Parliamentary Joint Sittings Amendment Bill 1981

Date Introduced: 9 April 1981
House: Senate
Presented by: Senator Hon. A.J. Messner, Minister for Veterans' Affairs on behalf of the Attorney-General, Senator Hon. P.D. Durack, Q.C.

Purpose

To amend the law relating to joint sittings of the Senate and the House of Representatives.

Background and Provisions

Before the joint sitting of the Senate and the House of Representatives was held in 1974 pursuant to section 57 of the Constitution, amendments were made to the laws relating to evidence, the broadcasting of parliamentary proceedings and the publication of parliamentary papers to take account of joint sittings in pursuance of section 57 of the Constitution. Thus:

- the Evidence Act 1905 was amended to allow for judicial notice of the signature of a presiding officer at such a joint sitting and for proof of proceedings at such a joint sitting;

- the Parliamentary Proceedings Broadcasting Act 1946 was amended to authorize broadcasting of the proceedings of a joint sitting and to provide for legal immunity for such broadcasts; and also to enable televising of the proceedings of either House or of a joint sitting on the same basis as broadcasting of those proceedings;

- the Parliamentary Papers Act 1908 was amended to authorize the publication of parliamentary papers relating to a joint sitting and to provide for legal immunity for publication.

The Evidence Act 1905 now contains a definition of "joint sitting of the Parliament" and the other two Acts contain a definition of "joint sitting"; these definitions
refer only to joint sittings in pursuance of section 57 of
the Constitution.

Clauses 3, 4 and 5 of the Bill amend these
definitions to extend them to cover a joint sitting held
"pursuant to any Act". This extends the operation of the
provisions amended in 1974 to refer to a joint sitting held
under the Senate (Representation of Territories) Act 1973 or
any other Act which may be passed referring to a joint
sitting.

Clause 2 provides for commencement at Royal Assent.

For further information, if required, contact:

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