

Queensland



ANNO VICESIMO

ELIZABETHAE SECUNDAE REGINAE

---

No. 46 of 1971

**An Act to Amend the Constitution of Queensland by further  
Amending The Constitution Act Amendment Act of  
1896 and the Officials in Parliament Act 1896-1969  
each in certain particulars**

[ASSENTED TO 1ST NOVEMBER, 1971]

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

**1. Short title and citation.** (1) This Act may be cited as the *Constitution Acts Amendment Act 1971*.

(2) The *Constitution Acts 1867-1968* and this Act may be collectively cited as the *Constitution Acts 1867-1971*.

**2. Application of Act.** Parts II and III of this Act apply as well to members of the present Legislative Assembly as to the members of every Legislative Assembly hereafter to be summoned and chosen.

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

PART I—PRELIMINARY;

PART II—AMENDMENTS OF THE CONSTITUTION ACT AMENDMENT ACT OF 1896;

PART III—AMENDMENTS OF THE OFFICIALS IN PARLIAMENT ACT 1896–1969;

PART IV—GENERAL.

PART II—AMENDMENTS OF THE CONSTITUTION ACT AMENDMENT ACT OF 1896

**4. Interpretation of Part II.** This Part 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 1929*, *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*, *The Constitution Acts Amendment Act of 1957*, *The Constitution Acts Amendment Act of 1961*, *The Constitution Acts Amendment Act of 1964*, *The Constitution Acts Amendment Act of 1965* and the *Constitution Acts Amendment Act 1968*.

**5. Collective title.** *The Constitution Act Amendment Act of 1896* as amended as specified in section 4 of this Act and as amended by this Part may be cited as the *Constitution Act Amendment Act 1896–1971*.

**6. Amendments of 60 Vic. No. 5.** *The Constitution Act Amendment Act of 1896*, as heretofore amended as specified in section 4 of this Act, is further amended by—

(a) omitting subsection (1) of section 3 and inserting in its stead the following subsection:—

“(1) In addition to the salaries provided for in section 4 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 three thousand six hundred and ten dollars per annum or, where some other rate per annum is fixed for the time being under Part IV of the *Constitution Acts Amendment Act 1971*, that other rate;
- (b) The Chairman of Committees of the Legislative Assembly a salary at the rate of one thousand one hundred and sixty dollars per annum or, where some other rate per annum is fixed for the time being under Part IV of the *Constitution Acts Amendment Act 1971*, that other rate;
- (c) The Leader of the Opposition in the Legislative Assembly a salary at the rate of four thousand and fifty dollars per annum or, where some other rate per annum is fixed for the time being under Part IV of the *Constitution Acts Amendment Act 1971*, that other rate;

- (d) The Deputy Leader of the Opposition in the Legislative Assembly a salary at the rate of eight hundred and seventy dollars per annum or, where some other rate per annum is fixed for the time being under Part IV of the *Constitution Acts Amendment Act 1971*, that other rate;
  - (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 Act 1896-1971* capable of being elected a member of the Legislative Assembly, a salary at the rate of five hundred and eighty dollars per annum or, where some other rate per annum is fixed for the time being under Part IV of the *Constitution Acts Amendment Act 1971*, that other rate; and
  - (f) The Government and Opposition Whips in the Legislative Assembly a salary at the rate of five hundred and eighty dollars per annum or, where some other rate per annum is fixed for the time being under Part IV of the *Constitution Acts Amendment Act 1971*, that other rate.”;
- (b) in section 4, omitting the words “seven thousand five hundred and sixty dollars per annum” and inserting in their stead the words “nine thousand six hundred and ninety dollars per annum or, where some other rate per annum is fixed for the time being under Part IV of the *Constitution Acts Amendment Act 1971*, that other rate;”

### PART III—AMENDMENTS OF THE OFFICIALS IN PARLIAMENT ACT 1896-1969

**7. Interpretation and Collective title of Part III.** (1) This Part of this Act shall be read as one with the *Officials in Parliament Act 1896-1969*.

(2) The *Officials in Parliament Act 1896-1969* as amended by this Part may be collectively cited as the *Officials in Parliament Act 1896-1971*.

**8. Amendments of s. 6 of 60 Vic. No. 3.** Section 6 of the *Officials in Parliament Act 1896-1969* is amended by in subsection (2)—

(a) omitting the words “eight thousand two hundred and thirty-five dollars per annum”, where appearing in paragraph (a), and inserting in their stead the words “ten thousand five hundred and fifty dollars per annum or, where some other rate per annum is fixed for the time being under Part IV of the *Constitution Acts Amendment Act 1971*, that other rate”;

(b) omitting the words “five thousand nine hundred and eighty dollars per annum”, where appearing in paragraph (b), and inserting in their stead the words “seven thousand six hundred and sixty dollars per annum or, where some other rate per annum is fixed for the time being under Part IV of the *Constitution Acts Amendment Act 1971*, that other rate”; and

(c) omitting the words "four thousand eight hundred and fifty-five dollars per annum", where appearing in paragraph (c), and inserting in their stead the words "six thousand two hundred and twenty dollars per annum or, where some other rate per annum is fixed for the time being under Part IV of the *Constitution Acts Amendment Act 1971*, that other rate".

#### PART IV—GENERAL

**9. Future adjustment of salaries.** (1) This section applies to the Fortieth Parliament and every Parliament thereafter.

(2) As soon as reasonably practicable after the thirtieth day of June in each year the annual rate for the time being of salary payable to a member of the Legislative Assembly, and (in the case of such a member to whom additional salary is payable) the annual rate for the time being of the additional salary payable to him, shall be adjusted and fixed by the Governor in Council by Order in Council by increasing or, as the case requires, decreasing the amount of the annual rate of salary and, as the case requires, additional salary in accordance with the variation which has occurred during the year ending on the thirtieth day of June in question in the index published by the Bureau of Census and Statistics for Average Minimum Weekly Wage Rates for Adult Males in Queensland.

(3) The annual rate of salary payable to a member of the Legislative Assembly and (in the case of such a member to whom additional salary is payable) the annual rate of additional salary payable to him as fixed for the time being by adjustment made under subsection (2) of this section shall be and shall be deemed always to have been the applicable such rates as from the first day of July preceding the date of the Order in Council by which they are so adjusted and the Treasurer shall, upon certification by the Clerk of the Legislative Assembly of the amount payable to or by a member, make the necessary adjustments.

(4) The annual rate of salary or additional salary may be adjusted and fixed under subsection (2) of this section to the ten dollars next above the amount thereof ascertained by calculation in accordance with that subsection.

(5) For the purposes of this section "additional salary" means the additional salary referred to in subsection (1) of section 3 of the *Constitution Act Amendment Act 1896-1971* or, as the case may be, section 6 of the *Officials in Parliament Act 1896-1971*.

**10. Publication of Orders in Council.** (1) Every Order in Council made under section 9 of this Act shall—

(a) be published in the Gazette;

(b) upon its publication in the Gazette, be judicially noticed and such publication shall be conclusive evidence of the matters contained therein; and

(c) be laid before the Legislative Assembly within fourteen sitting days after such publication, if the Legislative Assembly is in session, and if not, then within fourteen sitting days after the commencement of the next session.

(2) If the Legislative Assembly passes a resolution of which notice has been given at any time within fourteen sitting days after any such Order in Council has been laid before it disallowing the same or part thereof, that Order in Council or part shall, thereupon cease to have effect, but without prejudice to the validity of anything done in the meantime or to the making of a further Order in Council.