

The Bill.

Explanation.

“The Commonwealth of Australia.” But the Queen may, at any time after the Proclamation, appoint a Governor-General for the Commonwealth.

IV. The Commonwealth shall be established and the Constitution of the Commonwealth shall take effect on and after the day so appointed. But the Parliaments of the several colonies may at any time after the passing of this Act make any such laws, to come into operation on the day so appointed, as they might have made if the Constitution had taken effect at the passing of this Act.

V. This Act, and all laws made by the Parliament of the Commonwealth under the Constitution, shall be binding on the Courts, Judges, and people of every State and of every part of the Commonwealth, notwithstanding anything in the laws of any State; and the laws of the Commonwealth shall be in force on all British ships, the Queen's ships of war excepted, whose first port of clearance and whose port of destination are in the Commonwealth.

VI. “The Commonwealth” shall mean the Commonwealth of Australia as established under this Act.

“Colony” shall mean any colony or province.

“The States” shall mean such of the Colonies of New South Wales, New Zealand, Queensland, Tasmania, Victoria, Western Australia, and South Australia, including the Northern Territory of South Australia, as for the time being are parts of the Commonwealth, and such colonies or territories as may be admitted into or established by the Commonwealth as States; and each of such parts of the Commonwealth shall be called a “State.”

“Original State” shall mean such States as are parts of the Commonwealth at its establishment.

VII. “The Federal Council of Australasia Act, 1885,” is hereby repealed, but so as not to affect any laws passed by the Federal Council of Australasia and in force at the establishment of the Commonwealth.

Any such law may be repealed as to any State by the Parliament of the Commonwealth, or as to any colony not being a State by the Parliament thereof.

VIII. After the passing of this Act “The Colonial Boundaries Act, 1895,” shall not apply to any colony which becomes a State of the Commonwealth, but the Commonwealth shall be taken to be a self-governing colony for the purposes of that Act.

IX. The Constitution of the Commonwealth shall be as follows:—

THE CONSTITUTION.

This Constitution is divided as follows:—

Chapter I.—The Parliament.

Part I.—General.

Part II.—The Senate.

Part III.—The House of Representatives.

Part IV.—Both Houses of the Parliament.

Part V.—Powers of the Parliament.

Chapter II.—The Executive Government.

Chapter III.—The Judicature.

Chapter IV.—Finance and Trade.

Chapter V.—The States.

Chapter VI.—New States.

Chapter VII.—Miscellaneous.

Chapter VIII.—Alteration of the Constitution.

The Schedule.

But before that day [in order that everything may be ready] the first Governor-General may be appointed, and the federating colonies may pass any laws which the Constitution gives them power to pass (see, for instance, sections 9 and 29).

V. *Laws to be binding.*—This Constitution, and the laws of the Federal Parliament, are to be binding on the Courts, Judges, and people of every part of the Commonwealth; and are to be in force on all British ships (except ships of war) voyaging wholly between ports of the Commonwealth.

VI. *The States.*—The federating colonies will become “States” of the Commonwealth; and so will any colonies which are afterwards admitted on the footing of States. The States which join at first are called “Original States” (see sections 7 and 24).

VII. and VIII. *Imperial Acts affected.*—The Federal Council Act of 1885 is to be repealed, but the laws passed by the Federal Council are to remain in force in the States until dealt with by the Federal Parliament.

The Colonial Boundaries Act of 1885 is to apply to the Commonwealth as a whole, and not to the States separately. [The effect of this is that the boundaries between the States can only be altered as provided by the Constitution (see section 122).]