The Constitutional Centre of WA is at the corner of Parliament Place & Havelock Street in the Old Hale School building. We are open Monday to Friday and entry is free. Our phone number is 92226922 and our website is www.ccentre.wa.gov.au
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Background Information

The Constitutional Centre was established in 1997 as a result of a recommendation of the Western Australian Constitutional Committee. This combined with information from a survey of electors in 1995 identified that 79 per cent of those surveyed knew “hardly anything” or “nothing” about the state constitution, or “did not know” that it existed.

The Constitutional Centre was set up to;

- Promote public awareness of our federal system of government, with particular emphasis on its constitutional basis;
- To encourage balanced debate about the development of the system; and
- To educate the general public of Western Australia about our electoral and parliamentary system.

The current exhibition is “Changing Constitutions” It aims to inform the public of the history of constitutional change in Australia and how the constitution can be amended. The main concepts covered in the exhibition are the constitution, referendums, the role and effect of the High Court and constitutional conventions.

Secondary education programs have been developed at the centre so as to accurately fit in within the upper and lower school curriculum. The aim of this teacher resource package is simply to provide both teachers and students some suggested activities and information that would be appropriate to use before and after a visit to the centre.

This package is Australian Constitutional History and with a visit to the centre aims to teach students the following:

- Australia’s Constitutional background.
- Constitutional influences.
- Federalism versus Centralism.

The activities are only a suggestion and by no means are they exhaustive. Teachers are encouraged to select activities which best suits the students needs and that tie in with their curriculum.
Arranging a Visit

The Constitutional Centre of Western Australia, Cnr Havelock St & Parliament Pl, West Perth

Ph: (08) 9222 6922  
Fax: (08) 9222 6911  
Toll Free: 1800 647 249

Email: ccentre@mpc.wa.gov.au  
Website: www.ccentre.wa.gov.au

Please ring and arrange a visit (approximately 1-½ hours for tour of exhibition)

Cost: Nil

Opening Times: 9.00am – 4.30pm Monday to Friday

Parking: Bus Bays in Havelock Street  
Car parking in Havelock Street and Parliament Place (change required)  
*Please note: there is no on-site parking.*

Facilities: Disabled Access  
Paved Open Courtyard Area  
Lawn Area  
Toilets

Photography: By Permission

Preparation: It is recommended that teachers undertake some of the activities within this package as preparation for the visit. You can combine your visit with a tour of the Electoral Education Centre and Parliament House – just ask.

*Please note – approximately 1-½ hours should be allowed for the visit.*
Suggested Activities
Biography of a past parliamentary representative

Name: ____________________
Party: ____________________
Electorate: ____________________
Year elected: ________________
Margin of victory: ________________
Title: ____________________
Born: ____________________

City/Town/Region raised: ____________________
Office Location: ____________________
Educational Background: ____________________

Vocational Background: ____________________

Political Background: ____________________
Federation Parliament Representatives

Number of Parliamentarians elected in 1901

<table>
<thead>
<tr>
<th>House</th>
<th>NSW</th>
<th>Vic</th>
<th>Qld</th>
<th>Tas</th>
<th>SA</th>
<th>WA</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>House of Representatives</td>
<td>26</td>
<td>23</td>
<td>9</td>
<td>5</td>
<td>7</td>
<td>5</td>
<td>75</td>
</tr>
<tr>
<td>Senate</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>36</td>
</tr>
</tbody>
</table>

Answer the following:

1. In 1901, which state had the
   a) Highest number of seats in the House of Representatives?
   b) Lowest number of seats in the House of Representatives?
2. If the House of Representatives MP’s from Qld, Tas, SA & WA voted together;
   a) How many would this add to?
   b) Would they be able to outvote NSW?
   c) Would they be able to outvote Vic?
   d) Would they be able to outvote NSW & Vic?
3. Would/do MP’s from the House of Representatives vote on state or political party lines?
4. How many MP’s represent each state in the senate?
5. In theory, why is each state given 6 senators regardless of their relative population?
6. Do senators vote on party or state lines? How does this effect the original aim of the constitution of protecting the smaller states?
Number of Parliamentarians elected in 2000

<table>
<thead>
<tr>
<th>House</th>
<th>NSW</th>
<th>Vic</th>
<th>Qld</th>
<th>Tas</th>
<th>SA</th>
<th>WA</th>
<th>ACT</th>
<th>NT</th>
<th>Total</th>
</tr>
</thead>
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<tr>
<td>House of Representatives</td>
<td>50</td>
<td>37</td>
<td>27</td>
<td>5</td>
<td>12</td>
<td>14</td>
<td>2</td>
<td>1</td>
<td>148</td>
</tr>
<tr>
<td>Senate</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>2</td>
<td>2</td>
<td>76</td>
</tr>
</tbody>
</table>

Answer the following:

7. In 2001, which state had the
   a) Highest number of seats in the House of Representatives?
   b) Lowest number of seats in the House of Representatives?

8. If the House of Representatives MP’s from Qld, Tas, SA & WA voted together;
   a) How many would this add to?
   b) Would they be able to outvote NSW?
   c) Would they be able to outvote Vic?
   d) Would they be able to outvote NSW & Vic?

9. Would/do MP’s from the House of Representatives vote on state or political party lines?

10. How many MP’s represent each state in the senate?

11. Which states or territories have been added?

12. In theory, why is each state given 12 senators regardless of their relative population?

13. Do senators vote on party or state lines?
Our Democracy Goes into Reverse

The real at this weekend’s referendum id becoming painfully clear: are the people of Australia going to allow their political representatives to dictate to them, or vice versa?

The Republic debate has served to expose how undemocratic the system and many of its exponents have become.

The two most senior politicians in Australia – coming from different sides of the debate – are now on record as telling people that if they don’t vote Yes to the flawed model on offer they will not get another chance to vote on the republic.

Federal Treasurer Peter Costello has joined Prime Minister John Howard in this blunt threat to the people. Mr Costello says the Federal Government would drop the issue for good if No was the answer on Saturday.

Something must have happened on the road to Damascus because when Mr Costello made the same suggestion in March, the Prime Minister took a completely different tack.

Confronted with Mr Costello’s threat on March 4th that there would be no second chance referendum, Mr Howard said “Referendums don’t happen every day of the week but on an issue like this, it could well be that there will be several votes before there’s a final resolution on it.”

Several months may be a long time in politics, but not long enough for such a comprehensive backflip to go unquestioned.

Mr Howard’s great crime is that he contrived to make the referendum question complex and tricky, knowing the confusion it would cause. He declined to allow the deliberation to be on the simple proposition of a republic or not. By adding the question the caveat of a president elected by a two-thirds majority of the Parliament, Mr Howard knew he was disfranchising the vast majority of republicans who support direct election.

It might have seemed like clever politics, but it was not fair. It is a shonky, dodgy and bodgie questions.

The forces pushing for a Yes vote are now using this unfairness against the overwhelming wishes of the people. If the people will not accept a patently unfair proposition they are told they will get nothing.

Writing in The Australian newspaper yesterday, Canberra based psephologist Malcolm Mackerras noted that 91 countries has popularly elected presidents. He found that only 41 republics allowed their politicians to pick their heads of state and 38 countries continued to have monarchs.

Professor Mackerras, a constitutional conservative who teaches politics at the Australian Defence Force Academy, acknowledged that it was “inherently intelligent” for ordinary Australians to ask for a popularly elected president.

“They realise that the republic with the directly elected president is the most predominant form of democracy in the world today” he wrote.
However, then he argued that direct election was impossible because only two members of the House of Representatives and one member of the Senate supported it.

So with a simple sweep of the pen he reversed the theory of a representative democracy. No longer should the politicians do the people’s bidding; the people must now fall into line with the politicians. That is not democracy.

This referendum has now come down to a titanic struggle between the people and the political elite over the future shape of our democracy. The people must win.

Answer the following:

1. The editorial is critical of political representatives dictating to the public. How can elected politicians be deemed to be undemocratic?

2. According to the editorial, if a No vote is passed, how ill the PM and Treasurer react?

3. The editorial is also critical of the referendum process. With what is it critical with? Why is it critical of the process? How has the referendum process being compromised and by whom?

4. “The Republic debate has served to expose how undemocratic the system and many of its exponents have become.”

According to the editorial what system has become undemocratic? Why?
The Communist case of 1951

Read the following editorial from The West Australian newspaper the day after the High Court quashed the Communist Dissolution Act.

It was a time of cold war between the USA and USSR (Russia). The Korean War was being fought between Communist North Korea and Capitalist South Korea. McCarthyism was rife in the United States. Was Australia awash with talk of a Communist conspiracy?

Editorial

Perth, Monday March 12th, 1951.

High Court Decision

As the Prime Minister (Mr Menzies) has been swift to announce, the High Court invalidation of the Communist Party Dissolution Act does not mean the end of the Government’s efforts to counter subversive and treasonable activities by Communists within the Commonwealth. There are other means, which can be tested in protecting the country against the disruptive, internal attack, which indubitably forms part of the pattern of a worldwide Communist conspiracy. In delivering its judgement, with the Chief Justice (Sir John Latham) alone dissenting, the Full Bench of the High Court held, in effect, that the Act exceeded the defence power of the Commonwealth Government and Parliament under the Constitution in peacetime.

While the Act would therefore seem in these circumstances to be beyond salvage through any amending action in Commonwealth Parliament. Its demise need not be regarded as other than a setback in one phase of the fight against Communist machinations. In the improved form in which it was finally passed, with the insertion of reasonable safeguards against injustice, the Act would have made the Communist Party and any subsidiaries illegal, and would have provided for the removal of known Communists from the Commonwealth service and trade union office in declared key industries. But doubts have always been expressed whether the Act by itself, could have been effective for long. Once the known Communists had been dealt with, it would have been increasingly difficult to identify underground adherents of Communism.

The High Court has merely declared that the Commonwealth exceeded its defence power in the conditions existing when the Act was passed. The outbreak of a major war affecting Australia would for example, radically change the situation. But in seeking immediately to deal with internal Communist mischief in the face of external dangers of
Russo-Communist aggression, the Commonwealth Government must work within the High Court’s Constitutional interpretation which has thrown the Communist Dissolution Act into the discard. There are two obvious alternatives. In the first place, as Justice Fullagar specifically indicated in his judgement, a law such as the anti-Communist Act is within the competence of State legislation in peace or war. It is therefore open to the Commonwealth Government to approach the States in conference, with the object of obtaining co-operation in controlling Communism either through reference of the necessary state powers to the Commonwealth for a prescribed period or through uniform state legislation.

It might be that one or more of the State Labour Governments at present in office would oppose such a reference of powers, despite the fact that the Federal Labour Party accepted the principle of the Communist Party Dissolution Act and ultimately agreed to its amended terms. In that event the Commonwealth Government would be strengthened in any decision to adopt the second alternative. That is to move for the holding of a referendum to amend the Constitution in such a way as to give the Commonwealth clear power to deal with peacetime subversion and with politically inspired tactics of industrial sabotage. If as seems probable, the political stalemate due to Labour’s control of the Senate should lead to a double dissolution of the Federal Parliament, an attempt might well be made to hold such a referendum, if necessary, at the same time as the election.

The High Court’s ruling on the scope of the defence power in this case has wider implications hearing on important aspects of the Government’s program for putting Australia on a defensive semi war footing. The impending Defence Repatriation Bill will have to be drafted to the light of the High Court judgement on the Communist Dissolution Act. The resumed conference between the Prime Minister and the State Premiers early next month for co-operation in emergency national organisation will be invested with greatly enhanced importance.

*The West Australian Editorial.*
Answer the following:

1. Outline the other actions which were available to the Federal Government to fight Communism after the defeat in the High Court.
2. What is the attitude of the West Australian regarding this issue? Is it pro government on this stance?
3. Does the Editorial provide any evidence of a Communist conspiracy? Communist mischief?
4. Does the Editorial mention any weaknesses of the illegal act? Explain
The Flag

In 1901, the newly federated Australia flew the Union Jack and Federation flags. But a nationwide competition was held to design a new unique Australian flag. Five winners, all with the same design came out with our current flag. So what does the flag and its symbols mean?

**Union Jack**
The Union Jack is the flag of Great Britain. Why on Australia’s flag? Because it represents Australia’s historical link to Britain. It also pays respect to Australia’s origins.

**The Commonwealth Star**
The original star contained six points – the original colonies that federated. In 1908, a seventh point was added to represent all of the territories.

**The Southern Cross.**
It’s the brightest constellation in the southern skies. It also represents Australia’s bright future.

The four bright stars also represent the four moral virtues Australia should aspire to. They are:
- Justice
- Prudence
- Temperance
- Fortitude

The Australian flag became officially our national flag in 1953. Its history does have some controversy but it is still a popular flag today. One of its main criticisms is that it is not independent and unifying enough. In the space below, design an Australian flag of your own and like in the diagram above, indicate what the symbols and colours of your design means.

Check out the web in relation to the Australian Flag. These are the suggested links:
- AustraliaAustralian [http://www.australianaustralia.com/flag_history.html](http://www.australianaustralia.com/flag_history.html)
Australia had taken its time to federate – although it was without a revolution or great civil unrest. But why did Australia decide to federate? Below is a list of reasons – beside each, explain how these were either promoting or retarding federation.

<table>
<thead>
<tr>
<th>Reason</th>
<th>For or Against</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geography &amp; Distance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compromise between colonies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nationalism</td>
<td></td>
<td></td>
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<tr>
<td>More Urgent Issues</td>
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<td>Queensland Cane Farmers</td>
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<td>Better Communications</td>
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<td></td>
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<tr>
<td>Loss of Power</td>
<td></td>
<td></td>
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<tr>
<td>Influential People</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No Reasons for Federation</td>
<td></td>
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</tr>
<tr>
<td>Tradition</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Labour Movement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Immigration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fears of Small Colonies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Defence</td>
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</tbody>
</table>
Federation Referendum 1898 / 1899

Examine the 1898 Federation referendum results:

**First Constitutional Referendum**

<table>
<thead>
<tr>
<th></th>
<th>NSW</th>
<th>Vic</th>
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<th>Tas</th>
<th>Qld</th>
<th>WA</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>71 595</td>
<td>100 520</td>
<td>35 800</td>
<td>11 797</td>
<td>#</td>
<td>#</td>
<td>219 712</td>
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<tr>
<td>NO</td>
<td>66 228</td>
<td>22 099</td>
<td>17 320</td>
<td>2 716</td>
<td>#</td>
<td>#</td>
<td>108 363</td>
</tr>
</tbody>
</table>

*Answer the following:*

1. What was the total number of yes votes for the constitution?
2. How many more yes votes was there than no votes?
3. How many yes votes were recorded in Victoria?
4. How many yes votes were recorded in NSW?
5. Which state had the highest number of no votes?
6. Which state had the highest total number of votes?
7. Which states did not vote in the 1898 referendum?
8. In order for the 1898 referendum to be successful, 80 000 yes votes were required from NSW. Did it succeed? How many more yes votes were required?

Examine the 1899 Federation referendum results:

**Second Constitutional Referendum**

<table>
<thead>
<tr>
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<th>Qld</th>
<th>WA</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>107 420</td>
<td>152 653</td>
<td>65 990</td>
<td>13 437</td>
<td>38 488</td>
<td>#</td>
<td>377 988</td>
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<tr>
<td>NO</td>
<td>82 741</td>
<td>9 805</td>
<td>17 053</td>
<td>791</td>
<td>30 996</td>
<td>#</td>
<td>141 386</td>
</tr>
</tbody>
</table>

*Answer the following:*

9. What was the total number of yes votes for the constitution?
10. How many more yes votes was there than no votes?
11. How many yes votes were recorded in Victoria?
12. How many yes votes were recorded in NSW?
13. Which state had the highest number of no votes?
14. Which state had the highest total number of votes?
15. Which states did not vote in the 1899 referendum?
16. Which state is most pro-federation? Explain.
Federation biography
Federation biography
Constitutional Conventions

The Dismissal

The dismissal of the Whitlam government brought with it all sorts of discussion about conspiracy, concealment and secrecy.

Tandberg had his own theory.

David Smith, official secretary to the Governor-General, reads the proclamation dissolving both Houses of Parliament. Gough Whitlam looks on.

Answer the following

1. Name the person with the top hat?
2. Name the person with the exaggerated nose and chin.
3. What is the position of John Kerr?
4. What is the position of Malcolm Fraser?
5. When John Kerr refers to “he” – who is “he”?
6. What are both gentlemen fearful “he” will do?
7. What is the main point the cartoon?
Excursion / Visit

Activities

Courtesy of Parliament House

Courtesy of Parliament House
An inquisitive study into the Commonwealth Constitution. A look into current issues pertaining to federal/state relations, the influence of the High Court and conventions.
Examine the exhibits in the corridor and the main hall to answer the following:

The Constitution

A **constitution** is a set of, ____________ which outlines our system of government. ____________ countries effected the make up of our constitution. They are ____________ ____________, ____________ ____________ ____________ and ____________

Australia’s Constitutional Background

By ____________ the six colonies could see that they needed a common ______ and a general agreement on ____________ ______ between the colonies and overseas.

In June ____________, referendums were held across four states. The first referendum was carried in __ ____________, South Australia and ____________ ______. It was not carried in the state of New ____________.

In 1899, ____________ were held in ______ states. These were Vic, NSW, Tas, SA and ____________.

First draft of the constitution was made in ______ in 1891, a year after it was first proposed.

Final draft of the ____________ was made in March ______ ______. It was made after many amendments were made. It was put forward to a referendum.

Western Australia was the ____________ state to join the federation. It did so after the successful referendum of ______.
Australia’s Constitutional Background

Look through the “A Nation at Last” exhibition which tells the story of the Federation process. The panels are located in the Hale Room and Courtyard Room. Complete the activities below.

Timeline: Study the dates below. In the space provided, write an event that occurred relevant to that year.

1890

9th April 1891

2nd March 1891

1893 Corowa

1895 Hobart

March 1897

September 1897

17th March 1898

September 1899

9th July 1900

31st July 1900

1st Jan 1901

1901
High Court

The **High Court** is the most powerful ___________ in Australia. It has __________ judges. The court judges disputes between ___________ or governments that relate to the___________

High Court Case Studies

1983 The Tasmanian Dam Case

1. The Tasmanian Government wished to dam what river? __________________________

2. What was is unique about this river system and its surrounding area? __
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

3. Explain why the High Court found in favour of the Federal Government.
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

The 1951 Communist Party case

4. In 1950, which government tried to outlaw the Communist Party? ______________

5. The law was challenged in the High Court. What was its decision? ______________
   __________________________________________________________
   __________________________________________________________

6. How did the federal government react? ________________
   __________________________________________________________

7. What was the decision of the Australian people at the referendum? ______________
   __________________________________________________________
Decisions of the High Court.

*Legalism or activism?* Decisions of the High Court can have a direct impact on the workings of the constitution. From the display exhibits, find out how the following decision of the High Court have affected federal state relations.

The Koowarta versus Bjelke-Petersen Case

When?  

What was the case about?

The Commonwealth had signed in 1965, the UN Convention on the Elimination of all Forms of Racial Discrimination. The Racial Discrimination Act of 1975 implemented that convention.

What was the High Court decision?

What is the significance of the case?
Conventions

Conventions are practices that help in the administration of the Commonwealth constitution. It’s an established practice that is accepted throughout government. But how enforceable are they?

1. Which government did the Governor-General dismiss in 1975?

2. What did the Senate do to provoke the constitutional crisis?

3. The supply crisis and dismissal were possible because what was not followed?

4. What are constitutional conventions?

5. Who is reading the proclamation dissolving parliament?

6. Who is standing behind him on the steps of parliament?

7. Who are the two characters in the Tandberg cartoon?

8. What is the point of Tandberg’s cartoon?

Ron Tandberg, 1975
Teacher Resources
<table>
<thead>
<tr>
<th>Name</th>
<th>URL</th>
<th>Features</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitutional Centenary Foundation Home</td>
<td><a href="http://www.centenary.org.au/">http://www.centenary.org.au/</a></td>
<td>Established in 1991 and a great site to investigate aspects of the constitution. Has excellent fact sheets and information about the constitution. You can also read about the involvement of the community in the review of the constitution. Recommended for teachers and mid-upper school students.</td>
</tr>
<tr>
<td>Centenary of Federation</td>
<td><a href="http://www.centenary.gov.au/index.php">http://www.centenary.gov.au/index.php</a></td>
<td>The official homepage for the 100 year celebration of Australia’s Federation. Particularly good if you are looking for historical information and greatest appeal is that it’s not too difficult for lower school students. Worth a look if Federation is a study theme.</td>
</tr>
<tr>
<td>Constitutional Centre of WA</td>
<td><a href="http://www.cccentre.wa.gov.au">http://www.cccentre.wa.gov.au</a></td>
<td>Our homepage – particularly good if one is studying both the Australian and WA system of government. Contains excellent links and references in relation to many areas of government.</td>
</tr>
<tr>
<td>Discovering Democracy</td>
<td><a href="http://www.curriculum.edu.au/de">http://www.curriculum.edu.au/de</a> mocracy/</td>
<td>Site developed by the Curriculum Corporation. It’s aim is to teach civics to students but the site is geared more as a resource tool for teachers. Contains links to discussion groups and other classes so to encourage collaboration between students and staff. Also has tips on how to use the Discovering Democracy kits handed out to schools.</td>
</tr>
<tr>
<td>Parliamentary Education Office</td>
<td><a href="http://www.peo.gov.au/">http://www.peo.gov.au/</a></td>
<td>A great site – particularly for lower school students. There is an excellent link for students that provides activities and information that is easy to read about all aspects of parliament. There is also a virtual tour.</td>
</tr>
<tr>
<td>Prime Minister’s Homepage</td>
<td><a href="http://www.pm.gov.au/">http://www.pm.gov.au/</a></td>
<td>Interesting information about the office of the PM and Australia’s current PM. The section for kids is good – an appropriate reading level for lower high school students.</td>
</tr>
<tr>
<td>VCE Politics</td>
<td><a href="http://vcepolitics.com/">http://vcepolitics.com/</a></td>
<td>A superb site dedicated to many aspects of Australian politics. Covers issues, themes and personalities. Contains many primary resource material and references. A must see site for teachers and political and legal studies students.</td>
</tr>
<tr>
<td>Palmer’s Australian Politics</td>
<td><a href="http://members.dingoblue.net.au/~bdpalmer/">http://members.dingoblue.net.au/~bdpalmer/</a></td>
<td>Like the VCE site – totally dedicated to issues regarding Australian politics. Issues, data, institutions, conventions, parties, theories, fun and web links are the major parts. Excellent for all those with a keen interest in politics – a must see for upper school political and legal studies students.</td>
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# GLOSSARY

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tr>
<td>ACT</td>
<td>A Bill that has been passed by parliament, received Royal Assent, and become law.</td>
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<tr>
<td>AMENDMENT</td>
<td>An alteration to a Bill or an Act.</td>
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<td>ASSENT</td>
<td>The formal agreement of the Governor General or the Queen to a Bill which has been passed by the Houses of Parliament in accordance with the Constitution.</td>
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<tr>
<td>BICAMERAL PARLIAMENT</td>
<td>A Parliament with two Houses or chambers: in the Australian Constitution, the Senate and the House of Representatives.</td>
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<tr>
<td>BIPARTISAN</td>
<td>Involving the support or membership of two political parties.</td>
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<tr>
<td>BILL</td>
<td>A proposed law that has been introduced into parliament but has not been passed. If passed, and granted Royal Assent it becomes an Act.</td>
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<tr>
<td>BY-ELECTION</td>
<td>An election to fill a seat in the Lower House that has become vacant during the term of the Parliament, between general elections.</td>
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<tr>
<td>CABINET</td>
<td>The policy making body of Government, consisting of senior ministers (and in some governments, of all ministers)</td>
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<tr>
<td>CASUAL VACANCY</td>
<td>A vacancy caused by the death or retirement of a member of the Upper House before the end of his or her normal term.</td>
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<tr>
<td>COLONY</td>
<td>A community that is subject to the final legal authority of another country.</td>
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<tr>
<td>CONCURRENT POWERS</td>
<td>Powers that can be exercised by either the Commonwealth or the States.</td>
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<tr>
<td>CONSTITUTIONAL CONVENTION</td>
<td>A widely accepted and important practice which affects the operation of the Constitution: for example, the convention that the Governor General generally acts on the advice of the government in exercising his or her powers.</td>
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<td>CONSTITUTIONAL MONARCHY</td>
<td>A monarchy is a system of government in which the position of head of state is hereditary. The monarch exercises his or her power in accordance with constitutional rules, which usually require power to be exercised on the advice of an elected government.</td>
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</table>
**DISSOLUTION**  
Action taken by the Governor General, on the advice of the prime minister, to bring the term of the House of representatives to an end, making a general election for a new House necessary.

**DOUBLE DISSOLUTION**  
Action taken by the Governor General, on the advice of the prime minister, to dissolve both House in accordance with section 57 of the Constitution, in order to resolve a deadlock between the Houses.

**ELECTORATE**  
A geographical area or “division” within a State from which a member of the Lower House is elected.

**EXCLUSIVE POWERS**  
Powers which only the Commonwealth may exercise and which the States may not.

**FEDERATION**  
A form of government in which power is shared between two spheres of government, each of which has some autonomy: in Australia, the commonwealth and the States. Australia’s federal system began on 1 January 1901.

**HOUSE OF REPRESENTATIVES**  
The Lower House of Commonwealth Parliament. It represents Australians in accordance with population numbers.

**JOINT SITTING**  
A meeting of both Houses of parliament.

**JUDICATURE**  
The entire court structure.

**LEGISLATIVE ASSEMBLY**  
The Lower House of W.A.’s State Parliament.

**LEGISLATIVE COUNCIL**  
The Upper House of W.A.’s State Parliament.

**LEGISLATIVE POWER**  
The power to make new law.

**M.L.A.**  
Member of the Legislative Assembly.

**M.L.C.**  
Member of the Legislative Council.

**M.P.**  
Member of Parliament.

**PARLIAMENT**  
The law-making body which under the Australian Constitution consists of the Senate, the House of Representatives and the Queen.
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<th><strong>PREAMBLE</strong></th>
<th>The introduction to a Constitution or Act of Parliament.</th>
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<tr>
<td><strong>PREFERENTIAL VOTING</strong></td>
<td>The system of voting presently used for the Lower House of parliament, under which the second and later preferences may be taken into account in counting votes.</td>
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<tr>
<td><strong>PRESIDENT</strong></td>
<td>The presiding officer of the Upper House (Senate and Legislative Council).</td>
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<tr>
<td><strong>PROPORTIONAL REPRESENTATION</strong></td>
<td>The system used for counting votes in Upper House elections. Its effect is to make it more likely that the distribution of seats will roughly reflect the opinions of voters.</td>
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<tr>
<td><strong>QUEEN IN COUNCIL</strong></td>
<td>This is another way of referring to the Privy Council. The Privy Council is a court, which sits in London to deal with appeals from the courts of colonies or from the courts of former colonies that decide to continue to use it.</td>
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<tr>
<td><strong>QUORUM</strong></td>
<td>The minimum number of members required in both Houses of Parliament for business to be transacted.</td>
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<tr>
<td><strong>REFERENDUM</strong></td>
<td>A direct vote by the people on proposals for change. Section 128 of Australia’s Constitution refers to the need for a referendum for Constitutional change. Advisory referendums, unlike constitutional referendums, are not binding by the government. For example daylight saving (W.A.)</td>
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<tr>
<td><strong>REPRESENTAIVE GOVERNMENT</strong></td>
<td>A system under which government is carried on largely through elected representatives.</td>
</tr>
<tr>
<td><strong>RESPONSIBLE GOVERNMENT</strong></td>
<td>A system under which government ministers are drawn from the Parliament, have the confidence of the Parliament and are responsible to the Parliament.</td>
</tr>
<tr>
<td><strong>RESERVE POWER</strong></td>
<td>A power which may be exercised by the Governor General against or without advice.</td>
</tr>
<tr>
<td><strong>SENATE</strong></td>
<td>The Upper House of the Commonwealth Parliament designed to represent the States.</td>
</tr>
<tr>
<td><strong>SPEAKER</strong></td>
<td>The presiding officer of the Lower House.</td>
</tr>
<tr>
<td><strong>STANDING ORDERS</strong></td>
<td>The rules made by each House of the Parliament for the conduct of their own business.</td>
</tr>
<tr>
<td><strong>TREATY</strong></td>
<td>An agreement between national governments, which is binding at international law.</td>
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</table>
WESTMINSTER SYSTEM A system of government roughly modelled on that originally developed in the United Kingdom. Its principal feature is that Parliament is elected and that the government is drawn from the Parliament and depends on the confidence of the Lower House of Parliament for it to continue in office.

Reference
Constitutional Centenary Foundation *The Australian Constitution*, Melbourne 1997
Fact Sheets