Bills and Laws

In a democracy, laws are formal rules which society uses to define how people and organisations are expected to behave. Australia is a representative democracy, which means people are elected to Parliament to represent Australians and make laws on their behalf.

Section 51 of the Australian Constitution gives the federal Parliament the “power to make laws for the peace, order, and good government of the Commonwealth” in relation to certain matters. In Parliament, a bill is a proposal for a new law or a change to an existing one. If it is passed by the Parliament, it becomes a law, also known as an Act of Parliament. A bill is usually created to address an important issue facing the Australian community.

Bills may originate in different ways:

• Government departments make many suggestions for bills. A department may advise its minister about a specific problem that exists. The minister may then arrange for a bill to be drafted to fix the problem.

• Community groups, businesses or lobby groups may be interested in changing or improving a specific area of Australian law. They can approach members of parliament with suggestions for bills.

• Political parties have their own policy ideas about how Australia should be governed. In Parliament, parties introduce bills which aim to put their policies into action.

• Sometimes the Parliament sets up a parliamentary committee to examine a current issue. If the issue requires action, the committee may suggest that a bill is introduced.

Most bills are introduced into the House of Representatives and then sent to the Senate. However, bills may commence in the Senate, except for money and taxation bills. Almost all bills are introduced by a government minister, who is responsible for the passage of the bill through the Parliament. Other members of parliament can also introduce their own bills, called private members’ or private senators’ bills.

A bill becomes an Act of Parliament if it is passed with a majority vote in the House of Representatives and the Senate. The bill must be agreed to in identical form by both chambers, and given Royal Assent by the Governor-General (see Making a Law). If an Act does not specify a date on which it will commence, it comes into effect on the 28th day after it receives Royal Assent.

It may take weeks or even months for a bill to pass through Parliament. However, an urgent bill can be passed in a matter of days. About 200 bills are introduced into Parliament each year and about 90 per cent are passed into law.

**Assessment Questions:1. What is a bill?2. List 4 ways a bill can originate.3. In which chamber do bills generally get introduced?4. Who can introduce a bill?5. Describe the process of making a law.**