




Speech By
Hon. Stirling Hinchliffe

MEMBER FOR SANDGATE

Record of Proceedings, 23 March 2017

MOTION

Amendments to Standing Orders

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Leader of the House) (10.15 am), by leave, without notice: I move—

That the amendments to the Standing Rules and Orders of the Legislative Assembly circulated in my name be agreed to, effective immediately.

Amendment to Standing Orders to be moved by the Leader of the House

1. 136. Portfolio committee reports

Omit, insert—

‘136. Portfolio committee reports on a Bill

- (1) A portfolio committee must finally report to the House on a Bill within six calendar months of the Bill being referred to it unless an alternative report date on the Bill has been set by the House or the Committee of the Legislative Assembly in accordance with (2) and (3) below.
- (2) The House may by order vary a portfolio committee's report date on a Bill to a period of not less than 6 weeks.
- (3) The Committee of the Legislative Assembly may vary the time for a portfolio committee to report on a Bill provided that:
 - (a) the House has not by order already set the time for report under (2) above or SO 137 below; and
 - (b) the report date is not less than 6 weeks after the Bill has been referred to the portfolio committee; and
 - (c) the Committee of the Legislative Assembly reports its decision to the House at the earliest opportunity.
- (4) The House or the Committee of the Legislative Assembly may vary the portfolio committee responsible for a Bill (notwithstanding the nomination of the member who introduced the Bill in accordance with SO 129(3)(c)). If the Committee of the Legislative Assembly varies the committee responsible for a Bill it must report such decision to the House at the earliest opportunity.
- (5) If a portfolio committee has not reported within the time for report and no extension has been given, the Bill is discharged from further consideration by the portfolio committee and is set down for its second reading stage.
- (6) Following the tabling of a portfolio committee report on a Bill, the Bill is set down on the notice paper for its second reading stage in the House.
- (7) When a Government Bill has been set down on the notice paper pursuant to (6), at least one day shall elapse until the commencement of the second reading debate, unless the Bill is declared urgent.
- (8) When a Private Members' Bill has been set down on the notice paper pursuant to (6), at least three calendar months shall elapse until the commencement of the second reading debate, unless the Bill is declared urgent.’

2. CHAPTER 24 URGENT BILLS

Omit, insert—

‘CHAPTER 24 URGENT BILLS

137. Urgent Bills

- (1) The House may by order in accordance with the requirements of section 26B(3) of the *Constitution of Queensland 2001*¹ declare a Bill to be an urgent Bill and:
 - (a) refer an urgent Bill to a portfolio committee to report to the House for a period of less than 6 weeks; or
 - (b) for a Bill declared to be an urgent Bill after it is referred to a committee, discharge the Bill from the committee less than 6 weeks after the referral in which case it shall be set down on the notice paper for its second reading stage; or
 - (c) direct that the Bill not stand referred to a committee, in which case it shall be set down on the notice paper for its second reading stage; or
 - (d) if the motion is moved by a Minister or Leader of the House, direct that the Bill be considered immediately or at another time set down in the order.
- (2) A Minister or Leader of the House may move that a Bill declared urgent be passed with unusual expedition through all stages and such motion may specify the time that shall be allotted to the various stages of the Bill.’

3. 177. Annual Appropriation Bills to portfolio committees

Omit, insert—

‘177. Annual Appropriation Bills to portfolio committees

- (1) After the Annual Appropriation Bills are read a first time in accordance with Part 5 Chapter 22, the Bills are set down on the notice paper for their second reading stage in the House. Debate on the question “That the Bill be now read a second time” shall not commence until at least one whole calendar day has elapsed.
- (2) In accordance with s.26C of the *Constitution of Queensland 2001*², after the Annual Appropriation Bills have been read a second time the Annual Appropriation Bill stands referred to the portfolio committees (as set out in Schedule 6) for investigation and report.
- (3) The Appropriation (Parliament) Bill stands referred to the portfolio committee responsible for investigating the appropriations for the Premier’s portfolio, unless the House otherwise orders.
- (4) Each portfolio committee shall consider the Appropriation Bills and the estimates for the committee’s area of responsibility and 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 to which the Bill relates.
- (5) The House is by Order to:
 - (a) allocate the dates for each portfolio committee’s estimates hearing; and
 - (b) set the dates by which each portfolio committee is to report to the House.’

¹ *Constitution of Queensland 2001*, Section 26B(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.

² *Constitution of Queensland 2001*, Section 26C(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.

4. 177A. Estimates for the Parliamentary Service and the Legislative Assembly

Insert—

‘177A. Estimates for the Parliamentary Service and the Legislative Assembly

In a portfolio committee’s investigation of the estimates for the Parliamentary Service and the Legislative Assembly:

- (a) the processes and requirements on departmental units under this Chapter apply to the Parliamentary Service and the Legislative Assembly;
- (b) the responsibilities and rights on Ministers under this Chapter apply to the Speaker; and
- (c) the responsibilities and rights on Directors-General under this Chapter apply to the Clerk.’

5. 181A. Public Meeting Procedure

Omit

6. 187A. Content of Appropriation (Parliament) Bill report

Omit

7. Where the term “Research Director” appears in the Standing Orders—

Omit, insert—

‘Committee Secretary’

Question put—That the motion be agreed to.

Motion agreed to.