

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

*Legislative Assembly Chamber,
Brisbane,*

The Clerk of the Parliament.

4 DECEMBER 2023.

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

Government House,

Brisbane, 4th December

2023.



Queensland

No. 31 of 2023

A BILL for

**An Act to amend the Crime and Corruption Act 2001, the Emblems of
Queensland Act 2005, the Parliamentary Service Act 1988 and the Parliament
of Queensland Act 2001 for particular purposes**



Queensland

Emblems of Queensland and Other Legislation Amendment Bill 2023

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2023

A Bill

for

An Act to amend the *Crime and Corruption Act 2001*, the *Emblems of Queensland Act 2005*, the *Parliamentary Service Act 1988* 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 *Emblems of Queensland and Other Legislation Amendment Act 2023*.

Part 2 Amendment of Crime and Corruption Act 2001

2 Act amended

This part amends the *Crime and Corruption Act 2001*.

3 Amendment of s 302 (Quorum and voting at meetings of parliamentary committee)

Section 302—

insert—

(2) In this section—

present, in relation to a member at a meeting of the parliamentary committee, means present in person, or by telephone, video or other electronic means.

voting, in relation to a member at a meeting of the parliamentary committee, means voting in person or by telephone, video or other electronic means.

4 Insertion of new ch 8, pt 19

Chapter 8—

insert—

**Part 19 Emblems of
Queensland and Other
Legislation
Amendment Act 2023**

**458 Validation of quorum and voting at particular
meetings of parliamentary committee**

- (1) Subsection (2) applies if, in a meeting of the parliamentary committee held during the validation period, the committee reached quorum only by counting 1 or more members of the committee who were not present in person.
- (2) The parliamentary committee is declared to be, and always to have been, as validly quorate as it would have been if the 1 or more members were present in person.
- (3) Subsection (4) applies if, in a meeting of the parliamentary committee held during the validation period, the committee decided a question by counting a vote of 1 or more members of the committee who were not present in person.
- (4) The question is declared to be, and always to have been, as validly decided as it would have been if the 1 or more members were present in person.
- (5) In this section—

parliamentary committee includes the Criminal Justice Committee of the Legislative Assembly established under the repealed *Criminal Justice Act 1989*, section 115.

validation period means the period—

[s 5]

- (a) starting on 23 April 1998; and
- (b) ending on the commencement.

Part 3 Amendment of Emblems of Queensland Act 2005

5 Act amended

This part amends the *Emblems of Queensland Act 2005*.

6 Amendment of sch 4 (Other State emblems)

Schedule 4—

insert—

6 Fossil emblem

The Muttaborra dinosaur (*Muttaborrasaurus langdoni*) is the State's fossil emblem.

Part 4 Amendment of Parliamentary Service Act 1988

7 Act amended

This part amends the *Parliamentary Service Act 1988*.

8 Amendment of s 4 (Definitions)

Section 4, definition *parliamentary precinct*, from 'period;'—
omit, insert—
period.

9 Amendment of s 51 (Proceeding for offence against s 50)

(1) Section 51(2)—

insert—

- (d) despite the *Parliament of Queensland Act 2001*, section 8, evidence may be given of a direction made or purportedly made by the Speaker or a person authorised under section 50(5) during proceedings in the Assembly.

(2) Section 51—

insert—

- (4) In this section—

proceedings in the Assembly see the *Parliament of Queensland Act 2001*, section 9.

10 Insertion of new s 55A

After section 55—

insert—

55A Explanatory notes and human rights certificates for by-laws and rules to be prepared by Speaker

In relation to a by-law or rule made by the Speaker under this Act—

- (a) the *Legislative Standards Act 1992*, section 22(2) applies as if the reference to the responsible Minister were a reference to the Speaker; and
- (b) the *Human Rights Act 2019*, section 41(1) applies as if the reference to the responsible Minister for subordinate legislation were a reference to the Speaker; and
- (c) the *Human Rights Act 2019*, section 41(2) applies as if the reference to the Minister

[s 11]

preparing the certificate were a reference to the Speaker.

Part 5 Amendment of Parliament of Queensland Act 2001

11 Act amended

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

Note—

See also the amendments in schedule 1.

12 Amendment of s 19 (Member who may give proxy)

(1) Section 19(4), ‘certificates and’—

omit.

(2) Section 19(4)(a), ‘them’—

omit, insert—

the notification

13 Insertion of new ch 10, pt 9

Chapter 10—

insert—

Part 9 Emblems of Queensland and Other Legislation Amendment Act 2023

180 Validation of quorum and voting at particular meetings of committees

(1) Subsection (2) applies if, in a meeting of a

committee held during the validation period, the committee reached quorum only by counting 1 or more members of the committee who were not present in person.

- (2) The committee is declared to be, and always to have been, as validly quorate as it would have been if the 1 or more members were present in person.
- (3) Subsection (4) applies if, in a meeting of a committee held during the validation period, the committee decided a question by counting a vote of 1 or more members of the committee who were not present in person.
- (4) The question is declared to be, and always to have been, as validly decided as it would have been if the 1 or more members were present in person.
- (5) In this section—

committee means—

- (a) a statutory committee; and
- (b) a committee of the Assembly established under the repealed *Parliamentary Committees Act 1995*, section 4.

validation period means the period—

- (a) starting on 23 April 1998; and
- (b) ending on 22 April 2020.

Part 6 Other amendments

14 Legislation amended

Schedule 1 amends the legislation it mentions.

Schedule 1 Other amendments

section 14

Parliament of Queensland Act 2001

- 1 Section 64(6), definition *disqualifying electoral offence*, paragraph (a), ‘section 2’—**

omit, insert—

schedule 1

- 2 Section 66(7), definition *becomes a candidate*, ‘section 88(3)’—**

omit, insert—

section 93(3)

- 3 Section 67(1), ‘section 84’—**

omit, insert—

section 88

- 4 Section 67(2), ‘section 88(3)’—**

omit, insert—

section 93(3)

- 5 Section 72(4), definition *disqualifying electoral offence*, ‘section 2’—**

omit, insert—

schedule 1

- 6 Schedule, definition *candidate*, ‘section 2, definition *candidate*’—**
omit, insert—
schedule 1, definition *candidate*, paragraph (a)

- 7 Schedule, definition *general election*, ‘section 3, definition, *general election*’—**
omit, insert—
schedule 1

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