



Speech By  
**Tim Nicholls**


**MEMBER FOR CLAYFIELD**

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Record of Proceedings, 20 March 2024

## MOTIONS

### Dissent from Speaker's Ruling

 **Mr NICHOLLS** (Clayfield—LNP) (6.33 pm): I had put a few words down in order to address the particular issues, but the member for Springwood's contribution in relation to inexperience, making changes and amendments and the orderly conduct of the House will force me to make a few diversions from my planned remarks. Firstly, it was the disorderly conduct of the business of this House by the new Leader of the House that resulted in a motion being moved with no notice given to the Manager of Opposition Business and no discussion—it was not up for debate—at 11.50 am when he suspended standing orders in order to move the original motion. There was no notice, no discussion with members of the opposition and no raising the matter with the Manager of Opposition Business. When it comes to the orderly conduct of the House and the business of the House, one would think that the Leader of the House would at least have the courtesy to discuss the matter with the Manager of Opposition Business—the normal protocol. But no, the tricky member for Springwood decided he was going to spring something on the opposition in the hope that it would catch everyone by surprise. It was only compounded by the gross failure, in a political sense, of the member for Springwood about 10 minutes earlier when he moved a motion that the Treasurer be able to speak in relation to the preferences at the Ipswich West by-election. My, didn't that work out well when the Leader of the Opposition rose to his feet and immediately moved all of those things and—

**Mr de BRENNI:** Mr Speaker, I rise to a point of order. I was reasonably generous, but I cannot see how this is relevant to your ruling and the dissent motion.

**Mr SPEAKER:** Member for Clayfield, I believe that you are attempting to talk to the fact that there was a motion moved which, of course, the subsequent amendment was related to. I will allow matters relating to that, but I do ask that you ensure you stay relevant to the motion.

**Mr NICHOLLS:** Thank you, Mr Speaker. We had that failure and then, of course, we saw yesterday the member for Springwood—talking about experience in the House—completely vacating ministerial statements in this place for the first time I have seen since 2006. My, didn't that work well!

Mr Speaker, as you know, I hold the position of Speaker in high regard. As the symbol of independence of this place against all forms of coercion and influence, the role of Speaker holds special prominence. The Speaker must stand firm against threats and inducements, indeed, especially those coming from the executive government of the day, a tradition my friends the member for Theodore and the member for Condamine will be pleased to note dates back to the mid-19th century. The role of Speaker of course dates back far further than that, back to the 1300s when the Speaker was originally an instrument of the Crown. That role has changed over time and it was in the mid-19th century that the Speaker became the bulwark of the House and its members against excessive influence by the Crown and executive government.

As well as the position of Speaker, I hold you personally, Mr Speaker, in fond regard. It is with some hesitation that I rise today to support the motion moved by the Deputy Leader of the Opposition because such debates as this evening's debate are indeed rare. However, rare does not mean it should never happen. There are instances when people appear before courts and judges and seek to have those judges disqualify themselves on the basis of apprehended violence or some other perceived wrong that would otherwise lead to an unfair result. It is rare, but it happens. As long as it happens according to the rules and a proper and a reasoned argument is put forward, there is no reason it should not occur.

Mr Speaker, despite your usual sagacious, considered and wise decisions, many of them involving myself, we do find ourselves at odds with you over your recent ruling on 7 March. It is important to note we are debating the merits of the ruling you made shortly after 11.51 am that day and recorded on page 556 of *Hansard*. We are not debating, as the member for Springwood would have, a point that was not taken or made, nor are we debating the subsequent statements that you made. It was the ruling that was made shortly after 11.51 am that day. That ruling, as you know, reads—

... I am going to interrupt you because I asked you to ensure the amendment was relevant, not seeking to ... change the ... intent. The intent is the establishment of a committee which relates to, I understand, supermarket pricing—

I am sure you are aware of the rest of that, Mr Speaker. It was not the subsequent comments that you made that we are debating today. It is our case that the intent of the amendment was indeed abundantly clear and complied with standing orders and with practice because there is no particular form that is prescribed in standing orders. Standing order 91 sets out the requirements, standing order 93 says it must be in writing, standing order 94 goes to relevance and standing order 95 goes to the question being put.

McGee in his practice, which is often the go-to for us in this place, said—

The precise verbal form used to express the amendment is not critical as long as the intended effect is clear.

The intended effect is clear in my submission and one only needs to read what was put forward. The intended effect—and this answers another one of the matters you raised, Mr Speaker—was, 'I seek to insert the following paragraph'. The member for Toowoomba South clearly says what it is that is required, 'I am seeking to insert a new part into the motion'; it is an amendment and he is seeking to insert it. This answers one of the matters that you raised, Mr Speaker, with respect. As it states—

Notes, the most critical drivers of the Queensland cost-of-living crisis have been excluded from examination in the inquiry and inserts ...

It again addresses one of the matters that you raised in your explanation, Mr Speaker, by inserting and making it clear that it seeks to insert the provisions in relation to the impact of rising electricity prices, the impact of skyrocketing insurance and the impact of rising water costs.

Mr Speaker, it matters not whether it was before or after the contents of the establishment of the committee. The motion as amended would have made perfect sense by simply putting that at the end of it. It does not matter whether it was paragraph 2 or paragraph 4; the intent was perfectly clear. As McGee says, the exact form, particularly a verbal amendment moved on less than two minutes notice, would not be substantive enough to rule it out. In our view, Mr Speaker, it was entirely appropriate. The intent was to comply with the motion and it is important to note that the motion predominantly dealt with the cost of living and the cost of living has been referred to on many occasions by the Premier. In fact, the media release issued on the day of the establishment of it refers to the cost-of-living crisis, as does his media release of 8 January where he says that he will be establishing a committee to deal with the cost-of-living crisis. The intent of this amendment was to broaden it, not to change it, and to implement a wider outcome and provide the committee with further grounds to investigate a cost-of-living crisis which was the underlying intent of the motion.

For those reasons, Mr Speaker, although it is rare, we believe it is essential that we make the point that it is entirely valid for that amendment to have been moved. That amendment was in order and it was in order for the House to debate that amendment. Had that debate taken place and it not been acceptable, it was for the House to determine and not, in our respectful submission, Mr Speaker, for you to determine and take that choice away from the members of the House.