

Transfer of property of State.

85. When any department of the public service of a State is transferred to the Commonwealth,—

- (1.) All property of the State of any kind, used exclusively in connection with the department, shall become vested in the Commonwealth; but, in the case of the departments controlling Customs and excise and bounties, for such time only as the Governor-General in Council may declare to be necessary.
- (2.) The Commonwealth may acquire any property of the State, of any kind, used, but not exclusively used, in connection with the department; the value thereof shall, if no agreement can be made, be ascertained in, as nearly as may be, the manner in which the value of land, or of an interest in land, taken by the State for public purposes is ascertained under the law of the State in force at the establishment of the Commonwealth.
- (3.) The Commonwealth shall compensate the State for the value of any property passing to the Commonwealth under this section; if no agreement can be made as to the mode of compensation, it shall be determined under laws to be made by the Parliament.
- (4.) The Commonwealth shall, at the date of the transfer, assume the current obligations of the State in respect of the department transferred.

86. On the establishment of the Commonwealth, the collection and control of duties of Customs and of excise, and the control of the payment of bounties, shall pass to the Executive Government of the Commonwealth.

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.

Uniform duties of Customs.

88. Uniform duties of Customs shall be imposed within two years after the establishment of the Commonwealth.

Payment to States before uniform duties.

89. Until the imposition of uniform duties of Customs,—

- (1.) The Commonwealth shall credit to each State the revenues collected therein by the Commonwealth.
- (2.) The Commonwealth shall debit to each State—
 - (a.) The expenditure therein of the Commonwealth incurred solely for the maintenance or continuance, as at the time of transfer, of any department transferred from the State to the Commonwealth.
 - (b.) The proportion of the State, according to the number of its people, in the other expenditure of the Commonwealth.
- (3.) The Commonwealth shall pay to each State month by month the balance (if any) in favour of the State.

Exclusive power over Customs, excise, and bounties.

90. On the imposition of uniform duties of Customs, the power of the Parliament to impose duties of Customs and of excise, and to grant bounties on the production or export of goods, shall become exclusive.

On the imposition of uniform duties of Customs, all laws of the several States imposing duties of Customs or of excise, or offering bounties on the production or export of goods, shall cease to have effect; but any grant of or agreement for any such bounty lawfully made by or under the authority of the Government of any State shall be taken to be good if made before the thirtieth day of June, one thousand eight hundred and ninety-eight, and not otherwise.

Exceptions as to bounties.

91. Nothing in this Constitution prohibits a State from granting any aid to or bounty on mining for gold, silver, or other metals, nor from granting, with the consent of both Houses of the Parliament of the Commonwealth expressed by resolution, any aid to or bounty on the production or export of goods.

Trade within the Commonwealth to be free.

92. On the imposition of uniform duties of Customs, trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free.

But, notwithstanding anything in this Constitution, goods imported before the imposition of uniform duties of Customs into any State, or into any colony which, whilst the goods remain therein, becomes a State, shall, on thence passing into another State within two years after the imposition of such duties, be liable to any duty chargeable on the importation of such goods into the Commonwealth, less any duty paid in respect of the goods on their importation.

Payment to States for five years after uniform tariffs.

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

- (1.) 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 pro-