

INQUIRY INTO QUEENSLAND'S PARLIAMENTARY TERMS





The current situation

Section 2 *Constitution Act Amendment Act 1890:*

Duration of Legislative Assembly to be 3 years only

Every Legislative Assembly hereafter to be summoned and chosen shall continue for 3 years from the day appointed for the return of the writs for choosing the same, and no longer; subject nevertheless to be sooner dissolved by the Governor.

Section 3 *Constitution Act Amendment Act 1934*

The duration of Legislative Assembly not to be extended except in accordance with this section

Requires the Bill extending the term to be submitted to a referendum

The Inquiry



On 15 September 2015, the Legislative Assembly resolved that-
“The committee inquire into the introduction of four-year terms for the Queensland parliament. In undertaking this inquiry, the committee is to consider (but not be limited to):

- a comparison of three- and four-year parliamentary terms, including advantages and disadvantages
- a comparison of parliamentary terms in other Australian jurisdictions
- mechanisms for determining the referendum question that will be put to the Queensland public
- the possible starting date for any new arrangements, if adopted.”



The Bills

In addition, the committee is examining two Private Members Bills introduced on 17 September 2015:

- *Constitution (Fixed Term Parliament) Amendment Bill 2015*
- *Constitution (Fixed Term Parliament) Referendum Bill 2015.*

The Legislative Assembly referred the two Bills to the committee for consideration as part of its general inquiry into four year terms.

Committee to Report by 9 November 2015.



The Bills – the detail

The Bills proposes:

- A fixed four year term
- General elections the second Saturday in March every four years
- Exceptional circumstances in which the Governor must dissolve the Legislative Assembly and issue a writ for a general election (lack of supply or no confidence)
- That the Governor may, despite the advice of the Premier of the day or of Executive Council, dissolve the Legislative Assembly and issue a writ for a general election, in accordance with established constitutional conventions
- A referendum (if the amendment Bill is passed), including when the referendum is to be held and who is eligible to vote.



The issues

- Involve a consideration of more than a simple choice between a three year term and a four year term
- Other issues include:
 - Whether or not to have a fixed term or a minimum fixed period in which there can be no dissolution
 - If a fixed term or minimum fixed period, in what special circumstances dissolution could still occur
 - The appropriate extent of the reserve powers of the Governor
 - Are any other safeguards desirable or necessary?



Advantages of four year term

- A longer term allows a government a longer period to implement policy, particularly in areas of planning and of delivery of major infrastructure.
- Stability is enhanced, and a government can plan in a steady manner
- Policy development would be less driven by political expediency and allow a long-term view
- Representatives would be better able to focus on and attend to electorate needs and concerns in a longer-term manner, less distracted by the need to campaign for re-election.
- The community, especially the business community, will be better able to plan and manage its affairs with certainty
- Fewer elections, less costs in elections and transitions



Disadvantages

- Accountability concerns - there is a greater period in which a government is not able to be held to account by the electorate.
- Fewer elections, whilst perhaps popular and reducing costs, mean reduced accountability to the people
- governments could become less responsive, more complacent, resulting in poorer policy outcomes
- Queensland is a unicameral Parliament – very few entrenched safeguards to ensure “review” of decisions and legislation
- A longer term might mean any minority government could in some circumstances be left in ‘limbo’ for a longer period

COMMENTS?
QUESTIONS?

