

Queensland



**PARLIAMENTARY
COMMITTEES
LEGISLATION
AMENDMENT ACT 1996**

Act No. 2 of 1996

Queensland



PARLIAMENTARY COMMITTEES LEGISLATION AMENDMENT ACT 1996

TABLE OF PROVISIONS

Section		Page
PART 1—PRELIMINARY		
1	Short title	4
PART 2—AMENDMENT OF PARLIAMENTARY COMMITTEES ACT 1995		
2	Act amended in pt 2	4
3	Insertion of new ss 4A and 4B	4
4A	Membership of statutory committees	4
4B	Quorum and voting at meetings of statutory committees	5
4	Amendment of s 6 (Application of Act to committees established by Assembly etc.)	5
5	Amendment of s 20 (Areas of responsibility of Public Works Committee)	5
6	Replacement of s 25 (Powers to call for persons etc.)	5
25	Power to call for persons etc.	6
7	Amendment of s 26 (Privilege against self-incrimination)	6
8	Replacement of s 37 (Legal, Constitutional and Administrative Review Committee to take over unfinished issues from Parliamentary Criminal Justice Committee)	6
37	Criminal Justice Committee to take over certain unfinished issues	6
PART 3—AMENDMENT OF CRIMINAL JUSTICE ACT 1989		
9	Act amended in pt 3	7
10	Amendment of s 3 (Definitions)	7
11	Insertion of new ss 115–117	7
115	Establishment of parliamentary committee	7

116	Membership of parliamentary committee	7
117	Quorum and voting at meetings of parliamentary committee	8
PART 4—AMENDMENT OF ELECTORAL ACT 1992		
12	Act amended in pt 4	8
13	Amendment of s 7 (Establishment of Electoral Commission of Queensland etc.)	8
14	Amendment of s 23 (Terms and conditions of appointment etc.)	9

Queensland



**Parliamentary Committees Legislation
Amendment Act 1996**

Act No. 2 of 1996

**An Act to amend the *Parliamentary Committees Act 1995*, and for
other purposes**

[Assented to 24 April 1996]

The Parliament of Queensland enacts—

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Parliamentary Committees Legislation Amendment Act 1996*.

PART 2—AMENDMENT OF PARLIAMENTARY COMMITTEES ACT 1995

Act amended in pt 2

2. This part amends the *Parliamentary Committees Act 1995*.

Insertion of new ss 4A and 4B

3. After section 4—

insert—

‘Membership of statutory committees

‘4A.(1) A statutory committee must consist of an equal number of members nominated by—

- (a) the member who is recognised in the Legislative Assembly as the Leader of the House; and
- (b) the member who is recognised in the Legislative Assembly as the Leader of the Opposition.

‘(2) The chairperson of a statutory committee must be the member nominated as chairperson by the member mentioned in subsection (1)(a).

‘Quorum and voting at meetings of statutory committees

‘4B. At a meeting of a statutory committee—

- (a) a quorum consists of half the number of members appointed to the committee plus 1; and
- (b) a question is decided by a majority of the votes of the members of the committee present and voting; and
- (c) each member of the committee has a vote on each question to be decided and, if the votes are equal, the chairperson of the committee has a casting vote.

Example of paragraph (a)—

If 6 members are appointed to a statutory committee, the quorum is 4 (half the number of members (3) plus 1).’.

Amendment of s 6 (Application of Act to committees established by Assembly etc.)

4. Section 6(3)—

omit, insert—

‘(3) This Act (other than section 26) does not apply to the Criminal Justice Committee.’.

Amendment of s 20 (Areas of responsibility of Public Works Committee)

5. Section 20(1)(b)—

omit, insert—

- ‘(b) any major GOC work if the committee decides to consider the work.’.

Replacement of s 25 (Powers to call for persons etc.)

6. Section 25—

omit, insert—

‘Power to call for persons etc.

‘25. A statutory committee is, by this section, authorised to call for persons, documents and other things.’

Amendment of s 26 (Privilege against self-incrimination)

7. Section 26(1)—

omit, insert—

‘26.(1) This section applies to a statutory committee, or another committee of the Legislative Assembly authorised by the Assembly or an Act to call for persons, documents and other things.’

Replacement of s 37 (Legal, Constitutional and Administrative Review Committee to take over unfinished issues from Parliamentary Criminal Justice Committee)

8. Section 37—

omit, insert—

‘Criminal Justice Committee to take over certain unfinished issues

‘37.(1) This section applies if the Legal, Constitutional and Administrative Review Committee has not tabled a report about an issue that it started considering and—

- (a) the Parliamentary Criminal Justice Committee had previously started to consider, but not tabled a report, about the issue; or
- (b) the issue is otherwise within the functions of the Criminal Justice Committee.

‘(2) The Criminal Justice Committee may deal with the issue as if it had exclusively dealt with the issue from the beginning.’

PART 3—AMENDMENT OF CRIMINAL JUSTICE ACT 1989

Act amended in pt 3

9. This part amends the *Criminal Justice Act 1989*.

Amendment of s 3 (Definitions)

10. Section 3, definition “**parliamentary committee**”—
omit, insert—

‘ “**parliamentary committee**” means the Criminal Justice Committee of the Legislative Assembly.’.

Insertion of new ss 115–117

11. Part 4, before section 118—
insert—

‘Establishment of parliamentary committee

‘115. A committee of the Legislative Assembly called the Criminal Justice Committee is established.

‘Membership of parliamentary committee

‘116.(1) The parliamentary committee must consist of an equal number of members nominated by—

- (a) the member who is recognised in the Legislative Assembly as the Leader of the House; and
- (b) the member who is recognised in the Legislative Assembly as the Leader of the Opposition.

‘(2) The chairperson of the parliamentary committee must be the member nominated as chairperson by the member mentioned in subsection (1)(a).

‘Quorum and voting at meetings of parliamentary committee

‘117. At a meeting of the parliamentary committee—

- (a) a quorum consists of half the number of members appointed to the committee plus 1; and
- (b) a question is decided by a majority of the votes of the members of the committee present and voting; and
- (c) each member of the committee has a vote on each question to be decided and, if the votes are equal, the chairperson of the committee has a casting vote.

Example of paragraph (a)—

If 6 members are appointed to the parliamentary committee, the quorum is 4 (half the number of members (3) plus 1).’.

PART 4—AMENDMENT OF ELECTORAL ACT 1992

Act amended in pt 4

12. This part amends the *Electoral Act 1992*.

Amendment of s 7 (Establishment of Electoral Commission of Queensland etc.)

13. Section 7(7)—

omit, insert—

‘(7) A person may be appointed as the chairperson or nonjudicial appointee only if the Minister has consulted—

- (a) with each member of the Legislative Assembly recognised as the leader of a political party represented in the Assembly about the proposed appointment; and
- (b) with the parliamentary committee about—
 - (i) the process of selection for appointment; and

-
- (ii) the appointment of the person as the chairperson or nonjudicial appointee.’.

Amendment of s 23 (Terms and conditions of appointment etc.)

14. Section 23(2)—

omit, insert—

‘(2) A person may be appointed as a senior electoral officer only if—

- (a) press advertisements have been placed nationally calling for applications from suitably qualified persons to be considered for appointment; and
- (b) the Minister has consulted—
 - (i) with each member of the Legislative Assembly recognised as the leader of a political party represented in the Assembly about the proposed appointment; and
 - (ii) with the parliamentary committee about—
 - (A) the process of selection for appointment; and
 - (B) the appointment of the person as the senior electoral officer.’.