




Speech By  
**Patrick Weir**

**MEMBER FOR CONDAMINE**

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Record of Proceedings, 20 May 2015

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

 **Mr WEIR** (Condamine—LNP) (9.22 pm): I rise to make a contribution to the debate on the Parliament of Queensland and Other Acts Amendment Bill 2015. A report on the bill has been tabled by the Finance and Administration Committee, of which I am a member. The bill amends the Financial Accountability Act 2009, the Parliamentary Service Act 1988, the Parliament of Queensland Act 2001 and the Queensland Independent Remuneration Tribunal Act 2013.

As a new member of the Queensland parliament, this is my first experience with the operational aspects of the parliamentary committee system. In this state parliament, we have no upper house, making the work of these committees essential for the scrutiny of legislation before it passes through the House. The first part of the report, which deals with amendment No. 1 contained in the bill, concerns returning the authority of the Speaker's privileges from the Committee of the Legislative Assembly—the CLA. This position was supported by submissions that were lodged by the Clerk of the Parliament, the Accountability Round Table, the Hon. Jim Fouras and the Queensland Independent Remuneration Tribunal. The committee was in favour of this commitment proceeding in its current form.

The second amendment in the bill is to include representation by the crossbench on the CLA, which was supported by the submissions, albeit with some reservations as to how the selection process would be conducted. The crossbench members should have representation and, importantly, have the opportunity to select a representative of their own choosing. In the event that a clear result could not be reached, as in a tied vote, then the Leader of the House would make the appointment, but only in this instance. We supported this amendment.

The amendments in the bill to the Queensland Independent Remuneration Tribunal Act 2013 did not receive the same support from the submissions received or from some of the members of the Finance and Administration Committee. The proposed amendments would attach any future salary increases to increases to public servants' salaries. In my view, this process poses a question of what exactly is the role of the independent tribunal. For many years the issue of members' salaries has been a problem for the government of the day. Before the establishment of the independent tribunal, the salaries of state members of parliament increased in line with increases in the salaries of federal members of parliament. However, this process still allowed for interference by the government. An example of this interference was when former premier Anna Bligh froze salary increases in 2010 and again in 2011. Eventually, the discrepancy in salary increases between state and federal members of parliament would need to be balanced and that would ultimately present a problem for the incumbent government.

The establishment of the Queensland Independent Remuneration Tribunal in 2013 finally ended any involvement of members of parliament in determining their own salary level. There are several fundamental differences between being a member of parliament and being employed in the Public Service. A member of parliament does not receive holiday pay, leave loading, sick pay,

maternity leave and many other entitlements that are negotiated with the employer if a person is employed in the Public Service or in private enterprise. This is not a complaint; it is simply a fact to highlight that the salary of a member of parliament is in no way similar to that of many people employed by the Public Service.

The independent tribunal takes into account the salary of the member of parliament and the expense allowance before making an independent judgement on any increases. As previously stated, the tribunal was established in 2013 and, during this relatively short time, there have been no complaints made about its independence or the process it has followed. In its submission, the tribunal noted—

The principle of independence of decision-making is a foundation on which the Tribunal was established and this principle is underscored by safeguards which are contained in the current legislation that governs the Tribunal. Since its inception, the Tribunal has had continual regard to the principle of independence in all of its deliberations. The Tribunal believes that its actions and decisions have been consistently unbiased, neutral and apolitical.

The submission goes on to state—

Taken as a philosophical stance it then becomes quite difficult to honour the true spirit of what that means if the act is changed such that there is direction over explicit benchmarks.

The tribunal in its submission states further—

... we did not actually say that the legislation removes the independence but there is an element in terms of the direction in which that is headed.

So the tribunal had its own concerns about this amendment. There is an old saying, 'If it's not broke, don't fix it.' I can only presume that the motivation for this amendment is popular politics, which would be very disappointing. We need to leave the independent tribunal as it is presently to enable it to function effectively free of any political interference. I do not support this part of the bill.