

1996

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

FLAGS AMENDMENT BILL

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Administrative Services, the Hon David Jull MP)





## FLAGS AMENDMENT BILL 1996

### OUTLINE

The purpose of this Bill is to amend the *Flags Act 1953* to ensure that the current Australian National Flag specified in Section 3 of the *Flags Act 1953* ceases to be the National Flag if, and only if, a new National Flag or flags have been submitted to the electors in each state and territory and a majority have approved the change.

### FINANCIAL IMPACT STATEMENT

Nil.

## CLAUSE NOTES

### Clause 1: Short Title

1. This clause cites the Act as the *Flags Amendment Act 1996*. The *Flags Act 1953* is the principal Act.

### Clause 2: Commencement

2. The commencement of the Act shall be the date of royal assent.

### Clause 3: Schedule of amendments to the *Flags Act 1953*.

The Schedule inserts three subsections, after section 3 of the *Flags Act 1953*, which is the section of the Act that defines the existing National Flag.

Sub-section 3(2) provides that the current National Flag ceases to be the National Flag if, and only if, a new flag or flags and the existing National Flag, have been submitted to the electorate and a majority of the electors voting have approved a new flag.

Sub-section 3(3) provides that the form and manner in which a proposal for a new National Flag is to be submitted to the electorate; the manner in which the vote is to be taken (which may include the adoption of a form of preferential voting for choosing among three or more flags); and arrangements for adopting a new flag, if one is approved by a majority of the electors, are to be as the Parliament prescribes.

Sub section 3(4) ensures that electors who are qualified to vote in elections for representatives to a territory in the House of Representatives are qualified to vote on any proposal for a new flag.