

The Bill.

Explanation.

54. The proposed law which appropriates revenue or moneys for the ordinary annual services of the Government shall deal only with such appropriation.

55. Laws imposing taxation shall deal only with the imposition of taxation, and any provision therein dealing with any other matter shall be of no effect.

Laws imposing taxation, except laws imposing duties of customs or of excise, shall deal with one subject of taxation only; but laws imposing duties of customs shall deal with duties of customs only, and laws imposing duties of excise shall deal with duties of excise only.

56. A vote, resolution, or proposed law for the appropriation of revenue or moneys shall not be passed unless the purpose of the appropriation has in the same session been recommended by message of the Governor-General to the House in which the proposal originated.

57. If the House of Representatives passes any proposed law, and the Senate rejects or fails to pass it or passes it with amendments to which the House of Representatives will not agree, and if after an interval of three months the House of Representatives, in the same or the next session, again passes the proposed law, with or without amendments which have been made, suggested, or agreed to by the Senate, and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, the Governor-General may dissolve the Senate and the House of Representatives simultaneously. But such dissolution shall not take place within six months before the date of the expiry of the House of Representatives by effluxion of time.

If after such dissolution the House of Representatives again passes the proposed law, with or without any amendments which have been made, suggested, or agreed to by the Senate, and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, the Governor-General may convene a joint sitting of the members of the Senate and of the House of Representatives.

The members present at the joint sitting may deliberate and shall vote together upon the proposed law as last proposed by the House of Representatives, and upon amendments, if any, which have been made therein by one House and not agreed to by the other, and any such amendments which are affirmed by three-fifths of the members present and voting thereon shall be taken to have been carried, and if the proposed law, with the amendments, if any, so carried is affirmed by three-fifths of the members present and voting thereon, it shall be taken to have been duly passed by both Houses of the Parliament, and shall be presented to the Governor-General for the Queen's assent.

the Governor-General recommending the purpose of the appropriation.

The Senate cannot amend a Bill sent up by the House of Representatives imposing a tax or appropriating money for the ordinary service of the Government. It could amend a Bill containing such trifling impositions and appropriations as those mentioned above—viz., fines, penalties, and fees, as they are not really taxes. It could amend a Bill appropriating money for public works not being for the ordinary annual services. But it could not amend a Bill of the last-named description by increasing the expenditure, but only by either reducing it or substituting other objects of expenditure. The principal limitations in the power of the Senate over money Bills are, therefore—(1) It cannot amend a tax Bill in any shape or form; (2) it cannot amend the annual Appropriation Bill in any shape or form. But the Senate is safeguarded in four ways—(1) The annual Appropriation Bill must contain only appropriations belonging to the ordinary annual services—there must be no foreign subject introduced; (2) a tax Bill must deal with taxation only—there can be no “tacking”; (3) a tax Bill must deal with one subject of taxation only; (4) the Senate may send messages to the Lower House suggesting any alteration it desires in Bills which it cannot amend. This provision is taken from South Australian legislation.

Sections 57 to 60.

The several stages in the history of a “deadlock,” leading to a double dissolution and joint sitting, require to be carefully considered. First stage: House of Representatives must send to Senate a Bill which Senate does not pass. Second stage: Interval of three months. Third stage: House of Representatives again sends Bill to Senate; Senate will not agree to same with or without amendments. Fourth stage: Governor-General may dissolve Senate and House of Representatives simultaneously. Such a dissolution, however, could not take place within six months before the expiry of the House of Representatives by effluxion of time, so that in the event of a double dissolution the members of the House of Representatives would forfeit six months or more of their term of office. The Senators would, of course, stand to forfeit much longer terms. Fifth stage: After such a dissolution, if the two Houses still fail to agree as to the Bill in question, the Governor-General may convene a joint sitting of Senators and Representatives. Sixth stage: Joint sitting. At such a sitting the combined representatives of the States would be as follows:—

New South Wales	...	...	31
Victoria...	...	...	28
South Australia	...	...	13
Tasmania	...	...	11
West Australia	...	...	11
Total	...	...	94

Now, three-fifths of 94 equals about 55 votes. The combined votes of Victoria and New South Wales would be 59. The combined votes of the three small colonies would be 35. Total, 94. If the Bill is by a three-fifths majority of members present, agreed to, with or without amendments previously passed by one House and not agreed to by the other, it shall be taken to have been duly passed