

THIS PUBLIC BILL has this day been read a Third time and passed

*The Clerk of the Parliament.*

*Legislative Assembly Chamber,  
Brisbane, September 2016*



Queensland

**No.  
A BILL for**

**An Act to amend the Constitution of Queensland 2001 and the Parliament of Queensland Act 2001 for particular purposes**





## Queensland

# Constitution of Queensland and Other Legislation Amendment Bill 2016

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**2016**

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**A Bill**

for

***An Act to amend the *Constitution of Queensland 2001* and the  
*Parliament of Queensland Act 2001* for particular purposes***

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[s 1]

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**The Parliament of Queensland enacts—**

## **Part 1 Preliminary**

### **1 Short title**

This Act may be cited as the *Constitution of Queensland and Other Legislation Amendment Act 2016*.

## **Part 2 Amendment of Constitution of Queensland 2001**

### **2 Act amended**

This part amends the *Constitution of Queensland 2001*.

### **2A Insertion of new s 4A**

After section 4—

*insert—*

#### **4A Particular amendments of this Act**

- (1) This section applies to a Bill for an Act to amend this Act respecting the constitution, powers or procedure of the Parliament.

*Note—*

See the *Australia Act 1986* (Cwlth), section 6.

- (2) The Bill must not be presented to the Governor for assent unless the Bill has been passed by an absolute majority of the Legislative Assembly.
- (3) The Bill has no effect as an Act if assented to after presentation in contravention of subsection (2).

- 
- (4) For deciding whether the Bill has been passed by an absolute majority of the Legislative Assembly—
- (a) if the Speaker of the Legislative Assembly or Deputy Speaker of the Legislative Assembly presiding exercises a casting vote in favour of the ‘ayes’, the casting vote is counted; and
  - (b) if an absent member of the Legislative Assembly votes by proxy or another method allowed under an Act and the vote cast is in favour of the ‘ayes’, the vote is counted.
- (5) In this section—
- absolute majority*, of the Legislative Assembly, means a majority of the number of members of the Legislative Assembly under section 11.

### 3 Insertion of new ch 2, pt 5

Chapter 2—

*insert—*

## **Part 5                      Portfolio committees and consideration of proposed legislation**

### **26A Establishment of portfolio committees**

- (1) The Legislative Assembly must, at the beginning of every session of the Legislative Assembly, establish at least 6 committees of the Legislative Assembly (*portfolio committees*).
- (2) The Legislative Assembly must allocate areas of responsibility to each portfolio committee that collectively cover all areas of government activity.

[s 3]

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*Note—*

See also the *Parliament of Queensland Act 2001* for provisions about the membership and operation of portfolio committees.

- (3) This section does not limit the Legislative Assembly's power to establish committees and confer functions and powers on committees.

### **26B Requirement for proposed legislation to be considered by committees**

- (1) The Legislative Assembly must ensure each Bill for an Act that is proposed for enactment is referred to a portfolio committee, or another committee of the Legislative Assembly, for examination by the committee.
- (2) The period of the referral must be at least 6 weeks from the date of the referral.
- (3) This section does not prevent the Legislative Assembly, by ordinary majority, doing any of the following under the standing rules and orders of the Legislative Assembly—
  - (a) declaring a Bill to be an urgent Bill;
  - (b) referring an urgent Bill to a committee for less than 6 weeks;
  - (c) for a Bill declared to be an urgent Bill after it is referred to a committee—discharging the Bill from the committee less than 6 weeks after the referral;
  - (d) deciding not to refer an urgent Bill to a committee before the Bill is passed by the Legislative Assembly.

### **26C Special provision for annual appropriation Bills**

- (1) The Legislative Assembly must ensure each Bill





[s 6]

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

Section 78(2)(b)—

*omit, insert—*

- (b) providing for the membership and operation of portfolio committees; and

**7 Amendment of s 88 (Establishment)**

Section 88(1)—

*omit, insert—*

- (1) The Assembly must, by standing rules and orders, establish committees as required under the *Constitution of Queensland 2001*, section 26A (*portfolio committees*).

**8 Amendment of s 92 (Role generally)**

Section 92(1)—

*insert—*

- (d) initiate an inquiry into any other matter it considers appropriate.

**9 Insertion of new ch 10, pt 8**

Chapter 10—

*insert—*

**Part 8**

**Constitution of  
Queensland and Other  
Legislation  
Amendment Act 2016**

### **179 Continuation of existing portfolio committees**

- (1) This section applies to a portfolio committee established under section 88 immediately before the commencement.
- (2) On the commencement, the portfolio committee is taken to be established as a committee of the Assembly under the *Constitution of Queensland 2001*, section 26A.

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