



The Australian Constitution

A constitution is a set of rules regarding how a nation is governed and the rules that the government must abide by to make laws. The government must be fair in making the rules.

The Australian Constitution was drafted at various conventions in the 1890s. *The Commonwealth of Australia Constitution Act 1900* came into effect on January 1, 1901, as a combination of the separate constitutions developed by the six colonies.

Implementing the Australian Constitution was an essential part of becoming a nation. It meant that British rule did not apply in Australia, and Australia's own rule of governance began.

The Constitution determined that Australia would keep the British monarchy as the Head of State, who appoints a Governor-General. The Governor-General has some responsibility for ensuring the government is abiding by the rules in the Constitution.

Federating meant that Australia adopted a uniform approach to defence, trade and immigration. However, the Constitution ensured that each state retained their own laws over roads, health and education.

As the Constitution was established in 1901, some of the rules are outdated. The Constitution cannot be changed without the approval of the Australian people and it is not a quick process to change these rules. To amend the Constitution, a bill must be approved by parliament, before being put to citizens via a referendum. All eligible voters on the electoral role must vote 'yes' or 'no' to the change proposed. Changes can only occur with a double majority, which means:

- More than half of all voters from all states and territories vote 'yes' to the change; and
- More than half of all voters in a majority of states (i.e. at least four of the six) vote 'yes' to the change.

Since 1901, 44 changes to the Constitution have been proposed, but only eight have been agreed to.

