



Queensland

Parliament of Queensland (Reform and Modernisation) Amendment Act 2011

Act No. 15 of 2011



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Parliament of Queensland (Reform and Modernisation) Amendment Act 2011

Act No. 15 of 2011

An Act to amend the Auditor-General Act 2009, Criminal Organisation Act 2009, Electoral Act 1992, Information Privacy Act 2009, Integrity Act 2009, Legislative Standards Act 1992, Ombudsman Act 2001, Parliament of Queensland Act 2001 and Right to Information Act 2009 for particular purposes

[Assented to 19 May 2011]

[s 1]

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Parliament of Queensland (Reform and Modernisation) Amendment Act 2011*.

2 Commencement

(1) The following provisions are taken to have commenced on 10 March 2011—

- part 3 heading
- part 3, division 1
- section 43(1)
- section 44, to the extent it inserts new—
 - part 5 heading
 - section 169, other than section 169(3)
 - section 173
- section 45(2), to the extent it inserts new definition *Manager of Opposition Business*.

(2) The following provisions commence on assent—

- part 2
- part 3, division 2
- section 44, to the extent it inserts new section 169(3).

(3) The remaining provisions of this Act commence on a day to be fixed by proclamation.

[s 6]

Part 3 Amendment of Parliament of Queensland Act 2001

Division 1 Preliminary

6 Act amended

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

Division 2 Amendments commencing on assent

7 Insertion of new ch 5, pt 1A

Chapter 5—

insert—

‘Part 1A Committee of the Legislative Assembly

‘Division 1 Establishment and operation

‘79A Establishment

‘The Committee of the Legislative Assembly is established.

‘79B Membership

‘(1) The committee comprises the following members—

- (a) the Leader of the House or alternate;
- (b) the Premier or alternate;
- (c) the Deputy Premier or alternate;
- (d) the Manager of Opposition Business or alternate;

- (e) the Leader of the Opposition or alternate;
- (f) the Deputy Leader of the Opposition or alternate;
- (g) when the committee is dealing with a matter relating to the standing rules and orders—the Speaker.

‘(2) In this section—

alternate, in relation to a member, means another member of the Assembly nominated by the first member to perform the first member’s role as a member of the committee.

‘79C Chairperson

‘The Leader of the House is to be the chairperson of the committee.

‘79D Quorum and voting at meetings

‘At a meeting of the committee—

- (a) a quorum is 4 members other than the Speaker; and
- (b) a question is decided by a majority of the votes of the members present and voting; and
- (c) each member has a vote on each question to be decided.

‘Division 2 Role of committee

‘79E Areas of responsibility

‘The committee has the following areas of responsibility—

- (a) the ethical conduct of members;

Note—

However, under section 92(3), a complaint about a particular member not complying with the code of ethical conduct for members may be considered only by the Assembly or the Integrity, Ethics and Parliamentary Privileges Committee.

- (b) parliamentary powers, rights and immunities;

[s 7]

- (c) standing rules and orders about the conduct of business by, and the practices and the procedures of, the Assembly and its committees;
- (d) any other matters for which the committee is given responsibility under the standing rules and orders.

‘79F Ethical conduct—registration of interests

‘The committee’s area of responsibility about the ethical conduct of members includes—

- (a) examining the arrangements, under resolutions or the standing rules and orders of the Assembly, for compiling, keeping and allowing inspection of—
 - (i) a register of the interests of members; and
 - (ii) a register of the interests of persons related to members; and
- (b) considering proposals made by members and other persons about the form and content of the registers and documents relevant to the registers, including statements of interests to be made by members; and
- (c) considering the classes of person who should be treated as related to a member; and
- (d) publishing explanatory information about the requirements to register interests; and
- (e) any other responsibility about the registration of interests the Assembly may order the committee to have; and
- (f) considering any other issue about the registration of interests.

‘79G Ethical conduct—code of conduct

- ‘(1) The committee’s area of responsibility about the ethical conduct of members includes—

-
- (a) publishing and reviewing a code of ethical conduct for members (other than members in their capacity as Ministers), including procedures for complaints about a member not complying with the code; and
 - (b) the reform of legislation and standing rules and orders about the ethical conduct of members, including the registration or declaration of interests; and
 - (c) publishing explanatory information about the obligations of members about their ethical conduct; and
 - (d) any other responsibility about the ethical conduct of members the Assembly may order the committee to have.
- ‘(2) In reviewing the code of ethical conduct for members, the committee must have regard to—
- (a) the ethics principles and values set out in the *Public Sector Ethics Act 1994*; and
 - (b) the desirability of consistency between standards in the code of ethical conduct and the ethics principles and values, to the extent the principles and values are relevant to members and their functions.

‘79H Parliamentary powers, rights and immunities

‘The committee’s area of responsibility about parliamentary powers, rights and immunities includes the powers, rights and immunities of the Assembly and its committees and members.’.

8 Amendment of s 80 (Establishment of statutory committees)

Section 80, last dot point—
omit.

[s 9]

9 Amendment of s 83 (Purpose of pts 3 and 4)

(1) Section 83(2), after ‘committee’—

insert—

‘other than the Committee of the Legislative Assembly’.

(2) Section 83—

insert—

‘*Note—*

Part 1A, division 2 sets out the areas of responsibility of the Committee of the Legislative Assembly.’.

10 Amendment of s 90 (Areas of responsibility of Integrity, Ethics and Parliamentary Privileges Committee)

Section 90, last dot point—

omit.

11 Omission of s 91 (Ethical conduct—registration of interests)

Section 91—

omit.

12 Amendment of s 92 (Ethical conduct—code of conduct)

(1) Section 92, heading, ‘—code of conduct’—

omit.

(2) Section 92(1) and (2)—

omit, insert—

‘(1) The committee’s area of responsibility about the ethical conduct of members is to—

(a) consider complaints referred to the committee about the failure to register particular interests; and

- (b) consider complaints against particular members for failing to comply with the code of ethical conduct, report on complaints to the Assembly and recommend action by the Assembly.’.

- 13 Omission of s 93 (Parliamentary powers, rights and immunities)**
Section 93—
omit.
- 14 Omission of ch 5, pt 4, div 5 (Standing Orders Committee)**
Chapter 5, part 4, division 5—
omit.
- 15 Amendment of s 107 (Ministerial response to committee report)**
Section 107(1)(b), after ‘report of’—
insert—
‘the Committee of the Legislative Assembly or’.
- 16 Amendment of s 112 (Additional salary entitlement of some members)**
Section 112(2), ‘, other than the Standing Orders Committee,’—
omit.
- 17 Amendment of schedule (Dictionary)**
Schedule, definition *statutory committee*—
omit, insert—
‘*statutory committee* means—

[s 18]

- (a) for chapter 5, part 2—a statutory committee established under section 80; or
- (b) otherwise—the Committee of the Legislative Assembly or a statutory committee established under section 80.’.

Division 3 Other amendments

18 Amendment of long title

Long title, ‘continuation of particular committees’—
omit, insert—
‘establishment of particular committees’.

19 Amendment of s 9 (Meaning of *proceedings in the Assembly*)

Section 9(3), example, ‘Public Accounts and Public Works Committee’—
omit, insert—
‘portfolio committee’.

20 Amendment of s 11 (Standing rules and orders may be made)

- (1) Section 11(2)(g) and (h)—
renumber as section 11(2)(h) and (i).
- (2) Section 11(2)—
insert—
‘(g) the referral of Bills, subordinate legislation or other matters to portfolio committees for consideration and report;’.
- (3) Section 11(2)—
insert—

Note—

Also, section 88 provides for the establishment of portfolio committees under the standing rules and orders.’.

21 Amendment of s 65 (Meaning of *paid public appointment* and related appointment)

Section 65(5)(b), ‘Speaker’—

omit, insert—

‘registrar’.

22 Amendment of s 69C (Registrar)

Section 69C—

insert—

- ‘(5) The registrar must, in accordance with the standing rules and orders, include a copy of each waiver given under section 65(5) as part of the register of members’ interests.’.

23 Amendment of s 78 (Main object of ch 5 and its achievement)

Section 78(2)—

omit, insert—

- ‘(2) The chapter’s main object is to be achieved by—
- (a) establishing the Committee of the Legislative Assembly with areas of responsibility that include the conduct of the Assembly and the ethical conduct of members; and
 - (b) providing for the establishment of a number of portfolio committees with areas of responsibility that collectively cover all areas of government activity; and
 - (c) establishing the Ethics Committee with areas of responsibility that include dealing with complaints about the ethical conduct of members and alleged breaches of parliamentary privilege.’.

[s 24]

24 Amendment of s 79 (Definitions for ch 5)

- (1) Section 79, definition *proposed national scheme legislation*—
omit.
- (2) Section 79, definition *commercial entity*, ‘section 97(4)’—
omit, insert—
‘section 96(4)’.
- (3) Section 79, definition *constructing authority*, ‘section 97’—
omit, insert—
‘section 96’.
- (4) Section 79, definition *public works*, ‘section 95(1)’—
omit, insert—
‘section 94(1)(b)’.

25 Amendment of s 79E (Areas of responsibility)

Section 79E(a), note—

omit, insert—

‘*Note*—

However, under section 104C(2), a complaint about a particular member not complying with the code of ethical conduct for members may be considered only by the Assembly or the Ethics Committee.’.

26 Omission of ch 5, pt 2 (Establishment)

Chapter 5, part 2—

omit.

27 Renumbering of ch 5, pt 1A (Committee of the Legislative Assembly)

Chapter 5, part 1A—

renumber as part 2.

28 Renumbering of ss 79A–79H

Sections 79A to 79H—
renumber as sections 80 to 87.

29 Replacement of ch 5, pt 3 (Role of statutory committees)

Chapter 5, part 3—
omit, insert—

‘Part 3 Portfolio committees

‘Division 1 Establishment and operation

‘88 Establishment

- ‘(1) The Assembly must, by standing rules and orders, establish committees of the Assembly under this section (*portfolio committees*).
- ‘(2) The standing rules and orders must state, for each portfolio committee—
- (a) its name; and
 - (b) its primary area of responsibility (its *portfolio area*); and
 - (c) the number of its members, which must be an even number and must be at least 6.
- ‘(3) Each department must be covered by a portfolio area, whether by allocating the whole department to the portfolio area of a committee or allocating parts of the department to the portfolio areas of different committees.
- ‘(4) As soon as practicable after a change in the Administrative Arrangements, the Assembly must prepare and adopt any amendments of the standing rules and orders concerning the portfolio committees that are necessary to comply with this section.

[s 29]

- ‘(5) As well as 1 or more departments or parts of departments, a committee’s portfolio area may include other government entities and matters.

‘89 Membership

‘Half of the members of a portfolio committee are to be nominated by the Leader of the House and half are to be nominated by the Leader of the Opposition.

‘90 Chairperson

‘The chairperson of a portfolio committee is to be the member of the committee nominated as chairperson by the Leader of the House.

‘91 Quorum and voting at meetings

‘At a meeting of a portfolio committee—

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

‘Division 2 Role of portfolio committees

‘92 Role generally

‘(1) In relation to its portfolio area, a committee may—

- (a) consider Appropriation Bills; and
- (b) consider other legislation and proposed legislation as provided in section 93; and

-
- (c) perform its role in relation to public accounts and public works as provided in this division.
- ‘(2) A committee is to also deal with an issue referred to it by the Assembly or under another Act, whether or not the issue is within its portfolio area.
- ‘(3) A committee may deal with a matter under this section by—
- (a) considering the matter; and
 - (b) reporting on the matter, and making recommendations about it, to the Assembly.

‘93 Legislation

- ‘(1) A portfolio committee is responsible for examining each Bill and item of subordinate legislation in its portfolio area to consider—
- (a) the policy to be given effect by the legislation; and
 - (b) the application of fundamental legislative principles to the legislation; and

Note—

Fundamental legislative principles are the principles relating to legislation that underlie a parliamentary democracy based on the rule of law (*Legislative Standards Act 1992*, section 4(1)). The principles include requiring that legislation has sufficient regard to rights and liberties of individuals and the institution of Parliament.

- (c) for subordinate legislation—its lawfulness.
- ‘(2) The committee’s responsibility includes monitoring, in relation to legislation in its portfolio area, the operation of—
- (a) the *Legislative Standards Act 1992*, section 4 and part 4; and

Editor’s note—

- section 4 (Meaning of *fundamental legislative principles*)
- part 4 (Explanatory notes)

[s 30]

- (b) the *Statutory Instruments Act 1992*, section 9 and parts 5 to 8 and 10.

Editor's note—

- section 9 (Meaning of *subordinate legislation*)
- part 5 (Guidelines for regulatory impact statements)
- part 6 (Procedures after making of subordinate legislation)
- part 7 (Staged automatic expiry of subordinate legislation)
- part 8 (Forms)
- part 10 (Transitional)'.

30 Omission of ch 5, pt 4 hdg and pt 4, divs 1, 2 and div 3 hdg

- (1) Chapter 5, part 4 heading—
omit.
- (2) Chapter 5, part 4, divisions 1 and 2—
omit.
- (3) Chapter 5, part 4, division 3 heading—
omit.

31 Amendment of s 95 (Areas of responsibility of Public Accounts and Public Works Committee)

- (1) Section 95, heading, 'Areas of responsibility of Public Accounts and Public Works Committee'—
omit, insert—
'Public accounts and public works'.
- (2) Section 95(1), words before paragraph (a)—
omit, insert—
- '(1) A portfolio committee has the following responsibilities to the extent they relate to the committee's portfolio area—'.
- (3) Section 95(2), 'the committee'—

omit, insert—
'a portfolio committee'.

32 Amendment of s 96 (Reference of issues to auditor-general)

- (1) Section 96, 'The Public Accounts and Public Works Committee'—

omit, insert—
'A portfolio committee'.

- (2) Section 96, 'area of responsibility mentioned in section 95(1)(a)'—

omit, insert—
'portfolio area mentioned in section 94(1)(a)'.

33 Amendment of s 97 (Meaning of *constructing authority* for works)

Section 97(5), 'the committee'—

omit, insert—
'a portfolio committee'.

34 Amendment of s 98 (Issues to which committee may have regard)

- (1) Section 98, 'the Public Accounts and Public Works Committee'—

omit, insert—
'a portfolio committee'.

- (2) Section 98, 'section 95(2)(a) to (i)'—

omit, insert—
'section 94(2)(a) to (i)'.

[s 35]

35 Amendment of s 99 (Entry and inspection of places)

- (1) Section 99(1), ‘The Public Accounts and Public Works Committee’—

omit, insert—

‘A portfolio committee’.

- (2) Section 99—

insert—

- ‘(7A) If the authorised person enters the place in the occupier’s or owner’s absence under subsection (7), the authorised person must give to the occupier or owner a written notice, within 7 days after the entry, stating—

- (a) the authorised person’s name; and
- (b) the purpose for which the place was entered; and
- (c) the day and time of the entry.’.

- (3) Section 99(8), definition *place*, after ‘premises’—

insert—

‘other than residential premises’.

- (4) Section 99(7A) and (8)—

renumber as section 99(8) and (9).

36 Amendment of s 100 (Restriction on procurement of capital works project)

Section 100(1)(a), ‘the Public Accounts and Public Works Committee’—

omit, insert—

‘a portfolio committee’.

37 Amendment of s 101 (Dealing with commercially sensitive information in private session)

Section 101(1), ‘the Public Accounts and Public Works Committee’—

omit, insert—

‘a portfolio committee’.

38 Amendment of s 102 (Reporting commercially sensitive information to Assembly)

Section 102(1), ‘the Public Accounts and Public Works Committee’—

omit, insert—

‘a portfolio committee’.

39 Renumbering of ss 95–102

Sections 95 to 102—

renumber as sections 94 to 101.

40 Omission of ch 5, pt 4, div 4 (Scrutiny of Legislation Committee)

Chapter 5, part 4, division 4—

omit.

41 Insertion of new ch 5, pt 4

Chapter 5—

insert—

[s 41]

‘Part 4 Ethics Committee

‘Division 1 Establishment and operation

‘102 Establishment

‘The Ethics Committee is established.

‘103 Membership

‘The committee comprises 6 members, being—

- (a) 3 members nominated by the Leader of the House; and
- (b) 3 members nominated by the Leader of the Opposition.

‘104 Chairperson

‘The chairperson of the committee is to be the member of the committee nominated as chairperson by the Leader of the House.

‘104A Quorum and voting at meetings

‘At a meeting of the committee—

- (a) a quorum is 4 members; and
- (b) a question is decided by a majority of the votes of the members present and voting; and
- (c) each member has a vote on each question to be decided and, if the votes are equal, the chairperson has a casting vote.

‘Division 2 Role of committee

‘104B Areas of responsibility

‘The committee has the following areas of responsibility—

- dealing with complaints about the ethical conduct of particular members
- dealing with alleged breaches of parliamentary privilege by members of the Assembly and other persons.

‘104C Complaints about ethical conduct

- ‘(1) The committee’s area of responsibility about dealing with complaints about the ethical conduct of particular members is to—
- (a) consider complaints referred to the committee about particular members failing to register particular interests; and
 - (b) consider complaints against particular members for failing to comply with the code of ethical conduct for members, report on complaints to the Assembly and recommend action by the Assembly.
- ‘(2) A complaint about a member not complying with the code of ethical conduct for members may be considered only by the Assembly or the committee.
- ‘(3) Subsection (2) has effect despite any other law, but the subsection does not apply to a court, tribunal or other entity if the entity may, under a law, consider an issue and the issue that is considered involves the commission, or claimed or suspected commission, of a criminal offence.
- ‘(4) Subsection (3) does not limit or otherwise affect the powers, rights and immunities of the Assembly and its committees and members.’

[s 42]

42 Amendment of s 107 (Ministerial response to committee report)

- (1) Section 107(1)(a), ‘, other than the Scrutiny of Legislation Committee,’—
omit.
- (2) Section 107(1)(b), ‘Members’ Ethics and Parliamentary Privileges Committee’—
omit, insert—
‘Ethics Committee’.
- (3) Section 107(10)—
omit.
- (4) Section 107(11) and (12)—
renumber as section 107(10) and (11).

43 Amendment of s 112 (Additional salary entitlement of some members)

- (1) Section 112(1)(a), after 5th dot point—
insert—
‘• the Manager of Opposition Business’.
- (2) Section 112(1)(b), ‘the Minister who is recognised as the deputy for the Premier’—
omit, insert—
‘the Deputy Premier’.
- (3) Section 112(7)—
renumber as section 112(8).
- (4) Section 112—
insert—
- ‘(7) A reference in subsection (1)(a) to a member of a committee includes, for the Committee of the Legislative Assembly, a

member of the Assembly who is performing the role of a member of the committee as an alternate under section 81.’

44 Insertion of new ch 10, pt 5

Chapter 10—

insert—

‘Part 5 Parliament of Queensland (Reform and Modernisation) Amendment Act 2011

‘168 Definitions for pt 5

‘In this part—

commencement means the commencement of the provision in which the term is used.

repealed, in relation to a section, means as in force before the repeal of the section by the *Parliament of Queensland (Reform and Modernisation) Amendment Act 2011*.

‘169 Committee of the Legislative Assembly

- ‘(1) The CLA is a committee to which section 112 applies.
- ‘(2) A reference in section 112(1)(a) to a member of a committee includes a member of the Assembly who is, as a nominee, performing the role of a member of the CLA.
- ‘(3) On the commencement of this subsection, the CLA continues as the committee established under section 79A.
- ‘(4) In this section—

CLA means the committee appointed by a resolution of the Assembly on 10 March 2011 to be known as the Committee of the Legislative Assembly.

[s 44]

‘170 Initial membership of Ethics Committee

- ‘(1) This section applies to each person who, immediately before the commencement, was a member of the Integrity, Ethics and Parliamentary Privileges Committee established under repealed section 80.
- ‘(2) The person continues as a member of the Ethics Committee established under section 102 until the appointment of members of the committee who have been nominated under section 103.

‘171 Continuation of Scrutiny of Legislation Committee for transitional period

- ‘(1) The scrutiny committee continues until the end of the transitional period.
- ‘(2) During the transitional period, the scrutiny committee continues to have the area of responsibility that it had immediately before the commencement under repealed section 103, but only to the extent of—
 - (a) considering the application of fundamental legislative principles to—
 - (i) Bills introduced into the Assembly before the commencement; and
 - (ii) subordinate legislation made before the commencement; and
 - (b) considering the lawfulness of subordinate legislation made before the commencement; and
 - (c) continuing to conduct its current inquiries.
- ‘(3) In this section—

current inquiry means an inquiry of the scrutiny committee, acting in its area of responsibility under repealed section 103(2), that the committee started before the commencement but had not completed by the commencement.

scrutiny committee means the committee that, immediately before the commencement, was the Scrutiny of Legislation Committee established under repealed section 80.

transitional period means the period from the commencement until the end of the day on 30 June 2011.

‘172 Material held by committees

- ‘(1) A member of the Assembly who was a member of a pre-reform committee may give to the Clerk any material held by the committee immediately before the commencement.
- ‘(2) The Clerk may make the material available to a statutory committee to which the material is relevant.
- ‘(3) In this section—

pre-reform committee means a committee established under repealed section 80.

‘173 Additional salary of Manager of Opposition Business

- ‘(1) Despite section 113(1), the amount of an additional salary of a member who is the Manager of Opposition Business is the amount fixed by the Governor in Council by gazette notice, as varied under section 115.
- ‘(2) The gazette notice under subsection (1) has retrospective operation to 10 March 2011.

‘174 Additional salary of committee chairpersons

- ‘(1) The Governor in Council may, by gazette notice, fix an amount of an additional salary to which a committee chairperson is entitled to.
- ‘(2) If an amount is fixed by gazette notice under subsection (1) then, despite section 113(1), the amount of an additional salary of a member who is the committee chairperson is the amount fixed by the gazette notice, as varied under section 115.

[s 45]

‘(3) In this section—

committee chairperson means the chairperson of a committee to which section 112 applies.

‘175 Transitional—waivers

‘(1) This section applies to a waiver held by the Speaker that was given to the Speaker under section 65(5) before the commencement.

‘(2) The Speaker must give the waiver to the registrar.

‘(3) The registrar must, in accordance with the standing rules and orders, include a copy of the waiver as part of the register of members’ interests.’.

45 Amendment of schedule (Dictionary)

(1) Schedule, definitions *proposed national scheme legislation* and *statutory committee*—

omit.

(2) Schedule—

insert—

‘*Deputy Leader of the Opposition* means the member recognised in the Assembly as the Deputy Leader of the Opposition.

Deputy Premier means the Minister who is recognised as the deputy for the Premier.

government company means a corporation incorporated under the Corporations Act all the stock or shares in the capital of which is or are beneficially owned by the State.

government entity means any of the following—

- (a) a government entity under the *Public Service Act 2008*, section 24;
- (b) a GOC;

- (c) a government company;
- (d) a statutory authority or other entity established under an Act;
- (e) an office established under an Act.

Leader of the House means the member recognised in the Assembly as the Leader of the House.

Leader of the Opposition means the member recognised in the Assembly as the Leader of the Opposition.

Manager of Opposition Business means the member recognised in the Assembly as the Manager of Opposition Business.

parliamentary service means the parliamentary service established under the Parliamentary Service Act 1988.

portfolio area, of a portfolio committee, see section 88(2)(b).

portfolio committee means a committee established under section 88.

statutory committee means any of the following committees—

- (a) the Committee of the Legislative Assembly;
- (b) a portfolio committee;
- (c) the Ethics Committee.

[s 53]

‘parliamentary committee means—

- (a) if the Legislative Assembly resolves that a particular committee of the Assembly is to be the parliamentary committee under this Act—that committee; or
- (b) if paragraph (a) does not apply and the standing rules and orders state that the portfolio area of a portfolio committee includes the COPIM—that committee; or
- (c) otherwise—the portfolio committee whose portfolio area includes the department, or the part of a department, in which this Act is administered.

portfolio area see the *Parliament of Queensland Act 2001*, schedule.

portfolio committee see the *Parliament of Queensland Act 2001*, schedule.

standing rules and orders see the *Parliament of Queensland Act 2001*, schedule.’.

Division 3 Amendment of Electoral Act 1992

53 Act amended

This division amends the *Electoral Act 1992*.

54 Amendment of s 3 (Definitions)

- (1) Section 3, definition *parliamentary committee*—
omit.
- (2) Section 3—
insert—

‘parliamentary committee means—

- (a) if the Legislative Assembly resolves that a particular committee of the Assembly is to be the parliamentary committee under this Act—that committee; or

- (b) if paragraph (a) does not apply and the standing rules and orders state that the portfolio area of a portfolio committee includes the Electoral Commission of Queensland—that committee; or
- (c) otherwise—the portfolio committee whose portfolio area includes the department, or the part of a department, in which this Act is administered.

portfolio area see the *Parliament of Queensland Act 2001*, schedule.

portfolio committee see the *Parliament of Queensland Act 2001*, schedule.

standing rules and orders see the *Parliament of Queensland Act 2001*, schedule.’.

Division 4 Amendment of Information Privacy Act 2009

55 Act amended

This division amends the *Information Privacy Act 2009*.

56 Amendment of s 195 (Functions of parliamentary committee)

Section 195, note—
omit.

57 Amendment of sch 5 (Dictionary)

- (1) Schedule 5, definition *parliamentary committee*—
omit.
- (2) Schedule 5—
insert—
‘parliamentary committee means—

[s 58]

- (a) if the Legislative Assembly resolves that a particular committee of the Assembly is to be the parliamentary committee under this Act—that committee; or
- (b) if paragraph (a) does not apply and the standing rules and orders state that the portfolio area of a portfolio committee includes the privacy commissioner—that committee; or
- (c) otherwise—the portfolio committee whose portfolio area includes the department, or the part of a department, in which this Act is administered.

portfolio area see the *Parliament of Queensland Act 2001*, schedule.

portfolio committee see the *Parliament of Queensland Act 2001*, schedule.

standing rules and orders see the *Parliament of Queensland Act 2001*, schedule.’.

Division 5 Amendment of Integrity Act 2009

58 Act amended

This division amends the *Integrity Act 2009*.

59 Amendment of s 88 (Report of strategic review)

Section 88(7), ‘section 84(2)’—

omit, insert—

‘section 92(2)’.

60 Amendment of s 89 (Functions of parliamentary committee)

Section 89, note—

omit, insert—

Note—

The parliamentary committee may also have functions under other Acts. For example, the committee may be a portfolio committee with responsibilities that include other legislation.’.

61 Amendment of sch 2 (Dictionary)

(1) Schedule 2, definition *parliamentary committee*—
omit.

(2) Schedule 2—
insert—

‘parliamentary committee means—

- (a) if the Legislative Assembly resolves that a particular committee of the Assembly is to be the parliamentary committee under this Act—that committee; or
- (b) if paragraph (a) does not apply and the standing rules and orders state that the portfolio area of a portfolio committee includes the integrity commissioner—that committee; or
- (c) otherwise—the portfolio committee whose portfolio area includes the department, or the part of a department, in which this Act is administered.

portfolio area see the *Parliament of Queensland Act 2001*, schedule.

portfolio committee see the *Parliament of Queensland Act 2001*, schedule.

standing rules and orders see the *Parliament of Queensland Act 2001*, schedule.’.

[s 62]

Division 6 Amendment of Ombudsman Act 2001

62 Act amended

This division amends the *Ombudsman Act 2001*.

63 Amendment of s 85 (Report of strategic review)

Section 85(7), ‘section 84(2)’—

omit, insert—

‘section 92(2)’.

64 Amendment of s 89 (Functions)

Section 89, editor’s note—

omit.

65 Amendment of sch 3 (Dictionary)

(1) Schedule 3, definition *parliamentary committee*—

omit.

(2) Schedule 3—

insert—

‘parliamentary committee means—

- (a) if the Legislative Assembly resolves that a particular committee of the Assembly is to be the parliamentary committee under this Act—that committee; or
- (b) if paragraph (a) does not apply and the standing rules and orders state that the portfolio area of a portfolio committee includes the ombudsman—that committee;
or

- (c) otherwise—the portfolio committee whose portfolio area includes the department, or the part of a department, in which this Act is administered.

portfolio area see the *Parliament of Queensland Act 2001*, schedule.

portfolio committee see the *Parliament of Queensland Act 2001*, schedule.

standing rules and orders see the *Parliament of Queensland Act 2001*, schedule.’.

Division 7 Amendment of Right to Information Act 2009

66 Act amended

This division amends the *Right to Information Act 2009*.

67 Amendment of s 188 (Report of strategic review)

Section 188(7), ‘section 84(2)’—

omit, insert—

‘section 92(2)’.

68 Amendment of s 189 (Functions of parliamentary committee)

Section 189, note—

omit.

69 Amendment of sch 6 (Dictionary)

- (1) Schedule 6, definition *parliamentary committee*—

omit.

- (2) Schedule 6—

[s 69]

insert—

‘parliamentary committee means—

- (a) if the Legislative Assembly resolves that a particular committee of the Assembly is to be the parliamentary committee under this Act—that committee; or
- (b) if paragraph (a) does not apply and the standing rules and orders state that the portfolio area of a portfolio committee includes the information commissioner—that committee; or
- (c) otherwise—the portfolio committee whose portfolio area includes the department, or the part of a department, in which this Act is administered.

portfolio area see the *Parliament of Queensland Act 2001*, schedule.

portfolio committee see the *Parliament of Queensland Act 2001*, schedule.

standing rules and orders see the *Parliament of Queensland Act 2001*, schedule.’.

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