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THE CLERK OF THE PARLIAMENT

Government Response to

The Legal, Constitutional and Administrative Review Committee

Report No. 27, July 2000

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



The Committee's Recommendation:

The committee recommends that the Premier-as- the minister responsible for Queens/and's constitutional legislation-introduce a bill ("the proposed bill") to extend the maximum term of the Legislative Assembly to four years subject to a provision that the Governor may not dissolve the Legislative Assembly unless:

- (a) *a period of three years has elapsed since the day of its first meeting after a general election; or*
- (b) *the Legislative Assembly has passed a motion of no confidence in the government and has not within three clear days thereafter passed a motion of confidence in the then government; or*
- (c) *the Legislative Assembly has defeated a motion of confidence in the government and has not within three clear days thereafter passed a motion of confidence in the then government; or*
- (d) *the Legislative Assembly has rejected an appropriation bill for the ordinary annual services of the executive government; or*
- (e) *the Legislative Assembly has failed to pass an appropriation bill for the ordinary annual services of the executive government before the time that the Governor by a message has informed the Legislative Assembly that the appropriation is required.*

The proposed bill should further provide that, subject to the above, the Governor may dissolve the Legislative Assembly by proclamation or otherwise whenever the Governor considers it expedient.

These provisions should be referendum entrenched.

The proposed bill would, in the absence of a successful referendum to consolidate the Queens/and Constitution as recommended by the committee in its report no. 24 Review of the Queensland Constitutional Review Commission's recommendations relating to a consolidation of the Queens/and Constitution, seek to amend s 2 of the Constitution Act Amendment Act 7890 (Qld) in accordance with s 4 of the Constitution Act Amendment Act 1934 (Qld).

In the event that a successful referendum is held to consolidate the Queens/and Constitution as recommended by the committee in its report no. 24 Review of the Queens/and Constitutional Review Commission's recommendations relating to a consolidation of the Queens/and Constitution, the proposed bill would seek to amend the Constitution of Queens/and 2000. This bill would likewise need to be put to the people in a referendum in accordance with the Constitution of Queens/and 2000 and should also seek to entrench those provisions.

The Government undertakes to introduce a Bill in the next term of the Parliament to extend the term of the Legislative Assembly of Queensland to four years and will submit this Bill to the people at a referendum to be held in accordance with section 4 of the *Constitution Act Amendment Act 7934* during the term of the next Parliament.

Four year terms are essential for strong, stable government. A four year term will allow future governments to engage in longer term planning and decision-making and to better deliver services and infrastructure to Queensland. The development and implementation of Government policies can occur over a longer period which will allow greater emphasis on consultation and evaluation.

A longer parliamentary term will also benefit the business and community service sectors which can plan their activities with greater certainty within a more stable and predictable Government policy environment.

The benefits of longer parliamentary terms are widely recognised by the other Australian States which have all been operating in a four year term environment for in excess of ten years.

Four year terms will reduce the costs to Queenslanders associated with conducting elections and incoming and outgoing governments and Members of the Legislative Assembly.

The Government's preferred model for a longer parliamentary term is a four year fixed term. However, the model that will ultimately be put to a referendum, including any circumstances in which the Governor may dissolve the Parliament during any fixed component of the term, will be determined following negotiation with the leaders of the other political parties. The Government is open to finding common ground with the other parties so that a proposal to extend the term of the Parliament might be presented to the electorate with all-party support.

The Government endorses LCARC's recommendation that the provisions relating to the term of the Parliament, including the circumstances in which the Governor can dissolve the Parliament, be referendum entrenched.

The Government also notes that a referendum to introduce four year parliamentary terms presents an opportunity to hold a referendum to complete the consolidation of the Queensland Constitution by relocating the entrenched provisions of the *Constitution Act 7867*, the *Constitution Act Amendment Act 7890* and the *Constitution Act Amendments Act 7934*, as recommended by LCARC in its report number 24, *Review of the Queensland/and Constitutional Review Commission's recommendations relating to a consolidation of the Queensland Constitution*.
