



Queensland

Parliament of Queensland Amendment Act 2007

Act No. 5 of 2007



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Act No. 5 of 2007

An Act to amend the *Parliament of Queensland Act 2001*

[Assented to 28 February 2007]

The Parliament of Queensland enacts—

1 Short title

This Act may be cited as the *Parliament of Queensland Amendment Act 2007*.

2 Act amended

This Act amends the *Parliament of Queensland Act 2001*.

3 Amendment of ch 7 (Members' salaries)

Chapter 7, heading, after 'salaries'—

insert—

'and allowances'.

4 Insertion of new ch 7, part 5

Chapter 7—

insert—

'Part 5 Allowances

'123D Definitions for pt 5

'In this part—

advance allowance means an allowance of a particular type payable to a member under the handbook in relation to a period and in advance for the period.

handbook means the Members' Entitlements Handbook.

Members' Entitlements Handbook means the Members' Entitlements Handbook setting out 'benefits afforded members and former members of the Queensland Legislative Assembly' approved by the Governor in Council and includes amendments of the handbook approved by the Governor in Council from time to time and published in the Gazette.

prescribed rate of interest means interest at the Reserve Bank of Australia cash rate plus 50 basis points, calculated daily.

Editor's note—

The cash rate is published on the Reserve Bank of Australia website at <www.rba.gov.au>.

pro rata amount of an advance allowance relating to the remainder of a period means the proportion of the amount of the allowance that is the same proportion that the remainder of the period bears to the whole period.

'123E Liability of former members to repay amounts advanced under handbook

- '(1) If a member is paid an advance allowance and then stops being a member before the end of the period in relation to which the allowance is paid, the member is liable to repay the pro rata amount of the allowance relating to the remainder of the period (the ***overpaid amount***).
- '(2) If any part of the overpaid amount is unpaid after the end of 6 months after the day the member stops being a member, the prescribed rate of interest is payable on the unpaid amount.
- '(3) The overpaid amount together with any interest payable under subsection (2) is a debt owing to the State and may be recovered by the Clerk, with the approval of the Premier, in a court of competent jurisdiction.

'123F Provision relating to member not returned at the general election of 9 September 2006

- '(1) This section applies to a person—
 - (a) who was a member before the general election held on 9 September 2006 and was not returned at the election, whether or not the person was a candidate for the election; and
 - (b) who, before the election, was paid an advance allowance in relation to the 6 month period from 1 July 2006; and
 - (c) who has not repaid the pro rata amount of the allowance relating to the remainder of the period in relation to

which the allowance was paid, being the part of the period after the election (the *overpaid amount*).

- ‘(2) The person is liable to repay the overpaid amount.
- ‘(3) If any part of the overpaid amount is unpaid after 30 June 2007, the prescribed rate of interest is payable on the unpaid amount.
- ‘(4) The overpaid amount together with any interest payable under subsection (3) is a debt owing to the State and may be recovered by the Clerk, with the approval of the Premier, in a court of competent jurisdiction.

‘123G Clerk’s certificate

‘A certificate signed by the Clerk stating any of the following is evidence of the matter stated—

- (a) that a person was a member who had received an advance allowance of a stated amount in relation to a stated period;
- (b) that under this part the person is liable to repay a stated amount of the advance allowance and any accrued interest;
- (c) that the person at a stated date had not paid a stated amount the person is liable to repay under this part.’.