PROPOSED CONSTITUTIONAL AMENDMENTS

1. **THAT THE GST SHOULD BECOME A CONSTITUTIONALLY ENTRENCHED STATE TAX.**
While the Howard Government deserves praise for making the total proceeds of the GST available to the States, there can be no guarantee that this will continue. What this Government can give, another can take away or attach strings to in order to impose the will of the Commonwealth on a State or States: what the Commonwealth Parliament can enact a future Commonwealth Parliament can repeal or amend. Further the apportionment of the tax proceeds will be in the hands of Commonwealth appointed civil servants and academics, and it is no secret that the Commonwealth is dominated by New South Wales and Victoria and clearly the distribution would benefit those States at the expense of the less populous States!

2. **THAT THE JUSTICES OF THE HIGH COURT SHOULD BE APPOINTED BY THE STATES IN ROTATION AND ONLY THE CHIEF JUSTICE BE APPOINTED BY THE COMMONWEALTH.**
The High Court is the final arbitrator on questions of the allocation of powers between the Commonwealth and the States . Clearly when one party to a disagreement between two parties appoints all the umpires, that party will surely receive a majority of favourable decisions. If all of the AFL umpires were appointed by Mick Malthouse and John Worsfold, It is very obvious which teams would generally contest the grand finals.

3. **ANY TWO STATES BY AN ABSOLUTE MAJORITY OF THE MEMBERS OF A UNICAMERAL PARLIAMENT OR A JOINT SITIING OF A BICAMERAL PARLIAMENT SHOULD BE ABLE TO REQUIRE THE COMMONWEALTH TO CONDUCT A NATIONWIDE REFERENDUM FOR A CHANGE TO THE CONSTITUTION.**
As only the Commonwealth can institute a Constitutional Change Referendum, every referendum, without a single exception, which has been put to the Australian people has proposed an increase in the powers of the central government with a corresponding decrease in the powers of the States. Of the forty changes which have been put to the people, only eight (20%) have been received assent.
Clearly the opportunity should exist for the states to seek changes.

. **THE COMMONWEALTH SHOULD BE PRECLUDED FROM UTILISING ITS POWERS UNDER EXTERNAL TREATIES PROVISIONS OF THE CONSTITUTION TO INFRINGE STATE POWERS.**
In the past, Governments of both political persuasions have used the External Treaties Powers to override State Powers – eg "the Tasmanian Dams decision of the High Court" – in fields in which there is absolutely no specific authority in the Constitution for the Commonwealth to be involved. As our constitution was framed in such a way as to give the Commonwealth fixed and defined powers, the Central Governments have used the External Treaties Powers to go well beyond what was intended in the constitution.

5. **EXTERNAL TREATIES SHOULD BE REQUIRED TO BE RATIFIED BY THE COMMONWEALTH PARLIAMENT AND ANY WHICH INFRINGE OR OVERRIDE THE AUTHORITY OF THE STATES SHOULD BE REQUIRED TO BE RATIFIED BY AT LEAST FOUR (4) STATES.**
During the tenure of the Hawke and Keating Governments, those Governments entered into a huge array of External Treaties which by the decision of the High Court then assumed the authority of law. We thus have law making by the executive of the Government without reference to Parliament. This is not an acceptable situation.

6. **PAST CONSTITUTIONAL CHANGES MADE BY THE HIGH COURT SHOULD BE REVERSED.**
It is true that under the provisions of the constitution, the only way that the constitution can be changed is by majorities of the total of the electors in the Commonwealth and in a majority of States. However the High Court, by its decisions, has considerably altered the balance of powers between the Commonwealth and the States and it is a nonsense to deny it.

7. **SENATORS SHOULD BE EXPRESSLY PROHIBITED FROM BECOMING PART OF THE EXECUTIVE BRANCH OF THE COMMONWEALTH.**
The Senate was designed by the framers of the Constitution to be a States' House, but because becoming part of the executive is a career path for Senators, they become subject to the whim of the Prime Minister and are prevented from taking an independent stance in support of their own State's interest.

8. **THE COMMONWEALTH SHOULD BE EXPRESSLY EXCLUDED FROM LAND ADMINISTRATION.**

There is no provision in the Constitution at present to allow the Commonwealth to become involved in any form of land administration. The present and past Commonwealth Governments have become involved in land administration. They have engaged in racialist policies which have distinguished between people of different ethnic backgrounds simply on the basis of their race, and created some super ordinate Australians and some subordinate Australians. This must surely be detrimental to the cause of racial reconciliation.

9. **ALL FORMS OF RACIAL DISCRIMINATION, WHETHER TO ADVANTAGE MAJORITY OR MINORITY GROUPS, SHOULD BE EXPRESSLY FORBIDDEN TO EITHER STATES OR COMMONWEALTH.**

Clearly any form of racial discrimination will lead inevitably to inter-racial strife, resentment in those discriminated against and retard the cause of reconciliation.