



Speech by

JOHN MICKEL, MLA
STATE MEMBER FOR LOGAN

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CONSTITUTION OF QUEENSLAND; PARLIAMENT OF QUEENSLAND BILL

Mr MICKEL (Logan—ALP) (4.28 p.m.): We have just heard again the re-debate of the matter by the honourable member for Warrego. What he will not face up to is this: local councillors can run for election to the state government. End of story! The only requirement we make of them is that they face the people if they lose.

The honourable gentleman tries to make out that this is somehow quite different. Quite frankly, if a councillor wants to run for mayor, what does he or she do? He or she has to resign from the council seat. The honourable member for Gladstone said, 'Oh, it would cost a lot of money.' That did not deter her, when she was the mayor of Calliope shire, from wanting to run for state government—and winning. There was a by-election in Calliope. She was not worried about the cost of the by-election on that occasion. If the honourable member for Warrego wants to run for the federal parliament he has to resign. We ask the same thing of people in local government. The honourable member finds that an insurmountable barrier. Tony Windsor did not find it an insurmountable barrier at all—not at all! Those opposite are asking for different rules for all their National Party mates.

Those opposite talked about transparency. Let me deal with transparency for a moment. Two Logan City councillors ran for state government at the last election—both of them chairs of committees, both of them drawing an inordinate sum plus a car and mobile phone, yet they continued in that role the entire time. I did not hear those opposite exercising any moral force on that National Party candidate—not once! One of them still comes out every single week and does not behave like a local government member; rather, this fellow attacks the state government week after week. If he wants to run for state government, he should be treated the same as us and be made to resign. I am pleased that the Premier has enshrined this issue in this legislation.

Today during the debate we have heard about the Westminster system, democracy and all the other bits and pieces that go with it. Under the Westminster system there is no need to revert to a referendum in order to change the Constitution. Rather, the parliament changes the Constitution. Those opposite should not come in here and say that somehow the Westminster system is democratic. It is not. The parliament is the supreme body, and the parliament is the supreme body on any constitutional changes.

We have also heard about the naming of the bill—that is, the Constitution of Queensland 2001. Of course it should be called that, because the 1867 act is a ramshackle disgrace. It is all over the place. In fact, about 30 pieces of legislation were being introduced around the same time, and it will be a delight to the National Party members to know that the parliament of the day was considering the Disease in Sheep Bill at the same time. As a matter of fact, that bill occupied more debating space than the Constitution Act that we are trying to update today and reinforce so that it is written in easy to understand language and is accessible to the citizenry.

I also point out that there have been a number of people involved in trying to modernise this act. In a spirit of bipartisanship, I recognise the role played by the former member for Burleigh, Mrs Judy Gamin, as well as the efforts of the current member for Greenslopes, Mr Fenlon, and the member for Kurwongbah. Through the various committees that they have presided on over the years, they have made sure that this sensible legislation is brought before us for discussion today. But there is unfinished business. The unfinished business is this: while talking about local government, we should ensure that this state parliament is brought into line with local government and has four-year terms in line with local

government. That is the unfinished business. Another issue to look at is whether we need fixed three-year terms to ensure that that four-year process works.

My final point is that the Members' Ethics and Parliamentary Privileges Committee Report No. 26, *First report on the powers, rights and immunities of the Legislative Assembly, its committees and members*, tabled in January 1999 made a number of recommendations which I am pleased to see have been incorporated into the bills before the House. They were done in a spirit of bipartisanship. I congratulate the member for Caloundra and the member for Southern Downs, as well as government members of the committee, on the excellent role they have played.

We were part of a team that was well supported by Neil Laurie, David Thannhauser, Kerryn Newton and of course people like Dianne Raeburn, Patrick Vidgen and Michele Robinson. I commend their efforts to the House for the role they played in bringing that about. Some of the more significant outcomes of the bills, apart from the consolidation and improved drafting, include the clarification and consolidation of the rules relating to the qualification to be and disqualification of members of parliament and the clarification of the powers, privileges and immunities of the parliament, particularly its power to punish for contempt.

I refute what the member for Gladstone said. It is important that there has been statutory recognition of cabinet for the first time, the most important body in running the administration in this state. We heard the member for Gladstone give a defence of independents. During the last sitting week I was one of those who saw the member for Gladstone speak against an amendment moved and then vote for it. How could we run a state if we did that? It is about time we recognised cabinet government as being the way to run the administration in this state. It is also important that this bill express statutory recognition and give an explanation of ministers of the state. Many small but practical statutory matters such as establishing who administers the parliament when an election is called and the House has been dissolved are enshrined in this legislation. For all those practical reasons, these bills are long overdue and deserve the support of the parliament.
