

The Bill.

58. When a proposed law passed by both Houses of the Parliament is presented to the Governor-General for the Queen's assent, he shall declare, according to his discretion, but subject to the Constitution, that he assents, in the Queen's name, or that he withholds assent, or that he reserves the law for the Queen's pleasure,

The Governor-General may return to the House in which it originated any proposed law so presented to him, and may transmit therewith any amendments which he may recommend, and the Houses may deal with the recommendation.

59. The Queen may disallow any law within one year from the Governor-General's assent, and such disallowance, on being made known by the Governor-General, by speech or message to each of the Houses of the Parliament, or by Proclamation, shall annul the law from the day when the disallowance is so made known.

60. A proposed law reserved for the Queen's pleasure shall not have any force unless and until within two years from the day on which it was presented to the Governor-General for the Queen's assent the Governor-General makes known, by speech or message, to each of the Houses of the Parliament, or by Proclamation, that it has received the Queen's assent.

CHAPTER II.—THE EXECUTIVE GOVERNMENT.

61. The executive power of the Commonwealth is vested in the Queen, and is exercisable by the Governor-General as the Queen's representative, and extends to the execution and maintenance of this Constitution, and of the laws of the Commonwealth.

62. There shall be a Federal Executive Council to advise the Governor-General in the government of the Commonwealth, and the members of the Council shall be chosen and summoned by the Governor-General, and sworn as Executive Councillors, and shall hold office during his pleasure.

63. The provisions of this Constitution referring to the Governor-General in Council shall be construed as referring to the Governor-General acting with the advice of the Federal Executive Council.

64. The Governor-General may appoint officers to administer such Departments of State of the Commonwealth as the Governor-General in Council may establish.

Such officers shall hold office during the pleasure of the Governor-General. They shall be members of the Federal Executive Council, and shall be the Queen's Ministers of State for the Commonwealth.

After the first general election no Minister of State shall hold office for a longer period than three months, unless he is or becomes a senator or a member of the House of Representatives.

65. Until the Parliament otherwise provides, the Ministers of State shall not exceed seven in number, and shall hold such offices as the Parliament prescribes, or, in the absence of provision, as the Governor-General directs.

66. There shall be payable to the Queen, out of the Consolidated Revenue Fund of the Commonwealth, for the salaries of the Ministers of State, an annual sum which, until the Parliament otherwise provides, shall not exceed twelve thousand pounds a year.

Explanation.

by both Houses, and shall be presented to the Governor-General for the Queen's assent.

The Governor-General may assent to a Bill passed by both Houses in the Queen's name, or he may reserve the Bill for the Queen's pleasure. This power he exercises according to his discretion, because, in so doing, he exercises the Queen's prerogative. (See Executive Government.) The Governor-General, on receipt of a Bill passed by both Houses, may return the same to the House in which it originated recommending amendments. This is a useful power, and is copied from the Victorian constitution. Within one year from the Governor-General's assent to a Bill the Queen may disallow any law, and thereupon it is annulled by Proclamation. If a Bill is reserved for the Queen's pleasure, it remains inoperative until the Queen's assent is made known. If such assent is not given to the Bill within two years of its presentation to the Governor-General the Bill is deemed to have been vetoed.

Sections 61 to 66.

The Queen is not only a branch of the Federal Legislature; Her Majesty, as in Great Britain, is the supreme Executive of the Commonwealth. Her executive power is exercisable by her representative, the Governor-General. In the government of the Commonwealth the Governor-General is advised by a Federal Executive Council, and he cannot ordinarily act without such advice. There are, however, certain prerogative powers vested in the Governor-General, as to the exercise of which he is not actually bound by law to act on the advice of the Executive Council—such, for instance, as (1) the assent to and reservation of Bills (section 58); (2) the power to dissolve Parliament (sections 5 and 57); (3) the choice of Executive Councillors (section 62). Sections providing that the "Governor-General" may do certain things generally relate to prerogative acts. Where the expression "Governor-General in Council" is used it relates to statutory acts. With the above-named exceptions, however, the Governor-General would ordinarily be bound to act on the advice of the Executive Council, even with reference to matters relating to the prerogative.

Officers may be selected from the Executive Council, not exceeding seven in number, to administer the departments of the Commonwealth. They are called the "Queen's Ministers of State." Such Ministers must, except in certain cases, be members of the Federal Parliament. The Executive Council will, of course include all those gentlemen who have at any time been summoned to assume Ministerial office. But only those will be required to attend ordinary meetings of the Council who are actually holding office in the Commonwealth.

These clauses contain a direct recognition of the system of responsible government. It will be noticed that there is no mention of the "cabinet." The "cabinet" is not known to the law. Ministers meet in cabinet privately, apart from and in the