

THE CONSTITUTION



From the first settlement of Europeans until 1901 Australia consisted of six separate colonies. The British parliament and government ruled each independently.

In the late 1800's a civic movement grew to unite these colonies into one federal government. Public conventions were held in each colony. Over nearly a decade, the colonies each sent representatives to Melbourne several times to convene on the writing of a draft Constitution. When all colonies finally agreed upon the rules and regulations of the Constitution it was sent to London as a Bill to be put before the British Parliament.

The Australian Constitution was passed as a British Act of Parliament in 1900 and came into force on 1 January 1901. The Commonwealth of Australia Constitution Act is an Act of the Parliament of the United Kingdom at Westminster in 1900.

The Constitution: Chapter I. The Parliament

1. The legislative power of the Commonwealth shall be vested in a Federal Parliament, which shall consist of the Queen, a Senate, and a House of Representatives, and which is herein-after called "The Parliament," or "The Parliament of the Commonwealth. "

In relinquishing Australia to a self-governing federation, allowance was made in the Constitution for the continued power and influence of the British Royalty.

The Constitution: Chapter I. The Parliament

2. A Governor-General appointed by the Queen shall be Her Majesty's representative in the Commonwealth, and shall have and exercise in the Commonwealth during the Queen's pleasure, but subject to this Constitution, such powers and functions of the Queen as Her Majesty may be pleased to assign to him.

The Australian Constitution is comprised of 128 sections. It decrees, by a set of legal principles, all aspects of how our nation is governed – such as the structure and processes of Parliament, the power distribution of Parliament as well as the role of the Queen as head of state and the judicial function of the High Court.

Each section of the Constitution refers to a different and significant point of law affecting the country's citizens. These include all civic facets of the nation for example defence, trade, taxes, immigration, marriage, divorce, capital punishment and even postal services. A referendum, that is the compulsory voting of each citizen over the age of 18 years of age, is the only way a law within the constitution may be changed. For a law to be changed, a referendum must result in a majority of voters in a majority of states across the nation.

The Australian Constitution can be viewed and downloaded from the Australian Parliament house website <http://www.aph.gov.au/senate/general/constitution/index.htm>