

Queensland



**PARLIAMENTARY PAPERS  
ACT 1992**

**Act No. 32 of 1992**

# Queensland



## PARLIAMENTARY PAPERS ACT 1992

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Queensland



## **Parliamentary Papers Act 1992**

**Act No. 32 of 1992**

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**An Act relating to the publication of parliamentary papers**

*[Assented to 2 July 1992]*

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.

### Short title

1. This Act may be cited as the *Parliamentary Papers Act 1992*.

### Definitions

2. In this Act—

**“authorising person”** means—

- (a) the Speaker; or
- (b) the chairperson of a committee; or
- (c) the Clerk; or
- (d) the Chief Reporter;

**“Chief Reporter”** means the Chief Reporter, Parliamentary Reporting Staff;

**“Clerk”** means the Clerk of the Parliament;

**“committee”** means a committee of the House;

**“Government Printer”** means the Government Printer of Queensland, and includes another person authorised by the House to print the document or evidence concerned;

**“House”** means the Legislative Assembly;

**“inquiry”** means an inquiry held under the authority of the House;

**“member”** means a member of the House;

**“Speaker”** means the Speaker of the Legislative Assembly.

### Meaning of “proceedings in Parliament”

- 3.(1) This section applies for the purposes of—

- (a) article 9 of the Bill of Rights (1688) as applying to the Queensland Parliament; and

(b) this Act.

(2) All words spoken and acts done in the course of, or for the purposes of or incidental to, transacting business of the House or a committee are **“proceedings in Parliament”**.

(3) Without limiting subsection (2), **“proceedings in Parliament”** include—

- (a) giving evidence before the House, a committee or an inquiry; and
- (b) evidence given before the House, a committee or an inquiry; and
- (c) presenting or submitting a document to the House, a committee or an inquiry; and
- (d) a document laid before, or presented or submitted to, the House, a committee or an inquiry; and
- (e) preparing a document for the purposes of, or incidental to, transacting business mentioned in paragraph (a) or (c); and
- (f) preparing, making or publishing a document (including a report) under the authority of the House or a committee; and
- (g) a document (including a report) prepared, made or published under the authority of the House or a committee.

(4) If a document is dealt with in a way that, under an Act or the rules, orders, directions or practices of the House, the document is treated or accepted as having been laid before the House for any purpose, then, for the purposes of this Act, the document is taken to be laid before the House.

### **House or committee may authorise publication**

**4.(1)** The House may authorise the publication of a document relating to proceedings in Parliament.

(2) A committee may authorise publication of—

- (a) evidence given before the committee; or
- (b) a document presented or submitted to the committee; or
- (c) a document (including a report) prepared or made by the committee.

(3) This section does not limit by implication any other power Parliament

may have to authorise the publication of a document.

### **Authority for Government Printer to publish**

5. If the House or a committee orders or otherwise authorises evidence or a document to be printed, then, unless the order or other authority otherwise expressly provides, the House or the committee is taken to have authorised the Government Printer to publish the evidence or document.

### **House taken to have authorised certain publications**

6.(1) The House is taken to have authorised a person to whom this section applies to publish parliamentary documents.

(2) The authority conferred by subsection (1) extends to—

- (a) the doing of all acts preparatory to, and for the purposes of, publication; and
- (b) all forms of publication.

(3) In this section—

“**document**” includes—

- (a) a copy of a document; and
- (b) a part of a document; and
- (c) an abstract of, or extract from, a document;

if the copy, part, abstract or extract is published with the authority of an authorising person;

“**person to whom this section applies**” means—

- (a) a member or a person acting on behalf of a member; or
- (b) the Parliamentary Service Commission; or
- (c) the Clerk; or
- (d) an officer or employee of the Parliamentary Service Commission acting in the course of the person’s duties; or
- (e) the Government Printer; or
- (f) an officer or employee of the Government Printer acting in the

course of the person's duties.

**“parliamentary document”** means—

- (a) the Votes and Proceedings; or
- (b) the Notices of Motion and Orders of the Day; or
- (c) the Notices of Questions; or
- (d) Hansard reports of proceedings in the House, a committee or an inquiry; or
- (e) another document that is published with the authority of an authorising person.

(4) For the purposes of this Act, a document that purports to be a parliamentary document is taken to be such a document unless the contrary is proved.

### **Tabled, unprinted documents may be read etc.**

7.(1) A person may read any document that is laid before the House by a member, but is not ordered or otherwise authorised by the House to be printed.

(2) The person may make a copy of, take an extract from, or take notes of, the document.

(3) A person does not incur any civil or criminal liability for the doing by the person or another person of an act permitted to be done under this section.

### **Publication of fair report of tabled document**

8.(1) A person does not incur any civil or criminal liability for the publication of a fair report of a document that is laid before the House by a member with—

- (a) the express permission of the Speaker; or
- (b) the leave of the House.

(2) Subsection (1) applies to a document whether or not the House orders or otherwise authorises the document to be printed.

**Certificates relating to proceedings**

**9.(1)** A certificate purporting to be signed by an authorising person, and stating any 1 or more of the matters mentioned in subsection (2) is evidence of those matters.

**(2)** The matters for the purpose of subsection (1) are—

- (a) that evidence was given before the House, a committee or an inquiry; and
- (b) that a document was presented or submitted to the House, a committee or an inquiry; and
- (c) that a document was laid before, or presented or submitted to, the House, a committee or inquiry; and
- (d) that a document was prepared for the purposes of, or incidental to, transacting business mentioned in section 3(3)(a) or (c); and
- (e) that a document (including a report) was prepared, made or published under the authority of the House, a committee or inquiry; and
- (f) that a committee authorised publication of evidence; and
- (g) that the House or a committee authorised the Government Printer to publish evidence or a document; and
- (h) that a person is a person to whom section 6 applies; and
- (i) that a thing is a document, or a parliamentary document, for the purposes of section 6; and
- (j) that an act was preparatory to, or for the purposes of, publication of a thing that is a parliamentary document for the purposes of section 6; and
- (k) that a document was laid before the House by a member, but was not ordered or otherwise authorised by the House to be printed; and
- (l) that a document was laid before the house by a member with—
  - (i) the express permission of the Speaker; or
  - (ii) the leave of the House; and
- (m) that a person is an authorising person; and

- (n) that a person is the Government Printer.

### **No liability for publishing under authority of House or committee**

**10.(1)** A person does not incur any civil or criminal liability for publishing evidence or a document by order or under the authority of the House or a committee.

**(2)** If a proceeding is brought for a publication to which subsection (1) applies, the defendant may produce to the court a certificate—

- (a) signed by an authorising person; and
- (b) stating that the publication is a publication to which that subsection applies.

**(3)** Before producing the certificate, the defendant must give the plaintiff or prosecutor and any other defendant 24 hours notice of the defendant's intention to produce the certificate.

**(4)** On production of the certificate, the court must dismiss the proceeding and may order the plaintiff or prosecutor to pay the defendant's costs.

**(5)** This section does not affect any other defence available to the defendant.

### **Reports of debates taken to be true and correct record**

**11.(1)** Reports of the debates in the House published by order or under the authority of the House may be received in evidence as a true and accurate record of what happened in the House.

**(2)** Evidence must not be admitted contradicting, adding to or otherwise impugning the accuracy of the reports.

### **Application of Act**

**12.** This Act applies to evidence and documents published after its commencement.

**Privileges of Parliament not affected**

**13.** Nothing in this Act derogates from any power, privilege or immunity of the House or its members or committees.