

COVERING CLAUSE 1

Short Title

1. This Act may be cited as the Commonwealth of Australia
Constitution Act.

The Annotated Constitution makes the following comments; Page 310 and 314, (relevant part only).

HISTORICAL NOTE.

Clause 1 of the draft Bill framed by the Sydney Convention of 1891, and usually known as The Commonwealth Bill of 1891 (which became the Constitution Act 1900), declared that- “This Act shall be cited as The Constitution of the Commonwealth of Australia Act .

Some words from CLRA.

The words “the draft Bill framed by the Sydney Convention of 1891, and usually known as The Commonwealth Bill of 1891” point out the influence that Australia had in the creation of the Constitution Act.

The words “Sydney Convention of 1891” was one of the Constitutional Convention Debates and that the framers of the Commonwealth Constitution had all around the Country and used those Constitutional Convention Debates to formulate such Constitution.

The Annotated Constitution makes the following comments; Page 310 and 314, (relevant part only).

This Act.

Outline of the Act.

This Act, to constitute the Commonwealth, consists of nine clauses.

Clause 1 gives the short title of the Act;

Clause 2 declares that it binds the Crown and extends to the Queen's successors;

Clause 3 provides that the Queen may issue a proclamation appointing a day when the people of the federating colonies shall be united in a Federal Commonwealth;

Clause 4 specifies when the Commonwealth is to be deemed legally established;

Clause 5 provides for the legal operation of the Act and of the laws of the Commonwealth;

Clause 6 defines “Commonwealth,” “States,” and “Original State;”

Clause 7 repeals the Federal Council Act, 1885;

Clause 8 applies the “Colonial Boundaries Act, 1895,” to the Commonwealth;

Clause 9 contains the Constitution of the Commonwealth.-

“Commonwealth”.

SIGNIFICANCE OF THE TERM.

The Annotated Constitution make the following comments

The term “Commonwealth,” to label the Australian colonies, united in a Federal Constitution, was first proposed by the Constitutional Committee of the Federal Convention held in Sydney in 1891. The suggestion was eventually adopted, by a substantial majority of votes. The same name was accepted by the Federal Convention of 1897. In both Conventions the name Commonwealth was generally accepted, the only objections raised to it being that it was suggestive of republicanism, owing to its association with the Commonwealth of England.

According to the derivation of the term from **“common” and “wealth” it signified common wellbeing or common good.**

Webster says “a Commonwealth is a State consisting of a certain number of men united by compact or unspoken agreement under one form of government and one system of laws. Strictly, it means a government in which the general welfare is regarded rather than the welfare of any particular class. In this Act the word is used to describe the new political community created by the union of the people and of the colonies of Australia.