Wednesday 30th 2010

Attention: Senate Select Committee on the Reform of the Australian Federation

Re: Enquiry Submission

Dear Mesdames et Messieurs,

I write in support of the wholesale re-arrangement of the relations between and within the three levels of government in Australia.

The first priority should be to make constitutional a lot of legislation passed in the last forty years that is of dubious constitutionality - by a total re-write of Australia's Constitution.

The second priority should be to start Australia on the road towards the ideal republic, delivering higher outcomes for the benefit of the poor and ordinary people.

The third priority should be a reform of financial relations by the introduction of responsible government and democratised budgeting - by a total re-arrangement of government finances.

The fourth priority should be constitutional recognition of citizens' rights by the incorporation of a charter of political and legal process rights to start the Australian Constitution.

My submission giving detailed argument towards the above follows.

I attach a draft Constitution of the Republic of Australia 2020 that makes an attempt to show how these proposals would be implemented.

I ask that this contribution to this issue be considered by the members of parliament on the Committee.

Yours Sincerely,

Andrew Oliver (copy with signature to follow by post.)

1.0 The Problem Of Unconstitutional Legislation

Most of the industrial legislation passed in the last fifteen years is of dubious constitutionality. This is, in part, because the Australian people rejected the Constitution Alteration (Industrial Employment) Bill 1946 and the Constitution Alteration (Incomes) Bill 1973. The old fount of power: "Conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State" is widely discredited by right wing media ridicule of the precept of ambit claims and now has fallen into dis-use. As this power is express and specific there is doubt that even the referral of state powers helps. Corporations Law might be able to deal with the debt precedence of unpaid wages (e.g. the Companies (Consolidation) Act 1909 of England provided that unpaid rates and unpaid wages took precedence over unsecured creditors) but that is not to say that principles that negative clauses take precedence over express and specific clauses, or that express and specific clauses take precedence over general clauses, the basic principles of legislative drafting do not apply. Clearly a constitutional amendment is in order.

The federal governments powers over health are limited, in that the quarantine power does not really cover it all and the growth of federal government taxation revenues and spending power, perhaps necessary during world war II under the defence power, does not really authorise all that is done today because taxation and spending are necessary and expedient powers for the purpose of exercising other powers.

The recent proposal for a resource super profits tax is also of dubious constitutionality because the idea of performing calculations taking into account existing state mining royalties clearly breaches "Taxation, but not so as to discriminate between States or parts of State" in that it discriminates.

The state laws that prevent the free exercise of religions to preach attempting to convert other people breach the general protections of religious freedom in section 116 of the Australian Constitution which I would have thought would make the judges read as common law rights affecting state laws also.

The problem is that the constitution is set in stone and extremely difficult to amend.

A total re-write for the 21st Century is needed; perhaps a constitutional convention?

2.0 The Ideal Republic

Much has been said of the unfairness of 1975 to the reformist left, and many proposals for a republic have been put forward. However most fail to garner support because they do not provide for direct election of the President, propose giving an appointed president wide monarchical reserve powers, or otherwise alarm the poor and ordinary people by trying to establish the bureaucracy or new class as a new meritocratic aristocracy and exclude the ordinary people from having a say. This has been ridiculed by right and left as a politicians' republic.

But the republican ideas of republican spirit, liberty, equality, fraternity and other values associated with the romantic historical overthrows of tyranny starting in ancient Athens resonate to a greater or lesser extent in both the misguided new class and the poor and ordinary people.

How to find a way forward?

3.0 Responsible Government

Buck passing is a problem with three levels of government all trying to blame each other when all three fail to address some social question with a suitable charitable response.

A solution is the theory of responsible government where there is no general financial subsidy flowing from any government to any other government and each government is required to solve its own revenue and expenditure problems by itself.

This would require extensive constitutional amendment to implement.

4.0 Democratised Budgeting

I have read in "New Internationalist" of those who object to their taxes being spent on military adventurism. Many would object to the wasteful expenditure in the "Building the Educational Revolution" project, justified by some as having averted the second great depression in Australia. One could imagine a system of structured non-preferential voting and linear allocation of budget lines to taxes being used to ensure that for the most part each citizen's taxes are spent on things of which they approve. A proposal is incorporated in the attached constitution.

5.0 Citizens' Rights

There are two problems I see with the existing Australian Constitution.

First, the legal doctrine of a legal financial interest prevents citizens from bringing lawsuits against the government even about policies that they strongly object to and that are done in their name.

Second, political freedom and legal process rights are not guaranteed.

A Charter of Citizens' Rights that started the constitution would help to avoid both, together with a general express right for citizens to seek special leave to challenge government actions and policies in the High Court.

I ask that the committee consider the above in its deliberations.

The Constitution of the Republic of Australia Act 2020
(Preamble)

An Act to constitute the Republic of Australia.

Whereas the peoples of New South Wales, Queensland, South Australia, Tasmania, Victoria, Western Australia, and other diverse Territories, have agreed to unite in one indissoluble federal Republic of Australia, and under the Constitution hereby established:

And whereas the said peoples being desirous of high standards of good government, hope springing forth that the establishment of the ideal republic shall settle long held differences and address long unmet needs through the establishment of the Republic as a model of participatory democracy and the utilitarian theory of law with parliamentary institutions mediating an active and involved citizenry:

Be it therefore declared enacted by loud proclamation acclamation and rejoicing by all the peoples, that the peoples of Australia, assembled in spirit, and voting by referendum, carried in every Australian State, and by the authority of the same, as follows:-

Chapter I. Justice And Liberty.

1. Every person born in Australia shall thereby become an Australian citizen, save for the children of occupying foreign military forces, as shall every person born to parents one of whom is an Australian citizen temporarily overseas. The Parliament shall legislate to provide for naturalisation procedures for lawful immigrants, who shall not be deprived of citizenship without cause, and like procedures for permanent emigrants.

2. (Magna Carta)
   (i) No freeman shall be taken or imprisoned, or be disseised of his freehold, or liberties or free customs, or be outlawed or exiled, or any other wise destroyed: nor will we pass upon him, nor condemn him, but by lawful judgment of his peers, or by the law of the land. We will sell to no man, we will not deny or defer to any man either justice or right.
   (ii) For the purpose of this section only the masculine shall include the feminine.

3. Citizens shall be endowed with certain inalienable rights enforceable by any federal state or local court which shall, save for express limitation specified in this Constitution or express limitation through legislative Act carried by the affirmative vote of 55 members of the House of Representatives and 55 senators, be as follows:-
   (i) the right to life:
   (ii) the right to petition parliament:
   (iii) the right to freedom of thought and religious belief:
   (iv) the right and duty to vote, save for run-off elections for lower Houses of Parliament:
   (v) subject to this Constitution, the right to nominate for election:
   (vi) the right to choose to serve or not serve in the naval, the military and the police forces:
   (vii) the right to freedom of speech:
   (viii) the right to freedom of the press:
   (ix) the right to freedom of association:
   (x) the right to peaceably assemble:
   (xi) slavery being abolished, the right of free workers to strike for higher wages:
   (xii) the right to silence:
   (xiii) the right to fair trial:
   (xiv) the right of habeas corpus:
   (xv) the right to legal representation:
   (xvi) the right of personal property:
   (xvii) the right to equality before the law: and
   (xviii) the right of any individual citizen to take legal action or if not possible direct action to defend the Constitution of the Republic of Australia.

4. In respect of trade and commerce and private taxes and industrial relations, the individual citizen shall be equal before the law with no discrimination whatsoever, save for express limitation carried by the affirmative vote of 55 members of the House of Representatives and 55 senators.

5. In respect of government entitlements and public taxes, the individual citizen shall be equal before the law with no discrimination whatsoever, save for express limitation carried by the affirmative vote of 55 members of the House of Representatives and 55 senators.

6. The Republic shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Republic.

7. Subject to this Constitution, the Parliament shall enforce this Chapter with suitable legislation.

Chapter II. The Presidency And Parliament.
Part I. The Presidency.

8. The legislative power of the Republic shall be vested in a Federal Parliament, which shall consist of a President, two Vice Presidents, a Senate, and a House of Representatives, and which is hereinafter called "The Parliament".

9. The President and two Vice Presidents for the time being shall be directly elected for five years by the citizenry by optional proportional representation and the President for the time being shall rotate amongst these three every quarter. This election shall take place on the third Saturday in November in each year that is divisible by five. The candidate for President with the most first preference votes of those elected shall serve first quarter, fourth quarter, seventh quarter, et cetera by rotation, the like candidate with the second most first preference votes of those elected shall serve second, fifth, eighth et cetera the other candidate elected shall serve third, sixth, ninth et cetera mutatis mutandis. Provided that to be a candidate for President of the Republic one must lodge a paper nomination form with no fewer than 1000 citizens' signatures thereon.

10. The President for the time being shall be known as “The President of the Republic” or “The President” and the other two holders on rotation of Presidential office shall be known as “The Vice Presidents.”

11. The President shall have power to:-
    - (i) declare war when absolutely necessary in Defence of the Republic or its Allies, as commander in chief of the naval and military forces of the Republic:
    - (ii) sign peace treaties when absolutely necessary for the Sake of the Republic, to be tabled in both Houses of the Parliament:
    - (iii) sign other treaties with foreign powers, subject to later ratification and adoption by the Parliament:
    - (iv) appoint a Prime Minister from the House of Representatives whenever the Prime Ministership is vacant:
    - (v) dismiss a Prime Minister censured by resolution carried with the affirmative vote of 51 members of the House of Representatives when the President considers it absolutely necessary for the Sake of the Republic, within three months of the said vote:
    - (vi) appoint a Prime Minster nominated as replacement Prime Minister in a no confidence motion in the existing Prime Minister carried with the affirmative vote of 51 members of the House of Representatives, and shall do so unless dissolving both Houses pursuant to subsection (xii) hereof:
    - (vii) sign legislation, to be published and notified as being proclaimed to the citizenry:
    - (viii) veto legislation when absolutely necessary for the Sake of the Republic, subject to being overridden by the affirmative votes of 55 members of the House of Representatives and 55 senators:
    - (ix) suggest amendments to legislation, to be referred back to the Parliament for its consideration:
    - (x) appoint times for holding sessions of the Parliament, provided that 20 members of a House may requisition a session of the said House within thirty days by joint petition to the President for the same:
    - (xi) liaise between the Parliament and the Republican Treasury Trust:
    - (xii) dissolve both the House of Representatives and the Senate after considering and adopting advice of the Prime Minister to the effect that the government business being deadlocked proves it necessary, and shall so dissolve both Houses should the Senate fail to pass the annual appropriation of monies bill - “The Budget” - within one month of receipt by resolution to reject it by 55 votes to the negative:
    - (xiii) appoint Ministers of State to administer departments of state on the advice and recommendation of the Prime Minister, who shall be members of the Federal Executive Council:
    - (xiv) take and confirm resignations of Ministers of State and other officers of the Republic:
    - (xv) note the deaths in office of Ministers of State and other officers of the Republic:
    - (xvi) dismiss a Minister of State named in a successful censure motion in the House of Representatives, and shall so dismiss said Minister should a successful no confidence motion in the House of Representatives that names a replacement Minister of State be carried with the affirmative vote of 51 members of the House of Representatives, the named replacement being appointed save when another replacement is appointed pursuant to subsection (xiii):
    - (xvii) grant leave of absence to a Minister of State for health or other grounds, appointing another Minister of State to carry out any required duties for the term of absence:
    - (xviii) dismiss the Prime Minister or a Minister of State whenever the President considers it absolutely necessary for the Sake of the Republic on the grounds of the said Minister’s ill health:
    - (xix) dismiss other officers of the Republic pursuant to any dismissal provision of any legislative Act:
    - (xx) take and consider and adopt advice from the Federal Executive Council, both in respect of statutory and constitutional responsibilities: and
    - (xxi) make regulations pursuant to Acts of the Parliament as provided for in section 58, after taking and considering advice from the Federal Executive Council.

12. Presidential casual vacancies on the occasion of the death or resignation or impeachment or otherwise of the President shall, other than in times of war, be referred to the electorate in a new election for all three positions, and in times of war the Parliament shall otherwise provide.

13. The President and two Vice Presidents shall during their term of office have the privileges and immunities of senators.

14. The President or one of the Vice Presidents may be removed from office by process of impeachment for treason, bribery, or other high crimes and misdemeanours. Upon indictment by the affirmative vote of 66 members of the House of Representatives, removal from office shall occur if 66 senators vote for impeachment after fair trial.

15. Each elected candidate for President and Vice President shall before taking the oath or affirmation of office nominate one of the other two of the three elected to Presidential office to serve as the said candidates' temporary deputised President for the time being during such times as the said candidate is unable to perform the duties of office owing to illness or other reason.

16. Parliament shall otherwise provide for some Justice of the High Court or Senator to Act as President pending a new election for all three Presidential officers should none of the three persons last elected to Presidential office be able to perform the duties of office.

17. The executive power of the Republic is vested in the President for the time being, and extends to the execution and maintenance of this Constitution, and of the laws of the Republic.

18. The provisions of this Constitution referring to the President in Council shall be construed as referring to the President of the Republic acting with the advice of the Federal Executive Council.

19. No Minister of State shall hold office for a longer period than three months unless the said minister is or becomes a senator or a member of the House of Representatives.

20. Subject to this Constitution, the appointment and removal of all other officers of the Executive Government of the Republic shall be vested in the President in Council, unless the appointment is delegated by the President in Council or by an Act of the Parliament to some other authority trust committee Minister of State university council territorial assembly or the like.

21. The commercial broadcasters of radio television and Internet broadcasting shall provide each candidate for Presidential office with a free half hour advertisement during the recognised campaign period. Each candidate for Presidential office shall submit a policy speech no longer than twenty printed pages which shall be posted to every citizen entitled to vote, the printing and postage being paid out of the Republican Treasury.

Part II. The Senate.

22. The Senate shall be composed of 100 senators elected by optional proportional representation by the citizenry directly with a quota requirement of 1% of first preference votes for political party tickets and 1% for an independent candidate with the whole of Australia being one electorate. This election shall take place on the third Saturday in November in each year that is divisible by five. Where the Senate is dissolved early in a calendar year divisible by five it shall continue to serve as if elected later that year, otherwise it shall be elected to complete the term of the dissolved Senate. Provided that to be a candidate for the Senate one must lodge a paper nomination form for the political party ticket or independent single candidate with no fewer than 1000 citizens' signatures thereon.

23. If the place of a senator becomes vacant before the expiration of the said senator's term, the place shall be filled by count back from the paper ballots, or electronic records taken therefrom.

24. The Senate shall, before proceeding to the dispatch of any other business, choose a senator to be the President of the Senate: and as often as the office of President of the Senate becomes vacant the Senate shall again choose a senator to be the President of the Senate. The President of the Senate shall cease to hold that office if no longer a senator. The President of the Senate may be removed from office by a vote of the Senate, or by resignation addressed to the President of the Republic.

25. Before or during any absence of the President of the Senate, the Senate may choose a senator to perform the requisite duties in the said absence.

26. A senator may resign by writing addressed to the President of the Senate, and the said place shall thereupon become vacant.

27. Every year every senator shall write a one page report to be consolidated into a 100 page Annual Report of the Senate to be delivered by post to every citizen entitled to vote during the July quarter, the printing and postage of which being paid out of the Republican Treasury. Provided that a senator who fails to write such one page reports shall be declared as attainted of treason by the High Court on the application of 1000 constituents entitled to vote.

28. The commercial broadcasters of radio television and Internet broadcasting shall provide each candidate for the Senate who is the Senate leader of a recognised political party with no fewer than two members of the Parliament with a free half hour advertisement during the recognised campaign period. Each candidate for the Senate who is such a said Senate leader shall submit a policy speech no longer than twenty printed pages which shall be posted to every citizen entitled to vote, the printing and postage being paid out of the Republican Treasury.

Part III. The House Of Representatives.

29. The House of Representatives shall be composed of 101 members directly chosen by the citizens of the Republic. In every year divisible by ten a census and redistribution of electoral boundaries shall be conducted, and the number of members chosen in the several States shall be in approximate proportion to the respective numbers of their citizens. For the purpose of this section only the Northern Territory, the Australian Capital Territory, and any other Territories with at least 0.25% of the citizen population shall be treated as states. Provided also that for the purpose of this section no state shall have fewer than two electorates.

30. The House of Representatives shall be elected at elections that shall take place on the third and fourth Saturday in November in each year that is divisible by five. The method of election shall be first past the post in single member electorates with a run-off election the following Saturday where no candidate obtains an absolute majority of the formal votes. Where the House of Representatives is dissolved early in a calendar year divisible by five it shall continue to serve as if elected later that year, otherwise it shall be elected to complete the term of the dissolved House of Representatives. Provided that to be a candidate for the House of Representatives one must lodge a paper nomination form with no less than 25 citizens' signatures.

31. Whenever a vacancy happens in the House of Representatives, the President shall issue the writ for a by-election.

32. The House of Representatives shall, before proceeding to the dispatch of any other business, choose a member to be the Speaker of the House, and as often as the office of Speaker becomes vacant the House shall again choose a member to be the Speaker. The Speaker shall cease to hold office if no longer a member of the House, and may be removed from office by a vote of the House, or may resign as Speaker and maybe also as member as well by writing addressed to the President of the Republic.

33. A member may resign from office by writing addressed to the Speaker, or to the President, and the said members' place shall thereupon become vacant.

34. Every member of the House of Representatives shall convene a quarterly constituency meeting where the said member tables and speaks to a two page printed report and answers questions on notice and questions without notice by constituents.
    Provided that:-
    (i) a member who is overseas on a parliamentary or ministerial delegation totalling more than 60 days may elect to be exempt from this requirement for the respective quarters:
    (ii) this requirement may be suspended in part or whole by the President in the event that recent hostile military action by foreign powers occurs within 100 kilometres of the electorate:
    (iii) where a two page quarterly report is tabled pursuant to this section the member shall arrange the printing of the same and postage to the members' constituency:
    (iv) the entire cost including publicity refreshments printing and postage of the said constituency meetings shall be paid for out of the Republican Treasury: and
    (v) a member who fails to properly convene such meetings shall be declared as attainted of treason by the High Court on the application of 1000 constituents entitled to vote in the said members' election.

35. The commercial broadcasters of radio television and Internet broadcasting shall provide each candidate for the House of Representatives who leads a recognised political party with no fewer than two members of the Parliament with a free half hour advertisement during the recognised campaign period.

36. Each candidate for the House of Representatives shall submit a policy speech no longer than two printed pages which shall be posted to every citizen entitled to vote in the respective constituency, the printing and postage being paid out of the Republican Treasury.

Part IV. Both Houses Of The Parliament.

37. There shall be a session of the Parliament at least once in every quarter, save for in times of violent civil insurrection or in times of war when hostile military action prevents it in the opinion of the President of the Republic.

38. Every senator and every member of the House of Representatives shall before taking office make and subscribe before the President of the Republic an oath or affirmation of allegiance in the form set forth in the schedule to this Constitution.

39. A member of either House of the Parliament shall be incapable of being chosen or of sitting as a member of the other House.

40. Any person who:-
    (i) is under any acknowledgment of allegiance, obedience, or adherence to a foreign power, or is a subject or a citizen or entitled to the rights or privileges of a subject or citizen of a foreign power: or
    (ii) is attainted of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offense punishable under the law of the Republic or of a State by imprisonment for one year or longer:

    shall be incapable of being chosen as or of sitting as a senator or a member of the House of Representatives.

41. If a senator or member of the House of Representatives becomes subject to any of the disabilities mentioned in the last preceding section the place of the said senator or member shall thereupon become vacant.

42. There shall be no public funding of candidates' electoral expenses, other than recognition of the same as income tax deductions to the candidate if met by the candidate, and any other tax deductibility provisions the Parliament thinks fit to make.

43. Candidates eligible to attend the Candidates Convention for the election of the Trustees of the Republican Treasury shall have the privileges and immunities of the House of Representatives from election day till the close of the said conventions' final session.

44. The powers, privileges, and immunities of the Senate and of the House of Representatives, and of the members and the committees of each House, shall be such as are declared by the Parliament, and until declared otherwise shall be those of the House of Commons of the Parliament of the United Kingdom, and of its members and committees, as at 1st January 1901.

45. Subject to this Constitution, each house of the parliament shall establish rules and standing orders with respect to:-
    (i) the mode in which its powers, privileges, and immunities may be exercised and upheld:
    (ii) the order and conduct of its business and proceedings either separately or jointly with the other House:

    and such rules and standing orders shall be carried by the affirmative vote of 55 senators or 55 members of the House of Representatives as the case may be.

46. Wheresoever in this Constitution it provides that a special majority is required of both houses for some Act or other measure to be enacted, that it be carried by the affirmative vote of 55 members of the House of Representatives and 55 senators, it shall suffice for the said special majority purpose if the final and successful third reading of the said Act regulation or other measure in the same terms in each house is carried by the said special majority.

47. All legislative Acts enacted by the Parliament, and all treaties with foreign powers adopted by the Parliament, shall require the special quorums, of 51 members of the House of Representatives, or of 50 senators, as the case may be, to be present when the final third reading vote is made. Provided that this shall not apply to the adoption or disallowal of regulations tabled in the Parliament pursuant to some Act, or to resolutions expressing matters of opinion or sympathy. Provided also that the Parliament shall otherwise provide for quorums for other all other circumstances.

Part V: The Legislative Process.

48. Subject to section 49, no legislative Act of the Federal Parliament shall be longer than 100 paper pages. Such Acts shall be ultra vires. This section shall be entrenched for the sake of good government not amendable save by referendum carried by voters in each and every State.

49. Provided that for the purposes of the preceding section only:-
    (i) the annual appropriation of monies Act - "The Budget":
    (ii) an Act regulating food standards:
    (iii) an Act regulating chemical standards:
    (iv) a customs Act:
    (v) a patents Act:
    (vi) a weights and measures Act:
    (vii) any dangerous materials Act:
    (viii) any manufacturing standards Act:
    (ix) any employment regulation Act pursuant to the Chapter I or section 67 (xxxi):

    may have schedules of described items or data items to the said Act not counted towards this quota of 100 paper pages which for the said Act shall only apply to the main Act not the schedules. This section shall be entrenched for the sake of good government not amendable save by referendum carried by voters in each and every State.

50. This Constitution shall not fully come into force until the legislative statute book both Acts and Regulations have been consolidated in order that Chapter II Part V be fully complied with, but shall apply to the ongoing legislative work of the parliament nevertheless. This section shall be entrenched for the sake of good government not amendable save by referendum carried by voters in each and every State.

51. No regulation to any legislative Act of the Federal Parliament shall be longer than 100 paper pages, save for registers of data items described in some other regulation or form or schedule. Such regulations shall be ultra vires. This section shall be entrenched for the sake of good government not amendable save by referendum carried by voters in each and every State.

52. No legislative Act of the Federal Parliament shall have more than 100 concurrent regulations in force. Such Acts shall be ultra vires. This section shall be entrenched for the sake of good government not amendable save by referendum carried by voters in each and every State.

53. The numbers of members of the Senate and the House of Representatives shall be fixed at 100 and 101 respectively and this section shall be entrenched for the sake of good government not amendable save by referendum carried by voters in each and every State.

54. Wherever in this Constitution it provides that the affirmative vote of 55 members of the House of Representatives and 55 senators is required for some Act of parliament or regulation or other measure, reasonable notice of the special reasons for the use of the said legislative power shall be given in a green paper available at cost to the citizenry, or else the measure shall be ultra vires.

55. Whenever a private bill is considered, the promoters of the measure shall cause reasonable notice of the special reasons for the use of the said legislative power to be given in a green paper available at cost to the citizenry, or else the measure shall be ultra vires.

56. Whenever a private tax is considered, the Minister introducing it, the private member introducing it, or the promoters of the measure if also a private bill, as the case may be, shall cause reasonable notice of the special reasons for the use of the said legislative power to be given in a green paper available at cost to the citizenry, or else the measure shall be ultra vires.

57. Subject to this Constitution, if the Parliament be of the opinion that a judicial decision of any federal court or of any state court exercising federal jurisdiction is wrong in law, and that for the sake of the conciseness and clarity of the law the decision should be overturned by declarative legislation that declares the state of the law for a matter or related matters, then it shall be carried with a requirement of the affirmative vote of 55 members of the House of Representatives and 55 senators.

58. Where the Parliament is of the opinion that it is necessary and expedient that some legislative power, not being a power subject to Chapter II Part V, be delegated to some territorial assembly authority trust committee Minister of State university council or the like, then an Act embodying this delegation shall be carried with a requirement of the affirmative vote of 55 members of the House of Representatives and 55 senators. However, where the delegation is to the President in Council to make regulations pursuant to some Act of the federal parliament the majority required shall be the same as required for the said Act.

59. Where the Parliament is of the opinion that it is necessary and expedient that some piece of legislation have express and limited retrospective effect before the date the legislation is tabled in the Parliament, then it shall be carried with a requirement of the affirmative vote of 55 members of the House of Representatives and 55 senators.

60. Where no fewer than 100 citizens sign a paper petition to the Federal Parliament for the enactment of an Act within the scope of the Federal Parliament's legislative power and the principal petitioners draft it arrange hearings publicise it deal with objections and pay for all the same it shall be classed as a private bill and the Parliament shall appoint a private bill committee of parliamentary backbenchers to deal with the private bill that results and make a recommendation to the House or Representatives and the Senate as to whether it should be proceeded further with, and if so proceeded with, then it shall be carried with a the same majority as required were the measure a public bill promoted by the government.

61. Should any private bill deal with public taxes, or deal with appropriation of public monies from the Republican Treasury it shall be referred by a private bill committee of the House of Representatives to each of the Trustees of the Republican Treasury for their opinion, and not proceeded with unless at least one Trustee can countenance it.

62. Subject to the preceding two sections, any private bill dealing with appropriation of public monies from the Republican Treasury shall be part of a package of two private bills considered together one of which shall impose a public tax or an increase in an existing public tax that is in the opinion of a Trustee of the Republican Treasury sufficient to fund the appropriation measure, and not proceeded with unless such an opinion can be found, and the package of two private bills shall be carried only if:-
    (i) at least one of the Trustees of the Republican Treasury can countenance both bills as a package: and
    (ii) both bills be carried in the same terms with the same majority as required were the measures public bills promoted by the government.

63. Should any private bill attempt to use Parliament’s power of declarative legislation it shall be ultra vires.

64. Should any legislative Act - being an original Act or an Act that amends other Acts - be signed that required the special majority of 55 members of the House of Representatives and 55 senators then that fact and the title and bibliographical details of the respective green paper shall be recorded as a note to the Act and notified together with the Act on proclamation.

65. Legislative Acts that had previously required a special majority of 55 members of the House of Representatives and 55 senators to enact or amend shall require the same special majority to amend, save for when the sole special power required were that of retrospectivity the Act is already proclaimed and no further use of the retrospective power be envisaged.

66. This Part shall not prevent the Parliament from repealing any Act and its regulations in entirety by standard legislative procedure by simple majority, and shall not prevent the President of the Republic notifying and proclaiming the lapsing by express provision of any regulation.

Part VI. Powers of the Parliament.

67. The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Republic with respect to:-
    (i) Trade and commerce:
    (ii) Public taxes, but so as not to discriminate between States or parts of States:
    (iii) Bounties on the production or export of goods, but so that such bounties shall be uniform throughout the Republic:
    (iv) Borrowing money on the public credit of the Republic:
    (v) Postal, telegraphic, telephonic, and other like services:
    (vi) Lighthouses, lightships, beacons and buoys:
    (vii) Astronomical and meteorological observations:
    (viii) Radio and television and broadcast media:
    (ix) Fisheries in Australian waters:
    (x) Census and statistics:
    (xi) Currency, coinage, and legal tender:
    (xii) Banking, the incorporation of banks, and the issue of paper money:
    (xiii) Insurance:
    (xiv) Weights and measures:
    (xv) Bills of exchange and promissory notes:
    (xvi) Bankruptcy and insolvency:
    (xvii) Copyrights, patents of inventions and designs, trademarks and other intellectual property:
    (xviii) Foreign corporations, and trading or financial corporations formed within the limits of the Republic:
    (xix) Marriage, gay and lesbian marriage, and civil unions:
    (xx) Divorce and matrimonial causes: and in relation thereto, parental rights, and the custody and guardianship of infants:
    (xxi) Adoption and surrogacy:
    (xxii) Invalid and old-age pensions:
    (xxiii) Food stamps, benefit payments, and tax exemptions to those in need of food clothing and shelter for whatever reason:
    (xxiv) Higher education, other than state higher education, and subject to Chapter I, regulation of secular private and religious higher education institutions:
    (xxv) Higher education student loans schemes:
    (xxvi) Standards for higher education, including standards for university and technical college entrance, and in relation thereto, curriculum standards for secondary education:
    (xxvii) Civics, in respect of education, state or federal, public or religious or secular private:
    (xxviii) Quarantine, public health measures, health insurance, hospital insurance, but not so as to authorise any form of civil conscription that deprives the patient of choice of practitioner or that requires practitioners to do anything against their individual consciences:
    (xxix) Orderly marketing schemes for primary produce, water resources, and drought assistance:
    (xxx) The protection of the environment:
    (xxxi) Industrial relations, the terms and conditions of employment, but not so as to outlaw common law contracts between individuals individually or collectively and their employers that pay as much or more than community standards and preserve workers' rights to health and personal security as recognised in community standards:
    (xxxii) The service and execution throughout the Republic of the civil and criminal process and the judgments of the courts of the States:
    (xxxiii) The recognition throughout the Republic of the laws, the public Acts and records, and the judicial proceedings of the States:
    (xxxiv) The people of any race, for whom it is deemed necessary to make special laws:
    (xxxv) Naturalisation and citizens of foreign powers:
    (xxxvi) Immigration and emigration:
    (xxxvii) The influx of criminals:
    (xxxviii) External affairs:
    (xxxix) The acquisition of property for valuable consideration by voluntary contract written or verbal from any State or person for any purpose in respect of which the Parliament has power to make laws:
    (xl) The acquisition of property for valuable consideration by express legislative Act from any State or person for any purpose in respect of which the Parliament has power to make laws:
    (xli) The expropriation of property by express legislative Act with or without compensation or payment or any benefit at all for any purpose in respect of which the Parliament has power to make laws, carried by the affirmative vote of 55 members of the House of Representatives and 55 senators and countenanced by at least one of the Trustees of the Republican Treasury both in respect of the type and nature of the property and the legislative purpose the said property is to be applied to:

(xlii) Private taxes, such as blank media royalties, infrastructure levies to private companies building and operating infrastructure, infrastructure levies to companies owned by a State or a local government or a number of local governments building and operating infrastructure, racing clubs rights to royalties from betting agencies, and other like private taxes that relate to any purpose in respect of which the Parliament has power to make laws, carried by the affirmative vote of 55 members of the House of Representatives and of 55 senators:

(xliii) The control of railways with respect to transport for the naval and military purposes of the Republic:

(xliv) The acquisition of any railways of any State, provided that federal railways planned for closure be offered for sale to the States concerned, and then put up for public auction, before closure:

(xlv) Railway construction and extension and operation:

(xlvi) Regulation and funding of interstate state and territorial infrastructure public or private, and in respect of public interstate infrastructure and defence infrastructure, building and owning and operation of such infrastructure:

(xlvii) Administration and collection of public taxes pursuant to a law of a State, passing the entire proceeds net of administrative expense to the State:

(xlviii) Administration and collection of private taxes pursuant to an Act of the Parliament, passing the entire proceeds net of administrative expense to the private or corporate beneficiaries:

(xlix) Conferences of the leaders of the States with a view to the promotion of responsible government and the finding of political solutions to the each State's revenue and debt problems, for each State Parliament and the Parliament to implement in whatever way each thinks fit subject to Chapter III:

(l) Subject to Chapter I, the defence of the inalienable rights of the citizen:

(li) The naval and military defence of the Republic and of the several States, and the control of the forces to execute and maintain the laws of the Republic:

(lii) Matters in respect of which this Constitution makes provision until the Parliament otherwise provides:

(liii) Matters referred to the Parliament of the Republic by the Parliament or Parliaments of any State or States, but so that the law shall extend only to States by whose Parliaments the matter is referred, or which afterwards adopt the law, such laws to be carried by the affirmative vote of 55 members of the House of Representatives and 55 senators:

(liv) Subject to this Constitution, the exercise within the Republic, at the request or with the concurrence of the Parliaments of all the States directly concerned, of any power reserved to the States, such laws to be carried by the affirmative vote of 55 members of the House of Representatives and 55 senators:

(lv) Matters incidental to the execution of any power vested by this Constitution in the Parliament or in either House thereof, or in the Government of the Republic, or in the Republican Treasury Trust, or in the Federal Judicature, or in any department or officer of the Republic.

68. The Parliament shall, subject to this Constitution, have exclusive power to make laws for the peace, order, and good government of the Republic with respect to:-

(i) The seat of the government of the Republic, and all places acquired by the Republic for public purposes:

(ii) Territories of the Republic:

(iii) Matters relating to any department of the public service the control of which is by this Constitution transferred to the Executive Government or the Republic:

(iv) Other matters declared by this Constitution to be within the exclusive power of the Parliament.

Chapter III. The Republican Treasury.

Part I. Trustees of Republican Treasury.

69. Not later than three months after a Federal Election there shall be a Candidates Convention to elect the Trustees of the Republican Treasury. All members of the Senate and the House of Representatives shall be eligible to stand for Trustee of the Republican Treasury, provided that:-
    (i) not more than three members of any recognised political party can stand: and
    (ii) Ministers of State and their parliamentary secretaries are ineligible.

70. Voting shall be by non-preferential ballot, with each candidate for President, the Senate, and the first round of the House of Representatives election having as many votes as first preferences. Every candidate for Trustee receiving more than 1000 votes shall be elected to hold office as a Trustee with that number of votes on the Republican Treasury Trust for a term of five years.

71. Trustees may seek re-election whether or not re-elected to Parliament.

72. Trustees shall nominate another person of those eligible to stand for election to take the Trustee's place should the Trustee resign or die or for whatever other reason the said Trustee's office should become vacant.

Part II. Protocol for Trustees of Republican Treasury.

73. Proposed laws appropriating revenue or moneys, or imposing public taxes fines license fees or royalties, shall be referred to each of the Trustees of the Republican Treasury for their sincere opinion as to whether the said Trustee can countenance that form of expenditure or taxation.

74. A proposed law borrowing monies on the public credit of the Republic for express specific purpose shall be referred to each of the Trustees of the Republican Treasury for their sincere opinion as to whether the said Trustee can countenance borrowing said monies for that said purpose.

75. A proposed law establishing a government business corporation for express specific purpose shall be referred to each of the Trustees of the Republican Treasury for their sincere opinion as to whether the said Trustee can countenance borrowing said monies for that said purpose.

76. The accounts of the Republican Treasury shall be kept in such fashion as to linearly allocate revenues to nominal accounts of those Trustees who can countenance the relevant public tax fine license fee or royalties likewise linearly to the number of votes held by each of those Trustees.

77. The accounts of the Republican Treasury shall be kept in such fashion as to linearly allocate expenditures from nominal accounts of those Trustees who can countenance the relevant legislative purpose likewise linearly to the number of votes held by each of those Trustees.

78. The accounts of the Republican Treasury shall be kept in such fashion as to linearly allocate borrowed monies to nominal accounts of those Trustees who can countenance the relevant legislative purpose likewise linearly to the number of votes held by each of those Trustees.

79. The accounts of the Republican Treasury shall be kept in such fashion as to linearly allocate monies received from a government business corporation being sold to private owners or a State or States to nominal accounts of those Trustees who can countenance the relevant legislative purpose of establishment likewise linearly to the number of votes held by each of those Trustees.

80. The accounts of the Republican Treasury shall be kept in such fashion as to linearly allocate monies received from asset sales of government assets held in the name of the Republic being sold to private owners, or to a State or States, to the nominal accounts of those Trustees who can countenance the relevant legislative purpose of what the asset was purchased for or developed for or established for likewise linearly to the number of votes held by each of those Trustees.

81. Where a Trustee of the Republican Treasury has nominal accounts in deficit and the Trustees are unable to agree by consensus to that deficit, then that Trustee shall nominate a proportion of their expenditures as unavoidable excess, such excess shall be authorized by an Act carried with a requirement of the affirmative vote of 55 members of the House of Representatives and 55 senators.

82. A Trustee who does not seek re-election shall nominate one or more of the just elected Trustees to take responsibility for any balance in the former Trustee's Republican Treasury account, to be allocated linearly to the number of votes held by each of those just elected Trustees.

Part III. The Parliament and Finance

83. The Parliament may grant financial assistance to any State on such terms and conditions as the Parliament thinks fit, provided that all financial assistance shall be for express specific purpose pursuant to the powers of the Parliament of Chapter II Part VI, and provided that each state shall be responsible for any shortfall in that state's general revenue. Each express specific purpose shall be countenanced in the sincere opinion of a Trustee of the Republican Treasury.

84. The Parliament shall not prevent any State Parliament from imposing a state income tax, state sales tax, state estate duties, state gift duties, state excise duties, state stamp duties, and shall keep federal public taxes at a level where each of the States can by these and other state public taxes finance the annual state budget.

85. Proposed laws appropriating revenue or moneys, or imposing public taxes, shall not originate in the Senate. But a proposed law shall not be taken to appropriate revenue or moneys, or to impose public taxes, by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the demand or payment or appropriation of fees for licenses, or fees for services under the proposed law.

86. The Senate may not amend proposed laws imposing public taxes, or the annual appropriation of monies bill.

87. The Senate may at any stage return to the House of Representatives any proposed law which the Senate may not amend, requesting, by message, the omission or amendment of any items or provisions therein. And the House of Representatives may, if it thinks fit, make any of such omissions or amendments, with or without modifications.

88. Except as provided in this Chapter and section 61, the Senate shall have equal power with the House of Representatives in respect of all proposed laws.

89. The annual appropriation of monies bill - "The Budget" - shall deal only with such appropriation. Provided that whenever the Senate fails to pass it within one month of receipt from the House of Representatives and does not reject it by a resolution of 55 votes to the negative it may be signed into law by the President of the Republic notwithstanding.

90. Laws imposing public taxes shall deal only with the imposition of public taxes, and any provision therein dealing with any other matter shall be of no effect, and the names of the Trustee or Trustees of the Republican Treasury who have countenanced that form of public taxation shall be communicated by message of the President to both Houses when first tabled there.

91. Laws imposing public taxes, except laws imposing duties of customs or of excise, shall deal with one subject of taxation only: but laws imposing duties of customs shall deal with duties of customs only, and laws imposing duties of excise shall deal with duties of excise only.

92. A vote, resolution, or proposed law for the appropriation of revenue or moneys shall not be passed unless the purpose of the appropriation has in the same session been recommended in favour or recommended against by message of the President to the House in which the proposal is dealt with, together with the names of the Trustee or Trustees of the Republican Treasury who have countenanced that purpose.

93. No money shall be drawn from the Republican Treasury except under appropriation made by law and by this Constitution.

94. Whenever it is in the sincere opinion of a Trustee of the Republican Treasury that a taxation or like measure be so excessive in effect on the citizenry or classes thereof as to constitute expropriatory taxation, and no fewer than 40 senators agree in all good faith and sincerity in giving speeches in opposition, the measure shall be declared to be expropriatory taxation pursuant to section 67 (xli) and shall require the affirmative vote of 55 members of the House of Representatives and 55 senators to be enacted or else be ultra vires.

Chapter IV. The Judicature.

95. The judicial power of the Republic shall be vested in a Federal Supreme Court, to be called the High Court of Australia, and in such other federal courts as the Parliament creates, and in such other courts as it invests with federal jurisdiction. The High Court shall consist of a Chief Justice and no fewer than six other Justices.

96. The Justices of the High Court and of the other courts created by the Parliament shall:-
    (i) be appointed by the President in Council:
    (ii) not be removed except by the President in Council, on an address from both Houses of the Parliament in the same session, praying for such removal on the ground of proved misbehaviour or incapacity, or requested resignation:
    (iii) receive such remuneration as the Parliament may fix: but the remuneration shall not be diminished during their continuance in office.

97. A Justice of the High Court or of a court created by the Parliament may resign the said office by writing to the President of the Republic.

98. A reference in this section to the appointment of a Justice of the High Court or of a court created by the Parliament shall be read as including a reference to the appointment of a person who holds office as a Justice of the High Court or of a court created by the Parliament to another office of Justice of the same court having a different status or designation.

99. The Full Bench of the Justices of the High Court sitting together shall have jurisdiction, with such exceptions and subject to such rules as the High Court adopts, to hear and determine appeals by special leave from all judgments, decrees, orders, and sentences:-
    (i) Of any Justice or Justices exercising the original jurisdiction of the High Court:
    (ii) Of any other federal court, or court exercising federal jurisdiction: or of the Supreme Court of any State:

    and the judgment of the High Court in all such cases shall be final and conclusive, save for when retrospective declarative legislation pursuant to Chapter II Part V is enacted by the Federal Parliament by the affirmative vote of 55 senators and 55 members of the House of Representatives, the High Court is declared to be wrong in law, the true state of the law is forthwith declared, and the appeal is referred back to the Full Bench of the High Court for re-determination.

100. But no exception or High Court rule or law made by the Parliament shall prevent the High Court from hearing and determining any appeal from the Supreme Court of a State in any matter.

101. In all matters:-
    (i) Arising under this Constitution, or involving its interpretation:
    (ii) Arising under any treaty:
    (iii) Affecting consuls or other representatives of other countries:
    (iv) In which the Republic, or a person suing or being sued on behalf of the Republic, is a party:
    (v) Between States, or between residents of different States, or between a State and a resident of another State:
    (vi) In which a writ of Mandamus or prohibition or an injunction is sought against an officer of the Republic:

    the High Court shall have original jurisdiction.

102. The Parliament may make laws conferring original jurisdiction on the High Court in any matter:-
    (i) Arising under any laws made by the Parliament:
    (ii) Of Admiralty and maritime jurisdiction:
    (iii) Relating to the same subject-matter claimed under the laws of different States.

103. Every citizen shall have the right to seek without application fee typed written special leave to bring action in the High Court in relation to any matter:-
    (i) Arising under this Constitution, or involving its interpretation, claiming that a law of the Parliament, or of a state Parliament, is unconstitutional:
    (ii) Arising under this Constitution, or involving its interpretation, claiming that a law of the Parliament, or of a state Parliament, breaches the inalienable rights of the citizen as declared in Chapter I, or otherwise breaches Chapter I, and that any express limitation of rights was not carried by the requisite Constitutional process:
    (iii) Arising under this Constitution, or involving its interpretation, claiming that a law of the Parliament, or of a state Parliament, was, though Constitutional in itself, enacted through an unconstitutional process:

    and the High Court shall deal with such special leave applications appropriately and with due consideration. Provided that the said citizen may be levied with court costs should the said citizen's special leave application fail or court action fail, and if in addition the court declares the said citizen a vexatious litigant the said citizen may be levied a special leave application fee.

104. With respect to any of the matters mentioned in the last three sections the Parliament may make laws:-
   (i) Defining the jurisdiction of any federal court other than the High Court:
   (ii) Defining the extent to which the jurisdiction of any federal court shall be exclusive of that which belongs to or is invested in the courts of the States:
   (iii) Investing any court of a State with federal jurisdiction.

105. Subject to this Chapter, the Parliament may make laws conferring rights to proceed against the Republic or a State in respect of matters within the limits of the judicial power.

106. The federal jurisdiction of any court may be exercised by such number of judges as the Parliament prescribes or the said courts' rules prescribe.

107. The Parliament shall establish by law a Federal Magistrates' Court as a low cost jurisdiction and further define by legislative provision this courts' jurisdictional power provided that in the said Federal Magistrates' Court every plaintiff and every defendant shall only meet the said plaintiffs' or said defendants' own court costs in every matter, save when the court declares any party a vexatious litigant.

Chapter V. Trade and Commerce.

108. Subject to this Chapter and to section 67 (xlii) and section 67 (xlvi), trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free of tariffs, bounties, and like taxes levies and payments.

109. The power of the Parliament to make laws with respect to trade and commerce extends to navigation and shipping, and to railways the property of any State, corporation, or natural person.

110. The Republic shall not, by any law or regulation of trade, commerce, or revenue, give preference to one State or any part thereof over another State or any part thereof.

111. A State may levy on imports or exports, or on goods passing into or out of the State such charges as may be necessary for executing the inspection laws of the State: and any such inspection laws may be annulled by the Parliament.

112. A State shall not, without the consent of the Parliament, impose any tax on property of any kind belonging to the Republic, nor shall the Republic impose any tax on property of any kind belonging to a State. Provided that levies and public taxes and private taxes designed to facilitate efficiencies in the economy or for the sake of preserving the environment may be exempt from this section by express declaration, and any such exemptions in State laws may be annulled by the Parliament.

Chapter VI. The States.

113. The Constitution of each State of the Republic shall, subject to this Constitution, continue as at the establishment of the Republic, or as at the admission or establishment of the State, as the case may be, until altered in accordance with the Constitution of the State.

114. The Constitution of each State of the Republic shall provide that each electorate for the House of Representatives shall be divided every ten years at the time of census into a number of Legislative Assembly single member electorates, in order that each state have between 14 and 86 Legislative Assembly members.

115. Each state shall also have a Legislative House of Review elected by optional proportional representation with between 14 and 25 members elected with the state voting as a single electorate.

116. Every power of the Parliament of a State of the Commonwealth of Australia which has become or becomes a State of the Republic of Australia, shall, unless it is by this Constitution exclusively vested in the federal Parliament or withdrawn from the Parliament of the State, continue as at the establishment of the Republic, or as at the admission or establishment of the State, as the case may be.

117. Every federal law in force in the Commonwealth of Australia, and the standing orders of the federal Parliament, shall, subject to this Constitution, continue in force in the Republic.

118. Every law in force in a State of the Commonwealth of Australia which has become or becomes a State of the Republic of Australia, and relating to any matter within the powers of the federal Parliament, shall, subject to this Constitution, continue in force in the State: and, until provision is made in that behalf by the federal Parliament, the Parliament of the State shall have such powers of alteration and of repeal in respect of any such law as the Parliament of the State had heretofore.

119. When a law of a State is inconsistent with a law of the Republic, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

120. The Republic shall protect every State against invasion and against violent civil insurrection. A State shall not, without the consent of the federal Parliament, raise or maintain any naval or military force.

121. Full faith and credit shall be given, throughout the Republic to the laws, the public Acts and records, and the judicial proceedings of every State.

122. Every State shall make provisions for the detention in its prisons of persons accused or convicted of offenses against the laws of the Republic, and for the punishment of persons convicted of such offenses, and the Federal Parliament may make laws to give effect to this provision.

Chapter VI. New States.

123. The Parliament may admit to the Republic or establish new States, and may upon such admission or establishment make or impose such terms and conditions as it thinks fit.

124. The Parliament may, with the consent of the Parliament of a State, and the approval of the majority of the electors of the State voting upon the question, increase, diminish, or otherwise alter the limits of the State, upon such terms and conditions as may be agreed on, and may, with the like consent, make provision respecting the effect and operation of any increase or diminution or alteration of territory in relation to any other State affected.

125. A new State may be formed by separation of territory from a State, but only with the consent of the State Parliament thereof, and a new State may be formed by the union of two or more States or parts of States, but only with the consent of the Parliaments of the States affected.

126. The new States and new Territories established or acquired pursuant to this Chapter may be represented in the Parliament as and when a census in a year divisible by ten do cause and establish new boundaries to be made for single member electorates in the House of Representatives and Legislative Assemblies.

Chapter VII. Miscellaneous.

127. The seat of Government of the Republic shall be Canberra, in the Australian Capital Territory, save for when hostile military action forces the temporary relocation of the said seat of Government.

128. Throughout each State and Territory there shall be a system of local government, save for uninhabited areas. Subject to this Constitution and the legislative Statutes of the States, the Mayors and Councillors of each local government area howsoever described may be paid allowances from the Republican Treasury to represent local issues should monies be appropriated for that purpose.

129. Subject to this Constitution, the Parliament may make provision by law for citizens residing in unrepresented Territories or citizens temporarily residing overseas to vote in elections or referenda by registering them to vote in such manner as it thinks fit.

Chapter VIII. Alteration Of The Constitution.

130. This Constitution shall not be altered except in the following manner:-

The proposed law for the alteration thereof must be passed by a majority of 55 members of each House of the Parliament, or alternatively be petitioned for by no less than one million citizens' signatures in a paper petition that shows expressly the proposed alterations in printed detail, and not less than two nor more than six months after said passage through both Houses, or said tabling in both Houses of said petition, the proposed law shall be submitted in each State and Territory to the citizenry.

When such a proposed law that alters the text of this Constitution by express provision is submitted to the electors, the vote shall be taken in such manner as the Parliament prescribes.

And if in a majority of the States a majority of the electors voting approve the proposed law, and if a majority of all the electors voting also approve the proposed law, it shall be presented to the President, who shall sign it unless invalid pursuant to the following two clauses.

No alteration increasing, diminishing, or otherwise altering the limits of any State shall become law unless the majority of the electors voting in the affected States approve the proposed law.

No alteration affecting in any manner the provisions relating to increasing, diminishing, or otherwise altering the limits of the States, or affecting any section entrenched for the sake of good government, shall become law unless the majority of the electors voting in each and every State approve the proposed law.

Schedule.

OATH

I, A.B., do swear that I will be faithful and bear true allegiance to the Republic of Australia, and to defend the Constitution of the Republic of Australia, according to law. SO HELP ME GOD!

AFFIRMATION

I, A.B., do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to the Republic of Australia, and to defend the Constitution of the Republic of Australia, according to law.