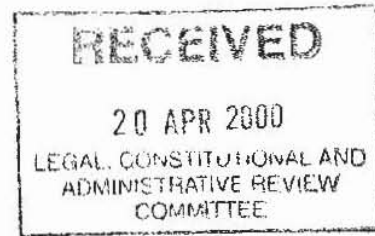


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*Submission n 3
Spec 28.1.*

Wednesday, 19 April 2000

Submission to the LCARC on 'FOUR YEAR PARLIAMENTARY TERMS'

The LCARC has already stated that the issue of change to the electoral system will evoke far greater political change than would at present be accepted. While I accept that such change would indeed set the cat among the pigeons, it is important that we recognize that it will then be unlikely claim a valid mandate on the number of seats won in single member electoral system. Public Choice, by votes cast, or by public preference on person or sex will be less representative. Governments must however be structured in accordance with what is possible in acceptability and in its workability.

Of those options reviewed in your background paper the recommendation 5.2: "that the maximum term of the Legislative Assembly be extended to four years, subject to a provision that a dissolution may not be granted during the first three years" is by far the most suitable; parliamentarians could far better serve their electors by working in standing committees and by their personal representation of their electors, than in spending their time first learning a difficult task and later in representing their party by adverse and negative attacks on opponents and in stirring unwarranted public paranoia.

I would however suggest that it might not be necessary for a government to opt for dissolution if their leader falls before a vote of confidence, no confidence or even if a precise manner of supply is denied. It might be possible to further limit the government leaders option of any dissolution, making it more difficult during the whole four-year period.

As a supporter of the principle of representative democracy I view that the leader of government chose by parliamentary vote, holds the authority to advise the Governor only in as far as he or she represents the Parliament. The practical business of Government can not be run on the advice of parliament, for the expedition and consistency of government action will not function thus; the leader, as the parliament itself, must represent rather than to act merely as a delegate of their electors. It is the most practical and reasonable assumption to make that, unless there is better evidence to the contrary, the elected leader does indeed represent the authority of the parliament.

In the opening of each new government the Parliament Expresses its will in the majority acceptance of a policy which is then proclaimed by the Governor, having thus committed itself to a stated policy, it should be the obstruction of that policy, rather than the fall of the chosen leader that determines any option of a dissolution.

A possible avoidance of a dissolution may rarely be effected by this means, but the electors interest would be better focussed on the denial of policy rather than leadership; It would also be healthier for leaders to view their authority as derived from Parliament rather than from any other assumed right of power.

A Governor might seek the advice of the Chair elected Parliament, as to whether a potential alternative leader can be found that would follow the proclaimed policy; even if no alternative leader can be found within a very brief period, the affect upon the position of the Chair, the Governments design of policy for proclamation by the Governor, their tactics designed towards an advantageous dissolution and the publics perception of the importance of this issue would be changed.

The LCARC's recommendation of having any part of the Constitution Referendum Entrenched is absolutely essential.

I am yours most sincerely



Peter C. Friis