



Speech by


Hon. Campbell Newman

MEMBER FOR ASHGROVE

Hansard Thursday, 17 May 2012

PARLIAMENT OF QUEENSLAND AND OTHER ACTS AMENDMENT BILL

Introduction

 **Hon. CKT NEWMAN** (Ashgrove—LNP) (Premier) (3.29 pm): I present a bill for an act to amend the Constitution of Queensland 2001 and the Parliament of Queensland Act 2001 for particular purposes, and to make consequential amendments of other acts as stated in the schedule. I table the bill and the explanatory notes.

Tabled paper: Parliament of Queensland and Other Acts Amendment Bill [[123](#)].

Tabled paper: Parliament of Queensland and Other Acts Amendment Bill, explanatory notes [[124](#)].

I am pleased to introduce the Parliament of Queensland and Other Acts Amendment Bill 2012. The bill has two major purposes. The first purpose is to provide formulae in the Parliament of Queensland Act 2001 to determine the size of membership and balance between government and non-government members on the parliament's portfolio committees, depending on the composition of the Legislative Assembly at any given time. The second purpose is to return dignity and prestige to the office of the Speaker of the Legislative Assembly by including the Speaker in the deliberations of the Committee of the Legislative Assembly, particularly with respect to the management of the parliament and the Parliamentary Service.

Following the state election the government received advice from the Clerk of the Parliament about the parliament's committee system. In essence, the Clerk's advice contended that the composition of the parliament decided upon by the electors of Queensland dictated that the number of members and the balance of numbers between government and non-government members on the portfolio committees should change so that they could remain workable and function practically in the new parliament.

The Clerk also proposed that certain formulae should be included in the Parliament of Queensland Act 2001. These formulae will determine the size of membership and balance between government and non-government members on the portfolio committees depending on the political composition of the Legislative Assembly at any given time. The formulae would also remove the need for the parliament to revisit the act immediately after each election if the altered composition of the parliament necessitated change. The government has accepted the Clerk's advice on these matters as providing a sensible and practical way forward.

The bill provides four separate formulae to determine the membership and operation of portfolio committees. These formulae cover all circumstances within which the Assembly could find itself—from the current circumstance within which non-government members comprise less than 15 per cent of the membership of the Assembly up to the circumstances of a minority government within which at least 50 per cent of the membership of the Assembly comprised non-government members.

Historically, the number of government and non-government members on the Queensland parliament's committees has largely reflected the political composition of the parliament at that time. This is also in line with a 1992 recommendation of the Electoral and Administrative Review Commission. The

formula to operate in the current parliament provides that each portfolio committee will consist of eight members, with six members being nominated by the newly named Manager of Government Business and two members being nominated by the Leader of the Opposition. The chair will be the member of the committee nominated as chair by the Manager of Government Business, and a quorum at a meeting will be five members including at least one non-government member.

The government supported the establishment of the portfolio committee system in 2011 when in opposition and supports the retention of the system now in government. There were seven portfolio committees in the last parliament and there will be seven portfolio committees in the new parliament, with their roles and powers unchanged. However, as required by the act, the portfolio committees will be restructured with different names and different individual areas of responsibility in some cases, given the changes to the administrative arrangements of government which my government put in place following the election.

The clearer lines of ministerial responsibility implemented by my government, inherent in having each government department responsible to a single minister, will enable the oversight responsibilities of the portfolio committees to be much clearer in the new parliament—and isn't that a breath of fresh air? Ministers will be responsible to a single committee rather than having their responsibilities split between different committees as was the case under the flawed, unworkable and frankly incompetent administrative arrangements of the former government. The portfolio committees serve an important function in reviewing bills and scrutinising the other actions of government. The changes outlined in the bill will enable the portfolio committees to effectively operate in the new parliament.

In 2011, the parliament established a Committee of the Legislative Assembly comprising three government members and three non-government members. The CLA was given a wide array of responsibilities including:

- the ethical conduct of members, except for the hearing of complaints which are handled by the Ethics Committee or the Assembly as a whole;
- parliamentary powers, rights and immunities;
- the Standing Rules and Orders of the Legislative Assembly, that is, the standing orders;
- management of the Parliamentary Service, for example, oversight of the parliament's budget, facilities management for parliamentary committees, maintenance of the parliamentary buildings including electorate offices, and policies for the management of the parliament;
- monitoring and reviewing the business of the Legislative Assembly to aim for the effective discharge of parliamentary business; and
- monitoring and reviewing the business of committees, particularly the referral of bills to committees and, where appropriate, varying the time for committees to report on bills or varying the committee responsible for a bill.

Mr Deputy Speaker, as you are aware, the Speaker's management and administrative functions with respect to the Parliamentary Service were transferred to the CLA upon its establishment in 2011. Furthermore, with the approval of the CLA, several of these functions were also transferred to the Clerk in the Clerk's capacity as chief executive of the Parliamentary Service. During the debate of the relevant legislation in 2011, the then opposition strongly supported an amendment which would have included the Speaker on the CLA. However, sadly, the amendment was not supported by the former government. Consequently, the position of Speaker was not included as a member of the CLA by the parliament, except for when the CLA was dealing with a matter relating to standing orders.

The government believes that the prestige and importance of the position of Speaker is central to the operation of the parliament. Therefore, the bill provides for the position of Speaker to be included on the CLA for all of its areas of responsibility as a member and furthermore as chairman. The government does, however, see the benefit in retaining the CLA, as it provides members with a greater level of involvement in the management and administration of the parliament. All officeholders presently included as members of the CLA will continue serving in that capacity, providing non-government members with significant involvement in the running of the parliament and the Parliamentary Service.

The bill provides that, while the Speaker is a member and chairman of the CLA and will be able to exercise key input into the deliberations of the CLA, the Speaker will not have a deliberative vote at CLA meetings, except in certain circumstances. These circumstances include questions relating to a matter on which the Speaker must be consulted under section 6(3) of the Parliamentary Service Act 1988—for instance, the budget and personal staffing for the Speaker's office or a matter affecting the Legislative Assembly chamber, such as capital works. The bill also retains the deliberative vote that the Speaker is currently provided with under the act when the CLA is considering matters relating to the standing orders of the parliament.

The current principle of bipartisanship on the CLA will remain, as the chairman will continue to not have a casting vote if a vote is tied at a CLA meeting. This is an important element of the CLA, in that

neither the three government members nor the three non-government members voting as a bloc can control CLA outcomes. Any matter that cannot be decided by a majority vote of the CLA will be referred back to the Legislative Assembly as a whole to debate and decide, and these debates will of course be presided over by the Speaker.

The bill provides that the Manager of Government Business is responsible for calling CLA meetings and setting the agenda for the meetings. This is a similar process to that which is followed for the Legislative Assembly as a whole—that is, the Manager of Government Business informs members of parliamentary sitting weeks and oversights the order of business on the *Notice Paper*. The bill also includes amendments to the Constitution of Queensland 2001—the Constitution—and other relevant legislation to formally alter the title of the position ‘parliamentary secretary’ to that of ‘assistant minister’. The government is of the view that the title ‘assistant minister’ is more reflective of the role and duties of this position than the title of ‘parliamentary secretary’ and that it is easier for people to understand. This is particularly important as I expect assistant ministers to be assisting and working alongside cabinet ministers to deliver quality outcomes for the people of Queensland. The bill provides that the 11 members appointed by the Governor as parliamentary secretaries on 12 April 2012 shall continue as assistant ministers. The bill also inserts a provision into the Constitution to remove any doubt, if any exists, that an assistant minister is not a minister of the state—that is, an assistant minister is not a cabinet minister.

As I alluded to earlier, the bill also provides for the creation of the new parliamentary position of ‘Manager of Government Business’ to replace the position of ‘Leader of the House’. Similar to the government’s view with respect to the positions of assistant minister and parliamentary secretary, the government believes that the title ‘Manager of Government Business’ is more reflective of the role and duties of this position. The bill also makes provision for the new parliamentary positions of Manager of Government Business, Chief Government Whip and Senior Government Whip to be added to the list of office holders in the Legislative Assembly who are entitled to receive an additional salary. The amount of the additional salaries to be paid to these office holders will be fixed by the Governor in Council and will be published in the *Queensland Government Gazette* and the *Members’ Entitlements Handbook*. I commend the bill to the House.

First Reading



Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (3.42 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Declared Urgent; Allocation of Time Limit Order



Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (3.42 pm), by leave, without notice: I move—

That under the provisions of standing order 137 the Parliament of Queensland and Other Acts Amendment Bill be declared an urgent bill to enable the bill to be passed through its remaining stages at this day’s sitting.

Division: Question put—That the motion be agreed to.

AYES, 77—Barton, Bates, Bennett, Berry, Bleijie, Boothman, Cavallucci, Choat, Costigan, Cox, Crandon, Cripps, Crisafulli, Cunningham, Davies, C Davis, T Davis, Dempsey, Dickson, Dillaway, Douglas, Dowling, Driscoll, Elmes, Emerson, Flegg, Frecklington, Gibson, Grant, Grimwade, Gulley, Hart, Hathaway, Hobbs, Holswich, Hopper, Johnson, Judge, Kaye, Kempton, King, Krause, Langbroek, Latter, Maddern, Malone, Mander, McArdle, McVeigh, Millard, Minnikin, Molhoek, Newman, Nicholls, Ostapovitch, Powell, Pucci, Rice, Rickuss, Ruthenberg, Seeney, Shorten, Shuttleworth, Smith, Springborg, Stevens, Stewart, Stuckey, Symes, Trout, Walker, Watts, Wellington, Woodforth, Young. Tellers: Menkens, Sorensen

NOES, 9—Byrne, Katter, Knuth, Mulherin, Palaszczuk, Pitt, Trad. Tellers: Miller, Scott

Resolved in the affirmative.