

honourable members the opportunity to return home to their beds at a reasonable hour this evening. The government believes that the 30 sitting days per year are adequate to cope with the business of government and to allow the opposition the General Business days that are normally allocated to it - that is, once every 12 sitting days.

Motion agreed to.

LEGISLATIVE ASSEMBLY (POWERS AND PRIVILEGES) BILL
(Serial 173)

Continued from 20 August 1992.

Mr EDE (Opposition Leader): Mr Deputy Speaker, we support this bill. The principal act was overdue for change. The powers and privileges that we derive through the federal House mean that we cannot exceed the powers and privileges of the Commonwealth. The Commonwealth Parliamentary Privileges Act was reviewed in 1987. I do not know whether somebody could find some issue between 1987 and 1992 and attempt to prove that we did not have privilege over that period and raise that in a case of defamation.

Mr Perron: We brought a bloke before the bar.

Mr EDE: Mr Deputy Speaker, I was thinking about the member for Greatorex who might be shaking in his boots in respect of certain remarks he made about certain members of the Jewish community on the east coast. An academic lawyer indicated to me at one stage that this Assembly did not have any privilege. Maybe that will be tested further at some time. However, it would certainly appear that there have been difficulties in relation to changes in the federal legislation.

I was surprised that we decided to retain for ourselves the role of judiciary in terms of being able to bring people before the bar, act as judge and jury and impose a custodial sentence. This is consistent with the powers of some other Australian legislatures. I have read that some of the Westminster-type parliaments around the world have toyed with the idea of handing that power over to the courts. In general, that power has been guarded jealously by assemblies.

That brings me back to the doctrine of the separation of powers which was highlighted in the Fitzgerald Commission's ...

Mr Manzie: They got it wrong there anyway.

Mr EDE: Yes. However, while I have never had any sympathy for Joh Bjelke-Petersen, he was hoist with the wrong petard. They must have been reading an American law book because the whole concept of the American system is based on the separation of powers whereas ours is a system of responsible government. Certainly, a system of responsible government cannot be married to a system of a separation of powers when one is talking about the legislature and the executive. The executive is responsible to the legislature.

Mr Deputy Speaker, the opposition supports the bill. I would like to commend those parliamentary staff and members of the committee who have worked to provide us with a new set of powers and privileges. I understand this has ramifications for the Public Accounts Committee. It would be wise to have it passed at this time in order to remove certain doubts in respect