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Paul Dacey, Deputy Electoral
Commissioner

THE HISTORY OF REFERENDUMS IN AUSTRALIA

Paul Dacey, Deputy Electoral
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Australian Electoral Commission

AEC

OUTLINE

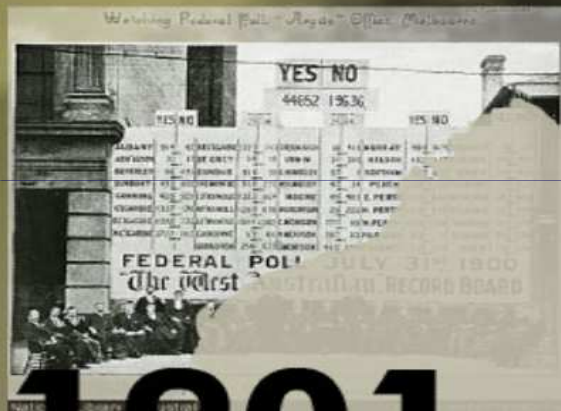
- Referendums leading to federation
- Referendums to alter the Constitution
- How referendums are conducted
- Other national votes on issues

REFERENDUMS LEADING TO FEDERATION

- Prior to federation in 1901, the Australian continent was divided into 6 British colonies.
- Referendums on the federal Constitution were held as follows:
 - 1898 - New South Wales, Victoria, South Australia and Tasmania
 - 1899 - New South Wales, Victoria, Queensland, South Australia and Tasmania
 - 1900 - Western Australia

FEDERATION

Representation Federation



1901

In 1901 the colonies became states and federated into one nation - a representative democracy under a set of rules - the Australian Constitution

○ Federation Ceremony

OUR CONSTITUTION

Referendums Constitutional Basis



Section 128 of the Australian Constitution determines how the Constitution can be altered

- By a vote of the Australian people
- By achieving a Double Majority

REFERENDUMS TO ALTER THE CONSTITUTION

- The Australian Constitution can only be altered by a vote of the people at a referendum.
- For an alteration to be adopted, it must be supported by a majority of voters nationwide, and also gain majority support in at least 4 of the 6 States.
- Voters in “Territories” were only given the right to vote at referendums in 1977. Their votes count in the national total only.

DOUBLE MAJORITY

Referendums Double Majority

A Double Majority must be achieved in a referendum for the Constitution to be changed



More than half the voters in
Australia must vote YES

+

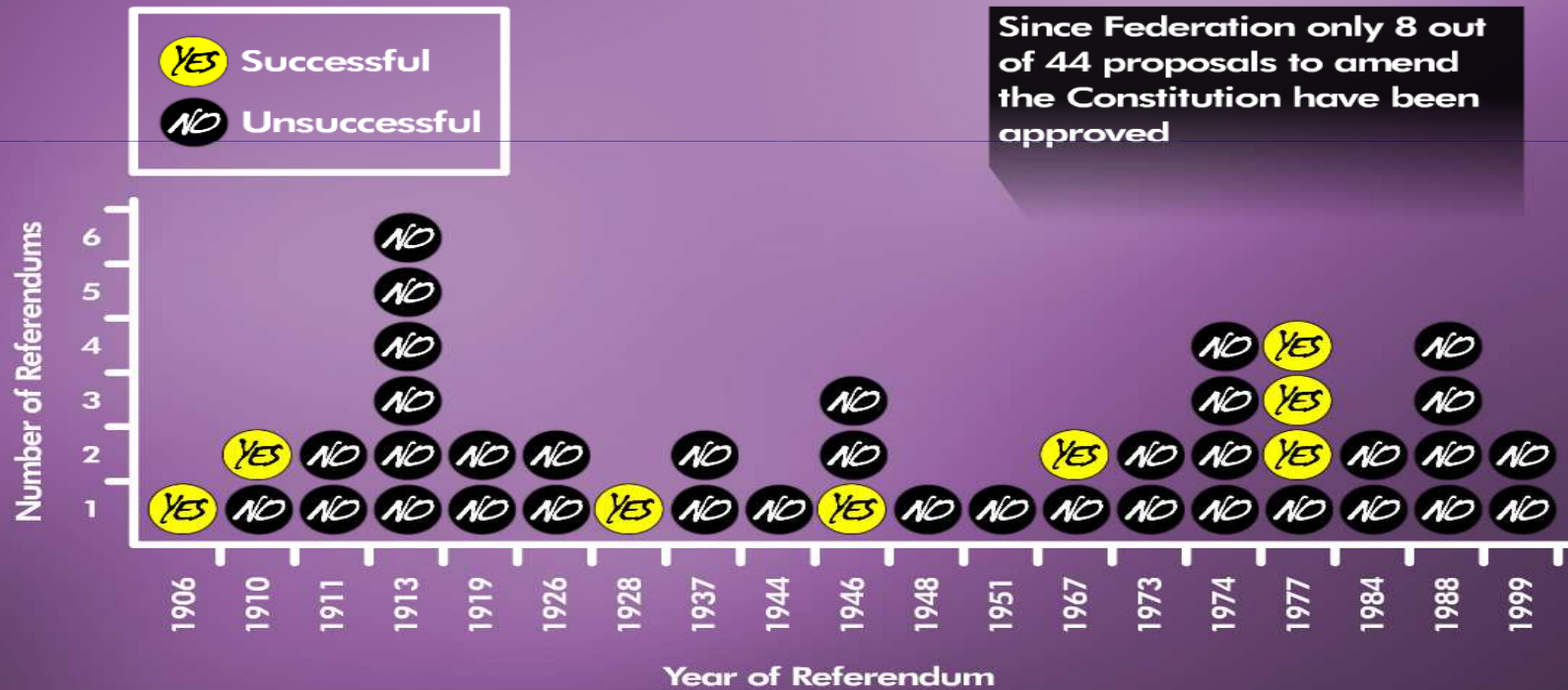
More than half the voters in
more than half the states
must vote YES

REFERENDUMS TO ALTER THE CONSTITUTION (cont.)


- Since 1901, only 8 out of 44 proposals to alter the Constitution have been approved.
- Of the 36 proposals defeated:
 - 31 failed to get majority support nationwide
 - 5 gained majority support nationwide, but did not gain the required majority support in at least 4 States.

REFERENDUM RESULTS

Referendums Referendums since 1901



HOW REFERENDUMS ARE CONDUCTED

- The mechanisms for referendums are specified in a federal law, the *Referendum (Machinery Provisions) Act 1984*.
- The *Act* provides for compulsory voting at referendums, and for the distribution of printed arguments for and against proposed constitutional changes (“Yes/No cases”). It also prohibits the federal government from engaging in paid advertising in support of constitutional changes.

THE PROCESS

Referendums Alteration Process

A Bill (proposed law) is introduced into either House of the Commonwealth Parliament



The Bill is passed by an absolute majority in the originating House



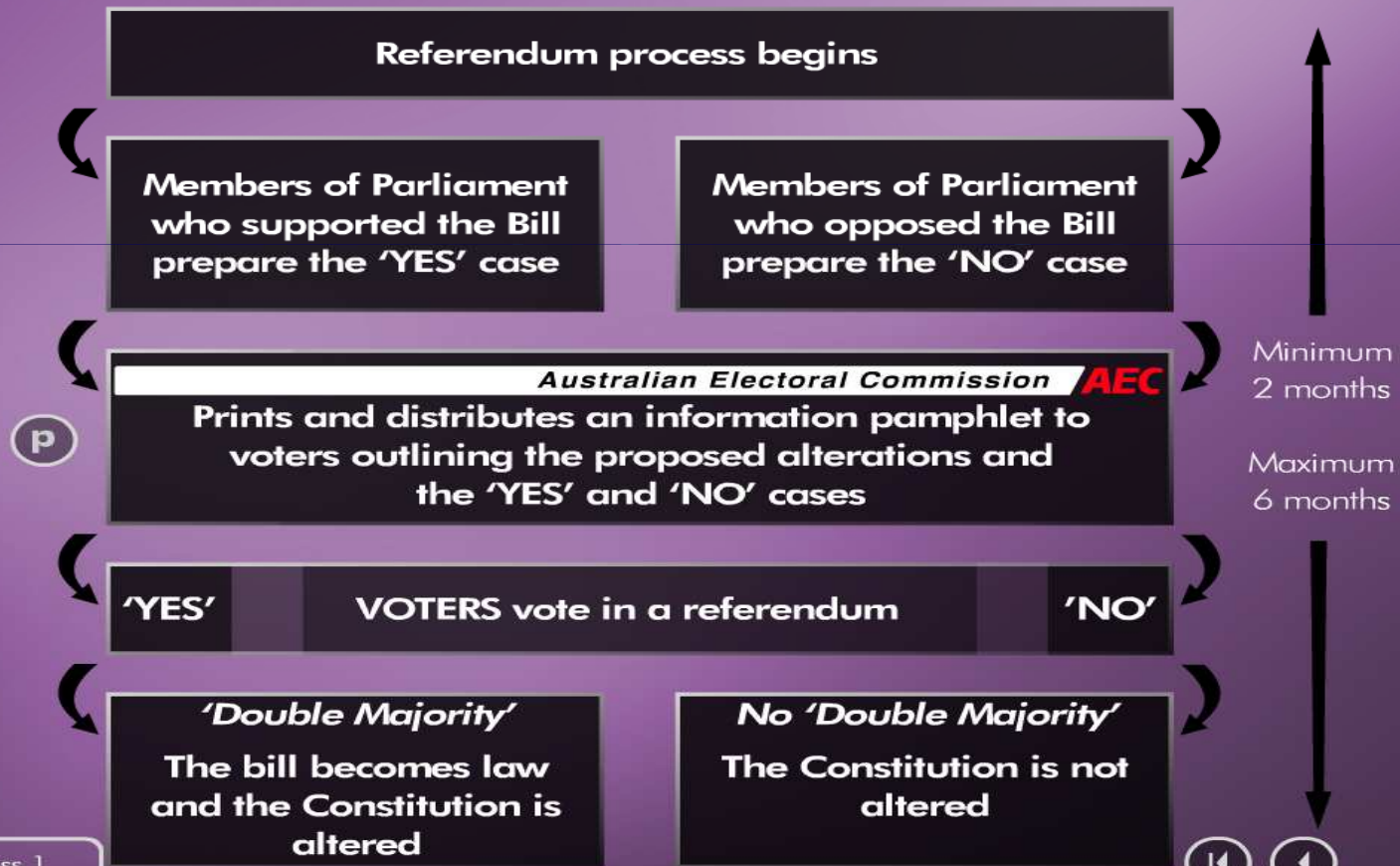
The Bill is considered in the other House



The Bill is passed by an absolute majority in the other House*

THE PROCESS CONT

Referendums Alteration Process



OTHER NATIONAL VOTES ON ISSUES

- In 1917, during the First World War, 2 nationwide plebiscites were held on the possible introduction of military conscription. In each case, conscription was defeated.
- In 1977, a nationwide poll was held, in conjunction with a number of referendums, to give voters the opportunity to choose a national song.
- There is no provision in Australian law for “Citizen Initiated Referendums”.