

# Constitution (Fixed Term Parliament) Referendum Bill 2015

## Explanatory Notes

### **Short title**

The short title of the Bill is the *Constitution (Fixed Term Parliament) Referendum Act 2015*.

### **Policy objectives and the reasons for them**

*The objectives of the Bill are to:*

1. Provide for the facilitation of a referendum, once the Constitution (Fixed Term Parliament) Amendment Bill 2015 is passed by the Legislative Assembly.
2. It also stipulates who is an eligible voter in the referendum, and when the referendum is to be held.

### **Achievement of policy objectives**

To achieve these objectives, the Bill stipulates that it is only applicable once the Constitution (Fixed Term Parliament) Amendment Bill 2015 is passed in the Legislative Assembly.

It also provides that a referendum is to be conducted under the *Referendums Act 1997*, however the polling day for such referendum is to be a day appointed by the Governor in Council that is at least 2 months after the Constitution (Fixed Term Parliament) Amendment Bill 2015 is passed by the Legislative Assembly.

A person who is entitled to vote at an election for the members of the Legislative Assembly is entitled to vote at the referendum.

### **Alternative ways of achieving policy objectives**

There are no known alternate ways of achieving the same policy objectives.

### **Estimated cost for government implementation**

The estimated cost for a referendum would depend on whether or not it was held in conjunction with a local government election or state election, or as a standalone vote.

### **Consistency with fundamental legislative principles**

The Bill is consistent with fundamental legislative principles.

### **Consultation**

The LNP Opposition has publicly referred to this issue and its support for fixed four year terms on several occasions this year and has also been consulting with Queenslanders through a feedback survey. We have also begun the process of discussing the issue with academics, the Queensland Law Society and Bar Association of Queensland.

### **Consistency with legislation of other jurisdictions**

New South Wales was the first Australian jurisdiction to adopt a four year fixed parliamentary term in 1995 (having initially moved to a 4 year term). Since that time, most Australian parliaments –

apart from the Commonwealth and Queensland lower houses – have followed suit, often also raising the parliamentary term from 3 years to 4 years if this had not already been the case.

***Notes on provisions***

Clause 1 refers to the short title of the Bill.

Clause 2 refers the timing of when this Bill is applicable, once the Constitution (Fixed Term Parliament) Amendment Bill 2015 is passed by the Legislative Assembly.

Clause 3 refers to how the referendum is to be conducted, including eligibility and the timing of such referendum.