

## The Bill.

## Explanation.

106. Every power of the Parliament of a colony which has become or becomes a State shall, unless it is by this Constitution exclusively vested in the Parliament of the Commonwealth or withdrawn from the Parliament of the State, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the State, as the case may be.

107. Every law in force in a colony which has become or becomes a State, and relating to any matter within the powers of the Parliament of the Commonwealth, shall, subject to this Constitution, continue in force in the State; and, until provision is made in that behalf by the Parliament of the Commonwealth, the Parliament of the State shall have such powers of alteration and of repeal in respect of any such law as the Parliament of the colony had until the colony became a State.

108. When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

109. The provisions of this Constitution relating to the Governor of a State extend and apply to the Governor for the time being of a State, or other chief executive officer or administrator of the Government of the State.

110. The Parliament of a State may surrender any part of the State to the Commonwealth; and upon such surrender, and the acceptance thereof by the Commonwealth, such part of the State shall become subject to the exclusive jurisdiction of the Commonwealth.

111. After uniform duties of customs have been imposed, a State may levy on imports or exports, or on goods passing into or out of the State, such charges as may be necessary for executing the inspection laws of the State; but the net produce of all charges so levied shall be for the use of the Commonwealth; and any such inspection laws may be annulled by the Parliament of the Commonwealth.

112. All fermented, distilled, or other intoxicating liquids passing into any State or remaining therein for use, consumption, sale or storage shall be subject to the laws of the State as if such liquids had been produced in the State.

113. A State shall not without the consent of the Parliament of the Commonwealth raise or maintain any naval or military force, or impose any tax on property of any kind belonging to the Commonwealth; nor shall the Commonwealth impose any tax on property of any kind belonging to a State.

114. A State shall not coin money, nor make anything but gold and silver coin a legal tender in payment of debts.

115. The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.

116. A subject of the Queen, resident in any State, shall not be subject in any other State to any disability or discrimination which would not be equally applicable to him if he were a subject of the Queen resident in such other State.

106. *Powers of State Parliaments.*—The Parliament of a colony which becomes a State is to have all its old powers except as to matters within the *exclusive* power of the Federal Parliament (see section 52), or withdrawn from the State Parliaments (see sections 113, 114). As to matters within the *concurrent* power of the Federal Parliament (see section 51), the powers of the State Parliaments will continue, subject to the next two sections.

107, 108. *State Laws.*—Every State law on a subject within the *concurrent* power of the Federal Parliament (see section 51) is to continue in force until superseded by a federal law.

But when a federal law (on a subject within the legislative power of the Parliament) conflicts with a State law, the federal law will prevail.

109. *Governor.*—"Governor" includes any person acting as Governor.

110. *Surrender of Territory.*—A State may surrender any part of its territory to the Commonwealth.

111. *Inspection Charges.*—After uniform duties, a State may levy such charges on goods passing into or out of the State as may be necessary for inspection purposes; but the net receipts are to go to the Commonwealth, and the Federal Government may annul the charges.

112. *Liquor Traffic.*—A State may regulate the disposal of intoxicating liquors brought into the State. [That is, though it cannot impose duties on importation, it can regulate the consumption and sale, within its own territory, of imported liquor.]

113, 114. *Powers Withheld.*—No State may (except by consent of the Federal Parliament) raise any naval or military force, or tax any property of the Commonwealth. The Commonwealth may not tax any property of a State.

No State may coin money, or make anything but gold and silver coin a legal tender.

115. *Religious Freedom.*—The Commonwealth may not make any law interfering with religious freedom.

116. *Equality of Rights.*—No State may discriminate against the residents of another State.