

Referendums

What is a referendum?

A referendum is a vote by the people. They vote on a proposal to change the law.

Types of referendums

Constitutional referendum

The Australian Constitution can only be changed with the approval of the people. Voting in a constitutional referendum is compulsory.

For a referendum to pass a double majority must be achieved. This means that:

- More than half of the voters in Australia vote 'yes', AND
- More than half of the states vote 'yes'. This is four out of the six states. The Territories are not included.

For more information, go to www.aec.gov.au.

Advisory referendum – indicative referendum – plebiscite – poll

These referendums do not try to change a law. Voters vote on an important question. This helps the government know what people think of an idea. The government does not have to do what the people vote for. Voting is not always compulsory.

Entrenchment referendum

This referendum asks if voters want to entrench an ACT law. If a law is entrenched it cannot be changed as easily as other laws. Voting is compulsory.

If the government wants to change the law again they can:

- Hold another referendum; or
- Vote to pass the change by a special majority of parliament. A special majority is two thirds of the members voting 'yes'.

Citizens' initiative referendum

Citizens can propose a referendum. This is a form of direct democracy. New Zealand, Switzerland and Italy have these referendums. There are no laws to hold these referendums in Australia at the moment.



1916

- Military service plebiscite was held. People from all federal states and territories were able to vote. The plebiscite wanted to introduce conscription but the people voted no.
- A plebiscite for conscription was held again in 1917 and people voted no again.

1977

- People in the ACT have only been able to vote in **constitutional referendums** since 1977.
- A **poll** for a national song was held on 21 May 1977. *Advance Australia Fair* became the national song. ACT voters were part of this non-compulsory poll.

1978

- An **advisory referendum** on self government was held in the ACT on 25 November 1978. The ACT people had a choice of 3 options:
 1. That self-government be given to the ACT.
 2. That a local council govern the ACT.
 3. That the federal government keep looking after the ACT.
- The results showed that 63.75% of people in the ACT wanted the federal government to look after the ACT.

1984

- Constitutional referendum was held.
- Voters were asked to vote on two changes.
 1. Change how long Senators were elected for and hold Senate and House of Representatives elections at the same time. The vote was no.
 2. Change the Constitution so that Commonwealth and the States could give powers to each other. The vote was no.

1988

- Constitutional referendum was held.
- Voters were asked to vote on four changes - how long Senators and Members of the House of Representatives were elected for; making sure elections were fair and democratic; recognising local government; and extending certain rights such as trial by jury and religious freedom.
- None of the changes were passed.

1992

- There was an **indicative referendum** to choose a new electoral system for ACT Legislative Assembly. It was held on 15 February 1992 at the same time as the election.
- The Hare-Clark electoral system was chosen.

1995

- An **entrenchment referendum** was held on 18 February 1995 at the same time as the election.
- The people voted yes
- This means that to change the electoral system there must be another referendum or two thirds of Assembly members agree to the change.

1999

- Constitutional referendum was held.
- Voters were asked to vote on two changes - to make Australia a republic with a President and to add a new section to the beginning of the Constitution called a preamble.
- Neither of the changes was passed.