



Speech By
Dr Christian Rowan

MEMBER FOR MOGGILL

Record of Proceedings, 2 June 2026

MOTION

Dissent from Speaker's Ruling

 **Dr ROWAN** (Moggill—LNP) (7.40 pm): I rise to oppose the motion of dissent as moved by the member for Waterford and to support the Speaker's ruling. At the outset, I wish to emphasise the same point that has been made by leaders of the House, managers of government business and Speakers over many years—that a motion dissenting from a Speaker's ruling is a serious matter. It is not an ordinary debate and it is not simply another opportunity to revisit a political disagreement; nor is it a mechanism through which members can seek to relitigate an outcome because they are dissatisfied with the result.

A motion of dissent goes directly to the authority of the Speaker and to the orderly conduct of proceedings in this House. It asks the House to determine whether the Speaker has incorrectly interpreted and applied the standing orders that govern every member in this chamber. For that reason, such motions have traditionally been rare and should only be pursued where there is a clear and compelling basis to conclude that the Speaker has made an error of principle, misapplied a standing order or departed from established parliamentary practice. I submit that this is not what has occurred in this instance.

The question before the House today is not whether members support or oppose the Strengthening Protections for Queensland Workers Amendment Bill 2026. Members are entitled to hold differing views on that question. Equally, the question before the House is not whether members hold strong views regarding workplace protections or the policy objectives contained within that bill. Indeed, members opposite are perfectly entitled to advocate for those matters and they are entitled to argue for them both inside and outside this chamber.

However, the strength of a member's conviction about a policy outcome cannot be the measure by which a Speaker's ruling is judged. The standing orders do not bend according to the popularity of a proposal. Similarly, they do not change according to the intensity with which a member argues a particular cause. Parliamentary procedure exists precisely so that questions of process are determined by established rules and precedent rather than political preference. The sole question before the House today is whether the Speaker correctly applied standing order 87 and the established same question rule. For the reasons I will outline, I submit that the Speaker plainly did.

It is important when considering this motion to carefully examine the legislative history which formed the basis of the Speaker's ruling on 13 May 2026. The Respect at Work and Other Matters Amendment Act 2024 contained provisions that were originally intended to commence on 1 July 2025. Subsequently, this parliament considered and passed the Crime and Corruption (Restoring Reporting Powers) and Other Legislation Amendment Act 2025 which amended the commencement provision of the Respect at Work and Other Matters Amendment Act 2024 to replace '1 July 2025' with 'a day to be fixed by proclamation'. In doing so, the Queensland parliament altered the commencement arrangements for those provisions. It determined whether those provisions should commence on a fixed

date or whether commencement should occur on a future date determined by proclamation. Ultimately, parliament resolved that question through legislation. It further resolved that the automatic commencement provisions ordinarily available under the Acts Interpretation Act would not apply. In other words, the Queensland parliament had already spoken on the issue. That legislative decision formed the foundation of the Speaker's reasoning.

The Speaker then considered the purpose and effect of the private member's bill introduced by the Labor opposition. In doing so, he correctly looked beyond the title of the bill and beyond its drafting form. As parliamentary authorities consistently make clear, the same question rule is concerned with substance rather than appearance. The issue is not whether a proposal has been drafted differently; the issue is whether the Queensland parliament is being asked to reconsider substantially the same question. The Speaker concluded that it was.

The provisions contained within the private member's bill as introduced by the member for Waterford were already part of Queensland law, although uncommenced. The practical effect of Labor's bill would be to overturn the commencement decision made by the Queensland parliament in 2025 and replace it with immediate commencement upon assent. That is why the Speaker observed that the bill could be described as an attempt to reverse the 2025 decision or, alternatively, an indirect attempt to circumvent it. With respect, the conclusion was entirely open to the Speaker and entirely consistent with the authorities he cited.

In reaching that conclusion, Mr Speaker did exactly what Speakers are expected to do. He examined the relevant legislation, he considered the practical effect of the bill before the House, he identified the question previously determined by the parliament and he then assessed whether the House was being asked to revisit the same substantive issue. Importantly, the Speaker's ruling was firmly grounded in the rationale underpinning the same question rule itself.

As Speaker Reynolds observed in his ruling on 9 September 2008, the rationale of the rule is to prevent the wastage of parliamentary time by reconsidering the same issue. That authority is important because it reminds us that the rule exists to protect the integrity and finality of decisions made by the parliament. If parliament could simply revisit a question immediately after it had been determined, merely by repackaging the proposal in a different legislative form, the same question rule would become meaningless. The standing orders would provide no certainty and parliamentary decisions would never truly be settled. Instead, the House could be drawn repeatedly into debating substantially the same matter over and over again. This is precisely what standing order 87 is designed to prevent.

The Speaker also correctly identified the authorities are clear that the matters in question do not need to be identical; they need only be the same in substance. Indeed, Speaker Reynolds expressly stated that it is a question of substance, not form. That principle sits at the very heart of this matter. Members opposite seek to focus upon the form of the private member's bill. The Speaker quite properly focused upon its substance. The substance of the 2025 legislative decision was that the provisions in question would not commence immediately and would instead commence on a day fixed by proclamation. The Speaker's conclusion was also strongly supported by precedent. In his ruling, Mr Speaker referred to the ruling delivered by Speaker Simpson. That ruling identified three potential outcomes where a bill contains provisions dealing with issues already considered by another bill.

The second category identified by Speaker Simpson is particularly relevant. It concerns circumstances where a bill is substantially the same as legislation already passed and predominantly deals with issues contained within that legislation. In those circumstances, the second bill cannot proceed further. The Speaker expressly concluded that the private member's bill fell squarely within that category. Again, with respect, he was correct.

This was not a case where a bill sought to achieve a different objective through a different legislative mechanism, nor was it a case where only a small number of provisions overlapped with an earlier bill. Rather, the central purpose and practical effect of the bill was to revisit a question already determined by the Queensland parliament in 2025. The Speaker's ruling was, therefore, entirely consistent with the approach adopted by previous Speakers of this House.

It is also important to note that the Speaker did not rely upon a single authority; he referred to multiple precedents, including rulings of Speakers Mickel and Simpson regarding the discharge of bills from the *Notice Paper* where the same question rule had been enlivened. Indeed, one of the strengths of the Speaker's ruling is that it demonstrates consistency with those earlier decisions. Consistency matters. It matters because members are entitled to expect that standing orders will be applied fairly and consistently from one parliament to the next. It matters because the authority of the chair depends upon the impartial application of established principles rather than the personal views of any individual Speaker.

The Speaker's responsibility is to apply the standing orders impartially and consistently, and that is exactly what has occurred in this set of circumstances. Members may disagree with a ruling. Members may prefer a different outcome. Members may even passionately believe that a particular bill should proceed. None of those matters alter the standing orders, nor do they diminish the Speaker's obligation to apply them. Parliamentary democracy depends not only upon vigorous debate but also upon adherence to agreed rules. Those rules must apply equally to all members regardless of political affiliation and regardless of the issue under consideration.

The standing orders cannot be set aside simply because a member feels strongly about a particular matter. Strength of conviction is not a substitute for parliamentary authority, strength of opinion does not override parliamentary procedure and strength of belief does not invalidate a Speaker's ruling that is otherwise correct in law and practice. Ultimately, this motion asks the House to determine whether the Speaker was correct in finding that the same question rule has been enlivened. Having regard to the legislative history, having regard to standing order 87, having regard to the authorities cited by the Speaker, having regard to the precedents relied upon by the Speaker and having regard to the substance and practical effect of the private member's bill, there is only one conclusion reasonably open to this House: that the Speaker was correct. For those reasons and the above, I and the Queensland government oppose the motion of dissent. I encourage all honourable members to oppose the member for Waterford's motion.