

*I hereby certify that this PUBLIC BILL has finally passed the
Legislative Assembly of Queensland.*



L. e.
Legislative Assembly Chamber, The Clerk of the Parliament.
Brisbane, 23 September 2016

In the name and on behalf of the Queen, I assent to this Bill.

Paul de Jersey

Government House,

Brisbane,

23rd September 2016



Queensland

No. 47 of 2016

A BILL for

**An Act to amend the Constitution of Queensland 2001 and the Parliament of
Queensland Act 2001 for particular purposes**



Queensland

Constitution of Queensland and Other Legislation Amendment Bill 2016

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2016

A Bill

for

***An Act to amend the *Constitution of Queensland 2001* and the
Parliament of Queensland Act 2001 for particular purposes***

[s 1]

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Constitution of Queensland and Other Legislation Amendment Act 2016*.

Part 2 Amendment of Constitution of Queensland 2001

2 Act amended

This part amends the *Constitution of Queensland 2001*.

2A Insertion of new s 4A

After section 4—

insert—

4A Particular amendments of this Act

- (1) This section applies to a Bill for an Act to amend this Act respecting the constitution, powers or procedure of the Parliament.

Note—

See the *Australia Act 1986* (Cwlth), section 6.

- (2) The Bill must not be presented to the Governor for assent unless the Bill has been passed by an absolute majority of the Legislative Assembly.
- (3) The Bill has no effect as an Act if assented to after presentation in contravention of subsection (2).

- (4) For deciding whether the Bill has been passed by an absolute majority of the Legislative Assembly—
 - (a) if the Speaker of the Legislative Assembly or Deputy Speaker of the Legislative Assembly presiding exercises a casting vote in favour of the ‘ayes’, the casting vote is counted; and
 - (b) if an absent member of the Legislative Assembly votes by proxy or another method allowed under an Act and the vote cast is in favour of the ‘ayes’, the vote is counted.
- (5) In this section—

absolute majority, of the Legislative Assembly, means a majority of the number of members of the Legislative Assembly under section 11.

3 Insertion of new ch 2, pt 5

Chapter 2—

insert—

Part 5 Portfolio committees and consideration of proposed legislation

26A Establishment of portfolio committees

- (1) The Legislative Assembly must, at the beginning of every session of the Legislative Assembly, establish at least 6 committees of the Legislative Assembly (*portfolio committees*).
- (2) The Legislative Assembly must allocate areas of responsibility to each portfolio committee that collectively cover all areas of government activity.

[s 3]

Note—

See also the *Parliament of Queensland Act 2001* for provisions about the membership and operation of portfolio committees.

- (3) This section does not limit the Legislative Assembly's power to establish committees and confer functions and powers on committees.

26B Requirement for proposed legislation to be considered by committees

- (1) The Legislative Assembly must ensure each Bill for an Act that is proposed for enactment is referred to a portfolio committee, or another committee of the Legislative Assembly, for examination by the committee.
- (2) The period of the referral must be at least 6 weeks from the date of the referral.
- (3) This section does not prevent the Legislative Assembly, by ordinary majority, doing any of the following under the standing rules and orders of the Legislative Assembly—
 - (a) declaring a Bill to be an urgent Bill;
 - (b) referring an urgent Bill to a committee for less than 6 weeks;
 - (c) for a Bill declared to be an urgent Bill after it is referred to a committee—discharging the Bill from the committee less than 6 weeks after the referral;
 - (d) deciding not to refer an urgent Bill to a committee before the Bill is passed by the Legislative Assembly.

26C Special provision for annual appropriation Bills

- (1) The Legislative Assembly must ensure each Bill

for an annual appropriation Act is referred to the portfolio committees for examination in a public hearing.

(2) The referred Bill must be accompanied by any associated documentation tabled in the Legislative Assembly that—

(a) explains the appropriation the subject of the Bill; and

(b) includes estimates of the expenditure for the financial year of the departments of government to which the Bill relates, or the Legislative Assembly and parliamentary service, whichever is relevant.

(3) In this section—

annual appropriation Act means an Act that appropriates an amount from the consolidated fund for departments of government, or the Legislative Assembly and parliamentary service, for a financial year.

Part 3 Amendment of Parliament of Queensland Act 2001

4 Act amended

This part amends the *Parliament of Queensland Act 2001*.

5 Amendment of s 11 (Standing rules and orders may be made)

Section 11(2), note—

omit.

[s 6]

6 Amendment of s 78 (Main object of ch 5 and its achievement)

Section 78(2)(b)—

omit, insert—

- (b) providing for the membership and operation of portfolio committees; and

7 Amendment of s 88 (Establishment)

Section 88(1)—

omit, insert—

- (1) The Assembly must, by standing rules and orders, establish committees as required under the *Constitution of Queensland 2001*, section 26A (*portfolio committees*).

8 Amendment of s 92 (Role generally)

Section 92(1)—

insert—

- (d) initiate an inquiry into any other matter it considers appropriate.

9 Insertion of new ch 10, pt 8

Chapter 10—

insert—

Part 8

**Constitution of
Queensland and Other
Legislation
Amendment Act 2016**

179 Continuation of existing portfolio committees

- (1) This section applies to a portfolio committee established under section 88 immediately before the commencement.
- (2) On the commencement, the portfolio committee is taken to be established as a committee of the Assembly under the *Constitution of Queensland 2001*, section 26A.

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