Report Nos. 201 and 202);
- an unauthorised disclosure of committee proceedings (Report No. 203); and
- a failure to declare an interest in committee proceedings (Report No. 204).

The Ethics Committee made one finding of contempt, in Report No. 200 in relation to the breach of Standing Order 271. However, the committee found that it did not constitute wilful disobedience of an order of the House because the breach was inadvertent. The House noted the finding of contempt and the Member's apology and no further action was taken.

COVID-19

With the continuing low number of COVID-19 infections in Queensland and the further relaxation of restrictions from 3 July 2020, the Parliamentary Service commenced phase 3 of its return to work plan from 6 July 2020. In accordance with the Queensland Government guidelines all office-based workers returned to work with the exception of staff in a high risk category. Flexible start and end times remained suspended and start, finish and break times were staggered. Strict social distancing and hygiene practices were implemented. Interstate travel was prohibited.



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The restrictions on access to the precinct were also revised as follows:

- school group tours and seminars were reopened and permitted with size limits based on current social distancing requirements
- public tours remained suspended in the short term while appropriate measures were being developed
- the public gallery was to reopen on sitting days, although capacity was limited to 20 persons (excluding school groups in the side galleries)
- access to the precinct by all pass holders, government employees, visitors and other members of the public reverted to normal conditions, with social distancing rules and within the capacity limitations, and
- all international delegations/visits remained cancelled.

The Parliament is operating under a COVID-Safe Plan: Parliament House. This Plan was developed in accordance with the Queensland Government Roadmap to a COVID-safe Recovery and set out processes adopted to safely reopen various activities to the general public.

On 9 November 2020, all staff returned to normal duties on the precinct and staggered start, finish and meal breaks were no longer required.

Following the general election on 31 October, the House resumed sittings on 24 November 2020. Pursuant to a change to COVID-19 directions prior to the resumption, all members met at the same time in the chamber as it was treated as an event with allocated seating. The Speaker reminded Members to take care upon entry and exit of the chamber.

LEGISLATION

Bills declared urgent

A Bill may be declared urgent and pass through all stages in a very short timeframe, e.g. a Bill may:

- not be referred to a portfolio committee for examination, or
- be referred to a portfolio committee to report to the House in a period less than six weeks.

Between July and December 2020, the House declared 7 bills as urgent; three were referred to a portfolio committee and four were not referred.

Urgent bills referred to a portfolio committee

Queensland Future Fund Bill

On 14 July 2020 the Queensland Future Fund Bill was declared urgent upon its introduction and referred to a committee for examination with a report date of 7 August 2020.



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Royalty Legislation Amendment Bill

On 16 July 2020 the Royalty Legislation Amendment Bill was declared urgent upon its introduction and referred to a committee for examination with a report date of 7 August 2020.

Record of Proceedings: 16 July 2020, p1745
Standing Order 137

Crime and Corruption Amendment Bill

On 13 August 2020, the Crime and Corruption Amendment Bill was declared urgent upon its introduction and referred to a committee with a report date of 28 August 2020. The bill was subsequently withdrawn (see section on Bill withdrawn).

Record of Proceedings: 13 August 2020, p2076
Standing Order 137

Urgent bills not referred to a portfolio committee

Appropriation (Parliament) Bill

On 8 September 2020, the Appropriation (Parliament) Bill was declared urgent upon its introduction and not referred to a committee. The objective of the bill was to seek supplementary appropriation for 2019-20 for unforeseen expenditure for the Legislative Assembly and Parliamentary Service. The bill was passed by the House on 10 September without amendment.

Appropriation Bill

On 8 September 2020, the Appropriation Bill was declared urgent upon its introduction and not referred to a committee. The objective of the bill was to seek supplementary appropriation for 2019-20 for unforeseen expenditure of \$1.114 billion incurred by 13 departments. The bill also appropriates the amount of \$28.635 billion additional interim supply for 2020-21 for departments. The bill was passed by the House on 10 September without amendment.

Record of Proceedings: 8 September 2020, pp2173 and 2178
Standing Order 137

COVID-19 Emergency Response and Other Legislation Amendment Bill

On 26 November 2020, the COVID-19 Emergency Response and Other Legislation Amendment Bill was introduced, declared urgent and not referred to a committee to be considered in the following sitting week.

The bill proposed to extend the operation of all COVID-19 related legislation which was still required to respond to the impacts of the COVID-19 emergency until 30 April 2021 or an earlier date to be prescribed by regulation. The bill also proposed to insert appropriate transitional mechanisms which provide for the ability to return to normal operations once the COVID-19 related legislation was no longer needed, amongst other matters.

The bill was passed on 2 December 2020 without amendment.

Record of Proceedings: 26 November 2020, p96
Standing Order 137



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Disability Services and Other Legislation (Worker Screening) Amendment Bill

On 26 November 2020, Disability Services and Other Legislation (Worker Screening) Amendment Bill was introduced, declared urgent and not referred to a committee to be considered in the following sitting week.

The bill proposed to streamline and strengthen the legislative framework for disability worker screening in Queensland. The bill was passed on 4 December 2020 without amendment.

Record of Proceedings: 26 November 2020, p101
Standing Order 137

Bill introduced

On 16 July 2020, the member for Cook, Ms Cynthia Lui MP, a government member and a lamalaig woman of the Kulkalgal Nation of the Torres Strait introduced the Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill as a private member. The purpose of the bill was to legally recognise the Ailan Kastom child rearing practice.

The introduction of the bill was unique for the following reasons:

- it was the first time that the short title of a bill included native language
- a motion was agreed to enabling a private member to introduce a bill during government business
- the bill was accompanied by a Message from the Governor which is usually only provided to Ministers as members of the Executive, and
- after the bill's introduction, another motion was moved to treat the bill as a government bill for its remaining stages and for the relevant Minister to take carriage of the bill.

The bill was referred to a portfolio committee for examination and report and was subsequently passed on 8 September 2020.

Bill withdrawn

On 13 August 2020, the Crime and Corruption Amendment Bill was introduced in the House and referred to the Legal Affairs and Community Safety Committee. The bill was declared urgent with the House agreeing to a committee report date of 28 August 2020. The policy objectives of the bill were to amend the Crime and Corruption Act 2001 to implement the recommendations of 2016 and 2020 Crime and Corruption Commission (CCC) reports regarding the publication of allegations of corrupt conduct.

The bill proposed to make it an offence to publish a corrupt conduct allegation about a candidate for a State or local government election during the relevant election period. The bill was contentious as the issue of whether or not the publicising of allegations of corrupt conduct is in the public interest has been the subject of debate since 1992.

On 13 August 2020, the committee called for submissions in respect of the bill. On 14 August 2020, the Attorney-General and Minister for Justice advised in a media statement that the bill would be withdrawn.



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On 10 September 2020, the Attorney-General moved a motion without notice to discharge the bill from the Notice Paper and withdraw the bill. The motion was debated and subsequently agreed to by the House.

QUESTIONS WITHOUT NOTICE

Imputations in question

Under Standing Order 115, questions without notice shall not contain imputations.

On 15 July 2020 in prefacing a question without notice to the Premier a member stated that Queenslanders who gain employment based on falsified qualifications would have their employment terminated and then asked about similar reports concerning the education minister. The Speaker ruled the question out of order due to the use of the word 'falsified' which suggests a dishonest intent.

Record of Proceedings: 15 July 2020, p1614
Standing Order 115

Lengthy and subjective preamble

Under Standing Order 115, questions without notice shall not contain lengthy or subjective preambles. A question from the Member for Mirani was ruled out of order due to its lengthy preamble.

Record of Proceedings: 26 November 2020, p64
Standing Order 115

SESSIONAL AND STANDING ORDERS

Standing and Sessional Orders for the incoming Parliament

On 26 November 2020, the House agreed to Sessional Orders for the 57th Parliament continue the same sitting hours as per the previous parliament with an automatic adjournment at 7.00pm on Tuesdays and Wednesdays and 6.30pm on Thursdays. A number of changes to previous practice include:

- Removing the requirement for leave to incorporate speeches in debates on the Address-in-Reply and Annual Appropriation Bills. Members are still required to seek the Speaker's consent.
- Extending the total time for the Address-in-Reply from 28 hours to 31 hours to take account of the increase in members from 89 to 93.
- Allowing direct negative amendments to Private Members' Motion, effectively overriding former Speaker's rulings to the contrary
- Extending the Business Committee's mandate (from Government business only) to consider all business before the House.

The Sessional Orders also contain procedures which take precedence until the expiry of the regulation declaring the public health emergency for COVID-19 which are largely the same as reported in the January-June 2020 bulletin. These special Sessional Orders continue to allow electronic participation in proceedings if such participation is approved by the Speaker, and party voting procedures with Whips, minor party leaders and independents reporting votes.

Record of Proceedings: 26 November 2020, p143
Sessional Order 1A