

South Australia



ANNO QUINQUAGESIMO PRIMO  
ELIZABETHAE II REGINAE  
A.D. 2002

**PARLIAMENTARY COMMITTEES (PRESIDING MEMBERS)  
AMENDMENT ACT 2002**

No. 27 of 2002

[Assented to 7 November 2002]

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An Act to amend the Parliamentary Committees Act 1991.

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## SUMMARY OF PROVISIONS

1. Short title
2. Amendment of s. 5—Membership of Committee
3. Amendment of s. 8—Membership of Committee
4. Amendment of s. 11—Membership of Committee
5. Amendment of s. 12B—Membership of Committee
6. Amendment of s. 14—Membership of Committee
7. Amendment of s. 15B—Membership of Committee
8. Amendment of s. 15E—Membership of Committee
9. Amendment of s. 15H—Membership of Committee
10. Repeal of s. 23
11. Transitional provision

**The Parliament of South Australia enacts as follows:****Short title**

1. (1) This Act may be cited as the *Parliamentary Committees (Presiding Members) Amendment Act 2002*.

(2) The *Parliamentary Committees Act 1991* is referred to in this Act as "the principal Act".

**Amendment of s. 5—Membership of Committee**

2. Section 5 of the principal Act is amended by inserting after subsection (2) the following subsection:

(3) The Committee must from time to time appoint one of its members to be the Presiding Member of the Committee but if the members are at any time unable to come to a decision on who is to be the Presiding Member, or on who is to preside at a meeting of the Committee in the absence of the Presiding Member, the matter is referred by force of this subsection to the House of Assembly and that House will determine the matter.

**Amendment of s. 8—Membership of Committee**

3. Section 8 of the principal Act is amended by inserting after subsection (3) the following subsection:

(4) The Committee must from time to time appoint one of its House of Assembly members to be the Presiding Member of the Committee but if the members are at any time unable to come to a decision on who is to be the Presiding Member, or on who is to preside at a meeting of the Committee in the absence of the Presiding Member, the matter is referred by force of this subsection to the House of Assembly and that House will determine the matter.

**Amendment of s. 11—Membership of Committee**

4. Section 11 of the principal Act is amended by inserting after subsection (3) the following subsection:

(4) The Committee must from time to time appoint one of its Legislative Council members to be the Presiding Member of the Committee but if the members are at any time unable to come to a decision on who is to be the Presiding Member, or on who is to preside at a meeting of the Committee in the absence of the Presiding Member, the matter is referred by force of this subsection to the Legislative Council and that House will determine that matter.

**Amendment of s. 12B—Membership of Committee**

5. Section 12B of the principal Act is amended by inserting after subsection (2) the following subsection:

(3) The Committee must from time to time appoint one of its members to be the Presiding Member of the Committee but if the members are at any time unable to come to a decision on who is to be the Presiding Member, or on who is to preside at a meeting of the Committee in the absence of the Presiding Member, the matter is referred by force of this subsection to the House of Assembly and that House will determine the matter.

**Amendment of s. 14—Membership of Committee**

6. Section 14 of the principal Act is amended by inserting after subsection (3) the following subsection:

(4) The Committee must from time to time appoint one of its Legislative Council members to be the Presiding Member of the Committee but if the members are at any time unable to come to a decision on who is to be the Presiding Member, or on who is to preside at a meeting of the Committee in the absence of the Presiding Member, the matter is referred by force of this subsection to the Legislative Council and that House will determine the matter.

**Amendment of s. 15B—Membership of Committee**

7. Section 15B of the principal Act is amended by inserting after subsection (2) the following subsection:

(3) The Committee must from time to time appoint one of its members to be the Presiding Member of the Committee but if the members are at any time unable to come to a decision on who is to be the Presiding Member, or on who is to preside at a meeting of the Committee in the absence of the Presiding Member, the matter is referred by force of this subsection to the Legislative Council and that House will determine the matter.

**Amendment of s. 15E—Membership of Committee**

8. Section 15E is amended by inserting after subsection (3) the following subsection:

(4) The Committee must from time to time appoint one of its House of Assembly members to be the Presiding Member of the Committee but if the members are at any time unable to come to a decision on who is to be the Presiding Member, or on who is to preside at a meeting of the Committee in the absence of the Presiding Member, the matter is referred by force of this subsection to the House of Assembly and that House will determine the matter.

**Amendment of s. 15H—Membership of Committee**

9. Section 15H of the principal Act is amended by inserting after subsection (2) the following subsection:

(3) The Committee must from time to time appoint one of its Legislative Council members to be the Presiding Member of the Committee but if the members are at any time unable to come to a decision on who is to be the Presiding Member, or on who is to preside at a meeting of the Committee in the absence of the Presiding Member, the matter is referred by force of this subsection to the Legislative Council and that House will determine the matter.

**Repeal of s. 23**

10. Section 23 of the principal Act is repealed.

**Transitional provision**

**11. If, immediately before the commencement of this Act, a person who is holding office as the Presiding Member of a Committee established under the principal Act is not a member of the House from which the Presiding Member of the Committee must be appointed under a provision inserted into the principal Act by this Act, the position of Presiding Member of the Committee immediately becomes vacant and a new Presiding Member must be appointed under the principal Act as amended by this Act (but otherwise this Act does not affect the appointment of a Presiding Member before the commencement of this Act).**