



Emblems of Queensland and Other Legislation Amendment Bill 2023



Queensland

Emblems of Queensland and Other Legislation Amendment Bill 2023

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2023

A Bill

for

An Act to amend the *Crime and Corruption Act 2001*, the *Emblems of Queensland Act 2005*, the *Parliamentary Service Act 1988* and the *Parliament of Queensland Act 2001* for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Emblems of Queensland and Other Legislation Amendment Act 2023*. 4
5

Part 2 Amendment of Crime and Corruption Act 2001 6
7

Clause 2 Act amended 8

This part amends the *Crime and Corruption Act 2001*. 9

Clause 3 Amendment of s 302 (Quorum and voting at meetings of parliamentary committee) 10
11

Section 302— 12

insert— 13

(2) In this section— 14

present, in relation to a member at a meeting of the parliamentary committee, means present in person, or by telephone, video or other electronic means. 15
16
17
18

voting, in relation to a member at a meeting of the parliamentary committee, means voting in person or by telephone, video or other electronic means. 19
20
21

Clause 4	Insertion of new ch 8, pt 19	1
	Chapter 8—	2
	<i>insert—</i>	3
	Part 19	4
	Emblems of	4
	Queensland and Other	5
	Legislation	6
	Amendment Act 2023	7
	458 Validation of quorum and voting at particular meetings of parliamentary committee	8 9
	(1) Subsection (2) applies if, in a meeting of the parliamentary committee held during the validation period, the committee reached quorum only by counting 1 or more members of the committee who were not present in person.	10 11 12 13 14
	(2) The parliamentary committee is declared to be, and always to have been, as validly quorate as it would have been if the 1 or more members were present in person.	15 16 17 18
	(3) Subsection (4) applies if, in a meeting of the parliamentary committee held during the validation period, the committee decided a question by counting a vote of 1 or more members of the committee who were not present in person.	19 20 21 22 23
	(4) The question is declared to be, and always to have been, as validly decided as it would have been if the 1 or more members were present in person.	24 25 26
	(5) In this section—	27
	<i>parliamentary committee</i> includes the Criminal Justice Committee of the Legislative Assembly established under the repealed <i>Criminal Justice Act 1989</i> , section 115.	28 29 30 31
	<i>validation period</i> means the period—	32

[s 5]

	(a) starting on 23 April 1998; and	1
	(b) ending on the commencement.	2
Part 3	Amendment of Emblems of Queensland Act 2005	3 4
Clause 5	Act amended	5
	This part amends the <i>Emblems of Queensland Act 2005</i> .	6
Clause 6	Amendment of sch 4 (Other State emblems)	7
	Schedule 4—	8
	<i>insert—</i>	9
	6 Fossil emblem	10
	The Muttaborra dinosaur (<i>Muttaborrasaurus langdoni</i>) is the State’s fossil emblem.	11 12
Part 4	Amendment of Parliamentary Service Act 1988	13 14
Clause 7	Act amended	15
	This part amends the <i>Parliamentary Service Act 1988</i> .	16
Clause 8	Amendment of s 4 (Definitions)	17
	Section 4, definition <i>parliamentary precinct</i> , from ‘period;’—	18
	<i>omit, insert—</i>	19
	period.	20

Clause 9	Amendment of s 51 (Proceeding for offence against s 50)	1
	(1) Section 51(2)—	2
	<i>insert—</i>	3
	(d) despite the <i>Parliament of Queensland Act 2001</i> ,	4
	section 8, evidence may be given of a direction	5
	made or purportedly made by the Speaker or a	6
	person authorised under section 50(5) during	7
	proceedings in the Assembly.	8
	(2) Section 51—	9
	<i>insert—</i>	10
	(4) In this section—	11
	<i>proceedings in the Assembly</i> see the <i>Parliament</i>	12
	of <i>Queensland Act 2001</i> , section 9.	13
Clause 10	Insertion of new s 55A	14
	After section 55—	15
	<i>insert—</i>	16
	55A Explanatory notes and human rights	17
	certificates for by-laws and rules to be	18
	prepared by Speaker	19
	In relation to a by-law or rule made by the Speaker	20
	under this Act—	21
	(a) the <i>Legislative Standards Act 1992</i> , section	22
	22(2) applies as if the reference to the	23
	responsible Minister were a reference to the	24
	Speaker; and	25
	(b) the <i>Human Rights Act 2019</i> , section 41(1)	26
	applies as if the reference to the responsible	27
	Minister for subordinate legislation were a	28
	reference to the Speaker; and	29
	(c) the <i>Human Rights Act 2019</i> , section 41(2)	30
	applies as if the reference to the Minister	31

[s 11]

preparing the certificate were a reference to 1
the Speaker. 2

Part 5 **Amendment of Parliament of** 3
Queensland Act 2001 4

Clause 11 **Act amended** 5

This part amends the *Parliament of Queensland Act 2001*. 6

Note— 7

See also the amendments in schedule 1. 8

Clause 12 **Amendment of s 19 (Member who may give proxy)** 9

(1) Section 19(4), ‘certificates and’— 10

omit. 11

(2) Section 19(4)(a), ‘them’— 12

omit, insert— 13

the notification 14

Clause 13 **Insertion of new ch 10, pt 9** 15

Chapter 10— 16

insert— 17

Part 9 **Emblems of** 18

Queensland and Other 19

Legislation 20

Amendment Act 2023 21

180 Validation of quorum and voting at particular 22
meetings of committees 23

(1) Subsection (2) applies if, in a meeting of a 24

committee held during the validation period, the committee reached quorum only by counting 1 or more members of the committee who were not present in person. 1
2
3
4

(2) The committee is declared to be, and always to have been, as validly quorate as it would have been if the 1 or more members were present in person. 5
6
7
8

(3) Subsection (4) applies if, in a meeting of a committee held during the validation period, the committee decided a question by counting a vote of 1 or more members of the committee who were not present in person. 9
10
11
12
13

(4) The question is declared to be, and always to have been, as validly decided as it would have been if the 1 or more members were present in person. 14
15
16

(5) In this section— 17

committee means— 18

(a) a statutory committee; and 19

(b) a committee of the Assembly established under the repealed *Parliamentary Committees Act 1995*, section 4. 20
21
22

validation period means the period— 23

(a) starting on 23 April 1998; and 24

(b) ending on 22 April 2020. 25

Part 6 Other amendments 26

Clause 14 Legislation amended 27

Schedule 1 amends the legislation it mentions. 28

Schedule 1	Other amendments	1
	section 14	2
Parliament of Queensland Act 2001		3
1	Section 64(6), definition <i>disqualifying electoral offence</i>, paragraph (a), ‘section 2’—	4
	<i>omit, insert—</i>	5
	schedule 1	6
2	Section 66(7), definition <i>becomes a candidate</i>, ‘section 88(3)’—	7
	<i>omit, insert—</i>	8
	section 93(3)	9
3	Section 67(1), ‘section 84’—	10
	<i>omit, insert—</i>	11
	section 88	12
4	Section 67(2), ‘section 88(3)’—	13
	<i>omit, insert—</i>	14
	section 93(3)	15
5	Section 72(4), definition <i>disqualifying electoral offence</i>, ‘section 2’—	16
	<i>omit, insert—</i>	17
	schedule 1	18
		19
		20
		21

6	Schedule, definition <i>candidate</i>, ‘section 2, definition <i>candidate</i>’—	1
	<i>omit, insert—</i>	2
	<i>omit, insert—</i>	3
	schedule 1, definition <i>candidate</i> , paragraph (a)	4
7	Schedule, definition <i>general election</i>, ‘section 3, definition, <i>general election</i>’—	5
	<i>omit, insert—</i>	6
	<i>omit, insert—</i>	7
	schedule 1	8

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