

The Bill.**Explanation.**

tion makes provision until the Parliament otherwise provides ;

- (37.) Matters referred to the Parliament of the Commonwealth 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 ;
- (38.) The exercise within the Commonwealth, at the request or with the concurrence of the Parliaments of all the States directly concerned, of any power which can at the establishment of this Constitution be exercised only by the Parliament of the United Kingdom or by the Federal Council of Australasia ;
- (39.) Matters incidental to the execution of any power vested by this Constitution in the Parliament or in either House thereof, or in the Federal Judicature, or in any department or officer of the Commonwealth.

52. The Parliament shall, subject to this Constitution, have exclusive power to make laws for the peace, order, and good government of the Commonwealth with respect to—

- (1.) The seat of government of the Commonwealth, and all places acquired by the Commonwealth for public purposes ;
- (2.) Matters relating to any department of the public service the control of which is by this Constitution transferred to the Executive Government of the Commonwealth ;
- (3.) Other matters declared by this Constitution to be within the exclusive power of the Parliament.

53. Proposed laws appropriating revenue or moneys, or imposing taxation, shall not originate in the Senate. But a proposed law shall not be taken to appropriate revenue or moneys, or impose taxation, 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 or licenses, or fees for service under the proposed law.

The Senate may not amend proposed laws imposing taxation, or proposed laws appropriating revenue or moneys for the ordinary annual services of the Government.

The Senate may not amend any proposed law so as to increase any proposed charge or burden on the people.

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 such omissions or amendments, with or without modifications.

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

Section 52.

This section provides that the Federal Parliament shall have “exclusive” power to make laws with respect to certain subjects—such as the seat of government, public departments taken over from the States, and other matters declared by the Constitution to be within its exclusive power. It has been mentioned that there are certain powers enumerated in section 51 which should be considered as exclusively belonging to the Federal Parliament. Turning to section 90, it will be seen that, on the imposition of uniform duties of customs, the power to impose duties of customs, and to grant bounties on production and export of goods, becomes exclusive in the Federal Parliament. By section 86 the collection of customs and excise duties passes to the Commonwealth on the establishment of the Commonwealth, and thus becomes an exclusive power. By section 110, territory surrendered by a State of the Commonwealth becomes subject to the exclusive jurisdiction of the Commonwealth.

Sections 53 to 56.

An ordinary “money Bill” is a Bill which appropriates public money or imposes taxation. Such a Bill must originate in the House of Representatives and not in the Senate. A Bill appropriating public money could not be passed even by the House unless for a purpose recommended by a message of the Governor-General. To these general rules there are certain qualifications. The Senate could originate a Bill containing provisions, say, relating to weights and measures, quarantine, census, and statistics. In such a Bill it might be necessary to impose the appropriate fines for offences against the federal law ; it might name a fine and give it to a common informer. The Senate could do that. So also a Bill could originate in the Senate dealing with fisheries beyond territorial waters. The Senate could impose fees for licenses to fish and apply such fees to the use of a fishery board. So a Bill could originate in the Senate dealing with the service and execution of civil and criminal process throughout the Commonwealth. The Senate could insert a schedule of fees to be paid the federal officers for service of such process. But no Bill containing even such trifling impositions or appropriations as these could pass the Senate unless the Senate received a message from