



Speech By  
**Hon. Anastacia Palaszcuk**


**MEMBER FOR INALA**

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Record of Proceedings, 27 March 2015

## **PARLIAMENT OF QUEENSLAND AND OTHER ACTS AMENDMENT BILL**

### **Introduction**

 **Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (11.40 am): I present a bill for an act to amend the Financial Accountability Act 2009, the Parliamentary Service Act 1988, the Parliament of Queensland Act 2001 and the Queensland Independent Remuneration Tribunal Act 2013 for particular purposes. I table the bill and the explanatory notes. I nominate the Finance and Administration Committee to consider the bill.

*Tabled paper:* Parliament of Queensland and Other Acts Amendment Bill 2015 [217].

*Tabled paper:* Parliament of Queensland and Other Acts Amendment Bill 2015, explanatory notes [218].

The bill has three major purposes: the first is to restore autonomy to the position of Speaker within the parliament by returning responsibility for the management of the Parliamentary Service to the Speaker; the second is to enable a crossbench member to be included on the membership of the Committee of the Legislative Assembly and to provide the Speaker with a deliberative vote on all questions at CLA meetings and a casting vote in the case of a tied vote; and the third is to retrospectively revoke determination 7/2015 of the Queensland Independent Remuneration Tribunal and to outline a new process for the tribunal to follow in making determinations about salary entitlements for members of the Legislative Assembly.

Mr Speaker, this government believes in integrity and accountability, and at the heart of these matters in the parliament is the position of Speaker. The Speaker is the representative of the House and its powers, rights and immunities. The independence of the office of Speaker is a central tenet of the Westminster system. Mr Speaker, during the election campaign this government committed to restoring autonomy to the position of Speaker in the parliament, and today through this bill we are delivering on that.

Under the bill, responsibility for the management of the Parliamentary Service will transfer from the CLA back to the position of Speaker. The parliament's transfer of the Speaker's responsibility for the Parliamentary Service in 2011 resulted from a review of the Parliamentary Service Act conducted by the CLA at that time. Those members who have served on the CLA and have managed the Parliamentary Service in recent years have undertaken their role with diligence. The government is simply of the view that the Parliamentary Service should be administered independently and autonomously by the Speaker of the day. We committed to this during the election, and today the bill delivers on this.

The Clerk of the parliament will remain as the employing authority for the Parliamentary Service officers and employees, as is currently the case. The parliament transferred these functions from the Speaker to the Clerk in 2011, and it is more appropriate that they remain with the Clerk. Just as in government departments, where directors-general rather than ministers are the employing authority for departmental employees, the Clerk as the chief executive officer of the Parliamentary Service should perform that function here at the parliament. Mr Speaker, the bill also allows the Speaker to

refer any matter to the CLA. Under this provision, any such referral will be at the total discretion of the Speaker. There is no change in the bill to the Speaker remaining as chairperson of the CLA, but to further enhance the autonomy of the position of Speaker the bill gives the Speaker a deliberative vote on all questions at CLA meetings together with a casting vote if a vote on a question is tied.

There were previously quite a significant number of matters where the Speaker did not have a vote at CLA meetings. This is the first time since the CLA was established that the Speaker will be able to exercise full voting rights at a CLA meeting. The bill also provides that the Speaker, rather than the Leader of the House, will be responsible for calling CLA meetings and setting the agenda. These are responsibilities which would ordinarily attach to the chairperson of a committee.

Mr Speaker, in my letter to you dated 5 February 2015, I committed to amending the Parliament of Queensland Act to ensure that the membership of the CLA includes a member from the crossbenches. This bill provides that if the Legislative Assembly contains one or more crossbench members, then the membership of the CLA is to include one crossbench member. That member, like all members of the CLA, will also be able to nominate another crossbench member to perform their role on the CLA in their absence. As the size of the CLA will increase from seven to eight members, the quorum for a CLA meeting will also increase from four to five members in line with the quorum for the parliament's portfolio committees when they comprise eight members.

I now turn to the third purpose of the bill, which relates to the Queensland Independent Remuneration Tribunal and the salaries of members of the Legislative Assembly. I advocated for the establishment of a tribunal when the issue of members' salaries became quite a topic of public debate in 2013. The principle of linking MPs' salary increases to that of public sector employees was enshrined in a policy that I announced during the election campaign, and today I intend to honour this pledge and commitment to Queenslanders. While the tribunal's determinations are legally binding and are not subject to disallowance or amendment by the parliament, the parliament can overturn a tribunal determination by a retrospective act of parliament. This was outlined to the parliament by the former Premier when the tribunal's legislation was introduced in 2013 and reflects that the parliament is the supreme lawmaking body of this state.

The tribunal's recent determination of a 2.58 per cent salary increase for members from 6 April 2015 does not accord with the next salary increase that public sector employees in core departments of the government are scheduled to receive. As I have said, I have made a commitment to Queenslanders that future salary increases for members will be linked to public sector employees, and I intend to keep this pledge. To this end, the bill provides for the retrospective revocation of determination 7/2015 made by the tribunal on 5 March 2015. Once the bill becomes law, the determination will be taken to never have had effect.

The government is acting to meet its election commitment about members' salaries. We believe that when it comes to members' salaries, they should not be able to be increased by a rate higher than that applying to public sector employees. The bill provides that when a decision is made to increase the salaries of public sector employees, the tribunal must, within 90 days, make a determination outlining the extent of any increase that may apply to the base salary and additional salaries of members. In making such a determination, the bill provides that the tribunal cannot increase the base salary or additional salaries of members by more than the percentage amount of the salary increase that public sector employees have been granted. The bill also provides that any increase to the base salary or additional salaries of members determined by the tribunal must have the same commencement date as the increase granted to public sector employees.

Following a public service salary decision, the tribunal will first have to decide if a salary increase for members is to apply, and if it agrees to an increase the tribunal will then have to determine the percentage rate to apply while noting the percentage rate that it cannot exceed. This is a similar situation to that in New South Wales, where their Parliamentary Remuneration Tribunal is legally prevented from granting percentage salary increases to members of the New South Wales parliament which exceed the New South Wales government's wages cap for public sector employees.

In closing, Mr Speaker, it gives me great pleasure to introduce a bill that restores autonomy to the position of Speaker and also allows a crossbench member to have both a voice and a vote on matters considered by the CLA. I commend the bill to the House.

### **First Reading**

**Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (11.48 am): 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.

### **Referral to the Finance and Administration Committee**

**Mr SPEAKER:** Order! In accordance with standing order 131, the bill is now referred to the Finance and Administration Committee.

### **Portfolio Committee, Reporting Date**

**Hon. A PALASZCZUK** (Inala—ALP) (Premier and Minister for the Arts) (11.49 am), by leave, without notice: I move—

That under the provisions of standing order 136 the Finance and Administration Committee report to the House on the Parliament of Queensland and Other Acts Amendment Bill by 8 May 2015.