

Election timing

Speculation over election timing is a popular pastime. There are a few constitutional and political limits which apply.

Constitutionally, the next election for the House of Representatives must be held by 12 January 2002.

Constitutionally, the next normal election for the Senate (a standard half-Senate election¹) must be held between 1 July 2001 and 30 June 2002.

In practical terms, the constitutional window for a standard House of Representatives/half-Senate election is therefore July 2001 to mid-December 2001.

For an election to be held *before* July 2001, one of two 'unusual' things must happen:

- either the Prime Minister seeks a House of Representatives only election; or
- the Prime Minister seeks a double-dissolution election (that is, an election of the House of Representatives and the whole Senate).

House-only election: While there is no constitutional requirement for elections of the House of Representatives and the Senate to be held simultaneously, they almost always are. The last House-only election was in 1972. If a House-only election were held there would still need to be a half-Senate election between 1 July 2001 and 30 June 2002.

Double-dissolution election: For the Prime Minister to seek a double-dissolution election from the Governor-General, he must be able to show that the Senate has been obstructing the legislative program of the Government. The legislation need not be Budget or other 'vital' legislation; 'non-crisis' double-dissolution elections have been held recently, in 1983 and 1987.

Specifically, the Senate must have rejected or unacceptably amended the same piece of Government legislation twice, with a minimum of three months between the first rejection and the House passing it again. Once the Senate then rejects or unacceptably amends the legislation a second time, it becomes what is known as a 'trigger'.

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He cites the case of a Government Senator – no names, no pack drill – who fed the Opposition a question to embarrass one of his own Ministers. "Maybe this is the art of politics. Maybe you've got to be Machiavellian. But I'm not convinced," says Charlesworth. "Some would say I'm naive, but I believe the best way to get re-elected is to govern well, rather than pork-barrel before elections."

As with all life experiences, Charlesworth gained many positives from politics. "I learnt a great number of things," he says. "It's a very interesting job, perhaps the most interesting job you can do, but it's a very difficult lifestyle. Had I understood what was involved before I went into politics, I'm sure I would still have done it."

Charlesworth's interest in politics was fired in the 1970s by Vietnam, the dismissal of the Whitlam Government, and the Fraser Government's boycott of the Moscow Olympics in 1980.

Interestingly, despite his misgivings, Charlesworth doesn't rule out a return to the political life: "I could see myself doing it again," he says, "but at a different stage of my life. There's nothing more noble than public service. You can make a difference, really change things. I take pride in many of the things we did in government, even though, as a backbencher, I didn't drive them."



Currently, the Government has one piece of legislation – the Workplace Relations Amendment (Unfair Dismissals) Bill 1998 – which has been rejected once and reintroduced into the House more than three months later². If the current sitting pattern is maintained, the House would have to pass and the Senate reject that Bill (or another which meets the criteria) a second time by Thursday 5 April 2001 – the last scheduled sitting day before another critical date, 9 May 2001.

That date is the last a double-dissolution can occur in this cycle. This is because of the combination of two Constitutional provisions:

- a double-dissolution cannot take place *within six months* of the three-year term of the House 'expiring'; and
- the House 'expires' three years from the date of its first sitting – in this case on 9 November 2001.

¹ *Half-Senate election: States are represented by 12 Senators. In normal circumstances, only half of each State's Senators are up for re-election every three years (Senators are elected for six-year fixed terms). Territories are different, with two Senators from each Territory elected concurrently with every House election.*

² *Rejected by the Senate 14 August 2000, reintroduced to the House 29 November 2000; as at mid-February 2001 it had not been re-passed by the House and sent to the Senate a second time.*

Then Charlesworth says: "You'd like to have two lives and the chance to do everything you wanted to do. Part of me feels that my political career was not completed. That's just the way it is. No-one's life is ever perfectly fulfilling."

Apart from being able to see a lot of his kids, the thing Charlesworth liked most about life after politics was the control he regained. As coach of the Australian women's team, he had autonomy managing the program.

When he recently stepped down from the job, it was an open secret that the men's team was after him, but he opted for a coaching role with AFL team the Fremantle Dockers.

He almost went to Perth's other AFL team, the West Coast Eagles. "But their problems are pretty easy to define," he says. "The Dockers are more of a mystery. That makes working with them a much harder proposition. It's a very exciting opportunity. I might get involved in hockey again in four years, but for now I want to do something completely different."

That's how it is for Ric Charlesworth.

Article by Peter Cotton, a freelance journalist from Canberra.