

The Bill.

hundred pounds a year, to be reckoned from the day on which he takes his seat.

49. The powers, privileges, and immunities of the Senate and of the House of Representatives, and of the members and the committees of each House, shall be such as are declared by the Parliament, and until declared shall be those of the Commons House of Parliament of the United Kingdom, and of its members and committees, at the establishment of the Commonwealth.

50. Each House of the Parliament may make rules and orders with respect to—

- (1.) The mode in which its powers, privileges, and immunities may be exercised and upheld;
- (2.) The order and conduct of its business and proceedings either separately or jointly with the other House.

PART 5.—POWERS OF PARLIAMENT.

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

- (1.) Trade and commerce with other countries, and among the States;
- (2.) Taxation; but so as not to discriminate between States or parts of States;
- (3.) Bounties on the production or export of goods, but so that such bounties shall be uniform throughout the Commonwealth;
- (4.) Borrowing money on the public credit of the Commonwealth;
- (5.) Postal, telegraphic, telephonic, and other like services;
- (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;
- (7.) Lighthouses, light-ships, beacons and buoys;
- (8.) Astronomical and meteorological observations;
- (9.) Quarantine;

Explanation.

49. *Privileges of Parliament.*—The privileges of both Houses are to be those of the House of Commons until the Parliament otherwise declares.

50. *Rules and Orders.*—Each House may make rules and orders for the exercise of its privileges and the conduct of its business.

51. *Powers of the Parliament.*—The Federal Parliament is to have power to make laws on a variety of subjects set out in the thirty-nine subsections of this section. Most of these powers are “concurrent” powers—that is, the Parliaments of the States may also continue to make laws on these subjects, provided such laws do not conflict with the laws made by the Federal Parliament (see sections 106, 107, 108); and on many of these subjects the laws of the States will for some time continue undisturbed, as the Federal Parliament cannot attend to them all at once.

Some of the powers are, from their nature, exclusive. The other exclusive powers are those mentioned in sections 52 and 90.

The following subsections may need some explanation:—

- (1.) Trade and commerce with other countries, and among the States: [This does not include trade or commerce wholly within the limits of one State. For the further definition of this power see sections 97 to 99, 101, 103.]
- (2.) Taxation; but so as not to discriminate between States or parts of States: [After uniform duties the Commonwealth alone will have power to impose duties of customs and excise (see section 90); but both the Commonwealth and the States will have power to impose any other taxation.]
- (3.) Bounties on the production or export of goods: [After uniform duties, the power to grant these bounties will become exclusive (see section 90, with the exceptions mentioned in section 91).]
- (4.) Borrowing money on the public credit of the Commonwealth: [This will not prevent the States from borrowing on their own credit.]
- (5.) (6.) (7.) (9.) Posts, telegraphs, and telephones; naval and military defence; lighthouses, &c.; quarantine: [These powers will become *exclusive* on the transfer of the several departments (see section 52).]

In addition to the powers expressly given to the Parliament by this and the following section, other legislative powers are given in different parts of the Constitution by such words as “until the