



Queensland

Emblems of Queensland and Other Legislation Amendment Act 2023

Act No. 31 of 2023

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

[Assented to 4 December 2023]



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The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

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

Part 2 Amendment of Crime and Corruption Act 2001

2 Act amended

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

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

Section 302—

insert—

(2) In this section—

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.

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.

[s 4]

4 Insertion of new ch 8, pt 19

Chapter 8—

insert—

Part 19 Emblems of Queensland and Other Legislation Amendment Act 2023

458 Validation of quorum and voting at particular meetings of parliamentary committee

- (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.
- (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.
- (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.
- (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.
- (5) In this section—

parliamentary committee includes the Criminal Justice Committee of the Legislative Assembly established under the repealed *Criminal Justice Act 1989*, section 115.

validation period means the period—

- (a) starting on 23 April 1998; and
- (b) ending on the commencement.

Part 3 Amendment of Emblems of Queensland Act 2005

5 Act amended

This part amends the *Emblems of Queensland Act 2005*.

6 Amendment of sch 4 (Other State emblems)

Schedule 4—

insert—

6 Fossil emblem

The Muttaborra dinosaur (*Muttaborrasaurus langdoni*) is the State's fossil emblem.

Part 4 Amendment of Parliamentary Service Act 1988

7 Act amended

This part amends the *Parliamentary Service Act 1988*.

8 Amendment of s 4 (Definitions)

Section 4, definition *parliamentary precinct*, from 'period;'—
omit, insert—
period.

[s 9]

9 Amendment of s 51 (Proceeding for offence against s 50)

(1) Section 51(2)—

insert—

- (d) despite the *Parliament of Queensland Act 2001*, section 8, evidence may be given of a direction made or purportedly made by the Speaker or a person authorised under section 50(5) during proceedings in the Assembly.

(2) Section 51—

insert—

(4) In this section—

proceedings in the Assembly see the *Parliament of Queensland Act 2001*, section 9.

10 Insertion of new s 55A

After section 55—

insert—

55A Explanatory notes and human rights certificates for by-laws and rules to be prepared by Speaker

In relation to a by-law or rule made by the Speaker under this Act—

- (a) the *Legislative Standards Act 1992*, section 22(2) applies as if the reference to the responsible Minister were a reference to the Speaker; and
- (b) the *Human Rights Act 2019*, section 41(1) applies as if the reference to the responsible Minister for subordinate legislation were a reference to the Speaker; and
- (c) the *Human Rights Act 2019*, section 41(2) applies as if the reference to the Minister

[s 14]

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.

- (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.
- (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.
- (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.
- (5) In this section—

committee means—

- (a) a statutory committee; and
- (b) a committee of the Assembly established under the repealed *Parliamentary Committees Act 1995*, section 4.

validation period means the period—

- (a) starting on 23 April 1998; and
- (b) ending on 22 April 2020.

Part 6 Other amendments

14 Legislation amended

Schedule 1 amends the legislation it mentions.

Schedule 1 Other amendments

section 14

Parliament of Queensland Act 2001

1 Section 64(6), definition *disqualifying electoral offence*, paragraph (a), ‘section 2’—

omit, insert—

schedule 1

2 Section 66(7), definition *becomes a candidate*, ‘section 88(3)’—

omit, insert—

section 93(3)

3 Section 67(1), ‘section 84’—

omit, insert—

section 88

4 Section 67(2), ‘section 88(3)’—

omit, insert—

section 93(3)

5 Section 72(4), definition *disqualifying electoral offence*, ‘section 2’—

omit, insert—

schedule 1

6 Schedule, definition *candidate*, ‘section 2, definition *candidate*’—

omit, insert—

schedule 1, definition *candidate*, paragraph (a)

7 Schedule, definition *general election*, ‘section 3, definition, *general election*’—

omit, insert—

schedule 1

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