

LEGISLATIVE COUNCIL

PARLIAMENTARY COMMITTEES AND INQUIRIES ACTS AMENDMENT BILL 2015

(Amendments and New Clauses to be proposed in Committee by Ms PENNICUIK)

1. Clause 1, line 5, after "committees" insert "and with respect to committee membership and the election of a chairperson".
2. Heading to clause 3, omit "**Definition**" and insert "**Definitions**".
3. Clause 3, line 4, omit "definition—" and insert "definitions—".
4. Clause 3, after line 4 insert—

*"**participating member**, in relation to a Joint Investigatory Committee, means a person taken to be a participating member of that Committee in accordance with section 21A;"*.
5. Clause 3, line 5, omit "***regional***" and insert "**regional**".

NEW CLAUSES

6. Insert the following New Clause to follow clause 10—

"A Membership of Joint Investigatory Committees

After section 21(1) of the **Parliamentary Committees Act 2003** insert—

"(1A) Each of the following Joint Investigatory Committees must not have a majority that consists of members of the political party or parties that form the Government—

(a) the Public Accounts and Estimates Committee;

(b) the Scrutiny of Acts and Regulations Committee.".
7. Insert the following New Clause to follow clause 10—

"B New section 21A inserted

After section 21 of the **Parliamentary Committees Act 2003** insert—

"21A Participating members

(1) This section applies to a member of the Council or Assembly who is not—

(a) the Speaker; or

(b) the President; or

(c) a Minister.

- (2) A member of the Council or Assembly to whom this section applies is taken to be a participating member of each Joint Investigatory Committee to which the member is not appointed.
- (3) Subject to sections 24(2) and 31(1A), a participating member of a Committee has all the rights and functions of a member of the Committee.

Notes

- 1 Section 24(2) provides that a participating member does not have a deliberative vote on a question arising at a meeting of the Joint Investigatory Committee.
- 2 Section 31(1A) provides that a participating member of a Joint Investigatory Committee is not eligible to be appointed to a sub-committee of that Committee."

8. Insert the following New Clause to follow clause 10—

"C New section 21B inserted

Before section 22 of the **Parliamentary Committees Act 2003** insert—

"21B Substitute members

- (1) A member of a Joint Investigatory Committee (other than a participating member) may appoint an eligible member of the same House of the Parliament to act in the appointing member's place on the Committee.
- (2) If a member of a Joint Investigatory Committee (other than a participating member) is unable both to act on the Committee and to appoint a substitute member under subsection (1), an eligible member of the same House of the Parliament may be appointed to act in the member's place on the Committee by—
 - (a) the leader of the political party to which the member who is unable to act belongs; or
 - (b) the member who nominated the member who is unable to act to be on the Committee.
- (3) A member of the Council or the Assembly is eligible to be appointed as a substitute member unless they are—
 - (a) the Speaker; or
 - (b) the President; or
 - (c) a Minister.
- (4) An appointment under subsection (1) or (2) is to be made by a notice in writing signed by the member who is making the appointment and given to the chairperson of the Joint Investigatory Committee.

- (5) A member appointed under subsection (1) or (2) to act in another member's place on a Joint Investigatory Committee has all the rights and functions of a member of the Committee."."

9. Insert the following New Clause to follow clause 10—

"D Election of chairperson and deputy chairperson

After section 22(3) of the **Parliamentary Committees Act 2003** insert—

- "(4) A member of the political party (or one of the political parties) that forms the Government is not eligible to be elected as chairperson of the Public Accounts and Estimates Committee or the Scrutiny of Acts and Regulations Committee."."

10. Insert the following New Clause to follow clause 10—

"E Quorum

In section 23(1) of the **Parliamentary Committees Act 2003**, for "members appointed to it" **substitute** "Committee's members (other than the Committee's participating members)."."

11. Insert the following New Clause to follow clause 10—

"F Voting by members

- (1) In section 24(1) of the **Parliamentary Committees Act 2003**, after "members" **insert** "(other than the participating members)".
- (2) In section 24(2) of the **Parliamentary Committees Act 2003**, after "Committee" **insert** "(other than a participating member)".

12. Insert the following New Clause to follow clause 10—

"G Presence of members of Parliament and the public

For section 26(2) of the **Parliamentary Committees Act 2003** **substitute**—

- "(2) Only members of a Joint Investigatory Committee (other than the participating members) may vote on a question arising at a meeting of the Committee.
- (3) Only members of a sub-committee of a Joint Investigatory Committee may vote on a question arising at a meeting of the sub-committee."."

13. Insert the following New Clause to follow clause 10—

"H Appointment and procedures

After section 31(1) of the **Parliamentary Committees Act 2003** insert—

- "(1A) A participating member of a Joint Investigatory Committee is not eligible to be appointed to a sub-committee of that Committee.

(1B) Subsection (1A) does not prevent a participating member of a Joint Investigatory Committee from attending a meeting or hearing of a sub-committee of that Committee."."

AMENDMENT OF LONG TITLE

14. Long title, after "certain committees" insert "and with respect to committee membership and the election of a chairperson".