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LEGAL COUNCIL OF QUEENSLAND  
ADMINISTRATIVE REVIEWER  
COMMITTEE

Submission No 45

Spec 3.4.

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Stuart Hall

Research Director  
Legal, Constitutional and Administrative  
Review Committee  
Parliament House,  
George Street  
BRISBANE Q4000

22.9.98

SUBMISSION IN REFERENCE TO REPORT No. 10 of  
MAY 1998 on the CONSOLIDATION OF THE  
QUEENSLAND CONSTITUTION

Dear Sirs,

On reading your report which I gratefully received, I find that the committee seems to have gone beyond its bounds not to recommend any major changes of substance to the current constitution.

1. "HER MAJESTY"

In part 2, references to "Her Majesty" have been replaced by references to "Sovereign". This is to replace a particular office, and officer with an indistinct, ambiguous label which could apply to whoever one fancies. This is a serious, though subtle change which is a fundamental shift from our current constitution.

This is to erode specific powers of Her Majesty as Queen of the Commonwealth ~~to~~ over the affairs of our State.

2. REQUIREMENT FOR REFERENDUM

Section 53 of our Constitution requires that certain measures are to be supported by Referendum.

LETTER BY STUART HALL

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I quote:

" a Bill that expressly or impliedly provides for the abolition of or alteration in the office of Governor or that expressly or impliedly in any way affects # any of the following sections of this Act namely: -

sections 1, 2, 2A, 11A, 11B, 14 and

this section 53

shall not be presented for assent by or in the name of the Queen unless it has first been approved by the electors in accordance with this section and a Bill so assented to consequent upon its presentation in contravention of this subsection SHALL BE OF NO EFFECT as an ~~Law~~ Act.

The change of name of "Her Majesty" to Sovereign where possibly this could be applied to our Governor is changing, that is, altering the office of Governor, who must assent ~~to~~ in the Queen's name, and not in any other.

### OMISSIONS

Sections that have been omitted from your proposed Bill are: -

1. Preamble
2. Power of alteration of Constitution. Order in Council, s. i
3. Giving or withholding assent to Bills, 5 and 6, vic, c 75 s 31.
4. Disallowance of Bills assented to, 5 and 6 vic c. 76 s 32
5. Assent to Bills reserved, 5 and 6 vic c 76 s 33
6. Governor to conform to instructions 5 and 6 vic c. 76 s 40
7. Extending the Governor's powers as to giving or withholding royal assent. 7 and 8 vic c. 74 s 7
8. Reservation of Bills 13 and 14 vic c. 59 s 33

These sections have been completely omitted, omitted from the original Constitutional Act of 1867/1988, FROM WHICH YOU SHOULD HAVE BEEN WORKING.

They expressly or impliedly alter the Office of Governor, as these sections are protected and entrenched by section 53, and have NOT BEEN REMOVED BY THE ELECTORS AT A REFERENDUM.

THEY STILL STAND IN PLACE IN THE CONSTITUTION OF QUEENSLAND.

### WHY ARE YOU REMOVING THEM?

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AND WITHOUT FLAGGING THE NEED FOR A REFERENDUM? IS THAT NOT TREASON?

There has been no referendum to ~~make~~ make valid the omissions in ~~previous~~ current reprints, nor does your documentation (report) flag them. This is either incompetence or deception.

Your consolidated constitution omits vital checks and balances that allow the powers to shift very significantly from a system that has served the people of Australia very well over the past two centuries.

I ~~will~~ am also sending a copy of this submission to my member of Parliament.

Would you please acknowledge receipt of my submission, and forward me a copy of your deliberations/findings subsequent to this submission.

Yours truly,

Stuart Hall