

INTRODUCTORY NOTE.

BETWEEN December, 1895, and October, 1896, Enabling Acts were passed by the Parliaments of the five colonies of New South Wales, Victoria, South Australia, Western Australia, and Tasmania, to enable those colonies to take part in the framing, acceptance, and enactment of a Federal Constitution for Australasia.

In accordance with those Acts, each of the colonies elected ten representatives to a Convention charged with the duty of framing a Federal Constitution for Australasia. The convention sat in Adelaide from the 22nd March to the 5th May, 1897, and framed a draft Constitution, which was then submitted for consideration to each House of Parliament in each of the five colonies. The Convention sat again in Sydney from the 2nd September to the 24th September, 1897, and in Melbourne from the 20th January to 17th March, 1898, and reconsidered the draft Constitution, together with the amendments suggested by the various legislatures. The Convention finally adopted a Federal Constitution on the 16th March, 1898.

Under the Enabling Acts, the Constitution is now to be submitted to the electors of the five colonies for acceptance or rejection by direct vote. If three or more colonies accept the Constitution, the Houses of Parliament of those Colonies may adopt addresses to the Queen, praying that the Constitution may be passed into law by the Imperial Parliament.

If the Constitution is rejected in any colony, no further action is to be taken in that colony under the Enabling Act.

The majority of votes is to decide the question; but in New South Wales the Constitution is to be taken to be rejected if there are less than 80,000 affirmative votes; in Victoria, if there are less than 50,000 affirmative votes; in Western Australia and in Tasmania, if there are less than 6,000 affirmative votes.

The Constitution is framed in the form of a Bill to be passed by the Imperial Parliament, and in this Bill the Constitution itself is preceded by nine "covering clauses," which provide for all the steps necessary to bring the Constitution into force.

THE BILL.

EXPLANATION.

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DRAFT OF A BILL TO CONSTITUTE THE
COMMONWEALTH OF AUSTRALIA.

PREAMBLE.

WHEREAS the people of [*Here name the colonies which have adopted the Constitution*], humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble federal commonwealth under the Crown of the United Kingdom of Great Britain and Ireland, and under the Constitution hereby established: And whereas it is expedient to provide for the admission into the Commonwealth of other Australasian Colonies and possessions of the Queen:

BE IT THEREFORE ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in the present Parliament assembled, and by the authority of the same, as follows:—

I. This Act may be cited as "The Commonwealth of Australia Constitution Act."

II. This Act shall bind the Crown, and its provisions referring to the Queen shall extend to Her Majesty's heirs and successors in the sovereignty of the United Kingdom.

III. It shall be lawful for the Queen, with the advice of the Privy Council, to declare by Proclamation that, on and after a day therein appointed, not being later than one year after the passing of this Act, the people of [*Here name the colonies which have adopted the Constitution*] shall be united in a Federal Commonwealth under the name of

Preamble.—The Preamble states that the people of [*the federating colonies*] have agreed to unite in a permanent Federal Commonwealth, under the British Crown, and under this Constitution.

I. *Title.*—This Act is to be called "The Commonwealth of Australia Constitution Act."

II. *The Crown.*—This Act is to be binding on the Crown. References to "the Queen" extend to the King or Queen for the time being.

III. and IV. *Establishment of the Commonwealth.*—The Queen is to make a Proclamation fixing a day for the Federal Constitution to come into force. The day so fixed must not be later than one year after the passing of the Act.

On the day so fixed the people of the colonies which accept the Constitution will become united in a Federal Commonwealth.