

The Bill.	Explanation.
<p>(4.) Borrowing money on the public credit of the Commonwealth ;</p> <p>(5.) Postal, telegraphic, telephonic, and other like services ;</p> <p>(6.) The naval and military defence of the Commonwealth and of the several States, and the control of the forces to execute and maintain the laws of the Commonwealth ;</p> <p>(7.) Lighthouses, light-ships, beacons and buoys ;</p> <p>(8.) Astronomical and meteorological observations ;</p> <p>(9.) Quarantine ;</p> <p>(10.) Fisheries in Australian waters beyond territorial limits ;</p> <p>(11.) Census and statistics ;</p> <p>(12.) Currency, coinage, and legal tender ;</p> <p>(13.) Banking, other than State banking ; also State banking extending beyond the limits of the State concerned, the incorporation of banks, and the issue of paper-money ;</p> <p>(14.) Insurance, other than State insurance ; also State insurance extending beyond the limits of the State concerned ;</p> <p>(15.) Weights and measures ;</p> <p>(16.) Bills of exchange and promissory-notes ;</p> <p>(17.) Bankruptcy and insolvency ;</p> <p>(18.) Copyrights, patents of inventions and designs, and trade-marks ;</p> <p>(19.) Naturalisation and aliens ;</p> <p>(20.) Foreign corporations, and trading or financial corporations formed within the limits of the Commonwealth ;</p> <p>(21.) Marriage ;</p> <p>(22.) Divorce and matrimonial causes ; and in relation thereto, parental rights, and the custody and guardianship of infants ;</p> <p>(23.) Invalid and old-age pensions ;</p> <p>(24.) The service and execution throughout the Commonwealth of the civil and criminal process and the judgments of the Courts of the States ;</p> <p>(25.) The recognition throughout the Commonwealth of the laws, the public acts and records, and the judicial proceedings of the States ;</p> <p>(26.) The people of any race, other than the aboriginal race in any State, for whom it is deemed necessary to make special laws ;</p> <p>(27.) Immigration and emigration ;</p> <p>(28.) The influx of criminals ;</p> <p>(29.) External affairs ;</p> <p>(30.) The relations of the Commonwealth with the islands of the Pacific ;</p> <p>(31.) The acquisition of property on just terms from any State or person for any purpose in respect of which the Parliament has power to make laws ;</p> <p>(32.) The control of railways with respect to transport for the naval and military purposes of the Commonwealth ;</p> <p>(33.) The acquisition, with the consent of a State, of any railways of the State on terms arranged between the Commonwealth and the State ;</p> <p>(34.) Railway construction and extension in any State with the consent of that State ;</p> <p>(35.) Conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State ;</p> <p>(36.) Matters in respect of which this Constitu-</p>	<p>to some matters, is scarcely correct with respect to others included in this section.</p> <p>Subsection (1), relating to "trade and commerce," conveys an enormous power. It gives control over every form of traffic, intercourse, and communication between States and throughout States, including roads, railways, rivers, and other waterways, also control over shipping and navigation. It enables the federal authority to follow trade and commerce throughout the Commonwealth ; to supervise and protect it ; promote and encourage it ; increase facilities, and remove impediments and obstructions that interfere with freedom and equality of trade. It was under words similar to these, and without express provisions, that the United States Congress created an Interstate Commerce Commission. These powers, however, will not come into full force and effect until the imposition of uniform federal Customs duties, some time within two years after the establishment of the Commonwealth, when trade and intercourse among the States becomes absolutely free under section 92.</p> <p>"Taxation" may be direct or indirect, but it must be uniform in its incidence and application throughout the Commonwealth. The imposition of a direct tax by the Federal Parliament upon any subject-matter would not interfere with the right of the States to impose similar taxation within their own limits.</p> <p>"Bounties" must be read in conjunction with section 91, which gives limited powers for the same purpose to the States.</p> <p>"Borrowing money" on federal credit ought strictly speaking to have been placed among the "exclusive" powers. States have no such power.</p> <p>"Postal, telegraphic, and telephone" service. See section 69.</p> <p>"Naval and military defence." See section 69.</p> <p>"Lighthouses," &c. See section 69.</p> <p>"Quarantine." See section 69.</p> <p>"Fisheries in Australian waters beyond territorial limits" should have been placed among "exclusive" powers. States have no such power.</p> <p>"Census and statistics" and "currency and coinage," &c., &c., are instances of "concurrent" powers.</p> <p>"Weights and measures," and powers from that down to "invalid and old-age pensions" are other instances of "concurrent" jurisdiction.</p> <p>"Service," &c., throughout the Commonwealth, and "recognition," &c., throughout the Commonwealth, could only be legalised by federal legislation.</p> <p>"The people of any race," &c., "immigration," &c., influx," &c., are examples of "concurrent" powers. "External affairs," "relations with islands," &c., "acquisition of property by Commonwealth," relate to matters exclusively within the powers of the Federal Parliament, as the States could never legislate with respect thereto.</p>