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Review of the Queensland Constitutional Review Commission's Recommendation for Four-Year Parliamentary Terms

Queensland Chamber of Commerce and Industry Submission to the Legal, Constitutional and Administrative Review Committee

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The Queensland Chamber of Commerce and Industry Limited
ACN 009 662 060
Industry House, 375 Wickham Terrace
Brisbane Australia
Tel: (07) 3842 2244
Fax: (07) 3832 3195
Email: qcci@qcci.com.au
URL: www.qcci.com.au



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Introduction

Queensland is the only state in Australia where a three-year parliamentary term for the Legislative Assembly or Lower House is maintained. The current three year parliamentary term is prescribed by s2 of the *Constitution Act Amendment Act 1890 (Qld)*. To extend the current three-year term to a longer period would require an approval via an electoral referendum as prescribed in s4 of the *Constitution Act Amendment Act 1934 (Qld)*.

In March 1991 a referendum was held in Queensland where the question of extending the parliamentary term to four years was put to the voters of Queensland. The question put to the electorate whilst asking for the approval for four year parliamentary terms, contained no provision for a fixed term or a minimum period during which an early election could not be called. This referendum was defeated (808,112 No votes to 771,103 votes in the affirmative).

On 29 February 2000 the Queensland Constitutional Review Commission (QCRC) tabled in the Queensland Legislative Assembly a "*Report on the possible reform of and changes to the acts and laws that relate to the Queensland Constitution*". Part of the Commission's brief is to research and investigate whether there should be reform of, and changes to, the Acts and laws that relate to the Queensland constitution. Accordingly section R5.2 of the QCRC report tabled in the Legislative Assembly on 29 February 2000 recommended:

R5.2 - 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 unless (a) a vote of no confidence is carried or a vote of confidence fails to be carried, or (b) an appropriation bill is defeated or fails to pass. The provisions should be referendum entrenched.

QCCI's Submission

Queensland is the only Australian state to retain a three-year parliamentary term. Four-year terms have been adopted by every other Australian state. Countries such as Japan, Germany and the Netherlands have four-year terms while Canada, Ireland, France and the United Kingdom have parliamentary terms of five years. Not only is Queensland out of synchronisation with its fellow Australian states but it could also be argued that Queensland is behind in global terms when considering parliamentary term lengths.

As identified in the QCRC report, it has been said governments operating with only a three-year term spend their first year of government meeting prior election promises and their third year of incumbency preparing for the election due that year.



Business relies upon consistency and/or predicability in government policy and decision making processes to plan for future business paths and activities. The business sector requires a long-term perspective to be developed and implemented. Given this, QCCI supports the implementation of a four year term in Queensland. The Chamber believes this move would lengthen the period in which the State government was not in election mode and so able to primarily "govern" rather than primarily "politic".

Business adopts, as a matter of good practice, long term views regarding growth and development. If four-year terms were introduced into Queensland it could be concluded that governments would be better placed to concentrate on long term planning rather than taking short term positions.

Other arguments for a fixed term parliament are outlined in a research paper produced for the New South Wales Parliamentary Library by Gareth Griffith (1995:19-20), these are reproduced below:

- A fixed term may guarantee tenure for the government, which may help to ensure that the government has the requisite amount of time to effectively implement its policies.
- There may be benefits to the parliamentary committee process as it allows more in-depth analysis to occur, and in particular, more complex analysis of issues. (This is of particular importance in the Queensland parliamentary system where the lack of an upper house precludes closer scrutiny of parliamentary processes and legislation)
- There will be a reduction in the number of elections and ancillary costs (both monetary and administration)
- Fixed election dates allow more effective planning of the parliamentary timetable by the incumbent government
- The predicability which attaches to fixed election dates would facilitate economic planning in both the private and public sectors. In this way, fixed terms could boost confidence amongst the business community and beyond.

Conclusion

As evidenced in the body of this report the extension of Queensland parliamentary terms to four years would be seen as a proactive move by the government and would enjoy the support of the business community.

Any move that would aid in the removal of political opportunism from the government economic planning process in Queensland would greatly aid in providing a stable and predictable framework for business to operate within. Short political cycles compromise this objective and promote electoral opportunism and short term planning.