



# **Submission to the Finance and Administration Committee**

Inquiries into possible changes to  
Queensland Parliamentary terms

As at 20/10/2015

Liberal National Party Queensland  
PO Box 940  
Spring Hill QLD 4004

20<sup>th</sup> October 2015

Research Director  
Finance and Administration Committee  
Parliament House  
Brisbane Qld 4000

Email: fac@parliament.qld.gov.au

Dear Research Director

The Queensland Parliamentary Finance and Administration Committee  
*Inquiries into possible changes to Queensland Parliamentary terms*

## **1. Introduction**

- 1.1 The Liberal National Party (the LNP or the Party) responds to the Queensland Parliamentary Finance and Administration Committee's (the Committee) invitation for submissions to its *Inquiries into possible changes to Queensland Parliamentary terms (the Inquiry)*. The LNP's comments are submitted on behalf of its membership and are confined to issues which relate to the policy objectives of the *Constitution (Fixed Term Parliament) Amendment Bill 2015* and the *Constitution (Fixed Term Parliament) Referendum Bill 2015* (the Bills).
- 1.2 The Party commends the Member for Mansfield and the LNP's Shadow Attorney General and Shadow Minister for Justice, Industrial Relations and the Arts Ian Walker (Mr Walker) for initiating the Bills for consideration of the Parliament which aligns with party policy.
- 1.3 The LNP supports the Bills and the policy objectives.

## **2. Preamble**

- 2.1 The LNP has considered the research papers provided by the Committee and the Parliamentary documents associated with the two Bills which have the following objectives:
  - provide that a general election must be held on the second Saturday in March in the fourth calendar year after the calendar year in which the last election was held.
  - provide that the Legislative Assembly expires on the day that is four years from the day the writ for the general election was returned for the Assembly (thus ensuring a fixed, four year term).
  - provide for exceptional circumstances in which the Governor must dissolve the Legislative Assembly and issue a writ for a general election.

- provide that the Governor may, despite the advice of the Premier of the day or the Executive Council, dissolve the Legislative Assembly and issue a writ for a general election, in accordance with established constitutional conventions.
- provide that the amendment Bill is not presented to the Governor for assent, unless it has been passed by the Legislative Assembly and has been approved by a majority of electors at a referendum (held on a Saturday at least 2 months after the Bill has been passed by the Legislative Assembly).
- provide for the facilitation of a referendum (if the Constitution (Fixed Term Parliament) Amendment Bill 2015 is passed), including when the referendum is to be held and who is eligible to vote.

### **3. Issues**

#### **3.1 Fixed four year parliamentary terms**

- 3.1.1 Fixed four or four year parliamentary terms have been the subject of political debate for the past twenty-five years engendered by the Electoral and Administrative Review Commission's (the EARC) 1990 -91 review of the Queensland Legislative Assembly Electoral System having been raised in submissions or hearings. The EARC's deliberation on four year or fixed parliamentary terms was ceased by the then State Government's decision to introduce legislation for a referendum to provide for 'four year terms for State and Local Government in Queensland'.
- 3.1.2 The referendum in March 1991 lacked bi-partisan support and failed - the yes vote - 48.8 per cent and the no vote 51.2 per cent.
- 3.1.3 As indicated in 1.3, the Party supports the Bills and the policy objectives as introduced into the Parliament by Mr Walker and this includes the fixed four year term concept and the ensuing referendum. Amendments to the Constitution Act in 1934 stated that an extension of the term of the parliament required the people's consent at an election. We note that the amendments at that time 'prohibits the restoration of the Legislative Council or any other "second chamber" except without the consent of the Crown, the Legislative Assembly and a majority of the electors.'
- 3.1.4 As the Committee's documentation indicates there has been a long progression of political interest expressed, announcements made and analysis done over the ensuing years on fixed four or four year parliamentary terms or a variation of the concept but without avail. This makes the current Bills and this Inquiry important in determining the term of the Queensland Parliament into the twenty-first century.

3.1.5 The LNP's 2014 State convention in supporting four year parliamentary terms recognised that whilst bringing Queensland into line with other States and Local Government in Queensland, benefits would accrue to business, Government, industry organisations and citizens which included:

- (a) Commercial decisions of the business sector would be based on medium term policy certainty and a known electoral time-frame;
- (b) Enables economic planning, policy implementation, major infrastructure and service delivery decisions by Government over a longer period and not as an immediate political imperative;
- (c) The enhanced portfolio Parliamentary committee system with its scrutiny of legislation responsibilities provides industry and professional organisations/ and citizens with the pathway to express their view by way of submissions or in evidence before Hearings;
- (d) The *Right to Information Act 2009* provides transparency of government actions by access to documents held by government agencies and Ministers;
- (e) Communications technology has revolutionised contact, responsiveness and information between electors and parliamentarians (with the exception of electors in remote areas such in the electorates of Mount Isa, Gregory, Warrego, Dalrymple and Cook where communications and information technology is a work in progress.)

## 3.2 Queensland's Unicameral Parliament

3.2.1 Parliamentary accountability in a unicameral parliamentary system, in the past has been viewed to be a limiting factor to the consideration of fixed four or four year parliamentary terms. This has changed. Public participation in the Parliamentary process has been significantly enhanced with reforms to the parliamentary committee system which includes scrutiny of Bills open to stakeholders and citizens to make submissions and to provide evidence before the specific portfolio committee; advances in communication and information technologies ensuring access and responsiveness to citizens by legislators and vice versa such as the live broadcast of parliament and committee hearings; and Right to Information legislation enabling a citizen or other entities access to documents held by government agencies and Ministers.

### **3.3 Governor's Reserve Powers**

- 3.3.1 The LNP supports the Governors reserve powers as stipulated in the *Constitution (Fixed Term Parliament) Amendment Bill 2015* (the Bill).
- 3.3.2 Members had indicated a concern with a fixed date for the month of March as it includes the storm and cyclone season which runs from November 1 to April 30. The Party notes that this concern is mitigated by Mr Walker stating in the Bill: '(t)here is also a provision for which the polling day can be postponed by up to 35 days for exceptional circumstances such as if a federal election were called for the same date as the due date for the state election or if there were a natural disaster, such as a cyclone or flood, which made it impossible to hold the election on that date.'

### **3.4 Referendum Timing**

- 3.4.1 *The Constitution (Fixed Term Parliament) Referendum Bill* states that the 'the polling day for such referendum is to be a day appointed by the Governor in Council that is at least 2 months after the Constitution (Fixed Term Parliament) Amendment Bill 2015 is passed by the Legislative Assembly.' Mr Walker in introducing the Bill referred to the local government elections in March next year as being an opportunity for a statewide referendum.
- 3.4.2 This suggestion should be considered in the context of extending postal voting on the referendum question to electors in those local government areas which have postal ballots.

## **4 Conclusion**

- 4.1 We share Mr Walker's belief that 'there is no more opportune time for this issue to be revisited.'
- 4.2 Thank you for your consideration and I would be pleased to expand on any matter that requires clarification.

Yours sincerely

**Angela Awabdy**  
State Secretary