

2019

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

Constitution Alteration (Water Resources) 2019

No. , 2019

(Ms Sharkie)

A Bill for an Act to alter the Constitution to make laws for the use and management of water resources that extend beyond the limits of a State, and to require laws relating to water resources to not have an overall detrimental effect on the environment

Contents

1	Short title.....	1
2	Commencement.....	2
3	Schedules.....	2
4	Object.....	2
Schedule 1—Alteration of the Constitution		3

A Bill for an Act to alter the Constitution to make laws for the use and management of water resources that extend beyond the limits of a State, and to require laws relating to water resources to not have an overall detrimental effect on the environment

The Parliament of Australia, with the approval of the electors, as required by the Constitution, enacts:

1 Short title

This Act is the *Constitution Alteration (Water Resources) 2019*.

2 Commencement

This Act commences on the day on which it receives the Royal Assent

3 Schedules

The Constitution is altered as set out in the Schedule.

4 Object

- (1) The object of this Act's proposed alteration to the Constitution is to:
 - (a) provide the Commonwealth the power to make laws in relation to the use and management of water resources that extend beyond the limits of a State; and
 - (b) ensure that any law of the Commonwealth that relates to water resources does not affect water resources in a way that has an overall detrimental effect on the environment.
- (2) If the proposed alteration is approved in accordance with section 128 of the Constitution, it is Parliament's intention to rely on the further legislative power provided by the alteration to create a nationally consistent regulatory framework for the use and management of all or particular water resources that extend beyond the limits of a State.
- (3) Water resources that extend beyond the limits of a State include the Murray-Darling Basin and the Great Artesian Basin.

Schedule 1—Alteration of the Constitution

1 After paragraph 51(xxxv)

Insert:

(xxxvA) the use and management of water resources that extend beyond the limits of a State;

2 After section 51

Insert:

51A Limitation on laws relating to water resources

If a law is made in respect to any matter mentioned in section 51, and the law relates to water resources, the law must not have an effect on water resources that would have an overall detrimental effect on the environment.