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[1910.

COMMONWEALTH OF AUSTRALIA.

CONSTITUTION ALTERATION (FINANCE).

NOTIFICATION of the receipt of a WRIT for a REFERENDUM upon a Proposed Law to ALTER the provisions of the CONSTITUTION relating to FINANCE.

I HEREBY give notice that I have received a Writ, issued by His Excellency the Governor-General of the Commonwealth in the name of the King, addressed to me and to the Commonwealth Electoral Officers for the several States, commanding me and them to cause a Proposed Law for the alteration of the Constitution entitled *Constitution Alteration (Finance) 1909* (a statement of which is attached thereto and is hereunder set out) to be submitted, according to law, in each State to the electors qualified to vote for the election of Members of the House of Representatives, and appointing the following dates for the purposes of the said submission:—

1. For taking the votes of the electors:—Wednesday, the thirteenth day of April, 1910.
2. For the return of the Writ:—On or before Wednesday, the fifteenth day of June, 1910.

The Proposed Law is as follows :—



A PROPOSED LAW

To alter the provisions of the Constitution relating to Finance.

Preamble.

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, with the approval of the electors, as required by the Constitution, as follows :—

Short title.

1. This Act may be cited as *Constitution Alteration (Finance) 1909*.

Expiration of sec. 87.

2. The Constitution is altered by inserting, after section eighty-seven thereof, the following section :—

“87a.—(1.) Notwithstanding anything in section eighty-seven of this Constitution, the Commonwealth may in the year beginning on the first day of July, One thousand nine hundred and nine, out of the net revenue of the Commonwealth from duties of customs and of excise, apply towards its expenditure for the service of that year any sum not exceeding Six hundred thousand pounds over and above one-fourth of the said net revenue.

“(2.) From and after the thirtieth day of June, One thousand nine hundred and ten, section eighty-seven of this Constitution shall cease to have effect.”

Expiration of book-keeping Clauses.

3. Constitution is altered by inserting, after section ninety-four thereof, the following sections :—

“94a. From and after the thirtieth day of June, One thousand nine hundred and ten, sections ninety-three and ninety-four of this Constitution shall cease to have effect.”

Per capita payment to States from 1st July, 1910.

“94b. From and after the first day of July, One thousand nine hundred and ten, the Commonwealth shall pay to each State, by monthly instalments, or apply to the payment of interest on debts of the State taken over by the Commonwealth, an annual sum amounting to Twenty-five shillings per head of the number of the people of the State as ascertained according to the laws of the Commonwealth.”

Payment to Western Australia for 25 years from 1st July, 1910.

“94c.—(1.) The Commonwealth shall, during the period of twenty-five years beginning on the first day of July, One thousand nine hundred and ten, pay to the State of Western Australia, by monthly instalments, an annual sum which in the first year shall be Two hundred and fifty thousand pounds, and in each subsequent year shall be progressively diminished by the sum of Ten thousand pounds.

“(2.) One-half of the amount of the payments so made shall be debited to all the States (including the State of Western Australia) in proportion to the number of their people as ascertained according to the laws of the Commonwealth, and any sum so debited to a State may be deducted by the Commonwealth from any amounts payable to the State under the last preceding section or this section.”

Public debts of States.

4. Section one hundred and five of the Constitution is altered—

(a) by omitting the words—

“and thereafter the interest payable in respect of the debts shall be deducted and retained from the portions of the surplus revenue of the Commonwealth payable to the several States, or if such surplus is insufficient, or if there is no surplus, then the deficiency or the whole amount shall be paid by the several States;” and

(b) by adding at the end thereof the following paragraph :—

“The interest and charges payable by the Commonwealth, in respect of the debts of a State taken over, may be deducted and retained from any moneys payable to the State under this Constitution, and shall, to the extent to which they are not so deducted and retained, be paid by the State to the Commonwealth.”

THE SECTIONS OF THE CONSTITUTION which will CEASE on the 30th June, 1910, if the proposed law is approved and assented to, are as follows :—

87. During a period of ten years after the establishment of the Commonwealth and thereafter until the Parliament otherwise provides, of the net revenue of the Commonwealth from duties of customs and of excise not more than one-fourth shall be applied annually by the Commonwealth towards its expenditure.

The balance shall, in accordance with this Constitution, be paid to the several States, or applied towards the payment of interest on debts of the several States taken over by the Commonwealth.

93. During the first five years after the imposition of uniform duties of customs, and thereafter until the Parliament otherwise provides—

Payment to States for five years after uniform Tariffs.

(i.) The duties of customs chargeable on goods imported into a State and afterwards passing into another State for consumption, and the duties of excise paid on goods produced or manufactured in a State and afterwards passing into another State for consumption, shall be taken to have been collected not in the former but in the latter State :

(ii.) Subject to the last sub-section, the Commonwealth shall credit revenue, debit expenditure, and pay balances to the several States as prescribed for the period preceding the imposition of uniform duties of customs.

94. After five years from the imposition of uniform duties of customs, the Parliament may provide, on such basis as it deems fair, for the monthly payment to the several States of all surplus revenue of the Commonwealth.

Distribution of surplus.

THE TEXT OF SECTION 105 OF THE CONSTITUTION and the TEXTUAL ALTERATIONS proposed to be made therein are as follows (the words proposed to be omitted being printed in ERASED TYPE and the words proposed to be inserted in BLACK TYPE):—

105. The Parliament may take over from the States their public debts as existing at the establishment of the Commonwealth, or a proportion thereof according to the respective numbers of their people as shown by the latest statistics of the Commonwealth, and may convert, renew, or consolidate such debts, or any part thereof; and the States shall indemnify the Commonwealth in respect of the debts taken over, and thereafter the interest payable in respect of the debts shall be deducted and retained from the portions of the surplus revenue of the Commonwealth payable to the several States, or if such surplus is insufficient, or if there is no surplus, then the deficiency or the whole amount shall be paid by the several States.

Taking over public debts of States.

The interest and charges payable by the Commonwealth in respect of the debts of a State taken over, may be deducted and retained from any moneys payable to the State under this Constitution, and shall, to the extent to which they are not so deducted and retained, be paid by the State to the Commonwealth.

Dated the twenty-eighth day of February, 1910.

R. C. OLDHAM,

Chief Electoral Officer for the Commonwealth.

Chief Electoral Office for the Commonwealth,
Melbourne.



COMMONWEALTH OF AUSTRALIA.

CONSTITUTION ALTERATION (STATE DEBTS).

NOTIFICATION of the receipt of a WRIT for a REFERENDUM upon a Proposed Law to ALTER the provisions of the CONSTITUTION relating to the PUBLIC DEBTS of the STATES.

I HEREBY give notice that I have received a Writ, issued by His Excellency the Governor-General of the Commonwealth in the name of the King, addressed to me and to the Commonwealth Electoral Officers for the several States, commanding me and them to cause a Proposed Law for the alteration of the Constitution entitled *Constitution Alteration (State Debts) 1909* (a statement of which is attached thereto and is hereunder set out) to be submitted, according to law, in each State to the electors qualified to vote for the election of Members of the House of Representatives, and appointing the following dates for the purposes of the said submission:—

1. For taking the votes of the electors:—Wednesday, the thirteenth day of April, 1910.
2. For the return of the Writ:—On or before Wednesday, the fifteenth day of June, 1910.

The Proposed Law is as follows:—



A PROPOSED LAW

To alter the provisions of the Constitution relating to the Public Debts of the States.

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, with the approval of the electors, as required by the Constitution, as follows:—

1. This Act may be cited as *Constitution Alteration (State Debts) 1909*. Short title.
 2. Section one hundred and five of the Constitution is altered by omitting the words "as existing at the establishment of the Commonwealth." Alteration of s. 105.
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THE TEXT OF SECTION 105 OF THE CONSTITUTION and the TEXTUAL ALTERATIONS proposed to be made therein are as follows (the words proposed to be omitted being printed in ERASED TYPE):—

105. The Parliament may take over from the States their public debts as existing ^{Taking over} at the establishment of the Commonwealth, or a proportion thereof according to the ^{public debts of} States. respective numbers of their people as shown by the latest statistics of the Commonwealth, and may convert, renew, or consolidate such debts, or any part thereof; and the States shall indemnify the Commonwealth in respect of the debts taken over, and thereafter the interest payable in respect of the debts shall be deducted and retained from the portions of the surplus revenue of the Commonwealth payable to the several States, or if such surplus is insufficient, or if there is no surplus, then the deficiency or the whole amount shall be paid by the several States.

Dated the twenty-eighth day of February, 1910.

R. C. OLDHAM,

Chief Electoral Officer for the Commonwealth.

Chief Electoral Office for the Commonwealth,
Melbourne.

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