

## COMMONWEALTH POWERS (WAR) ACT.

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Act No. 65, 1915.

**George V, An Act to refer certain matters to the Parliament  
No. 65. of the Commonwealth for the duration of the  
present war, and for a period of twelve months  
after the conclusion of peace. [Assented to,  
21st December, 1915.]**

**Preamble.** WHEREAS it is enacted by the Constitution of the Commonwealth of Australia that the Parliament of the Commonwealth shall, subject to the Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to matters

matters referred to the Parliament of the Commonwealth by the Parliament or Parliaments of any State or States, but so that the law shall extend only to States by whose Parliaments the matter is referred, or which afterwards adopt the law: And whereas certain proposed laws for the alteration of the Constitution of the Commonwealth have been passed by an absolute majority of each House of the Parliament of the Commonwealth, and writs have been issued by the Governor-General for the submission of those proposed laws to the electors of the Commonwealth: And whereas as a result of discussion which arose at a financial conference of the Premiers of the States, held in Melbourne in the month of November in the year one thousand nine hundred and fifteen, it was agreed between the said Premiers and the Prime Minister of the Commonwealth that the Premiers would bring forward in their respective Parliaments legislation for referring to the Parliament of the Commonwealth the matters specified in this Act, and that the Government of the Commonwealth would postpone during the currency of the war the taking of the vote of the electors of the Commonwealth upon the said proposed laws for the alteration of the Constitution: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

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**1.** This Act may be cited as the "Commonwealth Powers (War) Act, 1915."

**2.** This Act shall commence on a day to be proposed by the Governor.

**3.** Subject to the limitations and conditions in this Act contained, the following matters are hereby referred to the Parliament of the Commonwealth, that is to say:—

- (i) Trade and commerce.
- (ii) Corporations, including—
  - (a) the creation, dissolution, regulation, and control of corporations;
  - (b) corporations formed under the law of a State, including their dissolution, regulation, and control; but not including municipal

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municipal or governmental corporations, or any corporation formed solely for religious, charitable, scientific, or artistic purposes, and not for the acquisition of gain by the corporation or its members ; and

- (c) foreign corporations, including their regulation and control.
- (iii) The following matters :—
  - (a) Employment and unemployment.
  - (b) Strikes and lock-outs.
  - (c) The maintenance of industrial peace.
  - (d) The settlement of industrial disputes.
- (iv) Conciliation and arbitration for the prevention and settlement of industrial disputes in relation to employment in the railway service of a State.
- (v) Trusts, combinations, monopolies, and arrangements in relation to—
  - (a) the production, manufacture, or supply of goods, or the supply of services, or
  - (b) the ownership of the means of production, manufacture, or supply of goods, or supply of services.
- (vi) The carrying on, by or under the control of the Commonwealth, of any industry or business of producing, manufacturing, or supplying any specified goods, or of supplying any specified services, which industry or business each House of the Parliament of the Commonwealth, in the same session, has by resolution passed by an absolute majority of its members declared to be the subject of a monopoly ; and the acquisition for that purpose on just terms of any property used in connection with the industry or business :

Provided that this paragraph shall not apply to any industry or business conducted or carried on by the Government of a State or any public authority constituted under a State.

**4.** Nothing in this Act contained shall be construed George V.  
No. 65. to empower the Parliament of the Commonwealth or any authority constituted under the Commonwealth to affect the control or management of railways the property of a State, or the rates or fares on such railways.

**5.** This Act, and the reference made by this Act, Duration of  
Act and  
reference. Exemption of State railways. shall continue in force for the duration of the present war between His Majesty and the German Empire, and for a period of twelve months after the declaration of peace, and no longer; and are subject to the limitation that no law made by the Commonwealth by virtue of the powers contained in this Act shall continue to have any force or effect, by virtue of this Act or the reference made by this Act, after the expiration of that period.

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