

Queensland



ANNO DECIMO

ELIZABETHAE SECUNDAE REGINAE.

No. 20.

An Act to Amend the Constitution of Queensland by further Amending "The Constitution Act Amendment Act of 1896," and "The Officials in Parliament Acts, 1896 to 1959," each in certain particulars.

[ASSENTED TO 4TH APRIL, 1961.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

PART I.—PRELIMINARY.

- Short title. 1. (1.) This Act may be cited as "*The Constitution Acts Amendment Act of 1961.*"
- Collective title. (2.) "*The Constitution Acts, 1867 to 1957,*" and this Act may be collectively cited as "*The Constitution Acts, 1867 to 1961.*"

(3.) This Act shall come into force on the first day of April, one thousand nine hundred and sixty-one: Commencement of this Act.

Provided that if this Act shall not have received the Royal Assent on or before such date it shall nevertheless be deemed to have come into force thereon and shall operate retrospectively accordingly.

2. This Act applies as well to members of the present Legislative Assembly as to the members of every Legislative Assembly hereafter to be summoned and chosen. Application of Act.

3. This Act is divided into Parts, as follows:— Parts of Act.

PART I.—PRELIMINARY ;

PART II.—AMENDMENTS OF “ THE CONSTITUTION ACT AMENDMENT ACT OF 1896 ” ;

PART III.—AMENDMENTS OF “ THE OFFICIALS IN PARLIAMENT ACTS, 1896 TO 1959.”

PART II.—AMENDMENTS OF “ THE CONSTITUTION ACT AMENDMENT ACT OF 1896.”

4. This Part II. of this Act shall be read as one with “ *The Constitution Act Amendment Act of 1896*,” as heretofore amended by “ *The Statute Law Revision Act of 1908*,” “ *The Constitution Act Amendment Act of 1909*,” “ *The Constitution Act Amendment Act of 1919, No. 2*,” “ *The Constitution Act Amendment Act of 1922*,” “ *The Constitution Act Amendment Act of 1926*,” “ *The Constitution Act Amendment Act of 1936*,” “ *The Constitution Act Amendment Act of 1944*,” “ *The Constitution Acts Amendment Act of 1948*,” “ *The Constitution Acts Amendment Act of 1949*,” “ *The Constitution Acts Amendment Act of 1950*,” “ *The Constitution Acts Amendment Act of 1953*,” and “ *The Constitution Acts Amendment Act of 1957*.” Interpretation of Part II.

Amendments
of 60 Vic.,
No. 5.

5. "*The Constitution Act Amendment Act of 1896*," as heretofore amended as aforesaid, is further amended by—

(a) In section three—

(i.) Omitting subsection one and inserting in its stead the following subsection :—

"(1.) In addition to the salaries and allowances provided for in section four of this Act there shall be payable in the manner hereinafter provided to—

- (a) The Speaker of the Legislative Assembly a salary at the rate of seven hundred and fifty pounds per annum ;
- (b) The Chairman of Committees of the Legislative Assembly a salary at the rate of two hundred and fifty pounds per annum ;
- (c) The Leader of the Opposition in the Legislative Assembly a salary at the rate of one thousand pounds per annum ;
- (d) The Deputy Leader of the Opposition in the Legislative Assembly a salary at the rate of two hundred and fifty pounds per annum ;
- (e) The Leader in the Legislative Assembly (other than the Leader of the Opposition or the Deputy Leader of the Opposition) of a recognised political party not less than ten members of which are members of the Legislative Assembly, and of which no member is an Officer of the Crown declared under "*The Officials in Parliament Acts, 1896 to 1961*," capable of being elected a member of the Legislative Assembly, a salary at the rate of two hundred pounds per annum ; and
- (f) The Government and Opposition Whips in the Legislative Assembly a salary at the rate of one hundred pounds per annum." ;

(ii.) Inserting before the word "salary", where twice appearing in subsection two, the word "additional" ;

(iii.) Inserting before the word "salary", where appearing in subsection three, the word "additional" ; and

(iv.) Omitting the word “allowance”, where appearing in subsection three, and inserting in its stead the word “salary”;

(b) Repealing section four and inserting in its stead the following section:—

“[4.] Every member of the Legislative Assembly shall be entitled to salary payable in the manner hereinafter provided at the rate of two thousand five hundred and one pounds ten shillings per annum.”; ^{Salaries of members.}

(c) In subsection one of section six—

(i.) Omitting the words “The amounts to which each member is entitled under the provisions of this Act” and inserting in their stead the words “The salary to which each member is entitled under the provisions of section four of this Act”;

(ii.) Omitting the words “the amounts aforesaid”, where twice appearing, and inserting in their stead the words “the salary to which a member is entitled under the provisions of section four of this Act”;

(iii.) Inserting after the first paragraph the following paragraph:—

“The additional salaries to which the Officers in the Legislative Assembly mentioned in subsection one of section three of this Act are entitled under the provisions of that subsection shall be payable, in the case of the Speaker or Chairman of Committees, from the date of his appointment by the Legislative Assembly and, in the case of any other such Officer from the date of notification of his appointment to the Legislative Assembly in Session and, in the case of every such Officer, thereafter whilst he continues in the office in question, and for that purpose such an Officer shall, notwithstanding the dissolution of the Legislative Assembly, be deemed to continue in office until the day named in the writ for taking the poll for the consequent election and, if he is then re-elected, thereafter until his successor is appointed by or notified to the Legislative Assembly in Session unless such office shall have been sooner vacated by his death, resignation or, after being so re-elected, ceasing to be a member.”;

(d) Repealing section seven;

(e) Repealing Schedule I.; and

(f) Repealing Schedule II.

PART III.—AMENDMENTS OF “THE OFFICIALS IN PARLIAMENT ACTS, 1896 TO 1959.”

Interpre-
tation of
Part III.

6. (1.) This Part III. of this Act shall be read as one with “*The Officials in Parliament Acts, 1896 to 1959.*”

Collective
title.

(2.) “*The Officials in Parliament Acts, 1896 to 1959,*” and this Part III. of this Act may be collectively cited as “*The Officials in Parliament Acts, 1896 to 1961.*”

Amendments
of 60 Vic.,
No. 3.

7. “*The Officials in Parliament Acts, 1896 to 1959,*” are amended by—

(a) In subsection four of section three—

(i.) Inserting before the word “salary”, where first appearing, the word “additional”; and

(ii.) Omitting the words “in lieu of” and inserting in their stead the words “in addition to”;

(b) In subsection five of section three—

(i.) Omitting the words “a salary” and inserting in their stead the words “additional salary”; and

(ii.) Omitting the words “in lieu of” and inserting in their stead the words “in addition to”;

(c) Repealing section six and inserting in its stead the following section:—

Salaries of
Ministers.

“[6.] (1.) The Officers declared under this Act capable of being elected members of the Legislative Assembly shall be entitled to the salaries provided for in subsection one of section four of “*The Constitution Act Amendment Act of 1896,*” as in force for the time being.

(2.) In addition to the salary referred to in subsection one of this section there shall be payable to—

(a) The Premier and Chief Secretary of Queensland a salary at the rate of two thousand seven hundred pounds per annum;

(b) The Officer who is recognised as the Deputy for the Premier and Chief Secretary of Queensland a salary at the rate of one thousand six hundred pounds per annum; and

(c) Every other such Officer a salary at the rate of one thousand three hundred and fifty pounds per annum.

(3.) Any such Officer who is authorised and empowered under section eight of this Act to act in the office of Premier and Chief Secretary of Queensland or in the office of the Officer recognised as the Deputy for the Premier and Chief Secretary of Queensland shall, in respect of any continuous period of thirty days or more during which he so acts, be paid additional salary at the rate applicable under this section to such office in lieu of the additional salary payable to him as such Officer.

(4.) The additional salaries payable under this section shall be a charge upon and be paid out of the Consolidated Revenue Fund which is hereby appropriated accordingly.”; and

(d) In section seven inserting before the word “ salary ” the word “ additional ”.