

Standing Committee on Social policy and Legal Affairs
Constitutional roundtable on fixed four-year parliamentary terms
Submission

Thank you for the opportunity to make a short submission to the Constitutional roundtable on fixed four-year parliamentary terms -unfortunately I am unable to attend the roundtable.

In my view there may be improved support for semi-fixed four years terms for the House of Representatives since the 1988 referendum for four -year terms for both the House of Representatives and the Senate which was overwhelmingly defeated gaining just over 30 per cent of the national vote and losing in every state. However I am not sure that there is support for eight year terms for the Senate.

Naturally elections for both the House of Representatives and half the Senate should be held at the one time to save valuable resources. Currently the Senate has a semi-fixed term that can be curtailed only by a double dissolution under Section 57 of the Australian Constitution. After a double dissolution election and to restore rotation newly elected Senator terms are backdated to the previous 1 July. As such Senators serve three or less years or six years.

To impose fixed or semi-fixed terms for the Australian Parliament a referendum to amend the Constitution would need to be held. Not only would the referendum need to get a national majority it would need a majority in four of the six states. To date there has been a long history of Australian referenda failing whenever they involve strengthening the powers of the state.

There are many examples around the world of longer term (eg four or five years) fixed or semi-fixed elections. One only has to look to America with fixed terms for the members of Congress and the President. In Canada the federal government and several provinces have fixed term elections as does the UK which technically has elections semi-fixed every five years.

I am not sure however that any of the countries listed above see any advantage of having semi-fixed terms. I am yet to be convinced there is any benefit for Australia moving to a longer term semi-fixed election date. For the Party in government it certainly loses the element of surprise and can have the election campaign running for a much longer period of time. It could also see severe damage to the economy if a poor government is in charge for a longer period of time.

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